

GARLAND DEMOCRATIC VOICE

NEWS AND INFORMATION FOR NORTH TEXAS DEMOCRATS

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Garland, Texas

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A True American Patriot



Lieutenant Colonel Alexander Vindman to his father:

“Dad, my sitting here today, in the U.S. Capitol talking to our elected officials is proof that you made the right decision forty years ago to leave the Soviet Union. Do not worry, I will be fine for telling the truth.”

Photo Credit: REUTERS/Jonathan Ernst

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GARLAND DEMOCRATIC VOICE
EDITORIAL

Bribery and Extortion: Truth And Patriotism

We are the benefactors of the love of the United States, our Constitution, by true American patriots.
Period.

Those courageous ones who have already come forward, speaking truth; those who are coming forward to speak the truth; Members of the Foreign Service; Speaker Nancy Pelosi; Chairman Adam Schiff; the protected by law, Whistle Blower; Members of Congress; and certainly the informed American people. Of special notice is our brave military — veterans, those currently serving, those who have gone before and especially those who made the ultimate sacrifice that we can have the blessings of freedom.

Bribery was understood by the founding fathers. Speaker Pelosi explains to the President that extorting another nation to take action for his personal benefit, i.e., Ukraine's initiation of a criminal investigation into Bidens to help Trump's 2020 Re-Election, in exchange for Trump's release of his hold on Congressionally approved military aid to Ukraine = Impeachable offense of the Constitution: Bribery.

Extortion would fall under "Other High Crimes and Misdemeanors." An Election does not guarantee immunity from the Constitution. If it did, the provision for impeachment of the President would not be in the Constitution. The Founding Fathers recognized that a President's violation of his Oath of Office ("I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.") which was Treason, Bribery, or Other High Crimes and Misdemeanors deserved Impeachment and Removal. [Const., Art. III, §4, clause 1].

Katherine Savers McGovern The New York Times Published on Facebook 11/16/2019

In the words of Rev. Martin Luther King, Jr., "The truth will set us free."

Recently, I served as an election judge in Dallas County Voting Center 193 (located in blue Dallas County Precinct 2700). Our new election system, with its new-system glitches, is proving to be amazing providing for a much more secure voting procedures for voters and we who serve as election workers. The electronic system streamlines the procedures and provides for a paper ballot and an scanned one, as well. The ballots are blank pieces of paper and must be activated specifically for each voter.

The sheriff's department officer was able to help with a would be voter who refused to follow the law and verbally threatened the judge. Other voters in this polling place were, for the most part, very patient when we were stalled! We heard from many other election workers that they, too, thought the new system is great — better when glitches are worked out and solved.

We especially mark the service of one judge, a new-to-service judge, who surmounted many, many glitches of the system and the county board of elections, to preserve the right and ability for all qualified voters to cast a ballot. She showed us all the meaning of patriotism, honor and the Constitution. In an after-the-election conversation, this judge agreed to serve in future elections and especially the upcoming Democratic primary election.

Democracy Works

Rachel Baker Ford, editor

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GARLAND DEMOCRATIC VOICE

UNDERSTANDING IMPEACHMENT

— Katherine Savers McGovern

An Election does not guarantee immunity from the Constitution. If it did, the provision for impeachment of the President would not be in the Constitution. The Founding Fathers recognized that a President's violation of his Oath of Office ("I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States.") which was Treason, Bribery, or Other High Crimes and Misdemeanors deserved Impeachment and Removal.

[Const., Art. III, §4, clause 1].

Impeachment Is the Subject of Several Provisions of the Constitution.

Article I, § 2, cl. 5, gives to the House of Representatives "the sole power of impeachment."

Article I, § 3, cl. 6, gives to the Senate "the sole power to try all impeachments," requires that Senators be under oath or affirmation when sitting for that purpose, stipulates that the Chief Justice of the United States is to preside when the President of the United States is tried, and provides for conviction on the vote of two-thirds of the members present.

Article I, § 3, cl. 7, limits the judgment after impeachment to removal from office and disqualification from future federal office holding, but it allows criminal trial following conviction upon impeachment.

Article II, §4, cl. 1, states that the President may be impeached and removed for Treason, Bribery, or Other High Crimes and Misdemeanors

Article II, § 2, cl. 1, deprives the President of the power to grant pardons or reprieves in cases of impeachment.

Article III, § 2, cl. 3, excepts impeachment cases from the jury trial requirement.

Bribery was understood by the founding fathers. Speaker Pelosi explains to the President that extorting another nation to take act for his personal benefit, i.e., Ukraine's initiation of a criminal investigation into Bidens to help Trump's 2020 re-election, in exchange for Trump's release of his hold on Congressionally approved military aid to Ukraine = Impeachable offense of the Constitution: Bribery. Extortion would fall under "Other High Crimes and Misdemeanors."

Nixon Articles of Impeachment

Three articles of impeachment were approved by the House Judiciary Committee:

1. charging obstruction of the investigation of the "Watergate" burglary inquiry,
2. misuse of law enforcement and intelligence agencies for political purposes, and
3. refusal to comply with the Judiciary Committee's subpoenas.

The three articles approved by the Judiciary Committee were all premised on abuse of power, although the first article, involving obstruction of justice, also involved a criminal violation. A second issue arose that apparently had not been considered before: whether persons subject to impeachment could be indicted and tried prior to impeachment and conviction or whether indictment could occur only after impeachment and removal from office.

Clinton Articles of Impeachment

The House approved two articles of impeachment against the President stemming from the:

1. President's response to a sexual harassment civil lawsuit and
2. to a subsequent grand jury investigation instigated by an Independent Counsel.

The first article charged the President with committing perjury in testifying before the grand jury (grand jury perjury charge) about his sexual relationship with a White House intern and his efforts to cover it up; the second article charged the President with obstruction of justice relating both to the civil lawsuit and to the grand jury proceedings. (Obstruction of justice charge)

Possible Trump Articles of Impeachment Based on Evidence to Date and What the Threshold Is for "High Crimes and Misdemeanors." :

*An abuse of power need not be a criminal offense to be an impeachable offense

*No judicial review of the impeachment process for presidents was possible, that impeachment presents a true "political question" case, i.e., that the Constitution's conferral on the Senate of the "sole" power to try impeachments is a textually demonstrable constitutional commitment of trial procedures to the Senate to decide without court review.

1. Bribery
2. Witness Intimidation
3. Obstruction of Congressional Oversight
4. Abuse of Presidential Power

5. Treason
6. Obstruction of Justice - Refusal to obey Lawful Subpoena to Provide Testimony and/or Documents
7. Conspiracy

GARLAND DEMOCRATIC VOICE

SPECIAL INFORMATION ABOUT IMPEACHMENT

[Editor's Note: On Saturday, November 16th Katherine Savers McGovern presented in informational presentation on the Impeachment Process at the *College of Complexes Meeting*. The two pages on Special Information is from Katherine's notes.]

— Katherine Savers McGovern

The Impeachment Process, Not an Election, Is the Only Way to Comply with the Constitution's Removal Standard for Presidential Breach of Oath

Impeachment of President

Bases: treason; bribery or other high crimes and misdemeanors

(Const., art. II, §4, cl. 1)

The House has sole power over impeachment

For example:

Whether & how to conduct inquiry/ investigation;
What constitutional violations to include in articles of impeachment;
Pass articles of impeachment to present to senate for trial.

(Const., Art. I, §2, cl. 5; Art. I, §3, cl. 6)

The Senate has the sole power to try Articles of impeachment.

(Const., Art. I, §3, cl. 6)

When the senate is sitting for impeachment of president, it is under oath or affirmation.

(Const., Art. I, §3, cl. 6)

Election of President

Bases: Majority vote of electors for each state

(Const., Art. II, §1, cls. 1-3);

Number of electors per state:

2 senators plus the number of representatives based on population of state; popular vote of state's registered voters for president & state law allocates majority vote top residential electors who actually vote for president.

(Const., Art. II, §1, cl. 2)

[Note: In 2016, Clinton received about 3 million more popular votes, but Trump received more electoral votes based on receiving about 70,000 more votes in Michigan, Pennsylvania, and Wisconsin which gave those states' electors, and the Presidency, to Trump.]

The Impeachment Trial

The Chief Justice of the Court is the presiding officer of the impeachment trial. (Const., Art. I, §3, cl. 6)

Conviction requires 2/3 vote of senate. (Const., Art. I, §3, cl. 6)

GARLAND DEMOCRATIC VOICE

ARTICLE

Elizabeth Warren Supports Strong Unions

— Charles E. Ford, Jr.

In 1935, The National Labor Relations Act (NLRA) became law and defined union rights including the right to organize and vote to become a union, the right to organize without employer interference, and the right to have a closed shop meaning all workers must pay union dues to work there. The NLRA also protected workers from being fired without cause. In 1947, the tide turned when Congress passed the Taft- Hartley Act (THA), over a veto by President Truman. The Taft-Hartley Act allows states to pass right to work laws. This was a major blow to unions because workers could receive union benefits like pay raises, holidays off, and protections from management without contributing a dime to the union. The THA also defined the meaning of the term worker such that supervisors could no longer join the union. Corporations could take disagreements directly to federal courts but unions would not have that right.

Senator and Presidential candidate Elizabeth Warren has proposed numerous amendments to the Taft-Hartley Act to re-instate employee and union rights as a corrective action against stagnant wages and the reduced benefits employees have endured for the past half-century. Repeal of the Taft Hartley Act is also an open consideration.

Democratic Presidential Candidate Elizabeth Warren has five broad goals: a link is provided below to access additional information. This is a sample of her recommended actions.

- 1. Extend labor rights to all workers:** Amend The National Labor Relations Act (NLRA) The Taft-Hartley Act (THA), and the Fair Labor Standards Act (FLSA) to reflect the needs of a modern society and workforce and to include farm workers, home care workers, independent contractors, supervisors, graduate students and others. Guarantee public workers the right to organize and negotiate.
- 2. Strengthen organizing, collective bargaining and the right to strike:** Prohibit states from passing “right to work” laws. Pass the Protecting the Right to Organize (PRO) Act, and Limit employer interference in union elections.
- 3. Raise wages and protecting pensions:** Raise the federal minimum wage to 15 dollars per hour. Provide more overtime for workers by changing the rules. Defend workers’ pensions and retirement savings. Promote sectorial bargaining. This allows workers at different locations with different employers in similar jobs to organize and negotiate as a unit.
- 4. Increase worker choice and control:** Require large corporations to include a worker as members of the board to represent the employees. Prohibit non-compete clauses in employment contracts that limit job opportunities if you leave the employer for a better position or are let go.
- 5. Expand worker protections, combating discrimination, and improving enforcement:** Pass the Workplace Violence Prevention for Healthcare and Social Workers Act. Address employment discrimination with the Equality Act for LGBTQ . Pass the Transformation to Competitive Employment Act, the Pregnant Workers Fairness Act, and other legislation.

<https://elizabethwarren.com/plans/empowering-american-workers?source=soc-WB-ew-tw>

Senator Elizabeth Warren was the driving force behind the creation of the Consumer Financial Protection Bureau. While few of us has had direct contact with th CFPB, it has been a significant force against fraudulent activity. Presidential Candidate, Senator Bernie Sanders has similar plans regarding the Taft-Hartley Act and worker rights, Bernie is not a Democrat.

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GARLAND DEMOCRATIC VOICE

ARTICLE

Senator Warren's Plan: Medicare for All. Is Possible and Affordable

— Charles E. Ford, Jr.

The need is clear. The need is an imperative.

Last year, 37 million American adults didn't fill a prescription because of the cost of prescription drugs. 36 million people skipped a recommended test, treatment, or follow-up because of costs.

40 million people didn't go to a doctor to check out a health problem because of costs.

57 million people had trouble covering their medical bills.

An average family of four with employer-sponsored insurance spent \$12,378 on employee premium contributions and out-of-pocket costs in 2018.

And 87 million Americans are either uninsured or under insured. <https://elizabethwarren.com/plans/m4a-transition>

Presidential Candidate, Senator Elizabeth Warren knows what our problems are, studies the problems, and suggests solutions. No plan to solve all of our healthcare issues is going to be perfect but Senator and Presidential candidate Warren has presented the most carefully thought out and comprehensive plan of any candidate and certainly better than Trump or any Republican has offered — NONE. Any plan is fighting against the human factor, *greed*, that is apparent throughout the healthcare industry.

Senator Warren's recommendations are 25 typed pages. Here are some of the major points. Much more detail is available at the website link provided above.

1. The transition from the current healthcare system will be not be instantaneous, it will occur in multiple stages so changes can be evaluated before moving forward. The do-no-harm strategy.
2. Initial actions will include anti-corruption reforms to rein in insurers and drug companies.
3. Reverse Donald Trump's sabotage of health care, protect individuals with pre-existing conditions, take on the big pharmaceutical companies to lower costs of key drugs for millions of Americans, and improve the Affordable Care Act, Medicare, and Medicaid.
4. Fight to create a true Medicare for All option that's free for tens of millions. Give every American over the age of 50 the choice to enter an improved Medicare program, and every person in America the choice to get coverage through a true Medicare for All option. Coverage will immediately be free for children under the age of 18 and for families making at or below 200 percent of the federal poverty level (about \$51,000 for a family of four). For all others, the cost will be modest, and eventually, coverage be free for everyone.
5. Use every tool available to put pressure on big drug companies to lower the cost of prescription drugs. Using existing legal authorities the cost of several specific drugs that tens of millions of Americans rely on can be reduced.
6. Strengthen the Affordable Care Act that millions of Americans depend on.
7. Strengthen Medicare. Stop Medicare Advantage Plan from bilking taxpayers.
8. Use waiver authority to increase Medicaid enrollment.
9. For years, hospital and health system consolidation, has contributed to the skyrocketing costs of health care. Today, "not a single highly competitive hospital market remains in any region of the United States." Bringing down the cost of health care means enforcing competition in these markets.

We may never see Medicare for All, but many of the actions recommended by Senator Warren may make quality healthcare available to many more people.

###

TEXAS  DEMOCRATS

The Texas Democratic Party on Yet Another Trump Visit to Texas

Texas Democratic Party Chair Gilberto Hinojosa issued the following statement:

“Texas is the biggest battleground state in the country. That’s why Trump is making his seventh visit to our state this year. He’s terrified. Republicans are terrified. They know Trump’s failed policies and broken promises are why he will lose. Texans are ready for change. They want leaders who will fight for their fair shot to get ahead.”

For Immediate Release: November 20, 2019 press@txdemocrats.org

Appeals court rejects Trump’s attempt to withhold tax returns from local prosecutors, setting stage for Supreme Court fight

[washingtonpost.com](https://www.washingtonpost.com)

The Second Circuit Court of Appeals’ Decision gutted Trump’s assertion that compliance with the subpoena issued to a third person was still covered by his alleged presidential immunity and that compliance would interfere with his performance of his presidential duties:

“The subpoena at issue is directed not at the President, but to his accountants; compliance does not require the President to do anything at all,” Katzmman wrote. He was joined by judges Denny Chin and Christopher F. Droney, all of whom were nominated by Democratic presidents.”

Katherine Savers McGovern Facebook 11/04/19

Two Founding Documents Articles of Confederation and The U.S. Constitution

In our discussion of things constitutional, we need to know that there were two “founding documents:” the Articles of Confederation, written by the Founders, who wrote a document to give the colonies a structure for winning the Revolutionary War. When it became clear that it was unworkable as an instrument to build a nation, the Framers gathered in Philadelphia to write a new set of laws, which essentially ended the states as sovereign bodies in “confederation” with other states, with a sovereign federal body superior to the states.

Before the Constitution, everyone was a citizen of a state; afterwards, everyone was a citizen of the United States and resident of a state!

Anticipating that such a demotion would not go down easy for state governments, the Framers were concerned that the new Constitution would be rejected because of the solitary chief executive and their reduction in rank, and so included elements in their document to make the “pill less painful”...element which, today, no longer are needed and do not make our nation stronger.

Facebook 11/19/19 Steve Love

Difference Between Bribery and Extortion

What is the difference between bribery and extortion?

Bribery: “If you bribe me with \$100 a week, I, a Mafia enforcer, will not set your bakery on fire.”

Extortion: “If you don’t give me dirt on Biden, I will help Putin to take over your country?”

Comments:

Kimberley Jace: Bribery: I’ll give you money if you do (or don’t do) something according to my request.

Extortion: If you don’t meet my request, I’ll do something bad to you.

Bribery is a carrot. Extortion is a stick. Trump’s Ukraine thing was bribery.

KJ: The Mafia example would be extortion.

Steve Love: I guess what drives bribery is the desire for ill gotten gain while extortion is driven by a fear of injury, but don’t both apply in this case: Bloody Donald wants to win an election by cheating, and the Ukrainians acting in fear of losing their homeland to the Russians?

KJ: There certainly is some gray area when you have a big jerk with a handful of money and a big stick, and as many moving pieces as this whole Ukraine “cluster bribe.” Also, I’m answering as an editor (about how we would use these words in literature), so the legal definitions may vary. God save us all.

Eric V. Moyé: Quite right Steve. It isn’t a binary. Or to follow the metaphor, someone could be beat to death with that carrot .

Facebook 11/12/19 Steve Love

GARLAND DEMOCRATIC VOICE

IN MEMORIAM



Jack Blackshear

April 14, 1941 - November 18, 2019

Our Democratic family is mourning the loss of Jack Blackshear. Jack ran for state house in 2016, served as an election judge, precinct chair, president of Garland Area Democratic Club, and the official Democratic ice cream man. Please keep his family in your thoughts.

In Tribute

It won't be the same without you, Jack! That's something I told him over and over again throughout 2018! Running alongside Jack in 2016 was like running alongside a soldier! I remember each candid conversation and how we laughed at not knowing what we were doing nor what we had done - yet we both jumped into our House races with both feet and kept encouraging one another!

Thank you for your service, Sir - and for every laugh we shared on and off the campaign trail - Know that we will miss your homemade ice cream, having coffee on Saturday mornings and your every effort along the way - today we SALUTE you - May you Rest In Peace, my dear friend!

We always had each other's back!

Rep. Rhett Andrews Bowers TXHD103 #GoneButNotForgotten #txlege

Thoughts: Speaking for us all as we mark the passing of our friend, Jack

We could always count on Jack!

Was so sad yesterday to hear of his passing. We will all miss Jack.

Tough to imagine Jack not being around. Sure hate this. A wonderful man.

He will be missed!

We will miss his soul.

May the arms of God wrap his arms around you and your family in this difficult time.

###

Jack Blackshear, 78 of Garland, Texas; was born April 14, 1941 and passed away November 18, 2019

Jack was a proud U.S. Army Retiree; great Democrat, past president of the Garland Area Democratic Club; election Judge; real estate agent; and an owner of B&B Lighting.

He is survived by his loving wife, Judith Marie Blackshear, son, James Blackshear (Karen), Christopher Blackshear (Kristi); 6 grandchildren and 5 great-grandchildren; brother, Gary Blackshear (Rosalyn); sister, Peggy Noel Norris ; and a host of nieces, nephews, cousins, and friends.

Service Information

Williams Memorial Chapel

Saturday, November 23, 2019 10:30 a.m. - 11:30 a.m.

1600 South Garland Ave

Garland, Texas 75040

GARLAND DEMOCRATIC VOICE BULLETIN BOARD



Thank you for your commitment to all of us that we might know the blessing of freedom and liberty.



HAPPY THANKSGIVING

Wishing you and yours a Happy and Peace filled Thanksgiving

Rachel Baker and Chuck Ford
The **GARLAND DEMOCRATIC VOICE** Family

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