

Kim: Welcome back to #SistersInLaw with Joyce Vance, Jill Wine-Banks, Barb McQuade, and me, Kimberly Atkins Stohr. And don't forget to check out our merch site Politicon.com/merch because we have a brand new Sisters Resistance hoodie and it's now available to order. That's Politicon.com/merch and check out our new stuff.

Now, on with the show where we'll discuss a lot of big topics. One, the indictment of former FBI Director James Comey, also President Trump's executive order targeting Antifa, and what has Tom Homan gotten himself into, and will there be any consequences for it?

But before we get to that, just by way of the fact that all four of us are sitting here, my sisters, and the world did not end as some would predict that it would earlier this week, maybe some of us might've wished it would because this week was a lot. This week was a lot, but we are all still here.

But it got me thinking, if I knew it was the end of the world, what would I do? And it made me curious about what you guys would do. So I know one thing I would definitely do is eat a meal that is made up entirely of Alaskan king crab legs. That is my number one favorite food on Earth. If I'm ever on death row, I pity the budget of the state because I would need to have that as my final meal, and it is not cheap. But, I mean, that's the first thing that popped into my mind and probably also listen to Prince's 1999 album because that's what it's all about. But what would you guys do if you knew the world was going to end? Barb, what would you do?

Barb: I'd probably be on the couch with my Lola blanket eating ice cream. You laugh, but kind of that's probably-

Kim: That's awesome. Yeah.

Barb: That's probably true. I don't know, I might try to do something wild like run naked through Comerica Park or something, but that's probably not me. I'd encourage others to do that.

Kim: What about you, Joyce?

Joyce: So what I always want to do, and I have to remind myself, we have a small house with limited resources. I would just take all of the stray dogs and cats. Like if I knew the Rapture was coming for however long, I would just bring them all home, give them a spot on the couch, cook them a steak, and just hang out with all the dogs and the cats until I was rejected from the Rapture, because I think I'm like the wrong kind of person for that.

Barb: But you wouldn't eat the cats and dogs, am I right?

Joyce: No. We would love the cats and dogs, Barb. We don't eat them.

Jill: So I think I am more close to Barb. I would cuddle up on the couch with Michael and Brisby. I would just be happy to be with them and I would tune out and be happy that I

wouldn't have to endure another day of bad news about the Trump administration. So I'd be really happy about it, I think

Kim: Well, fall is finally here, and it's a perfect time to refresh your wardrobe with pieces that feel as good as they look. And luckily, Quince makes it easy to look polished, stay warm, and save big without compromising on quality. Quince has all the elevated essentials for fall. Just imagine how good you'll look in 100% Mongolian cashmere from \$50, their washable silk tops and skirts and perfectly tailored denim. But the best part is that everything from Quince comes at prices that feel too good to be true.

Jill: They really do. And I've been looking at their online offerings and especially at their wool coats. They look designer level and cost a fraction of the price. And the quality, it's just as good, if not better. That's because Quince partners directly with ethical top-tier factories and cuts out the middleman. As a result, they consistently deliver luxury quality pieces at half the price of similar brands. It's the kind of wardrobe upgrade that feels smart, stylish, and effortless, especially as Chicago gets colder and colder.

Joyce: We love how Quince only works with factories that use safe, ethical, and responsible manufacturing practices to create the premium fabrics and finishes that make up their amazing offerings.

One of my favorite things and something that everybody really needs is Quince's, washable, stretch silk blouse. The material feels amazing and the style is perfect for giving a speech, being on-screen, seeing friends, or just heading off on an adventure to exciting new places. There's nothing better for looking your best. And if you're prioritizing fitness, as we head into the holiday season, I have to tell you, the best workout motivation I've had lately comes from Quince's new active wear.

Barb: Joyce, is that your washable stretch silk blouse that we're seeing up in front of the screen?

Jill: [inaudible 00:05:31].

Joyce: No, it was.

Kim: It looks beautiful.

Joyce: Yeah. I have to say. I mean, stretch silk is something that you just really can't underestimate.

Barb: Don't wait, keep it classic and cozy during this fall's cool with long-lasting staples from Quince. I have made the 100% Mongolian cashmere sweaters, which only costs \$50, my go-to. I wear it under my suits, I think they look great, and they're cozy the fall. You can go to Quince.com/sisters for free shipping on your order and 365 day returns. That's Quince.com/sisters to get free shipping and 365 day returns. Again, Quince.com/sisters, the link is in our show notes.

Jill: I'll bet no one listening to this podcast is surprised James Comey was indicted. Donald Trump trumpeted his intentions to indict James Comey, and Letitia James, and Senator Schiff, and Lisa Cook, and anybody else he perceives to be his enemy long before he

publicly instructed Pam Bondi, the person now supposedly serving as the Attorney General of the United States, not of the President of the United States, and who by the way swore to be an independent decision maker in order to get confirmed, but is instead acting as if the job were doing whatever Trump asks.

As Lawrence O'Donnell said last night, the indictment of James Comey gives new meaning to the trumped-up charges term. It endangers the rule of law. So let's explore some of the serious legal and ethical issues raised by this indictment. Let's go to the basics first. This is the thinnest indictment I've seen in years. It's barely two pages. And without the caption and the signature, it wouldn't be two pages and it's signed only by the minutes old US Attorney Lindsey Halligan, who replaced the original Trump appointee, Erik Siebert, who was either fired or resigned because he wouldn't bring these charges against Comey.

Unlike Halligan, Siebert was an experienced career federal prosecutor and knew and obeyed the rules of justice. The firing until you get what you want. Sounds like Saturday Night Massacre to me. The result here is that there are now two charges against Comey. So Kim, what are the charges?

Kim: Yeah, so according to the indictment, as you said, it is very short, but that it stems from a claim that he falsely stated to a US senator during a Senate judiciary hearing that he'd not authorize someone else at the FBI to be an anonymous source in news reports. And the other charge is essentially an obstruction charge, obstructing a congressional investigation.

If you've seen, I'm sure you've all seen the clips by now. He's basically giving testimony from his home during the pandemic, which is why it's brought in Virginia, because that's where he lived. And they were asking him questions about what he knew. And essentially, his recollection seemed different than the recollection of someone else who is listed as person three, but it's Andrew McCabe, former FBI official, Andrew McCabe. So we'll dig into why I think this is not a super strong case, but that's essentially what the case is.

Jill: Yeah, it's pretty clearly about language that's quoted in the indictment. That may not even be what he actually said, but we'll get to that later. So because it says it's about person one. And one might assume because of Donald Trump's long livid reaction to what he called Russiagate that, that's what this is about. But is person one actually Trump, or is it someone else?

Kim: No, person number one is Hillary Clinton. This actually had to do, because everything goes back to Hillary Clinton somehow. That's what this whole thing is brought up about. Hillary Clinton and Russiagate will never go away.

Joyce: Well, and they're just so desperate to protect Hillary's rights. I mean, this is Donald Trump standing up for Hillary Clinton.

Jill: So Joyce, okay, what are the elements of the false statement charges? And tell us what a jury is going to have to be convinced beyond a reasonable doubt happened in order to convict on this particular charge.

Joyce: Sure. So the elements of false statement are pretty straightforward. You have to show that the defendant made a statement, that the statement was false, that the defendant made it knowing that it was false, and that it was material to the outcome of the proceeding that it was made in. So here, that would have to be some form of argument. It's 2020, there's this hearing taking place about Crossfire Hurricane. You would have to show that the false statement had the ability to influence the outcome of that proceeding.

Jill: So Barb, the other charge of course is obstruction of a congressional investigation under Section 1505. What are the elements of that?

Barb: Yeah, the elements of 1505 are if somebody influences obstructs or impedes a congressional investigation and that they do so corruptly. That is for some improper purpose. And one thing I want to point out is even though this indictment contains two counts, two different crimes that are alleged, it appears to be based on the same conduct that conduct that was just mentioned about the testimony. So it's proper to charge different crimes for the same conduct. It comes from a case called Blockburger. The example in that case was somebody sold drugs that were both without a prescription and outside of its original packaging. And two offenses were charged, even though it was only one transaction, it's a crime to sell it outside its original packaging, and it's also a crime to sell it without a prescription. So in the same way, even though there are two counts here, it's really just a built and suspenders way to find two different theories, one of which might work before a jury based on the same facts.

Jill: And that would probably play out in the sentencing if it's the same conduct. Would that change the sentence that you would get for two convictions if in the case, not here, but in a case where there were two charges and both were convictions?

Barb: No, they do what's called grouping. And so the judge would group them together so that they are served concurrently, so there wouldn't be any extra time, but it's just a different theory of legal liability. And prosecutors do it all the time. If jurors just see the case differently, it's slightly different elements even though it's based on the same conduct. So it's not unusual to see that, it just gives prosecutors perhaps a second bite at the apple, so they say.

Jill: And Kim, this was a really thin indictment as we've been talking about. It's basically less than a page. And we're used to what we are calling speaking indictments recently where we learn a lot and the facts are set out and details are set out, but do we learn anything from this particular indictment?

Kim: Yeah, so as you said, speaking indictments, usually what we see in high-profile cases like this, they tell a story. They sort of paint this whole picture. They don't just simply lay out the facts and the elements of the crime. As you said, yes, this is the opposite of that.

What this speaks to me, the story it tells me is that it was brought by an attorney who not only has never handled a high-profile criminal case before, but has never handled a criminal case before. And the US Attorney, Lindsay Halligan, she signed it herself without anyone else. Usually, when you have line prosecutors, everybody's name shows up on filing. She filed this all by herself. So this says to me, perhaps, she doesn't know what the story she's going to tell to the jury is yet, and maybe she's doing the best that she can, but I think the thinness evidence is more than just the case that's being brought.

Jill: Absolutely. And of course, for a grand jury, they only need probable cause. And word is that there were two grand jurors who voted against these charges and a third charge was rejected completely by the grand jury. What do you think the third count was, Joyce? Is it alarming that no true bills are becoming common right now in this administration? Something that I've never seen before where a grand jury does not believe what you're telling them. We've seen a lot of that recently.

Joyce: Yeah. So something I would caution against is crediting too much information about what happens in a grand jury. Sometimes we actually know, because the court might take the unusual step of posting to PACER the court's online docketing system. Information that sort of peels back the curtain and lets us know a little bit about these votes and such. But for instance, a federal grand jury is anything from 13 to 23 grand jurors, and it only takes 12 votes to get an indictment. This isn't like trial where you need a unanimous grand jury.

The disturbing trend of grand juries in this administration not returning true bills in cases, I mean Los Angeles, Washington, D.C. Now, this count, it's a single count in a three-count indictment. Sure, if this was a normal responsible justice department, the Attorney General would by now have asked the Deputy Attorney General to find out what's going on, to talk with US attorneys and main justice litigating components and to explore what the reason for this is and to fix it. But this is not a responsible justice department, and they know precisely what the reason for the no bills is. I don't think that we'll see them making any effort to correct course. They're just responding to the whims of the President instead of following the facts and the law.

Kim: Isn't the reason for the lack of true bills the deep state choice, isn't that the reason?

Joyce: Oh, Kim, Lord have mercy. How could I forget? Yes, yes. It's deep state grand jurors who will refuse to vote. That is not what's going on here, folks. Grand juries take their jobs so seriously. Grand juries are sworn in, they're instructed on their obligations. And if anything gives you faith and confidence in American justice and the American system of government, it's watching these groups of people who don't know each other, the overwhelming majority of whom aren't lawyers coming together and doing their job just magnificently for the time that they're together. So no, it's not the deep state.

Jill: So as Kim pointed out, this may have been drafted by someone who has no federal prosecution experience, no prosecution even at the state level, and who was in office for less than a week when this happened. And I'm just wondering what you think, and of course, we don't know because we don't have the transcripts, but what evidence did the grand jury hear that you can glean from reading the indictment? And more importantly, what do we know they didn't hear? Because if they had, they could not have voted any of these charges. Absolutely beyond doubt. So Barb, you want to take a charge with that?

Barb: Yeah. So of course, we don't know because as you said, we don't have the transcripts and the matters occurring before a grand jury are secret. So we know this indictment got returned. We know that Lindsay Halligan arrived at the US Attorney's Office on Monday, and this indictment was obtained on Thursday. There's also reporting that she herself was the one who presented the case to the grand jury and only she signed the document. So that says to me she couldn't find anybody in the office who is a trained and experienced grand jury practitioner who was willing to take this case.

She's never been before a grand jury, and she went in there and indicted a case. In some ways, I'm kind of impressed. I don't know how she pulled that off. Somebody must have told. Maybe Todd Blanche gave her a crash course in how to do it.

But there's also been reporting, Ken Dilanian of NBC News reported that they did not hear testimony from McCabe or from Comey. And so what does that mean? It's probably the case that they based their decision on hearsay, which is permissible. Most often when a case is indicted, the only thing the grand jury hears is testimony from an agent who is the case agent who investigated the case.

So for example, if you're charging a bank robbery case, most often, the grand jury will hear from an FBI agent who will summarize interview transcripts or reports about the witnesses, about the evidence, about maybe they'll see some camera footage or maybe they'll see some fingerprint exemplars. Maybe they'll see photos of the getaway car and the money found inside. But typically, it's just that agent who kind of walks through the evidence.

And so my guess is that's probably what happened here. And because they have the transcripts from these hearings, it appears as we said earlier, that the only basis for these charges is that Comey's testimony conflicts with McCabe's testimony. Now, I don't know why that means Comey is the one who's lying. And in fact, as we said, the Inspector General said they concluded that Comey was not lying, that Comey told the truth and that he concluded that he did not-

Kim: And it could be that neither one of them is lying, that it is their actual recollection.

Barb: Absolutely right. You have to show that the person then and there knew that what they were saying was false. So lots of ways this could be not guilty and an innocent mistake.

So my guess is they read the transcripts on such and such a date. Witness was asked this question, the answer was as follows. Maybe they even showed them a copy of the transcript so they could compare the two messages, and then would've presented a proposed indictment, asked the jury to deliberate and then make a decision. The reporting today is that only 14 of the 23 grand jurors voted to indict. So that alone is pretty damning.

Now at trial, hearsay is not permissible. And so if the witness is available, Andy McCabe, you're going to have to call them. I mean, I suppose, the best way to prove this is to ask these people, but if they're going to try to prove it only by the transcripts, I think it's going to be impossible for them to prove this case.

Joyce: It's going to be tough to prove it with Andy who's been on Fox News all day trashing the indictment. That would be a lot of fun.

Jill: So, yeah. I mean, there's so much wrong with this case. And Kim is right, they could both be telling the truth and it wouldn't be inconsistent. They could both be lying. And Barb, you mentioned the Inspector General's report, but we haven't really delved into that, and I think it's important because as I said, in my mind, no one could have read that report or

had it presented to them in the grand jury and then said, "Oh, yeah, clearly, McCabe is telling the truth and clearly Comey is lying." And that's for two reasons.

One is because the report clearly lays out that McCabe was lacking credibility in the statements he made to the FBI particularly and to the Inspector General in addition. And so that makes you go, "Well, what's going on?" And then it's clearly been pointed out. As we said, the allegation in the indictment says that Comey said he had not authorized anyone to leak this information.

That actually isn't the words that he spoke. If you listen and read the actual transcript, that is not his words. So that raises questions of, one, is this indictment effective? And does it matter if you were the lawyer on this case, if you were the defense lawyer, would you want to dismiss it for that reason, or would you want to argue to the jury, "Hey, you can't convict on this, he didn't say those words?"

So there's a lot going on here. And I mean, I just think it's really important to point out what the Inspector General's report said, which is basically there's no case against Comey, but they went ahead with that anyway and they indicted. And now, Joyce, they have a beyond a reasonable doubt standard. Can they possibly meet that given all the things we've laid out here about only 14 of the grand jurors voting for this indictment, et cetera?

Joyce: Yeah, I mean, I just think that there are so many problems in this case that it's a very difficult to win, just starting with the fact that they have to prove that Comey made a knowing false statement. And I still don't know what the evidence of that is. I don't even know what evidence the government is going to put on.

We've talked a little bit about the back and forth between McCabe and Comey, and of course the Inspector General's report on the issue found that McCabe was the less credible. I mean, Comey's got an, I think for my money, one of the best trial lawyers in the country on his side, Pat Fitzgerald, who as you've pointed out was the US attorney in Chicago.

Jill: Yay, Chicago.

Joyce: Not just when Barb and I were US attorneys, he was actually a Bush US attorney who was so highly thought of that he was held over for virtually all of the Obama administration and we worked alongside him. And so the use that somebody like Fitz can make of the Inspector General's report saying that Andy wasn't credible, if Andy in fact were to take the witness stand and testify, or even if he doesn't, and Fitz is just arguing the credibility of what he said. I'm not really sure how we see the government, if there is a jury trial winning. There are an awful lot of preliminary motions before you get to a jury trial that I think could go Jim Comey's way.

Jill: Yeah, absolutely. All true. And there are a lot of other things that could lead to a dismissal of this case. So Kim, let's talk about prejudicial pretrial publicity. Donald Trump has said he's guilty as hell. That's a President of the United States. And is there anywhere in the country that Comey could get a fair trial? Could that kind of publicity kill the case before it gets to a jury?

Kim: Well, Donald Trump is certainly making it harder. I mean, he tends to be his own worst enemy at times, and this is one of them. Because one of the first things that I would be arguing as an effort to dismiss this if I was Comey's attorney would be just the improper influence that the President is making and making it impossible to have a fair trial and how that violates constitutional rights. Whether that'll stop this in the pretrial stage, I doubt it, but I think it will make it very hard just to find a venue where this can be tried.

And it also gets to the purpose of the prosecution, which we haven't dove into yet. We dove into the statute. But what this really is, is a political prosecution. Every statement, every post on Truth Social that Donald Trump makes is evidence of this prosecution being completely pretextual, which I don't expect how he expects this very loyal but very green US attorney to convince a jury of that, but I don't think that's the point. I think the point is to have this headline.

The indictment being filed was what Trump was looking for. It gives him something to feed the base of supporters, which have been, for a decade, chanting things like, "Lock her up." And this is exactly what he wanted. He's made Comey an enemy in their eyes, so he thinks he's throwing red meat to his most ardent supporters as well as exacting the kind of vengeance that he said he wants to seek. He said that at Charlie Kirk's memorial service. "I don't wish my enemies well, I hate my enemies."

So this is what it's about. I think the biggest defense is this is not about a false statement. You can find a hundred falser statements made in Congress on any given week when Congress is in session. This is about something else, and it's unjust and it's vengeful and it's wrong.

Barb: I think this is like the white collar equivalent of you cross the center line.

Kim: Yeah.

Barb: Like we're going to pull you over.

Kim: Can I just ask? The prosecutors, when you bring a case, it's because there was some sort of investigation carried out first that alarmed someone and made people think maybe a crime was committed, right? Did Obama ever say to you, "Hey." I mean, just to talk about, we almost take for granted how crazy that is, but we shouldn't, right? What would you have done?

Jill: No, this has been going on for years. This has been going on for years with Trump saying, "I'm going to get." And he names the people and now he's getting his wish and he fired people to get to this point. And I think-

Kim: Could you imagine? Could either the three of you, as former prosecutors, imagine having to bring an indictment because the people before you quit because they wouldn't? And then getting a case file that is full of nothing and then saying, "Okay, well, let's just do this anyway." I mean, could you imagine?

Barb: No, and let me answer that question very directly, Kim. First, it is important to remind our listeners that it is a policy of the Department of Justice and the White House up until

now that there be no communication between the two about cases for this very reason. The Justice Department acts independently, and there is no conversation in between the two of them. That is a post-Watergate norm that we respected very carefully.

The other thing is in Trump's first term, he said all this crazy stuff. And God forbid I long for the days of Jeff Sessions and William Barr, but they just blew it off. They said, "No, that's ridiculous. Of course, we're not going to prosecute those people." This time around, those serious people are gone. And what we have are loyalists and sycophants like Lindsay Halligan who says, "I'll do it. I'll step up and do it."

She was working in the White House until Monday. You know what her job was? She was the one who was charged with going around the Smithsonian and removing content that Donald Trump didn't like. So she is a political hack, not an experienced prosecutor, willing to go in and do his dirty work. And no, President Obama never asked us to charge or not charge a case. And in fact, Joyce has a great story about that because we were standing right next to him when he uttered, what words, Joyce?

Joyce: So we weren't standing next to him when we said that, right? I mean, we're all-

Barb: Right, but he said that moments before he stood next to us.

Joyce: He did. And here's sort of an irony, right? We all talk about how presidents don't talk to US attorneys. Literally, Obama's I think only communication with Pat Fitzgerald, the US attorney in his hometown who now represents Jim Comey, he walked in and did like a shout-out for the hometown guy, and that was all that even Fitz got out of the President, no personal chit-chat going on here.

But Obama said, and it's my saved tweet, he just said, "I appointed you, but you don't serve me, you serve the American people, and I expect you to be independent when you do your jobs." And that is something that we all ... It was just a moment, something that never leaves you. The President of the United States telling you, your job is to serve. That's just the essence of the job.

Jill: It used to be with pride that we would say on behalf of the United States when we started anything in court, and that is not how it is anymore. It's really a shame because without that, we cannot have the rule of law. But Joyce, all of this does raise the question of, we've said it's a political prosecution. Is it dismissible as a vindictive prosecution?

Joyce: So look, I would expect that we would see a motion for selective prosecution. That's a motion that says you're singling me out for prosecution for something nobody else would get prosecuted for, or for vindictive prosecution. You're prosecuting me in retaliation, for me exercising one of my rights, maybe my First Amendment right to criticize the President. And those motions, if they're successful, the case gets dismissed. It would be a huge black eye for prosecutors.

Historically, these motions are just never winners, because in large part, the government doesn't misbehave in these kinds of ways. But here, we've got evidence from the President's own mouth, or I guess maybe in some case from his fingers. And the courts

would frankly be wise to shut down Trump's efforts to drive prosecutions against people he doesn't like using the rubric of one of these two kinds of motions.

One twist though, Jill, is that Comey said last night that he wants a trial. And some people are interpreting that to mean that he'll skip these sort of preliminary dismissal motions and go straight to trial. I understand where that argument is coming from. The idea that MAGA won't accept a dismissal by a judge who was appointed by Joe Biden. But look, MAGA is not going to accept a jury verdict either, and neither will Donald Trump if Jim Comey is acquitted.

So if this case goes out on one of these motions, the government can appeal. They can go all the way up to the Supreme Court and have it decided by the higher courts. I don't think Jim Comey should have any less rights than any other defendant in a criminal case. And these are the kind of motions that if you don't make them, you waive your right. You can't just suddenly make them on appeal. I suspect even if he's inclined to go straight to trial, his lawyers will have a serious conversation with him about not giving up his rights and at least making the motions and letting the judge rule at the appropriate time.

Jill: Yeah, I agree with you, and I honestly believe that if he does go to trial, that this case is going to be dismissed on a directed verdict because once the government puts in its evidence, I don't think there's a case there. I think that the indictment is obviously inartfully drawn, but that's because the questioning was inartful. They're relying on a question from Senator Cruz that just didn't quite make it with the answer that he got, and he didn't pursue it in a way that would allow for an actual false statement charge or obstruction charge. So I think this is going to be an interesting case to follow, and let us not forget how wrong it is that we're doing this.

Barb: Running a small business I hear can get crazy, and whether it's a law firm or a podcast, you want to focus on the cases, the show or client management. Unfortunately, there are a ton of hats to wear. It's distracting at best and can take the focus off your mission. That's why we wanted to tell you about Gusto. It's perfect for anyone who wants to take charge of their business. And I know that in addition to my sisters, there are many law firms that would benefit from the Gusto services.

Joyce: So to fill you in, Gusto is an online payroll and benefit software built for small businesses. It's all in one, remote-friendly, and it's incredibly easy to use so that you can pay, hire, onboard, and support your team wherever you are.

They have so many automated tools to help you save time that are built right in. Imagine how much simpler your workload would be with quickly accessible offer letters, onboarding materials, direct deposits, and more. You even get direct access to certified HR experts to help support you through any tough HR situations.

Kim: That can save you so much money, time, and worry. And best of all, it's quick and simple to switch to Gusto. Just transfer your existing data to get up and running fast. Plus, you don't pay a cent until you run your first payroll. Don't just take our word for it. Gusto is the number one payroll software according to G2 for fall of 2025, and it is trusted by over 400,000 small businesses.

Jill: Those are great statistics, and we think that you should join them and start optimizing your business. Try Gusto today at Gusto.com/sisters and get three months free when you run your first payroll. That's three months of free payroll at Gusto.com/sisters. One more time, Gusto.com/sisters. The link is also in our show notes.

Kim: This episode of #SistersInLaw is brought to you by Wildgrain. Wildgrain is the first bake from frozen subscription box for artisanal breads, seasonal pastries, and fresh pastas. Plus, all items conveniently bake in 25 minutes or less. And unlike store-bought, Wildgrain uses a slow fermentation process that's easier on your belly, richer in nutrients and antioxidants, and made with simple ingredients you can actually pronounce, which I love to see that on a label.

Wildgrain's boxes are fully customizable and they're constantly adding seasonal and limited time products for you to enjoy. And let me tell you about one of those seasonal products. Jill, you have to tell me if you've tried the butternut ravioli. I made that for, oh my gosh, I made that and it was so easy. I just made a simple little brown butter sauce and some sage and drop those raviolis in, and it tasted like something that I ate when I was in Italy. And the best thing about the box too is that they offer gluten-free and plant-based options. I mean, you can't really go wrong with Wildgrain. You can't.

Jill: I'm with you, Kim. I absolutely love Wildgrain. I look forward to the delivery and I just can't wait to get stuff in the oven. Well, first in the freezer and then in the oven. It's amazing how fast Wildgrain goes from the box to your table.

My husband and I have enjoyed all of that, and I have tried that ravioli. I just drizzled it with some butter, and it was fantastic. It took no effort, was absolutely delicious. All of their pastas are really, really special. Have you ever heard of the tonnarelli and tried that? I never even heard of tonnarelli, but it is a great spaghetti, sort of textured, so it absorbs the sauce. And they also sell frozen sauce by the way. I've enjoyed the breads, the pastas, the pastries.

And the other thing is when you serve it to guests, they're so impressed. And then they're surprised when I say, "I didn't bake it from fresh. I just get it from frozen."

Kim: Don't tell them.

Jill: Well, I like to tell them, because you know what? They often end up subscribing and it's wonderful.

Kim: Good point.

Jill: And I just voted for them. They sent me a note because as subscribers, I got this note saying, "We're up for being voted the best delivery box." And so I followed the link and I just voted for them because it's really true. They are the best. So if your guests want, they can subscribe if you tell them the truth. It's perfect for delicious meals, snacks, and it's always quick and delicious.

Barb: Well, I've never heard of that new pasta that you just described, Jill, but I'll be impressed when they come up with a Jill Wine-Banks-sorelli. Let me know when that one's available.

Jill: Thai tonnarelli, really good.

Barb: Well, you know what I love besides the pasta is some of the bakery goods. I love watching the color and flavor come alive. If you tried those pumpkin cinnamon biscuits, when those things are hitting up, the aroma that comes from the oven is incredible. Don't get me started either on how good the cheesecake is. Let's just say you'll never have to call everyone when the food is ready, they'll come running.

Joyce: This fall, treat yourself and your loved ones to warm sourdough breads and seasonal baked goods from Wildgrain. Rumor has it, they have apple cider donuts and pumpkin cinnamon biscuits, so get them before these seasonal items sell out.

For a limited time, Wildgrain is offering our listeners \$30 off the first box, plus, you know it, free croissants in every box. When you go to Wildgrain.com/sisters to start your subscription, the free croissants pop into your shopping cart. You heard me, free croissants in every box, and \$30 off your first box when you go to Wildgrain.com/sisters. That's Wildgrain.com/sisters. Or you can use promo code Sisters at checkout. Don't miss their seasonal products, and look for the link in our show notes.

Jill: I tried the donuts and they are not fatty. They're fantastic. Oh my God.

Kim: They are the truth. Oh my goodness those donuts were ridiculous.

Joyce: Oh, y'all, you're making my mouth water.

Jill: Really good. And I don't even like donuts, I love these.

Barb: Hey, Kim?

Kim: Yes?

Barb: Do you know who was Antifa? Oh, let me just think off the top of my head. General Patton?

Kim: Yes.

Barb: General George Patton, right? Because Antifa means anti-fascist. So fighting a fascist, that sounds Antifa to me. Well, this week, president Donald Trump issued an executive order countering domestic terrorism and organized political violence. It followed a prior executive order designating Antifa as a domestic terrorist organization. So let's unpack this, because there's just so much wrong about the sentence that I just said. First, Joyce, what is Antifa and what does it mean to be designated as a domestic terrorist organization?

Joyce: Yeah. Well, I mean, Barb, as you know, Antifa, to join Antifa, you have to fill out an application, have your qualifications reviewed, right? Go in front of the national board. No, obviously not. It's not a group. There's no organization. It's just a name for a belief system, as you've just discussed, right? It stands for anti-fascist. There is just no group to go after here.

And even if there was, our terrorism laws apply to foreign terrorist organizations, there's no designation for domestic terror groups. And that's for really good reasons that are now being illustrated. There was concern when that was under discussion that if you could designate a domestic group as a terrorist organization, it had the potential to be abused and become a marker for politics, and that's why we don't do that here.

Barb: Yeah, you could no more designate Antifa as a terrorist organization than you could any other concept like feminism. I hereby designate as a terrorist organization, feminism. Or how about-

Joyce: That's coming.

Barb: Yeah, that's coming. Or how about, in my administration, the patriarchy? I will designate the patriarchy as a terrorist organization. I mean, it's a viewpoint, it's a philosophy. And as you also say, it's not a foreign terrorist organization. There may be people who are domestic violent extremists, maybe they're even engaging in the federal definition of domestic terrorism, but it's not something that can be done. And yet, we have this happen.

And Joyce, you mentioned that there were concerns when these laws were being enacted about designating foreign terrorist groups, but not domestic groups. Jill, you probably recall the post-Watergate era when there were the church committee hearings that discussed some of the abuses of the FBI when it had its counterintelligence program and was going after and disrupting and investigating and surveilling civil rights activists and Vietnam War protesters. And based on those abuses, we have shied away from any sort of designation of domestic terrorist groups. Can you talk about that a little bit?

Jill: Absolutely. I remember it well, of course. And we have allowed, and there is a law that says you can designate foreign groups, those headquartered overseas, ISIS, Al-Qaeda, those kinds of organizations. And we specifically omitted any way of designating domestic groups, and that's because domestic groups have First Amendment rights. And it was viewed as it would be too easy to allow the political leanings of an incumbent to designate someone who expressed a view different than his, and that's what we're seeing now. It's exactly what we're seeing. It is a danger to politics and the rule of law and the First Amendment. And so that's why we don't allow it for domestic groups.

Barb: Yeah. All this talk about groups, Kim, is there any evidence that we have organized networks of domestic left-wing terrorist groups that are active in our country? We've heard these claims by JD Vance and others that there was an organized network behind the shooting of Charlie Kirk. Is there any evidence of it?

Kim: Everything that we have heard from investigators at the state and federal level since the suspect in the shooting was identified, has pointed to the fact that he was a lone actor, that he acted alone. He was on the internet. He did frequent some gaming sites and

gaming parts of the inner webs that I'm not familiar with, but there is no evidence that has been put forth. In fact, what investigators have said have told the press is that he appears to have been acting alone. So no, there is no broader network.

And listen, that's not to say that there is never domestic terroristic activity happening from left-leaning people in America. Of course, there is, but as you said, there's not a statute that allows that to be designated in a way that you can point in federal investigators and federal prosecutors to them and say, "Let's look into it." Antifa is just not that thing.

Barb: Yeah, it really has the feel that the Trump administration is exploiting this horrible tragedy of the murder of Charlie Kirk and trying to cast blame on left-leaning political actors to suggest that there is this vast domestic left-wing extremism that is organized.

Kim: Right. It's two very effective things that Trump does politically. One is names an enemy. We have to name somebody that needs to be fought against. And so Antifa serves as the perfect boogeyman. And if you can put an executive order behind it, then it looks like a thing for people to fight against. And it's also fear. It's instilling this idea that the people on the right are under physical lethal attack by some network of terrorists right here in the United States. That's terrifying, but it just is not backed up by evidence. But as you said, this is being used for political purposes, not investigative purposes, and not for the purpose of keeping American safe.

Barb: Yeah. And Joyce, in addition to the shooting of Charlie Kirk, we also had the shooting this week of an ICE detention facility that killed a detainee and injured two others. Once again, Trump tried to blame domestic terrorism networks, I think was his phrase. What do we know about the ICE case? Was that part of an organized group as far as the public evidence says?

Joyce: Yeah, it was not. I mean, the right is now using this rhetoric of they and them, as in they are responsible for the deaths and the violence, but they never really get around to explaining what their evidence is that there is a they out there. It's just dangerously close to this sort of almost ... I always hesitate to say this, but it's like the rhetoric used in Nazi Germany where they othered entire segments of the population so that then you could do whatever you wanted to do to them.

And here's something that else that the vice President did in this context that I think is really disturbing. He said that evidence that is not yet public indicates that the shooter was politically motivated to go after law enforcement and people enforcing the border. The argument is, I know more than you do, and so you should believe me.

And my response is pretty much, "Thanks, but I'm good. I'll wait until we hear the evidence about motive before I reach any conclusions." Because the shooter was a registered independent. His brother said he didn't have strong feelings about ICE as far as he knew. About the only other thing we know about him is that he had a five or so year old marijuana felony trafficking conviction for a relatively small amount of marijuana. None of this here adds up and screams massive player in left-wing conspiracy. So I think it's just sort of dangerous to try to take these really tragic incidents and warp them into a convenient political narrative. I find it to be disturbing that the Vice President is willing to do that.

Kim: Not to mention the fact that by saying, "Oh, I know evidence that you don't." I mean, no regard to the prosecutors in this case, right? Which he actually did.

Joyce: Well, there's no prosecution, right? Normally, I would say BS the Vice President knows evidence in a case prosecutors aren't sharing. I guess because the defendant is dead here, it's possible that there's some sort of briefing to the political folks, but normally, I think that, that would absolutely be dead on the money.

Barb: Of course, one of the bullet casings that was shown did say anti-ICE on it, so I suppose that gives some suggestion that his motive was some anti-law enforcement, anti-ICE sentiment, but again, just no evidence that this is part of any organized network. This appears to be a troubled young man who killed some people and took his own life.

Jill, I want to ask you about the second order that President Trump signed this week relating to this topic. This one was broader in addition to the designation of Antifa as domestic terrorism organization. This one was called Countering Organized Political Violence. What's in this order, and does it reflect the accurate data regarding violent extremism in America?

Jill: So nothing ever reflects reality under these executive orders. They're just made up stuff. And I think it's important that we look at statistics, and I almost failed statistics, so I'm probably the wrong one to talk about this, because there's so much detail in this. But the bottom line on the statistics that we can see is that 75% to 80% of fatalities in political violence come from the right wing. They are not left wing. The left wing violence exists, but it's about 5% of fatalities.

So clearly, this is not based on any kind of reality. And also, I think it's really important to note that these executive orders are creating laws that don't exist. He's usurping the power of Congress to legislate. There's no law that makes this a crime. He's trying to make it a crime and to justify going after these people.

And going back to your first question to me about what happened in the past, we had the FBI doing really bad stuff going after Martin Luther King and other people that there was no justification for. And it went way beyond just the FBI. The Army intelligence, when I became General Counsel, was doing things overseas that would've clearly been illegal here. Going after Democrats, overseas Democrats.

And I sort of put a rule in place that they had to follow the rules that would apply in America to any American overseas. And I think we're forgetting that in allowing these executive orders to have any impact on what actions government takes. It's just wrong. Violent extremism is terrible whoever the victim of it is, it's wrong, but you can't blame the left wing and make people then take action against the left wing. That's what inspires crimes like the attack on Paul Pelosi and many others. It's just wrong.

Barb: Yeah, I really appreciate you saying that, Jill. Because a real leader in this moment would try to unify the country, would try to bring peace, try to de-escalate. I'm fond of a phrase I once heard a police chief say when I was working as US attorney. He said, "Effective leaders bring calm to chaos. The goal of a police officer should be to de-escalate." Let's all calm down. Let's try to reduce the violence and the conflict. And instead, we see these

efforts to just continue to stoke division. Kim, you wrote about the dangers of these executive orders in your Boston Globe column this week. What's your concern?

Kim: Yeah, my concern at the end is that all of this, for all of the reasons that we said, this isn't a genuine effort to try to clamp down on some brewing domestic threat. This is a cover, I think, for the President to try to exact the kind of vengeance he talks about all the time.

I mean, he keeps talking about how he wants to go after his perceived enemies. He keeps talking about the people he wants to prosecute or that he wants to see civilly charged. And just now, I think there will be a tendency just to slap the word Antifa on something, and suddenly that gives the federal government the authority to suddenly bring the full force, its full force down on someone based on this claim that they're a threat to America.

Are news organizations going to be declared Antifa? Are private businesses going to be declared Antifa, individuals, for who just speak out on social media? I mean, this is so broad and dangerous, but the clear intent behind it seems to be to have another tool against people that the President and his supporters don't like, and that's just not something that should happen in a democratic society.

Barb: I think Trump's going to have a made-for-TV event where he pulls an Oprah and he says, "You're Antifa and you're Antifa. And you're Antifa."

Joyce: Yeah, that's like every press conference he does lately.

Kim: Sadly, that's right.

Joyce: Y'all, Laundry Sauce has revolutionized my life. I used to hate doing laundry, but now I have this big glass jar that's filled with the beautiful little Laundry Sauce packets, such pretty colors. And doing laundry is no longer a chore. In fact, you can make laundry day your favorite day of the week with Laundry Sauce.

We all dreamed of a European escape this summer, but whether you went or watched others do it on TikTok, we found the perfect way to bring that vibe to your home, in laundry pod form. Like us, you'll quickly find out that Laundry Sauce isn't about laundry. It sets a mood with its energy, it's powerful, clean. The wonderful worldwide-inspired fragrances, and how pretty it looks sitting on top of your washing machine or on your shelf, wherever you put it, it's just a mood brightener

Jill: Joyce, I have a friend who's in Italy right now, and I'm jealous, but I used Italian bergamot and that's how I escaped to the sunny Amalfi Coast. I also had a friend who was in Sicily, so I sort of sometimes use the Italian bergamot to go to Sicily. Surrounded by sparkling bergamot, sweet mandarins, spicy ginger, and a finish of sun-warmed wood. That's what happens when you use the Italian bergamot Laundry Sauce. Close your eyes and it's like sitting on a yacht in your laundry room. It's like biting into a ripe fruit under desert skies with floral blooms, soft vanilla and creamy sandalwood that takes you away. I am dreaming of hiking in that surroundings right now.

Barb: Jill, I didn't know you were such a laundry sommelier. Descriptions like those make me hungry, but I think I have to go with the crisp, grounded and quietly confident Australian

sandalwoods foresty scent. That's a good one. But whichever feeling you want to express, the signature package delivers the full experience, detergent pods, scent boosters, dryer sheets, and fabric conditioner, all designed to infuse your laundry with high-end fragrance, fight stains, and elevate your laundry to the highest level. Just imagine where you can escape to.

Kim: With a subscription, it shows up right at your door. No last-minute store runs, no heavy bottles to lug, just everything you need, exactly when you need it. And for a limited time only, our listeners get 20% off your entire order. When you use code Sisters at LaundrySauce.com, that's 20% off at LaundrySauce.com, with promo code Sisters. After you check out, they'll ask you where you heard about them, so don't forget to drop our names. Trust us, your laundries never smelled this good. The link, as always, is in our show notes.

Joyce: So we've had a lot to talk about today. We're running longer than we usually do, but we don't want to leave without talking a moment about Tom Homan, Trump's border czar. There's some interesting allegations about him. I might call him abroad, but then what do I know? I'm just a former federal prosecutor. Kim, can you maybe explain the allegations about what Homan supposedly did?

Kim: Yeah. So you wouldn't believe this if it was a fiction piece. So according to reporting by MSNBC, Tom Homan last year met with a group of businessmen so that he can sort of pitch the idea that they might get government contracts if President Trump returns to office.

Well, at least Tom Homan thought he was talking to businessmen. Turns out they were undercover FBI agents, and those undercover agents handed in a Cava bag. Oh, no, it wasn't a chicken sandwich, it was \$50,000 in cash to him. It really is like a bad gangster movie of some sort, but that would be very illegal if these allegations are-

Barb: Is it true that the bag was actually a white bag with a black dollar sign on it?

Jill: I heard it was a Cava bag, which is Homan is just as bad.

Kim: It was a Cava bag. Yeah. You'd expect soup and bread in it, but instead, it was \$50,000.

Joyce: I mean, this is like Stu Agnew level hubris, right? It's crazy. So Jill, given what Kim has just explained, what happens next is sort of inexplicable. Tell us what happened to the investigation into Homan once Trump got back into office?

Jill: So before I answer your question, I have to point out that I actually have familiarity with cash in brown paper bags, because during Watergate, Bill Bittman, who was one of the lawyers for the defendants, was getting a phone call from a bank of payphones in the lobby of his office that said, "Come and get your money, it's on the payphone." And he would run down and pick up bags of cash that were distributed as hush money, so this is something I am familiar with.

Kim: Tom Homan is National Lampoon's version of Watergate.

Jill: Yes, it is. What happened after, in a way, I would say nada, nothing. But actually, something did happen. The investigation was closed when the Trump administration took over. And to me, the biggest question really is, it should have been obvious that, that's what was going to happen. And I have to keep asking, why didn't the FBI and DOJ realize that, that's what was going to happen? Why did they not arrest him the minute he took that bag of cash and accepted the money?

Now, I know they were waiting for a more serious crime, which would've been if he did the quid pro quo, and you could establish an actual bribery. But why wait for something that could only happen after Donald Trump is elected and would shut down that investigation? So to me, I would take the lesser burden, the hand, instead of waiting for two in the bush. If I were the prosecutor on that case, I wouldn't have waited.

Joyce: So Barb, let's just talk about what kind of charges the government might have been exploring in this now dismissed case. I mean, were they serious ones, or was it just not worth following up on?

Barb: Oh, no, I think it's very serious. I mean, when you've got somebody who is a potential public official who's accepting cash in exchange for performing official acts, that isn't just punishing his greed, it is protecting the country from somebody who's making decisions that affect all of us based on who's lining his pockets. So it's serious. I think the trouble with it though, and the reason they needed to wait was the timing. He was not yet a public official. So there is a federal bribery statute that makes it a crime for a public official to receive, accept, demand anything of value, so \$50,000, in exchange for the performance of an official act.

Joyce: Does it also say somebody who's been selected to be a public official, and could that have applied here?

Barb: Yes. I don't know. I don't think he'd yet been-

Joyce: It's a close call, right?

Barb: Yeah, I don't know.

Joyce: It's hard to know, for sure.

Kim: Was he a nominee by then?

Barb: This was last summer, so I don't think so.

Joyce: It could have been that they debated it, just sort of like we are right now and decided, "Oh, it'll be safer to wait until he's in office," without really thinking about what this administration would look like.

Barb: Yeah. So I think it was probably the right call to say it's premature to charge it now, but this is somebody we need to look at. And then, if and when he does become in office ... At that point, what often happens in these cases is the FBI performs sting operations. It is not entrapment if the person asks for it, so perhaps the same person who gave them the

money before, which I think was an undercover FBI agent, says, "Well, you're back now. What's new with you, Tom Homan?" And see if he initiates it again.

I think the other thing they could have explored is whether there was potential conspiracy to commit bribery when he did come into office. Now, you can't conspire with undercover agents because conspiracy requires under federal law to co-conspirators. So I can see why they held off actually pulling the trigger on this case and wanted to continue to investigate it, but that means that the Justice Department should have continued instead of pulling the plug on it.

And so when Trump comes to power, suddenly, this investigation is gone. We still have, if these allegations are true, the same person who is willing to take \$50,000 in cash to influence our deportation processes in exchange for money. I think that's still a very valid concern about whether we've got a corrupt individual occupying this position of borders are, whatever he is.

Joyce: This administration is so full of irony. I wrote a piece about this earlier this week, and I went back and got a bunch of Homan's earlier statements talking about how crime is bad and we can't tolerate criminals, we have to deport them immediately. Talked about hypocrisy on full display, but why don't we finish where we started? Do y'all have any views about the fact that this case has been canned while the Comey case got green lit? What does that say to you about where we are in this moment? Kim, get out on that ledge, girl. I know you're going.

Kim: Yeah. It says to me that not only is this administration going after Donald Trump's perceived enemies, as we talked about earlier in the show, but it's going to protect people that are around Donald Trump even if those people are committing crimes. I mean, imagine that we have a justice department that is using taxpayer money to basically be the personal prosecution team and defense team of folks in the administration.

Not only that, but even if someone, say someone does a crime and maybe they're prosecuted, they won't be prosecuted by the DOJ, but if they've faced state charges, well then the state prosecutors will probably have to worry about being prosecuted too, as in the case of Letitia James. So it's such a dangerous time in our country. Yes, the story, the \$5,000 in a Cava bag is funny, but none of really what's going on isn't funny at all. It's really, really troubling.

Joyce: As Comey said last night, fear is the tool of tyrants. Jill, what do you make of it?

Jill: So I'm on the ledge with Kim, because I really see this as the actual weaponization of the Department of Justice, the actual weaponization of all the levers of government. It's sort of when they accused the Biden administration of weaponization, it was pure projection. It was them looking in a mirror and doing it. It's corruption. It's what dictators do. They pick out the people that they don't like and then they indict them and put them in jail. They don't have proof, but it doesn't matter, they've jailed them. And I'm afraid that, that's where we are, that this is a really serious threat to not only the rule of law, but to everything that America stands for, and I'm hoping that we can withstand it.

Joyce: Barb?

Barb: Yeah, I want to end on a happy note here. I think that eventually, tyrants overreach. We've all read some of these great scholars on authoritarianism like Ruth Ben-Giott and Kim Chappell and some others. And one of the things I've learned from their writing is that what often happens is that the authoritarian surrounds himself with loyalists over competent advisors, and they invariably give him bad advice because he listens to all these people who are telling him what he wants to hear, and ultimately he overreaches. And once he overreaches, people realize the emperor has no clothes. And maybe we've reached that point between Homan and Jim Comey. So I want to end on a happy note that I think that eventually the people are going to see the light and Trump will go the way of other authoritarians and end up on the dust heap of history.

Joyce: Barb, I wrote this book and the title is Giving Up is Unforgivable: A Manual for Keeping a Democracy. So I'm right there with you. I really do believe that with the Jimmy Kimmel First Amendment debacle, which really woke a lot of Americans up who were on the fence and not engaged, and now this outrageous indictment, perhaps the tide can slowly start to turn.

Kim: My husband always tells me he expects me to be wrapped up under a blanket from about September through about May, so this is blanket season for me. And Lola is the world's number one blanket, crafted with ultra soft, luxury vegan faux fur and a signature four-way stretch that sets it apart from every other blanket I've owned. It's so comfortable, and your pets will love Lola blankets too, although technically, Snickers is not allowed in blankets, but things happen. They're machine washable, double hemmed for durability, so they stay flawless no matter what you put them through. There's no pilling and no shedding, just pure soft coziness, even after repeated washes.

Jill: Like you, Kim, I just pulled mine out because the evenings are getting cooler. Even though we're still having nice days in Chicago, the evenings are cooler and Lola blankets are really cozy. But they don't just feel good, they look great too. They really add to the aesthetics of any home. They are a universal style that goes from modern to my antique filled home. And you're right, dogs do love them, Frisbee, he just rubs his face up against it. He loves how soft and cozy they are. Absolutely true. He looks adorable wrapped in Lola, and because he's so adorable, I don't care that he does it.

Even one Lola instantly elevates the space. And if you're like me, that's the room you'll end up spending the most time in. Every Lola is unbelievably soft, beautifully designed and makes your home feel cozy and curated. Even on those days when the news is bleak and ice cream and a movie are called for, that's when I want to cuddle in my Lola, pull it over my head and pretend like the news isn't happening, and maybe watch An Affair to Remember with Cary Grant and Deborah Kerr and use a pint of Homer's cappuccino chip or Graeter's banana ice cream. That's my dream come true.

Joyce: That sounds really good, Jill. Now, I'm going to be dreaming about ice cream in my Lola blanket, which I actually really love. I like weighted blankets a lot. I've tried them as they've come off the market. I had never found a perfect one until I tried Lola. It's the right combination of weight, stretch, and just sort of squishy comfort.

I'm sure everyone has seen them online and exploding all over Instagram, but I actually discovered them here when they advertised with us first. And it's I think a lot of fun to share them with everybody. My husband, by the way, loves it too, not just for women. So

you need to make sure you've got enough on hand to go around because people and our pets too, as Jill points out, can get pretty jealous if they don't get their own Lola. That's one of the reasons that it's a great go-to gift. It's personal, beautiful, and it won't just get tossed in a closet.

Barb: You know what I like best about Lola Blankets? I can call it Lola. It has its own name.

Jill: That's my mother-in-law's name.

Barb: Yeah, I like having names. My baseball, mitt, my car. Lola. My Lola blanket has a name.

Kim: << Her name was Lola, she was a blanket. >>

Jill: Yay.

Barb: Oh, that's great. Well, Lola has more than 10,000 five-star reviews, and once you feel one, you will know why. It's called the world's number one blanket for a reason. This thing is next level, and we have some great news. For a limited time, our listeners are getting a huge 35% off their entire order at LolaBlankets.com by using code Sisters at checkout. Just head to LolaBlankets.com and use code Sisters for 35% off. After you purchase, they will ask you where you heard about them. Please support our show and tell them we sent you. Wrap yourself in luxury with Lola Blankets. The link is in our show notes.

Kim: We are now at our favorite point of the show, which is answering listener questions. If you have a question, you should know what to do by now. You can email us at sistersinlaw@politicon.com or tag us in our socials and ask your questions, and we will answer three each week, and we'll also get in our mentions when we can to answer some of them there too. So our first question of the day comes from Bob who asks, "Do the attacks on Venezuelan boats increase the risk of deadly violence on the undocumented here at home?" Barb, what do you think about that?

Barb: I think this is such an interesting question. The Trump administration has now conducted these strikes on boats at sea, allegedly transporting drugs into the United States and being operated by the organization, Tren de Aragua. There is no legal authority to do that. We have Coast Guard out there, they have the legal authority to stop them and interdict drugs if they find them at sea, but there's no legal authorization to do it.

And so I wonder what this is all about. Is it perhaps not an effort to suggest that Tren de Aragua, when they are coming to our border, are now invading, right? Because Trump wants to use the Alien Enemies Act to exclude them. That is a wartime measure. He's used the term invasion sort of colloquially to suggest that when people from Venezuela cross our border unlawfully, that is an invasion. It's just not. But if we are in some sort of military incursion with them because we've attacked them, does it mean when people come into our country who are members of Tren de Aragua, then they are therefore subject to this Alien Enemies Act? And so I worry about that, but I think also, to Bob's point, I wonder if it doesn't raise the stakes and endanger people who are here, who are Venezuelan to become victims of domestic terrorism because they are seen as some sort of enemy.

Kim: Yeah, I share that same concern, Barb. Our next question comes from MLF, who asks, "What is a class? How is it defined?" I'm going to send this to Joyce because the question also asks, says, "Thank you for your wonderful tutoring and chicken picks." So I don't think MLF means me. So, Joyce, answer that question.

Joyce: It's always my pleasure to share pictures of chickens with y'all. Look, I think this is a great question, right? Because we live in the era of class actions, the Supreme Court has said, "No more nationwide injunctions. If you guys want relief, go get a class established." And so this is what that's about.

In a class action lawsuit, the class refers to a group of individuals who have all suffered similar injuries or grievances from the defendant's actions, and they're represented by one or more named plaintiffs who sort of stands for the group as a whole. They're class representatives. The court has to decide if a class exists and what its scope is, and then it has to certify the class before the lawsuit can proceed.

And the final, I think, gloss on class actions may be the downside for members of the class is typically you're bound by the determination in court. There's some sort of specific kinds of class actions where people have the ability to opt out if they don't want to be bound by the court's decision. But usually, if you're in the class, that decision is binding and you can't go seek personal relief on your own if the class action doesn't work out. Of course, we are seeing class actions be incredibly nimble, effective devices that are now being used against this administration's misconduct, especially in the era of mass deportations.

Kim: All right, and our final question this week comes from Phyllis, who asks, "Where is a good place to find exciting pins to wear?" I don't know who would be best to answer that question. Maybe the queen of pins, Jill Wine-Banks.

Jill: I am so excited to have a question that isn't challenging the rule of law, and the answer is it's anywhere that you can is the answer. I find that the hunt for pins is as much fun as wearing them. But right now, you can also find the equivalent of a pin in your office supply box, because during World War II, and I think it started in Norway, people who wanted to show that they were part of the resistance wore paper clips to identify themselves to each other. And I started wearing a paper clip and people weren't noticing.

So I asked one of my favorite suppliers, a company called Woke and Bespoke, who are on Etsy to design a paper clip pin, and it is in the mail to me now, and I'm going to ask him to post it on Etsy so that anyone else who wants to be part of the resistance in addition to carrying the resistance little mini totes from SistersInLaw can wear a paper clip pin to show that they are part of the resistance.

Expect everyone on October 18th at the No Kings Day protests to be wearing a paper clip pin. But really, Etsy has great pins. Every antique store, every flea market, best pins are at flea markets. Just be creative when you're looking at images to find something that you think represents the times we are in and go for it. It's really fun.

Kim: And put it on that new hoodie that we have to offer in our merch store.

Jill: Yes.

Kim: Thank you for listening to #SistersInLaw with Joyce Vance, Jill Wine-Banks, Barb McQuade, and me, Kim Atkins Stohr. Follow #SistersInLaw wherever you listen to your pods. If you haven't given us a five-star review yet, what are you waiting for? It helps our show grow and reach more people. And also, please give love to our sponsors this week, Quince, Gusto, Wildgrain, Laundry Sauce, and Lola Blankets. The links are all in our show notes. Support them because they support us and it's why we can be here for you. See you next week with another episode, #SistersInLaw.

Jill: I think it's going to be like John F. Kennedy, we are all Berliners. Ich bin ein Berliner. We are all Antifa.

Joyce: Except, I've always loved that because he actually said we're all jelly donuts, but I guess that's a story for another day.

Jill: What? No, tell me that story. I always thought he said Ich bin ein Berliner.

Joyce: Berliner is a specific kind of jelly donut that you get in Berlin.

Jill: No.

Joyce: When he said in German, it literally means I'm a jelly donut.

Jill: Hilarious. That's great.