

[Intro music]

Nina Pullano: Hello, hello. Welcome back to Sidebar, a podcast from Courthouse News. I'm Nina Pullano, your host and a reporter based in Brooklyn, New York. Let me ask you something without overthinking it. What do you think of when you hear the term bounty hunter? Is it cowboys and wanted signs? Boba Fett chasing down Han Solo in Star Wars? Maybe it's a certain TV star with blonde hair past his shoulders and sports sunglasses. By the way, this came as a surprise to me at least. Did you know "Dog the Bounty Hunter" was on the air for eight seasons? There are almost 250 episodes and that's not including a bunch of spinoff shows. Anyway, your first thought was probably not something like, bounty hunter, that reminds me of the recent citizen enforcement legislation passed in Texas and how the concept might be applied to other state laws in a different context, but that's exactly what's top of mind for us here at Sidebar. And after this episode, maybe it will be for you, too. We'll hear from Kirk McDaniel for this one. If you're a frequent listener, you may remember that he reports out of Texas and he was on the ground in Austin when the Legislature passed SB 8. It's also called the 'Heartbeat Act,' and it bans abortions after six weeks of pregnancy. Underlying its tremendous implications for those who need to get an abortion is how the law was designed to be enforced. Instead of going through law enforcement or government regulators, SB 8 is entirely enforced by regular folks who take issue with other people getting an abortion. The law allows those people to sue providers and anyone who helps a patient end a pregnancy after that six-week period. By the way, many people don't know they're pregnant at that point, which is why the bill can be viewed as pretty much an all-out ban on abortions. If we think back to bounty hunters, citizen enforcement as a concept isn't new, but the way SB 8 is playing out is a lot different than a hired hand chasing after a bank robber who skipped town on bail. Kirk talked to the experts to explore the implications of SB 8 and what it could mean for other constitutionally protected rights. Here's Kirk now.

Kirk McDaniel: It would not be an exaggeration to say that we are living in a fraught period in our nation's history. Americans from all walks of life have ideas and values that they believe in some more fiercely than others. So, imagine that you wake up tomorrow and the government made it so that your worldview is now the law of the land. And since it is your values being represented in law, who better to enforce the laws of this new America than you. Through the use of citizen enforcement laws, this can be more than just a hypothetical. Well, maybe things don't change overnight. As a reporter, I watched the first-of-its-kind citizen enforcement law get signed into law, and I helped cover the fallout, including the fierce legal battles mounted against it. That law was Senate Bill 8, also known as the Texas Heartbeat Act. The law bans abortion once "fetal cardiac activity is detected." So-called heartbeat bans like this have been introduced in many different times before Senate Bill 8 came along. However, this law succeeded in banning abortions because of a novel approach to enforcement. That approach, as you may have guessed, is by allowing private citizens to sue anyone who provides or helped provide an abortion. Being a reporter who covers the law, I was immediately struck by the law's unique enforcement method, just as many people were. It is important to understand that this was all before the United States Supreme Court overturned *Roe v. Wade*. So, anti-abortion lawmakers in Texas had successfully eliminated access to something that was a constitutionally protected right. And when I say they succeeded, I mean it.

News Clip: The so-called Texas Heartbeat Act, technically known as Senate Bill 8, is now law in Texas.

News Clip: As groups start filing more legal challenges, attorneys across the state wonder what happens next.

News Clip: A seismic shift on abortion rights. As of this moment, *Roe v. Wade*, essentially upended.

News Clip: I feel like these decisions are being made for me and I feel like I'm trapped. In early September, Jasmine found out that she's one of the many people who can't get an abortion in Texas due to a new state law that's banned abortion as early as six weeks into pregnancy. So, she's heading out of state.

KM: A year after the passage of Senate Bill 8, states have looked to the framework provided by Texas and sought to adopt it to ban abortion at home or adapt it to restrict specific controversial activities. The big question that has stuck with me all this time is what is the future of these laws? Is this a new tool in the tool belt of lawmakers who seek to limit what citizens can do within the boundaries of their state? So many questions remain, and to be honest, we don't have all the answers right now, but citizen enforcement laws are here to stay, and some pundits have said Pandora's box is opened. To get a better grasp on this concept of civil enforcement, I turn to a legal expert who is currently studying this topic.

David Noll: My name's David Noll. I'm a professor of law at Rutgers Law School in Newark, New Jersey, and I write about courts and administrative law, so, how the law gets enforced as opposed to sort of what norms the law is enforcing.

KM: Professor Noll is in the process of writing a book about civil enforcement laws with his research partner, Professor Jon D. Michaels of the University of California Los Angeles School of Law. Together, the two have been exploring the concept of what they refer to as legalized vigilantism.

DN: So, vigilantism means a lot of different things, and when you dive into the scholarly literature, people have many different ways of understanding it. There's one school of thought that defines vigilantism as activity that, sort of enforcement activity that happens without legalized sanctions. So, think, you know, think of posses in the old West that either, you know, defied the sheriff or sort of acting in the absence of state authority to you know, to go after horse thieves or whatever have you. My co-author, Jon Michaels, and I have found that sort of the most useful way to understand vigilantism in our current moment and one that also connects to American history is to think about it as a specific kind of real-world interaction, right? It's not necessarily that people lack legal authority to enforce the norms they're enforcing, it's that they're getting in your face and saying, if you don't conform to our moral code, you're gonna be punished.

KM: So, what makes laws like Senate Bill 8 so unique from any other law?

DN: A couple years ago when we started noticing that states were enacting a wave of what lawyers call private rights of action that were targeting highly sensitive and deeply personal activities, so things like abortions, trans kids' access to school restrooms, and so, we started examining these things and we really found sort of a wave of legislation that was encouraging people to go into court and sue over moral outrages or sort of violations of this traditional moralist code. And the project really, you know, it snowballed from, you know, sort of doing some basic research on Westlaw to a law review article that's coming out in the Cornell Law Review. It's turned into a book project, and over the past year and a half or two years, we've tried to keep up with all of the state legislatures that are enacting what we call private subordination, which allow people to go into court and bring these kinds of lawsuits.

KM: Let's break that down further. What is a private right of action?

DN: So, a private right of action is just a law that authorizes particular people to go into court and to maintain a lawsuit. So, if you're in a car crash and, you know, your new car gets totaled, you can recover the amount of the car. There's also statutes that provide what's called statutory damages, where they say, you know, for example, for every violation of the law, you can recover \$1,000. And the reason that legislatures do that is that there's a lot of violations of the law where there might be a public interest in stamping out that violation of the law where it doesn't really make financial sense to go into court. So, think about, you know, think about a credit card issuer that sneaks a \$5 fee onto the monthly bill of everybody who has a particular credit card. Add it up, you know, across thousands or tens of thousands or millions of people. But that's a lot of money, but no individual is going to have an incentive to bring a lawsuit to recover the \$5. And so, one of the things that legislatures do to overcome that problem is it enacts statutory damages provisions, which say that if you prove a claim, you can go into court and recover a certain amount.

KM: So, a private right of action is nothing new. But why is it that these laws have often been referred to as bounty-hunting laws?

DN: One characteristic of these laws that we tend to see is that they have a very broad understanding of who can sue. So, for example, if you take Texas's SB 8, the right to sue isn't just given to particular people, but the statute literally says that any person can go to court to seek to recover damages for violations of its abortion ban. And so, the one piece of the bounty hunting label is coming from that, from the idea that any person who has a grievance can go into court and file a lawsuit and recover money. You know, the other reason people call these bounty laws is simply that they are literally providing a financial bounty. So, under Texas SB 8, plaintiffs who succeed in proving a violation of the statute get a minimum of \$10,000. Some of the other statutory schemes that we've seen contain similar statutory damages provisions, and so there's a combination of empowering a particular class of plaintiffs and then holding out the prospect of really large financial rewards to them that has led people to call these bounty laws.

KM: Not everyone is on board with the label.

John Seago: Yeah. I think this is just, I mean, I think the reference to bounty hunting is, you know, unnecessarily high levels of rhetoric.

KM: I wanted to know more about what lawmakers gain out of using this method of enforcement, so I spoke to someone who helped craft SB 8 and is the head of the largest anti-abortion organization in the state of Texas.

JS: My name is Dr. John Seago. I serve as the president of Texas Right to Life and have led our legislative efforts for the last 14 years. At Texas Right to Life, we had the honor of working very closely with Senator Bryan Hughes, who was the state senator kind of championing the bill, and we had worked with him, you know, for over a decade in his time in the state Legislature. And every session Texas Right to Life is working on pro-life bills that will save lives, pro-life bills that would help the cultural conversation. Since this is a controversial topic, we wanted legislation that, you know, highlighted the humanity of the unborn child and the inhumanity of elective abortion. And so those were always important aspects of

legislation we support. The third piece that we always looked at is how, you know, does this help or get us closer to overturning *Roe v. Wade*?

KM: The citizen enforcement aspect of the law was something Seago and anti-abortion activists had been experimenting with for around 10 years before SB 8 was signed into law. It was always apparent that this route would prove to be more successful than, say, an outright ban that would be struck down by the courts.

JS: The concept was not new to us. We knew that this is really what the industry would fear the most. They have district attorneys that will look the other way and not bring criminal charges. The Texas Medical Board is a political entity that doesn't want to get involved in abortion to take someone's license away for violating pro-life laws and so, this was always the best tool. Now, to be honest, while in the past, while going through the legislative process, several sessions, that piece was stripped out, you know, so we would be pushing a big bill and along the way, as you do in the political legislative process, civil liability was taken out and it survived in a couple of those bills that we passed. So whenever, you know, the conversation kind of got to this, it wasn't new. What was new was only including civil liability, taking out the you know, not even including criminal or civil and that was what was novel. And once we were, you know, talking about the benefits of that legally, that's really whenever we, you know, got fully on board with this approach.

KM: As was mentioned before, private rights of action, citizen enforcement or civil liability laws are no new concept. Professor Noll gave me several examples where private citizens are given the power to hold people accountable through civil lawsuits.

DN: So, I mean, I should note that you know, what these laws are doing is they're drawing on older laws that used private statutory enforcement as a way of ensuring that laws were enforced. You know, sort of the, you know, the prototypes or the templates that these new laws are drawing on are consumer protection laws, civil rights laws, antitrust laws, there's a whole body of laws, where private plaintiffs get the right to go into court.

KM: In this aspect, the legal forces that drive Senate Bill 8 are well accepted by all. In my conversation with Dr. Seago, he told me that there is a clear double standard when comparing the Texas abortion ban and other areas of private enforcement.

JS: The funny thing is like we don't view civil enforcement in other public policy arenas as that negative. You know, environmental regulations, for example, you know that how a lot of our laws, you know, containing protecting the environment, protecting our communities, public health relies upon civil liability and relies upon, you know, private citizens bringing a claim. There is a public good for factories and you know, plants, chemical plants for following our regulations, our environmental regulations. These are public goods and public interest, there is a public interest in enforcing these laws, and that's how we view pro-life laws. I mean, we view elective abortion as an act of injustice that is a violation of what it means to be human. It is an attack on the definition of humans and who gets protection. So, we think it's appropriate for civil liability to be a piece of pro-life laws even in this broad sense because it is a public interest. And so, I know that's kind of obviously a ideologically loaded view, but we think it's appropriate.

KM: Seago, working with the Texas Legislature, used private enforcement to get around the courts and prevent their law from being struck down. I asked Professor Noll for his take on why a lawmaker would use this method.

DN: You asked why is this strategy being used right now. And you know, I think there are a couple different things going on. One piece of it is that the agendas these laws are pursuing oftentimes are not popular, and so, you're not gonna get a public prosecutor to bring cases or you're not gonna get a government agency to bring cases and so, there's, you know, sort of a turn to vigilante enforcement, a turn to private enforcement in saying, let the people who have the most intense grievances come into court and sue over these violations. In jurisdictions where public authorities do agree with the agenda that these laws are pursuing, then the use of citizen enforcement really acts as a kind of force multiplier as we saw in Texas, because right, all of a sudden, every person off the street is potentially a plaintiff who could bring a lawsuit over these violations, which is going to greatly increase the regulatory power of these regimes and then, you know, I should mention that enlisting citizen enforcers in this way aligns with a broader right-wing project of keeping the base hyper-mobilized and hyper-engaged and right, you know, whether this is caravans shutting down bridges or people storming school board meetings and, you know, saying that educators are in league with Satan or right, everything that's sort of, that's happening on the vanguard of today's right. A move that runs through that is an effort to mobilize the base and to keep the base hyper-engaged in politics. Because as a demographic matter, the far-right base is shrinking and is threatened by America's increasingly diverse electorate. And so, all of this sort of comes together to make vigilante enforcement the tool for our times, right? It's, you know, there's a lot of advantages to right-wing political players and their view, I think, is that they can use this as a tool for reconfiguring power relations and for holding onto power in today's America.

[Music break]

NP: To really understand what can happen when laws are built this way, we can go back in time to some of the darkest chapters in U.S. history: the enforcement of slavery, Jim Crow laws, themes that you might not expect to be showing up again in 2022, or maybe you would. This reflection raises some important questions. What does it mean to put this kind of power into the hands of ordinary people who end up selecting themselves to take up the cause of policing or even surveilling others' decisions about their own bodies? And if a law doesn't sit right with the Department of Justice, but the state government isn't even the entity that's enforcing it, then what? Plus, already this model for legislation has shown up outside of Texas. Kirk and the experts take a look at California's attempt to build a progressive version of the Texas law and how likely it is to catch on in the future.

KM: I was surprised to learn that the use of private enforcers is an old concept in our nation's legal traditions.

DN: You know, as I mentioned, the basic technology of these laws is being borrowed from other contexts, mostly consumer protection laws, environmental laws, civil rights laws. But those laws, you know, of course, are not trying to subordinate marginalized groups, they're not trying to protect social hierarchies that are sort of, that are currently under threat. And to understand what these laws are really doing, you have to take a step back and sort of look to Jim Crow or even the fugitive slave acts and the way that they were using private enforcers to advance their agenda.

KM: On September 18, 1850, President Miller Fillmore signed the Fugitive Slave Act into law. The statute was an update to a law from 1793, which mandated the return of escaped slaves to their enslaver. Often this law was used to require law enforcement in northern free states to return slaves to the south. The Fugitive Slave Act of 1850 sought to strengthen the original statute by punishing any official who failed to arrest an alleged escaped slave. The law carried a financial penalty of \$1,000 for failing to act. That would be the equivalent of \$32,000 today. The law did not stop there. People who were caught providing an escaped slave food or shelter faced six months of imprisonment on top of the \$1,000 fine.

DN: The Fugitive Slave Act of 1850 was notorious for having a system of one-sided legal proceedings. If a slave catcher apprehended a supposed fugitive in a free state, he could drag him in front of a magistrate. There were specially appointed magistrates that did nothing but hear these fugitive slave cases. The alleged fugitive was barred from testifying, so that for the entire proceeding went forward on the basis of the slave catcher's evidence. The magistrate got \$10 if he found that a fugitive had to be remanded to slavery and \$5 if he found that the evidence was insufficient. So, it was just a, just sort of a completely one-sided lopsided regime that put all the power in the hands of agents of slavers. Compare that with SB 8, the plaintiff can go to any county in Texas, which is a pretty big state. The defendant is barred from transferring the action to a more convenient district. All kinds of legal defenses that the defendant might raise are taken off the table. Attorney's fee shifting is completely one-sided, so only the plaintiff is allowed to recover fees. We talked about the damages provision, right, there's that minimum \$10,000 bounty. And so it's almost eerie the extent to which the hearings that are set up under SB8 mimic those in the fugitive slave law and right, you put that together with the fact that what both of these laws are basically about is subordination of marginalized groups and you know, I don't know whether the law was consciously modeled on it or not, but history, history often rhymes, right? It's hard not to see a throughline through some of these, you know, sort of most horrifying regimes in the nation's history to what's happening today.

KM: Shortly before Senate Bill 8 took effect in Texas; the United States Supreme Court denied an emergency request from abortion providers to block the law while court battles play out. Once the law was finally before the Supreme Court again, the justices avoided ruling upon the merits of the law and instead found that because officials in the state cannot enforce the law, they were not proper defendants for abortion providers to bring their case against. Professor Noll sees this ruling as having a massive impact on how we think about civil enforcement laws.

DN: Yeah, I mean, I think it's important to understand exactly what the Supreme Court did and the *Whole Woman's Health* case when it declined to issue any kind of meaningful remedy against enforcement of SB8. So, you know, I did, I see that as the court broadly endorsing the U.S. of legalized vigilantism to go after at least activities that the court thinks are morally wrong. But, you know, it's important to understand, you know, just what we mean when we talk about vigilantism and legalized vigilantism. You know, the most useful way to understand the kind of vigilant that these laws are giving rise to is the systemic practice of private individuals taking on the day-to-day responsibilities of aggressively surveilling, policing and enforcing a particular social order.

KM: I mean, not to dramatize the events of these court cases by saying that journalists, legal experts and lawmakers watched with bated breath to see what the court would say, and when the court gave its ruling signaling that the enforcement method employed by the law worked, it was as if the wheels of lawmaking began turning again. That is no more evident than when we look at a state that seems to

have a lot in common with the Lonestar State. Well, that is all but which party holds power in the Legislature.

News Clip: Gavin Newsom said he was applying some Texas logic to the problem of gun violence.

Gavin Newsom: Get these guns off the street by allowing 40 million of you to be enforcers. By allowing 40 million Californians to enforce the law of the state of California.

News Clip: Californians can now sue gun law violators for \$10,000 plus court costs for every instance, just like Texans can sue over abortions in the controversial ban upheld so far by the Supreme Court.

DN: So, the court is broadly giving the go-ahead to this kind of legalized vigilantism. That said, you know, in a sense, we're still waiting for the other shoe to drop, so California's the only progressive state that has replicated SB 8's enforcement scheme, as you mentioned, right? It does that in a statute that tries to restrict the sale of ghost guns and assault weapons. What California's doing there is very different than what happened in SB 8. First, because there's not any governing precedent that makes it unconstitutional to regulate ghost funds in the manner that the California law does. And second, because there's not really sort of an activist, energized vigilante base that's dedicated to the enforcement of gun control laws and right, to the extent that there is energy in the gun control movement, it's, you know, it is through these highly organized, you know, sort of almost corporate groups like Mom's Demand Action, and so, right, you don't see sort of the same impulse towards taking ordinary people and setting them up as enforcers of these moral codes.

KM: Many people who are following these laws, are taking the wait-and-see approach. So many questions remain on how these laws will continue to be enforced and what types of uses lawmakers may find for this type of enforcement mechanism.

Louise Melling: I have not seen anything like what we saw with SB 8 before. Hi, my name is Louise Melling, I am a deputy legal director at the American Civil Liberties Union. I oversee a unit in the ACLU that addresses women's rights, reproductive rights, LGBT rights, disability rights and religion. You know, I wanna emphasize, I think these laws are pernicious no matter where you land on the political spectrum. These laws can be used to, you know, address, attack, any kind of constitutional right and perhaps even more than that, these laws just go at our fundamental visions of democracy and our structure of government in the sense if we value constitutional rights, we need to have a way to test and protect them. If we value due process, we have to be able to have a way to address laws that are so imbalanced in terms. Like who's favored in the structure of the law? And if we, if we respect our three branches of government and everything we learned in eighth-grade civics class, then these laws are really a slap in the face and at minimum need to speak out in the context of the legislatures.

KM: I asked Melling if she thought that since the Supreme Court had refused to strike down the Texas law, are there specific constitutional rights that she believes will be targeted by states copying the Texas law?

LM: So, I don't know. I think we're just gonna have to wait and see. The state legislatures will be back in session in January, so this may be a path the legislatures may take. It may also be true that the legislatures will continue to do what we saw them do last year, which is to pass really extreme measures and keep the enforcement with the state because the state wants the power to enforce and the

Supreme Court has signaled with *Dobbs* and other decisions, more openness to revisiting precedent than then had been the case.

KM: Here is Professor Noll again.

DN: The next frontier of these measures, has to do with ballot access and has to do with the political process. So, in states like Georgia, you, you know, you saw state legislatures respond to “The Big Lie” by enacting, you know, detailed codes about what you can and cannot do in voting that as many people have commented disproportionately affect voters of color. And I think sort of the next step in those regimes is to add a vigilante enforcement component, right? So, you know, now it's a crime to, you know, to hand out water bottles. But, you know, enforcement of that is gonna be limited by prosecutorial discretion and the resources of government offices. At some point, somebody's gonna come along and say, oh, well what if we allowed any person to enforce this law, which is, you know, something else that is gonna have a big effect on elections and people's participation in the political process.

LM: SB 8 in essence, had abortion practice shut down when abortion was protected by the federal constitution. I mean, that in and of itself says enough about these laws, and again, I'll just say the point here isn't, you should be worried about that even if you don't support the right to abortion, because there's nothing about the, because this, this structure can apply to any issue. This law was intended to have that effect. It was intended to evade judicial review and I think that really is a threat to our rights, of course, and a threat to our structure of government.

KM: To Dr. Seago, I posed the question if there are other areas unrelated to abortion where he sees this method of enforcement being used.

JS: Yeah, I mean, so that's kind of been some conservative, some, you know, on the right have actually brought this up and said, well be careful because this could be used against us, so to speak. This could be used against conservative goals, and I'm not actually that worried about it. I think because the reality is civil liability, as effective as it is, if a charge is being brought under the civil liability mechanism, and I feel like I'm personally being sued for practicing a constitutional right, take the Second Amendment. I would then respond to that lawsuit, my defense would be, well, this law is unconstitutional in the first place.

KM: But at the time Senate Bill 8 was passed, the right to abortion was constitutionally protected. So, what's the difference?

JS: The difficulty here is that the constitutional right of abortion was not as sturdy legally as some of the other constitutional rights that are being talked about, you know, free speech and Second Amendment. So, I think that really makes a huge difference and that's why to our conservative friends who said, I don't know, you know, this is a weapon that could cut both ways. I actually don't think it will because the most, you know, the big constitutional rights that we're most concerned about as, you know, conservatives, you know, freedom of speech, freedom of assembly, Second Amendment, religious, you know, religious freedom and liberty. These things are, they have a more, they have a deeper precedent.

KM: I asked Professor Noll as well his thought on how opponents to these laws might go forward.

DN: You know, I do think it's important that progressive straits enact countermeasures that are proportional to what's going on. So, you know, one bill that I really like that has been introduced in New York but hasn't been enacted yet, right, simply creates a private right of action for that that goes after people who interfere with the right of interstate travel because right, sort of one response to SB 8 law, SB 8-like laws is for people to travel to other states. So, I think it's important that other states respond in that matter, so, there's some real cause. But as you say, sort of the long-term solution is, uh, is simply democratic politics and is building a coalition that is willing and able to enact legislation at the federal level that protects the rights that are under attack. And that right, that probably includes the creation of some right, some administrative agencies or some forms of administrative or public enforcement in order to enforce those guarantees.

KM: Now, what about proponents of civil enforcement law? How will they be going forward? Here is Seago again.

JS: Yeah. I mean, I think that we're gonna continue to encourage other states to adopt this model for their pro-life legislation because we are seeing district attorneys coming out and making policies for their office saying we will never enforce this type of law. That's a problem. And so, you know, having civil liability on the table is gonna be important, you know, as a tool for pro-life states. And then, yeah, we've already seen Senator Hughes, for example, the same author of the Texas Heartbeat Act, he was the author of the election law that Texas passed. So, you can obviously, you know, he's thinking of how do we use this tool in election law, if election law is being violated and there's concerns about voter fraud, you know, what does it look like to engage, you know, give private citizens standing? I think you're gonna start seeing that in a lot of other areas, and they're not, you know, some of them will not be as controversial because they will be really just enforcing the laws that nobody is challenging the constitutionality of them. You'll see maybe a more popular kind of endorsement of civil liability across the line.

KM: Right now, we are seeking clarity and understanding on how these laws will affect us in the long run. Here in Texas, I'm closely watching what will come out of the Texas Legislature when lawmakers return to the capital in January. Will Republicans' success with Senate Bill 8 inspire them to craft a similar law targeting gay marriage. What about voting? What about progressive states? How will they respond? In turn of all the questions that remain, the one that sticks with me the most is the one that will have to wait the longest to answer. How will these laws affect the relationship between citizens? Only time will tell.

NP: Bounty hunters. Figures from folk tales, fantasy and reality TV; free agents that work as an extension of the law. Whatever comes to mind when you think about the concept, this latest chapter in vigilante justice is shaking things up even more at a time the country is polarized in deep and complicated ways. Thanks for listening. If you're enjoying Sidebar, please go ahead and subscribe, leave us a review and you can find us on Twitter @sidebarCNS. You can also check out more of Kirk's coverage of SB 8 and all kinds of news out of the capitol of Texas at courthousenews.com. Up next, as the year winds down, Sidebar is looking back at the biggest cases of 2022. We followed celebrities in the courts, from R. Kelly to Sarah Palin, and political madness surrounding the capitol riot, Oath Keeper trials and a plot to kidnap a sitting governor. It's our year-in-review episode and we can't wait to share it with you. We'll see you next time.

[Outro music]