

Episode 39: Taking Our Democracy Back



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*****Brady legal music*****

JJ

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Now, please note that this podcast can contain discussions of violence that some people, heck most people, may find disturbing. It's okay. We find it disturbing too.

*****Brady musical introduction*****

JJ

Welcome back to Red, Blue, and Brady for this, our first remote podcast! I'm so excited about this guys. Now, in the past, we've recorded wherever possible. But today the entire production has moved itself out to Des Moines, Iowa, for the We The People 2020, protecting our democracy a decade after Citizens United Forum. Brady and a really diverse group of advocacy organizations all partnered up to talk about democracy and, of course, how gun violence impacts

that. Now there's some top presidential candidates here in Des Moines, and you can by going to our social channels, you know, check out what they had to say. We have a live stream of the full event, but what I was sort of more interested in was hang out on the admittedly really, really cold streets--it was in negative degrees--to talk to ordinary folks to talk to people who were working for some of the organizations that help put this event on, but also the people who were just coming to Des Moines for this forum, you know, to talk about what they think about democracy; what they thought about voting; what they thought about gun violence prevention.

And what's really exciting for me now is that I got to come back after the event and now share with Brady President Kris Brown what some of these people on the street had to say about, you know, about the issues that are really near and dear to her own heart. Now, once we're done breaking down sort of what? I guess we call it "JJ on the Street." Once we're done breaking that down, I'm gonna tell you a tale of a gun store who has made buying ammo and gun accessories a game, literally. Then I'm bringing you all the news I can from this week. You guys know the drill from marking a sad anniversary to a state of emergency being declared in Richmond.

*****music plays*****

JJ

All right, so, Kris, thank you so much for joining me.

Kris Brown

Thank you for having me a JJ.

JJ

Yeah. There's something about having a late night podcast. It makes me feel very journalistic.

Kris Brown

If the video were here, they'd see what we're wearing that maybe it would not be quite as journalistic, but it's good to be comfortable.

JJ

Yeah, there was right when the makeup wipe came out. But the reason why we're here obviously is we're in Des Moines, Iowa.

Kris Brown

We are, and it is really, really cold in Des Moines, Iowa, right now.

JJ

We're braving the ice and the snow for a good reason. It's worth it. Well, that begs the question then, why were we here?

Kris Brown

We are here because Brady participated with a lot of other incredible organizations to talk about the role of money in politics and to talk about some of the issues that despite a vast majority of

Americans, and we all know that's a huge understatement, supporting the change that we all see change doesn't happen. And we wanted to get at the heart of why that was and certainly there are very few issues as many of the candidates talked about in American politics today, where there's no more stark example than of gun violence. So it was pretty incredible. Was a great night.

JJ

Yeah, I was. It was really fun to be there. And one of the things that was so great as I actually got to talk to sort of people on the street about their feelings and their concerns. And you know why they came to the forum, and then I got also I also got to talk to some of the individuals that are helping us put on the forum. So it was this nice mix of people who are really engaged, maybe not necessarily in gun violence, but certainly in democracy and then people who are actively participating in democracy.

Kris Brown

Yeah, I was able to interact with many of the candidates and the other people who hosted, but I always miss the man and woman on the street interviews.

JJ

Okay, so I can't think of a better way than to kick it off than with really an explanation from one of the partners who I met there. A gentleman named Rio who is from the People for the American Way organization, who I think had this phenomenal explanation of why the forum was so important.

Rio

So we're here because we work with a lot of the partners that are putting this on and a much broader coalition to pass fundamental reforms to our democracy. For instance, to address the influence of big money in politics to protect and expand the right to vote and gerrymandering, close the revolving door, get greater ethics in government. There's a whole wide range of reforms that are very much needed in order to create a more representative and fair, transparent, equitable democracy. And this is such an excellent opportunity to talk to some of the people that are running for president about what their plans are in terms of fixing our very broken democracy.

JJ

So when you say very broken, can you give an example?

Rio

Yeah. So, for instance, you know, this is the 10th anniversary since Citizens United. Ten years ago, the Supreme Court handed down this decision, which has led to an explosion of outside spending in our elections, which really drowns out the voices of individuals by giving disproportionate influence to wealthy interests. That are able to spend unlimited amounts to support candidates that represent their interests and, honestly, the interests of their constituents or the average person in this country. So that in and of itself is a huge problem for our democracy. Given, you know, the concept of democracy is based on the idea of one person, one vote when you start incorporating unlimited sums of money into the electoral process it really skews that balance. So that's one issue on the voting rights front. There's so much that's happening at the

state level right now to make it more difficult for people to vote, particularly people of color and underrepresented communities. And it's so important that we push back and shore up and expand the right to vote. The revolving door between corporate America and the government in Washington and state capitals has created all kinds of conflicts of interest that we see in terms of policy making, prioritizing the interests of wealthy individuals and corporations over those of everyday Americans. The list goes on and on.

JJ

That sort of feeling that there's something that's fundamentally been broken here because of money. We heard that from concerned citizens as well, including from this lovely woman, Susan, who is from Iowa and came to the forum.

Susan

Ever since Citizens United became the law of the land, I've been looking at what can be done to make our elections fairer again pending an amendment to the Constitution overturning Citizens United. I don't know what we can do, but I'm just so disturbed about the dark money in our elections and even the the light money in terms of the billionaires who are able to mount credible races because of the money they put into advertising, the playing field is no longer level.

Kris Brown

Well, I think Susan has it right, and what's kind of amazing listening to her is the concern that's clear in her voice. I think the good news is among all the candidates that we heard from today. There was a general sentiment and acknowledgement that Citizens United which for those of you listening, who don't know what that case is, it's a case that was decided by the Supreme Court that created super PACs. So you can put money as a super PAC into ads that don't have to specify the recipient so you can flood money into issue ads which happens all over the country, and they can come in from anywhere, including places like Russia. They've transformed politics today, and ultimately what's happened is for many, many, many races--the flood of this money, often at the last minute, can transform the races, and ultimately, that case has had a huge distorting effect. And it was a common theme throughout our forum tonight for a reason: it needs to change. And it was such a mix of older and younger people who were involved, too, like they're really, truly wasn't just one demographic. And I think that was because this form dealt with so many in some ways and niche interest. But then this overarching issue of how do we make our democracy work? And so one of the things that really excited me is I met a professor. His name was Malcolm, who brought a busload of kids all the way from Nebraska. They drove all the way down for the forum, and he had this to say.

Malcolm

I think the whole variety of issues that are here today I think this forum is a great idea to unite different different interest groups into, uh, conversation.

JJ

What I think is so great, though, is that even while expressing that things were broken or that things weren't great, I still heard from a lot of people that couldn't wait to be participants in this.

Like Dennis for example, who, when I met him, I asked why he was here? He said something really interesting, which was:

Dennis

We're here today because we live in Iowa, and that's what you do. And we got a lot of the candidates, probably some of the top four that I want to see to make my final decision and get enlightened and be a good citizen.

JJ

But then when I asked, you know, did he consider gun violence to be a detriment to democracy, to the democratic process? He said something really interesting, which was:

Dennis

It has been a major detriment. And I think there's all kinds of solutions that we could try if we could just get people more concerned about the safety of our citizens and our children than getting reelected and taking money from the NRA.

Kris Brown

Well, it's really interesting to hear his remarks and recognize the basic truth of what he has to say. He's right, and as a lot of the candidates said tonight, the role of money and politics can't be discounted, and the facts just speak for themselves, right? There are politicians. Mitch McConnell comes to mind, Donald Trump also comes to mind; who are beholden to special interests.

JJ

Well, and we heard a really similar sentiment, although this shouldn't surprise me because this is actually a friend of yours and friend of Brady, you guys have written op-eds together. This, we heard a very, very similar sentiment from Tiffany at Citizens United.

Tiffany

What's so fantastic about this forum is it's a chance for us to really talk about the intersection between money and politics and other policy priorities. Let's take gun violence, the NRA spent \$56 million in 2016 and we know that 95% of people support common sense background checks, but we can't get it done because our elected officials are too in the pocket of the gun manufacturers and the NRA . So we know that if you can actually change the system, get money out of politics, we can get done all the other policy priorities that we all care about. Everything from making our communities safer to lowering prescription drug costs to tackling climate change.

JJ

It's really hard to do say anything better than that, actually.

Kris Brown

I mean, she said it incredibly well. I think that for our issue, it probably at least in my mind, and I don't think that I have a complete bias here, although it's acknowledged and all of the listeners

would know, Um, when you have something like I said before, with 97% of Americans supporting it and you still can't get it done, it really does show, Um, in the words of Shakespeare: there's something rotten at the heart here and it needs to be fixed, and she put her finger on it. It is the role of money in politics. The thing for our issue is it is connected with a lot of other change that the voters want, right, And I think I'm a mom. I have a 16 and an 18 year old at home, and they, like many other people around their age and a bit older, cause I look at the polls they care about gun violence as a top three issue. They care about equality. They care about climate change. What are the issues that we're talking about all of the time that are being held up? We have bills that passed the House after a historic landmark election in 2018 on every single one of those issues. The hope that I have is forms like this which draw people's attention to how interconnected these issues are and how if we all stand up and demand the change and, most importantly, vote. In the end, I feel like the system we have here in America and what us what we all have learned motivate us to want to make this change because that's the kind of country all of us want to be a part of. The role of money in politics is literally eating away at that, and it is a toxic force in politics, and I hope that we can change it. And when we do along the way, we'll solve many of these other issues.

JJ

Yeah, I really want to do a shout out to Lisa from Public Citizen, who I think really gave me. Like an amazingly quick answer on why an issue like gun violence doesn't just matter for democracy, be functioning but really is sort of the test, you know, or really sort of an issue that because it's not being handled well, we can see that our democracy isn't functioning the way that it should be.

Lisa

I think it's just one of the best, fattest examples of how money and politics can influence the system away from the things that most people want. So gun violence is something that people feel really strongly about and want solutions. And money from gun manufacturers and the NRA, many other sources as well, conservative sources, keep things from happening that are obvious solutions. And, you know, it's not just gun violence, it's environmental issues, it's the economy, it's health care. There's just a lot that we can't get done until we fix this problem first. I think from my perspective, most important thing is their level of prioritization for the issue said as a whole. I want to understand whether they'll be putting this as our first order of business, whether it's a first 100 days commitment and then how they're gonna tackle it. Are they gonna do executive orders on democracy? Are they gonna push Congress to do legislation? I think I'm interested in not only what they do, but their pressure level and how important it's gonna be to them.

JJ

And unfortunately, though what it sounds like I've heard sort of people say repeatedly through this forum today was that when we reduce votes to money or when we reduce politics to whoever can have the most money. We're putting a price then on these issues, which then in our cases, we're putting a price on human life.

Kris Brown

We are putting a price on human life, and we're not providing an environment in which democracy can survive. None of us can survive in that world.

JJ

You know, and speaking of survival, one of the things that I heard from numerous people, both from those who were involved with organizing and hosting the event to people on the street was this concern about parity and equality and the rule of law. So in particular, you know, I heard from Dominic and Travon who are with the NAACP.

Dominic

When we think through gun violence, how that affects communities of color, uh, directly and how we're part of that, I think for us expanding voting rights, you know, looking at judges, I think that's a huge thing that we need to really discuss and talk about and making sure that judges are one, um, are appointed fairly. Um and they look like the communities they're representing whether it is from the lower courts also going all the way up to the Supreme Court. Those are things I would like to see more coming out from the candidates and I think forums like this help that.

Travon

I think some of the questions around the upcoming sessions are very, very important. Redistricting and things of that sort, play a major part in how not only elections today are gonna be handled, but future, elections are gonna be handled. So addressing in coming up with actionable plans around this, we can talk around this stuff forever. But we need active participation from our, from our presidential candidates and how they're framing and looking to do something from a resolution standpoint. It's one thing to talk about it, but we need we need actionable plans that we're going to see in a timely fashion for the American people.

JJ

So that concerned, though of parity, though and actual equality and then actual enforcement came up again and again and again. I talked to a lot of people who were really concerned that even if good laws can get past in a system that oftentimes feels broken, those laws aren't then enforced.

Kris Brown

Well, they're on to something. We often hear from the other side after every horrific, headline grabbing mass shooting, let alone the everyday gun violence that doesn't get covered the way that it should be at all, it's all about enforcement. Well, it's not all about enforcement. It's also about good policies that allow the policies to be enforced. But the reality is under this administration, we're not investing in good enforcement. ATF, the agency that provides oversight of gun dealers, for example, doesn't have nearly the funds that are necessary to inspect the gun dealers out there that are contributing to crime guns that end up in city streets every single day. And those crime guns are flooding and creating the homicide problem that we have. Throughout this country. 7% of gun dealers are inspected every single year. Imagine that. 7% of gun dealers the gun dealers in this country, and I don't want to castigate them because about 5% of gun dealers in this country are responsible for the sale of 90% of crime guns. The implication there is

the vast majority of all the others, and that's upwards of 90%--don't sell a single crime gun in any given year. But the bad actors are given a pass because the ATF is focusing on only a very small portion of the gun dealers out there. And we have more gun dealers than Starbucks and McDonald's combined. So yes, they're right. I think the other corollary here, though, is get a president and get a Congress that cares about gun violence and that passes the policies that we need and they will invest in enforcement as well. And we heard that today.

JJ

One of the things, though, that I that I want to point out because a lot of people were very excited, I think in general a lot of people are really excited to hear from Brady because we're a bipartisan organization. So we immediately go over that hurdle of, well, I'm gonna vote Democratic, I'm gonna vote Republican and it sidesteps sort of all of that party messiness. But this was a form of all Democratic candidates, and I was just curious to know why that was. But I thought I would preface this with a comment that we heard from a younger gentleman, Brad, who came in for the event that said something that I thought was really striking.

Brad

I think out of the candidates that we have running on the Democratic side, that each and every one of them will be better than our current president. So as far as a distinguishing factor amongst them, um, I don't know if it plays into my choice necessarily, because at the end of the day, I think, well, each and every one of them will do a better job than the current president.

JJ

It's one of those things were like, I want to be completely fair and not come across as having any political slant. But like, Brad's not wrong.

Kris Brown

I really wish Brad was wrong, and I think Brad might have been wrong at various points within the first 24 or 36 hours after President Trump had to react to the horrific shooting at Parkland or if he had made a different decision following El Paso. But ultimately any initial feeling of human empathy, was quickly dissipated after burgers and fries with Wayne LaPierre. And I'm not saying that tongue in cheek, he was wavering, the NRA leader is Wayne LaPierre, he went and sat down and had a tete-a-tete with Trump, and Trump quickly came back out and said, even though I said at first, maybe I was considering expanding background checks; no, I'm not going to do that. And that very example is at the heart of what we were talking about today, because this single largest organizational contributor to the Trump campaign was, in fact the NRA. And from what we understand of the conversation, that was, if you want our financial backing going forward, you know what you need to do. And that is not democracy. That is not an America in which any of us can take pride. And it's not draining the swamp.

JJ

Yeah, it's paying the king for a boon.

Kris Brown

It's paying the king for boon. And last I checked our democracy exists because we wanted to throw off the shackles of a king and a monarchy. But that's what we're creating. And so I have to agree wholeheartedly with the sentiment of Brad and say that at the end of the day, I agree. Any of the candidates that we heard from today on our issue would be head and shoulders above the person sitting in the White House today.

JJ

So we heard from a young man named Akari who was really concerned because he travels a lot and people ask him, is the US safe? And his answer has had to change.

Akari

It's definitely a big concern and it's so funny, I just got back from Asia and people ask questions like, oh, I don't know is the US safe? And it's like, you know, it's really kind of a weird question. But we feel safe generally, but yeah frightens me all the time. Just thinking about my nephews. Being in middle school and high school, I guess, it's really about how do we get back to a place where government is not paralyzed, can it ever happen again?

Kris Brown

Yeah, I think that's really telling, you know, one of the reasons I got back into the issue after doing a lot of other things for a while, as an attorney and litigator of gun violence prevention is because I lived overseas, and the question I got asked by people when they discovered I was an American. No matter where I was, was, what's going on with gun violence, and it was pretty consistently asked, and it got me thinking when I lived overseas--wow, you know, I'd become inured to the level of violence that we had every day, and my life was different in Switzerland's not thinking about it. And I didn't realize the absence of something that you're not cognizant of can change your life, but you only know about it when you become cognizant of the thing. So I went to the movies and I had less stress and public places, sending my daughters to school, going on public transportation, everything about life. And I realized that really is a terrible thing for Americans. But we're not fully internalizing how much this is impacting our lives. Whether we have experienced a horrific loss, or shooting ourselves personally or not, it is affecting our everyday life, and it does not have to be this way. And I think that's what he's noting. You kind of hear it in his voice. I think they're safe, but you don't know, and that's the really hard part of it. It's hard to put a price tag on what it is like to live in a place where you feel completely and totally secure, and I think we deserve that.

JJ

Well and he came all the way, I want to stress he came all the way from New York, for this forum. It brings up a thing is that I will admit today I was scared a little bit before the forum. I was a little bit nervous when we were setting up and there were people coming in and out. It's Iowa's so everyone has big, bulky jackets because it's cold. But with what's happening when this podcast goes live Monday morning, in Richmond, I'm scared about what's happening in Richmond. I was a little that scared today that because of what was happening in Richmond, we might have something happen here. I don't like that about myself or my my life that I'm suspicious of people who I meet for the first time when they are coming through a door. I don't like that I look at people with the intention of are you gonna cause me harm? But I think that

takes us to sort of this final question, which is very clearly gun violence is a democratic issue, but what can people out there in the world do if they're sort of worried about the upcoming election if they're worried about, and that means on the national level. But also just, you know, in their hometowns for who's running for mayor or on their local school board. Who's running for senator, who's running for congressman? You know what? What can they be doing?

Kris Brown

Show up, go to town halls, go to events. I think all of us who were there today had to be incredibly impressed that to be an Iowan is to be at the epicenter of something rather unique in our democracy. But all of us can participate that way and not enough of us do. And I can tell you the people who go to the town halls, the people who make an effort to call their representatives, to write them to email them. There are a lot of ways in modern America that you can get in touch. They have an outsized influence, and that is how we take back our democracy because moneyed interests are doing that. They're just not doing it through real people. And politicians, still, at the end of the day, care about what real people living in their communities think. And for those of you listening to this, there's a whole network of information and facts. You don't have to do the research yourself. Go to Bradyunited.org. It'll be linked to in the description of this episode even, excellent. And there's so much information. But you don't have to be an expert. You're an American, and therefore you are an expert on gun violence, whether you want to be or not, so get get informed. Get the information we have there, join Brady and talk to your friends and neighbors about this issue. This isn't something that just happens at the ballot box anymore. In America we have 4.6 million children, for example, living in homes with loaded and unlocked guns and the way we're going to make sure that people really think about safe storage and protect the lives of people coming into their homes, which is, you know, something that I think all, all people want to do is having conversations about these issues. So talk about it, advocate about it, get educated and, most of all, show up, make a difference and vote. Let's make it in 2020 that a record number of people do, because if we do, that is how we're going to take our democracy back.

music plays

JJ

So let's have a moment of levity in our "Unbelievable, But!" section here and in fact, a moment of fun and games. So a Florida gun shop has installed and continues to use a claw machine filled with AR accessories and ammo. Now, if, like me, you've ever spent, you know, realms of your parents quarters in search of like the perfect soft, plush toy that always manages to fall out of the claw at the absolute last second. You know, you're familiar claw machines. But, um, gun accessories and ammo as opposed to, like, soft, little stuffy toys are rare. Now, why is this lighthearted? You know, gun-shop toy an issue? Like, come on, why am I complaining about, you know, a marketing gimmick used by a small business? Well, because guns, as we've said so many times before and we're going to continue to say are not toys, and when we treat them flippantly as opposed to treating them like weapons, is really dangerous path to go down and to normalize. So let's not do that.

music plays

JJ

Now in newsland. Uh, so many things happened this week that I can only cover a few for time. First, I want to mark an anniversary. January 17th marks 31 years since the Cleveland school shooting. This is a school shooting that doesn't get talked about as much, but it was one of the first large scale school shootings in the US. What happened was that a 26 year old man drove to Cleveland Elementary School in Stockton, California, armed with an assault rifle and a semiautomatic handgun, he set his car on fire, he walked into the school yard and he started firing while over 300 students were outside for recess. Within just three minutes, the gunman had fired off over 100 and five rounds, which killed five students and wounded more than 30 others before he then took his own life. All five students killed were between the ages of six and nine, and were the children of Southeast Asian refugees.

So this Cleveland school shooting, which is sometimes also called the Stockton schoolyard shooting, was also one of the first mass shootings to be on 24 hour cable news. Now for some of our younger listeners, it may be weird to picture a world where there's not a 24 hour news cycle. But at the time, this was shocking to Americans who saw images of the shooting and its aftermath on, like this endless, endless cycle. To quote one Sacramento magazine writer, America has quote: "struggled ever since to reconcile the image of fallen kids with the power of its gun culture." End Quote.

Additionally, a new album dropped last week that had many people surprised. And not just because it came from Eminem, who famously really rarely even hints about new album's coming out, but because it came with a message of gun violence prevention and accompanying video for the song Darkness. And This is the first video released from this album, by the way, it depicts the 2017 Route 91 Harvest Mass shooting in Las Vegas. Now this video is graphic, and I think it's gonna be very troubling to many people, especially survivors, particularly because portions are presented from the perspective of the shooter.

But the video calls for folks to support gun violence prevention groups, including Brady, and demand action on the issue. I've watched the video a few times now, while I can understand some of the negative responses it's gotten. I've got to say, personally, I'm really impressed whenever artists take the time to try to draw attention to these massive social issues, especially when they've spoken out about them before. Eminem famously has done a few raps about you know, his dislike of the NRA. So this feels like it's a really genuine attempt here to draw attention.

What I think is a less genuine attempt to a draw attention has come with this issue that Kris and I talked about in Richmond, Virginia. Now in Richmond, the state capital has been preparing for its annual gun violence prevention lobby day. It's held on MLK Day. It's a day that is typically used by gun violence prevention advocates to democratically lobby for gun safety laws as well as hold of vigil and rally. And this has been happening for 20 years.

But each year, individuals who oppose gun violence prevention efforts do show up, but they've showed up peacefully. But because of this year's new wave of extremism and threats of violence

that have really, honestly gone to higher and higher levels, Virginia Governor Ralph Northam has declared a temporary state of emergency now what does that mean? It means that he now has the authority and has banned all weapons, including guns from the Capitol Square.

His decision was in response to reports about, you know, really inflammatory online postings by out of state pro-gun and militia groups who had promised and might still be attending Monday's rally. Virginia law enforcement officials have been preparing for the event with a lot of people drawing comparisons to the deadly 2017 White Nationalists rally in Charlottesville and that involved heavily armed protesters. But I want to be really, really clear here that not a single law in Virginia that is up would confiscate guns from law abiding citizens. These myths being spread by extremists are drawing fear and hate and inciting violence, and they really need to be put to rest.

*****music plays*****

JJ

Thanks for listening. As always, Brady's life saving work in Congress, the courts and communities across the country is made possible thanks to you. For more information on Brady or how to get involved in the fight against gun violence, please like and subscribe to the podcast, get in touch with us at Bradyunited.org or on social [@BradyBuzz](https://twitter.com/BradyBuzz). Be brave and remember: take action, not sides.

*****Brady musical outro*****

Selected citations:

“Historic Step Towards Common-Sense Gun Safety Laws in Virginia.” Brady. Accessed January 17, 2020.

<https://www.bradyunited.org/press-releases/brady-celebrates-historic-step-towards-common-sense-gun-safety-laws-in-virginia-during-second-week-of-legislative-session>.