

Imani Gandy: Hello fellow law nerds. Welcome to another episode of Boom! Lawyered, a Rewire News Group podcast hosted by the legal journalism team, half of which got back from Paris, saw Beyoncé. Oh my god, it was amazing. I'm Rewire News Group's editor-at-large, Imani Gandy.

Jess Pieklo: And I'm Jess Pieklo, Rewire News Group's executive editor. Rewire News Group is the one and only home for expert repro journalism that inspires you to hydrate, folks. June is gonna be one hell of a month. And the Boom! Lawyered podcast is part of that mission. So big thanks to our subscribers, and a welcome to our new listeners and viewers. And Imani, welcome back from Paris! Ah, it's so wonderful to see you.

Imani Gandy: Yay, ah, it's so wonderful to see you as well. And I got back just in time for the Supreme Court to ruin our summer.

Jess Pieklo: Ah fuck, yeah, well that.

Imani Gandy: Yeah, and that's what we're gonna talk about today. Welcome, people, to Sweaty SCOTUS Season 2023. Duh duh duh.

Jess Pieklo: Kaching.

Imani Gandy: Gung gung. So we're gonna do a quick preview of the cases that we're waiting for the Court to rule on. And yes, we will be doing reaction podcasts as these cases come down, so you should go ahead and subscribe to the Rewire News Group YouTube channel. That way you can be there with us live, you can ask us questions live, and you can, you know, just watch as SCOTUS craps the bed again live. All right, let's talk about our first case, Jess, *Haaland v. Brackeen*.

Jess Pieklo: Yeah, first up. Yeah, *Haaland v. Brackeen*. And way back at the beginning of the season, Imani and I previewed this case. It's so important, and it's one of those that I feel like has really flown under the radar, and that's unfortunate given the stakes. So what you need to know is that this is a cooked up challenge to the Indian Child Welfare Act, right? This is another example of conservatives doing politics via the courts. And so the Indian Child Welfare Act is a federal statute that's designed to keep Native and Indigenous children with family and tribal members when they are in child welfare proceedings like adoption, right?

Imani Gandy: Yeah, it was a law that was passed specifically to remedy cultural genocide, right? The way we've treated Indigenous folks since white, well not we, because I didn't do shit. But the way white folks. I didn't do nothing. But the way white folks treated Indigenous people- obviously genocide- but they also engaged in a really sort of coordinated cultural genocide, where they would take the children from their tribes, from their homes, from their land, and then pass them off to white people, to these boarding schools where they were systematically abused, and degraded, and stripped of their tribal identity. And you know, this is obviously just white supremacy in action, right?

You can even see it in the briefs, right? Texas argued in its brief that the law was unfair to the Indigenous kids, to the kids that these white folks want to adopt, because the law says you've got to place tribal, you've got to place Indigenous children with their tribes if you can, or with another tribe if you can. And Texas said, but that's not fair because you're depriving these Indigenous children of living a white middle class life, right? You're depriving them of white middle class standards and values. That's what Texas actually argued. So you know.

Jess Pieklo: They argued the genocide out loud.

Imani Gandy: They did, they absolutely did. And so, you know, ICWA is being challenged by these Christian evangelicals as unconstitutional because it discriminates against white people. That's really what they're doing, and the conservatives on the court, the FedSoc Six, they're poised to buy it, right?

The law essentially makes preferences. It makes preferences that inure to the benefit of Indigenous people, not to the benefit of white Christians. But white Christians love saving babies, right?.

Jess Pieklo: It's like a hobby.

Imani Gandy: It's a hobby, man. They do jigsaw puzzles and save babies, like, that's what they do . And they love the persecution narrative, right, the narrative that these helpless, poor white folks, these upstanding middle class value-having white folks are just trying to do the right thing, right? They're just trying to adopt these babies, and the mean liberals, these mean, racist liberals won't let them. That's the narrative. And would it surprise you if the case was originally shopped, forum shopped in Texas to Reed O'Connor, who is basically like Matty K OG.

Jess Pieklo: Matty K OG is a terrible thing.

Imani Gandy: It sounds like a weed strain, OG K, OG Matty K. Either way, Reed O'Connor was Matty K before Matty K was Matty K.

Jess Pieklo: Before Matty K was a twinkling in the eye of the Federalist Society, we had Reed O'Connor. But it's true, they literally cooked up a challenge, said where's a judge that can give us a ruling that we want? Oh, here's one, and they are.

What's terrifying to me, too, is that nugget that you just described is bad enough, but this case could actually reach even further than ICWA if the Court buys the conservatives' read of the Commerce Clause, which is really at issue here. For example, it could threaten federal child labor laws, Imani, right? Like, your face is doing exactly the right thing. We are in that place. And we're already seeing that policy floated in states like Arkansas and Nebraska, where they're rolling back protections for how old you have to be to work, the kinds of working conditions you have. I mean, truly let's go back to the Lochner era is what conservatives are doing, and it feels

like they're trying to specifically pick a fight with the Biden administration here. And I'm just saying this case may create precedent for them to say, look, ICWA has, you know, overreached. So too do these other federal standards. It's terrifying.

Imani Gandy: It is terrifying, but also maybe kids should get jobs. Like, if you're six years old, you're not making anything, like, go work in a mine. Come on. American values.

Jess Pieklo: But also maybe kids should get jobs.

Imani Gandy: I jest, of course. But not only would this potentially undermine child labor law standards, but it could also threaten long-standing U.S. and tribal relations, right?

Jess Pieklo: Yeah.

Imani Gandy: As part of sort of the penance for what the U.S. did to Indigenous people, they created ICWA in order to sort of maintain Indigenous tribes, maintain their families. And so by attempting to undermine this law, they're attempting to undermine tribal sovereignty writ large, and that goes beyond these child custody battles, right? It moves into areas like oil and gas, right? You've got tribal lands that are sitting on gold mines, essentially, black gold mines, and there are companies in Texas specifically that would love to get their hands on that gold. And you know, one of the things that is truly indicative of the ways in which big business is really rooting for a bad outcome in this case- the Brackeens, who are Chad and Julie Brackeen, who are the couple at issue here. This is a custody battle, it's a family law case.

Jess Pieklo: Family law, right.

Imani Gandy: They ran out of money, so they basically had to stop litigating, but then guess who flew in and decided to take the case pro bono?

Jess Pieklo: Who?

Imani Gandy: Gibson, Dunn, and Crutcher.

Jess Pieklo: Excuse me?

Imani Gandy: Gibson, goddamn Dunn, and Crutcher. That is a huge law firm. It is a big law firm.

Jess Pieklo: \$500 an hour billing law firm.

Imani Gandy: But for a second year associate, right? Like, partners are billing out at a grand for doing fuck all on the golf course. So they're taking this case pro bono. Why? Because it benefits their other clients, right? It benefits their oil and gas clients to destroy tribal sovereignty so that they can get their hands on this land. It is way beyond just a battle over this one particular child.

Jess Pieklo: Well, that sucks.

Imani Gandy: Yeah. Do you know what else sucks? The fact that the court is set to destroy affirmative action in the case *Students for Fair Admissions v. Harvard*. And one thing I want to say is that if you remember *Becky With the Bad Grades*, right, Abigail Fisher? The guy who litigated that case is the same guy behind these cases. It's two cases, one case against Harvard, one case against the University of North Carolina, and Edward Blum, this has been his mission. He has been trying to end affirmative action for what, 10, 15, 20 years now? 30?

Jess Pieklo: That fucking guy.

Imani Gandy: That fucking guy.

Jess Pieklo: Oh god, and reverse racism and re-writing the Constitution around it is a theme this term for the Court, right? Like, these affirmative action cases are, like, the perfect example of it. It's just, my stomach hurts.

Imani Gandy: Right, and conservatives have been trying for decades to get the Court to declare that race-based admissions policies are unconstitutional, and it looks like they're finally going to get their way. And this Court is going to rule that these policies are unconstitutionally racist. It's a zero sum game with white folks. If you take into consideration a Black kid, you give them an extra point, then you're necessarily deducting a point from a comparable white student. I mean, Sam Alito actually argued that in oral arguments. He made that statement in oral arguments. And so.

Jess Pieklo: Yeah, yeah, and I mean it's real bad. And to anybody who might be, I mean, I don't really think that listeners and viewers of the podcast fall into this category, but we have some new folks, so maybe you are. If you are under the impression that John Roberts, for example, will be reasonable in this case, please don't. There was some recent reporting that has come out in *Slate* that Dahlia Lithwick did with Rick Hansen that is all about William Rehnquist and his legacy on the court. And hey, guess what, he was functionally an open segregationist, like even into the '90s. And he also happens to be John Roberts' mentor.

Imani Gandy: He fought *Plessy*, *Plessy*. He fought *Plessy*. I mean, *Plessy v. Ferguson*, how?

Jess Pieklo: He thought that was wrongly decided.

Imani Gandy: How, how?

Jess Pieklo: So but to Imani's point about it being a zero sum game, this reporting shows the Rehnquist is like, look, the 14th Amendment is functionally supposed to be race-blocked, where it does not encourage integration at all. In fact, like that would be a bad thing if we had it. It would be a bad thing if we had it, that's what John Roberts' mentor said, folks. So the writing is on the wall in this case, but they literally will have to re-write constitutional history to get to the

outcomes that they want, right? They are hoping for a ruling that declares the 14th Amendment is "race blind" or "race neutral," right? So basically some kind of decision that declares as a country, Imani, we are post-racial, we are colorblind, like what John Roberts declared in Shelby County when the court gutted the Voting Rights Act.

Imani Gandy: And this is where Ketanji Brown Jackson's presence on the Court makes such a huge difference. Such a huge difference, right, because conservatives are trying to make an originalist argument, right? They're trying to go back to 1868, I believe is when the 14th Amendment was ratified, and say, well, they didn't mean for it to really take into account race. They meant it to be race-blind, which is absolutely preposterous.

Jess Pieklo: What?

Imani Gandy: It is absolutely preposterous, and Jackson made it known during oral arguments how preposterous it was. She went back and read the hearing from that time period, and discussed at length the fact that this was a Reconstruction amendment. What were we reconstructing? After the Civil War, right? This was an amendment that was specifically passed to make Black people's status in civic society equal to white people's. Now, did it work? Nah, no it didn't. We're still here trying to figure that out, but for anyone to argue that the originalist position demands viewing the 14th Amendment as race blind is selling you something. They're selling you white supremacy, that's what they're doing, and it's not accurate. It's absolutely historically not factual.

And you know, I want to point out as well that they built this case on the backs of Asian American students, right? This is supposedly a case about the ways in which Harvard's admissions policies and UNC's admissions policies are unfair to Asian American students. But they don't care about Asian American students, right? They don't care about Asian American students, they don't care about originalism, they don't care about precedent, right? They don't care that they're trying to ask the Supreme Court to ban use of race in admissions, excuse me, despite 40 years of precedent saying that schools could do that, right? 40 years of precedent, 12 justices, nominated under nine different presidents have ruled time and again that schools may consider race as a factor, not as an ipso facto thing, but as a factor in considering school admission.

Jess Pieklo: Yeah, it's just gross. It is so gross, and it just stinks of the white supremacy, as you said, and no coincidence that this case is being heard at the same time that we're seeing similar "color blind" arguments play out in other spaces by conservatives, right? Like, look at the fight over school curriculums and this whole white washing of our history that's undergoing right now. Like, this idea that there's a very particular way, if at all, to talk about the history of child slavery in this country and the idea that it was somehow race-neutral.

Imani Gandy: I got nothing. It doesn't even make any sense.

Jess Pieklo: I got nothing, you know. But these fights inform each other, and they are all part of this wave of fascism and authoritarianism that has just fundamentally taken hold of the conservative movement. And the Supreme Court is a co-conspirator in it.

Imani Gandy: Co-conspirator is such a good word, particularly given the sort of procedural fuckery that went on with these cases, right?

Jess Pieklo: All of them.

Imani Gandy: Well, all of them, but this one specifically, there are two cases, right? We've got the Harvard case, we've got the UNC case. The Supreme Court granted cert in the University of North Carolina case before judgment. That means the Fourth Circuit didn't even have a chance to weigh in on the North Carolina case before the Supreme Court said, don't worry, we've got it. Because the Fourth Circuit probably would have ruled against the Students for Fair Admissions, and the Supreme Court was like, we don't even need to get into all that. Don't bother wasting your time, because we've got this. They just skipped the Fourth Circuit. Why? Why the fuck not?

Jess Pieklo: Because they can, because they can. And I mean, so at this point what we've got coming out from the Supreme Court functionally is propaganda, right, and a reaction to the reality that if the conservatives were to play by the rules in any way, shape or form, right, whether it's in terms of college admissions policies, whether it's in terms of electoral politics, which we'll talk about later in the podcast as well, they would be laughed and voted out of office to come for generations.

Nobody likes your bad ideas, folks.

Imani Gandy: Yeah, your bad ideas are really bad, and the only way that you can get them through is voter suppression.

Jess Pieklo: Yes, yeah. And rigging who gets to participate, who gets access to higher education, the information that we learn. Like, you rig all the games, and that's how you stay in power.

Imani Gandy: I mean, and that's such a critical point, right? It's about access to power. If you think about who gets to sit on the Supreme Court, who gets to become a senator, who gets to become president, right? It's a lot of people who go to Ivy League schools, right, and if you can't get into an Ivy League School or if you can't get into a good school, then you are cut off from a pipeline to that particular lever of power. And what we need is more Black people, more people of color pulling those levers of power, and we're being denied that access.

Meanwhile, you know, Chadwick Hartmann III, whose daddy built the library at Harvard or who renovated the gym at University of North Carolina, and everyone in the family, everyone in the Hartmann family has gone to, I love this hypothetical Hartmann family that I made up. But everyone in that family has gone to these schools, so little Jimmy, even though he's got like a

C-plus average, he's getting into these schools with his crap grades because of legacy. But are these people going after legacy admissions?

Jess Pieklo: No. I was gonna say, and then he becomes President, and you just described George Bush.

Imani Gandy: Yes, I did . And it's frightening. What else is frightening? Okay, we've got to talk about this 303 Creative's case v. Elenis. Like, it is, it is.

Jess Pieklo: First of all, as a Coloradan, let me apologize for what is about to happen to the First Amendment. I feel like that needs to be said.

Imani Gandy: I mean, it's not really our fault.

Jess Pieklo: It's not. We didn't do anything. We definitely don't agree with the Alliance Defending Freedom in this case at all. I'm just saying it's kind of weird that the two cases that are really trying to crack at LGBTQ rights on the First Amendment have both been cooked up by the Alliance Defending Freedom and come out of a very lovely state, by the way.

Imani Gandy: It is a lovely state. Fresh mountain air and everything.

Jess Pieklo: Okay, but this 303 Creatives v. Elenis, this is another case where the Court is set to completely rewrite constitutional law in order to enact part of its agenda, in this case using First Amendment free speech protections to allow evangelical business owners to discriminate against LGBTQ folks. This has been a mission of theirs since the marriage equality decision came down, right? I mean truly, this was one of their laser-focused points.

Conservative legal advocacy groups brought this case on behalf of a website designer out of Colorado who doesn't want to make wedding websites for same-sex couples because, Imani, her websites are art. And designing them for same-sex couples is the same thing, basically, as being forced to make art with a political message that she doesn't agree with.

Imani Gandy: Yeah, yeah, yeah, her websites are art. Yeah, okay, sure buddy.

Jess Pieklo: But I mean, really the TL;DR is that this is another attempt by conservatives to get the Court to create some kind of legal shield so that evangelical business owners can disregard whatever civil rights laws they want to, right? In this case, we've got a fight over a particular Colorado civil rights protection that prohibits business owners from discriminating against LGBTQ folks and couples in the delivery of services. It's a pretty straightforward anti-discrimination ordinance and if the Alliance Defending Freedom gets their way, evangelicals will have the opportunity to really go after these in all 50 states, so that's fun.

Imani Gandy: So that's fun. This case is also another opportunity for the Court to make an absolute mockery of the standing requirement in the constitution.

Jess Pieklo: Oh god, is it.

Imani Gandy: The Constitution requires that a person have an injury before they can file a lawsuit, right? You can't just be some random guy who wants to file lawsuits, but you don't have any injury, there's nothing that the court can remedy. You just like being in court. That's not the way it works, right? So here we have a woman who doesn't have any injury because she is complaining that she doesn't want to make websites for same-sex weddings.

But guess what? She doesn't make websites for weddings. She has not been asked by a single same-sex couple to make a wedding website for them. What she is essentially seeking is an advisory opinion from the highest court in the goddamn land, an advisory opinion saying, if at some point in the future I decide that I want to expand my business and start making websites for weddings, I don't want to have to make websites for same-sex weddings. That is bananas. Like, nobody wants your crappy website designs, lady. Like, nobody does. Apparently you don't either, because you're not fricking making them. So what are we doing here?

Jess Pieklo: Doesn't the Supreme Court have real actual live disputes to be settling? Like, don't the justices have something better to be doing with their time? And if not, shouldn't we consider some reforms, because apparently they have too much goddamn time on their hands.

Imani Gandy: Honestly, and just, when it comes to standing as of late, they have acted like absolute jackasses. Apparently Article III of the Constitution doesn't really mean anything. For example, look at the mifepristone case, right?

Jess Pieklo: Oh Jesus.

Imani Gandy: These "pro-life" doctors who are basically saying that they have standing, they are saying that they have an injury because they're being asked to do their jobs, because somewhere some person might have a complication, one of those very, very, very rare complications from mifepristone, and they may end up in the emergency room and the emergency room doctor might have to give abortion care, might have to do their job. It is not an injury that someone asks you to do your job. It's simply not.

Jess Pieklo: Neither are abortion sads, which is basically what they're saying. Like, I don't like abortion, and I might be around it somewhere and, I don't know, catch a case of the abortion. I don't know, like, it's wild, and you're right.

Imani Gandy: You've got to have an injury, guys. Like, you need to have an injury. If you're not making a wedding website, then you can't ask the Supreme Court to tell you that you don't have to make wedding websites for certain people.

Jess Pieklo: Yeah, like, what are you doing?

Imani Gandy: What are you doing ?

Jess Pieklo: And honestly, like, the Alliance Defending Freedom, what are you doing? Could you not find a better plaintiff?

Imani Gandy: Find a plaintiff that actually does the thing that you want to say that they don't have to do. Good God almighty.

Jess Pieklo: And like I mentioned at the upfront of this case, 303 Creatives built off another Colorado case, Masterpiece Cake Shop. Imani and I have talked about Masterpiece Cake Shop so much on this podcast. I was in D.C. covering it. It was one of the, oh my god, I remember those oral arguments very well. But anyway, another Alliance Defending Freedom case. And they tried the same argument, but they couldn't quite get the Court to bite.

Imani Gandy: Yeah. Well, guess what, Jess? There's a new Court in town.

Jess Pieklo: Fucking hell. I mean, but that's the exact truth, right? Like, they're getting a second crack at it, at this case, because they have a new court, right? And you know, like the other cases that we've described so far in this episode, this one too could have really far-reaching potential. If anything is creative, right, and can be shielded from complying with civil rights laws, then Imani, the lawyers will have to talk about limiting principles all the time. Where is the limiting principle?

And this was something that came up in the oral arguments specifically in Masterpiece Cake Shop that I remember between Justices Sotomayor and Kagan. Do you remember when they were going back and forth about sandwich artists at Subway, right? Like, if you make a footlong, are you a creative that is now allowed protection from serving that sandwich to somebody who is queer? I don't, you know, that's where we're at. There's no stopping.

Imani Gandy: Exactly. And again, I have to point out this is the Alliance Defending Freedom re-litigating their cause. They litigated Masterpiece Cake Shop in 2016. It's now like eight years later.

Jess Pieklo: And they lost.

Imani Gandy: And they fricking lost, and now it's eight years later, and they're basically litigating the same case. But what's even worse, at least in Masterpiece Cake Shop, Jack Baker, whatever the fuck his name was, Jack Phillips, I think it was.

He had actually been asked to bake a cake for a same-sex couple, and he didn't want to. So ostensibly, he believed that he was injured. Ostensibly there was some remedy that the Supreme Court could offer him. There is no remedy the Supreme Court could offer this lady because she doesn't do anything.

Jess Pieklo: Do something first, lady.

Imani Gandy: Do something first, and also Alliance Defending Freedom, stop trying to get second bites at the apple in cases that you fucking lose.

Jess Pieklo: Yeah, just take the L.

Imani Gandy: Take the L, man. Goddamn it. Okay, next up we've got to talk about Moore v. Harper.

Jess Pieklo: Ugh, do we? This case is hard.

Imani Gandy: This case is really hard. We honestly did like a 50-minute episode. It was like a Schoolhouse Rock-style episode on Moore v. Harper that delved so deep into it that we could barely get ourselves out of it. I'm not gonna do that, but I am gonna do.

Jess Pieklo: Thank you.

Imani Gandy: I'm not gonna make you sit through all that. But I do want to explain that this is the case that's about the Independent State Legislature theory, right? This is the theory that state legislatures can do whatever they want when it comes to the elections clause. When it comes to setting the time, place and manner of federal elections, they can do whatever they want unconstrained by a state court's interpretation of the state constitution as to whether or not what the legislature did was constitutional.

So North Carolina Republicans essentially are trying to argue that they don't have to listen to what the state supreme court says. The state supreme court threw out the North Carolina racist gerrymandered maps, and Republicans did not like that. So they said you can't do that. Why? Because the elections clause says that it is exclusively the jurisdiction of the state legislature to run federal elections. But what they failed to point out is that Jim Bob Madison and John Adams and all those old white dudes believed that.

Jess Pieklo: Jim Bob Madison.

Imani Gandy: Jimmy Lee Madison believed that the state legislative apparatus included the governor's veto, included the state supreme court, and the state supreme court's interpretation of the constitution. Why? Because the state legislature is a creature of the constitution, so of course it must be constrained by the constitution. Who interprets the constitution? The goddamn state supreme court. So you know, and first of all I want to say that the Supreme Court, in the oral arguments, didn't really seem to be too excited or enamored with this theory, because frankly it would crack democracy wide open, and I'm not sure that they are willing to go there, Jess.

Jess Pieklo: Yeah, I mean that's the hope here. So that was an excellent example. That was probably one of the clearest examples of Moore v. Harper I've ever heard, first of all.

Imani Gandy: Thank you.

Jess Pieklo: So that was fantastic. No, truly the case is so complicated, and it's one of those that the consequences are so important because as Imani said, it absolutely could crack democracy open. I mean, functionally it allows gerrymandered and conservative captured state legislatures to act with abandon and no check within those state constitutional apparatus on the state supreme court, and that's really important because state supreme courts have to act as a buffer in a lot of really important ways. Like, recently look at what Oklahoma has done with regards to some of the abortion bans that were passed, or most recently the state supreme court in South Carolina blocking the six-week abortion ban there. Like, they serve as important checks on state constitutional issues which don't always mirror federal constitutional issues.

There are a lot of state constitutions that have greater privacy protections, for example, than the federal constitution. Anyway, the good news is that there was some maneuvering while the Court had heard oral arguments, before they've issued any opinion yet, that suggests that they might punt on this. They didn't seem that enthusiastic about it during oral arguments. As Imani said, it's a really complicated and dangerous theory, although I do think that there are a couple of conservatives on the court willing to go that far, including Brett Kavanaugh, even though he was trying to sound reasonable in arguments. And you know, I just think that maybe they don't want the smoke hopefully. Like, right before this huge presidential election that we've got, like, maybe they just don't want the smoke.

Imani Gandy: They don't want the smoke of maybe Trump trying to overturn state electors, right?

Jess Pieklo: Because that's what will happen.

Imani Gandy: That is what will happen. If state legislatures don't have to listen to the state supreme court, they can just do what they want with federal elections, whatever they want, and that's not how the founders wanted it. And you know Republicans love dry humping the founders.

Jess Pieklo: Right, including instilling their guy, despite what the voters say, which is exactly what that team's hoping for. Well, that's fucking grim.

Imani Gandy: Yeah, it's grim. Like, last term was a shit show with Dobbs. But this term really is about continuing that white supremacist, that white Christian nationalist project of just erasing groups from civic society, of undermining their voting rights. There's this case, Merrill v. Milligan, which is also about whether or not Black people will be able to vote in Alabama. Like, this is all about.

Jess Pieklo: There aren't that many Black folks in Alabama anyway, Imani.

Imani Gandy: Hardly any. I mean, this is really all about erasing Black people from civic society, and LGBTQ people from civil society, and just imposing white supremacy. And I don't want to live that way.

Jess Pieklo: Yeah, and you know, Dobbs really makes this possible, not even just in like a direct line of precedent, it's not like every single one of these cases we talked about on this episode will quote Dobbs. In fact, probably none of them will, but at the same time, Dobbs was the first domino in terms of completely disregarding precedent and full norms, right? The Court took Dobbs because they could. The Court allowed the change of the main question to actually overturn Roe v. Wade, versus just uphold the Mississippi statute under Roe because they could. They issued a decision that swept away over 40 years of precedent because they could. And now they know that they can do it in case after case after case after case, unless some kind of wide-scale reform happens.

Imani Gandy: Yeah. This is the Harlan Crow court now. I'm not even gonna call it the Roberts Court anymore. I'm calling it the Crow Court.

Jess Pieklo: Yeah, it is the Crow Court. It works on so many levels.

Imani Gandy: Right, and for those who may not recall, Harlan Crow is that Nazi memorabilia enthusiast who was paying Clarence Thomas' adopted grand nephew whatever, his school tuition, and allowing Clarence's mama to live in his house. I mean, this is, it's just corruption all the way down, and we're going to see that play out as these decisions come down.

Jess Pieklo: Yeah, oof, yeah. All right, let's get a drink.

Imani Gandy: Yeah, let's do that. That's a good idea, I like that.

Jess Pieklo: That sounds so much better than this.

Imani Gandy: But you should remind folks.

Jess Pieklo: Oh, that's right. So, like, we just went through all these, and so the Court never tells us ahead of time when the decisions are coming down. They're just like, oh hey, do you know what? Tomorrow feels like a good day to drop court opinions. We're gonna do that. And so we are watching the court like a hawk, waiting for these decisions to come down. We will be breaking the news on our social platforms and doing a livestream reaction when these decisions come down, so please stay tuned. Make sure and subscribe to the YouTube channel so you get notifications about that. This is Sweaty SCOTUS Season for a reason, Imani.

Imani Gandy: It's sweaty, sweaty, sweaty SCOTUS season. Well, if you'd like to talk to Jess or me about Sweaty SCOTUS Season or Beyoncé in Paris. You can follow me on Twitter

@AngryBlackLady. You can follow Jess on Twitter @Hegemommy. We're also both on Bluesky now. So if you're on Bluesky, we're more likely to see your comment because there are fewer people and our mentions won't be just, you know.

Jess Pieklo: It's actually nice.

Imani Gandy: It's actually nice over there. So come say hi to us on Bluesky, and oh, follow Rewire News Group on Twitter, on Instagram, on TikTok. We're on TikTok now I think? Are we?

The YouTubes. And hopefully we're gonna get Rewire News Group on Bluesky soon as well. But barring all of that, what are we gonna do, Jess?

Jess Pieklo: We're gonna see you on the tubes, folks.

Imani Gandy: We're gonna see you on the tubes, folks.