

## OTHER VIEWS

## EBOLA

## Get the cavalry ready to move now

BY D. WAYNE BRACKIN  
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Some hospital, somewhere in the United States, was going to be the first. Texas Presbyterian in Dallas was the one.

In spite of the mistakes made there, it was fortunate that Thomas Duncan decided to go to the emergency department of a large, sophisticated, well-resourced hospital. If he hadn't, the out-



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come and potential ripple effect could have been much worse. I will speak for many doctors, nurses and health-care executives I know and say what we all think, "There but for the grace of God go us all."

The Ebola scare has raised many questions. One of them: Is the healthcare system in Miami ready to receive an Ebola patient?

Yes, and more than most. We are well-versed in emergency preparation as a community prone to natural disasters, and we have survived a few man-made ones as well. The institutional memory of Hurricane Andrew is strong at Baptist Health South Florida, with many people here having not only survived it, but

shown up for work the next day to take care of the patients who were their friends and neighbors. I trust them implicitly in any crisis, including one as unfamiliar as the Ebola virus.

That Andrew memory also includes a vivid one of Kate Hale, then the director of emergency services for Dade County, standing up before the national media saying, "Where the hell is the cavalry?" What she meant was that we had a circumstance that was beyond our ability to handle completely on our own. Eventually, the cavalry did come. I see parallels with the current situation.

Baptist Health staff train year-round for disasters of every kind. We have a dedicated Department of Emergency Preparedness that coordinates our readiness among our six hospitals and 30-plus outpatient centers. We send surgical and primary care teams to Haiti, because they need the help, but also because those missions put our clinical staff through arduous, real-time training under adverse conditions.

With this latest turn of events, training has been accelerated and personal protective gear has been modified to comply with CDC guidelines. Even with this level of commitment, we must consider the appropriate role of our local



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health system in a crisis that has not only a national scope, but also national security implications.

The current plan, in practice but not guaranteed by anyone in authority, is that we will locally receive potential Ebola patients, diagnose them, isolate them, begin treatment, and prepare them for transport to a CDC-designated bio-containment facility. We will then go through a rigorous decontamination process and return the hospital to full community service. That

plan works, unless there is an escalation in the numbers; if there is, this solution falters.

Texas Presbyterian, a very good hospital and a major community asset, has been brought to the brink of collapse. Fortunately, Dallas has many other good hospitals, but what if a city or town had only one trauma hospital or one safety net hospital? I suggest, strongly, that a bio-containment unit be established for each major population center in the United States, on federal or military property. It is the safest, most

practical thing to do and in our community we have a resource available. Homestead Air Reserve Base is a well-situated, secure environment that is easily accessible by ground or air.

A mobile field hospital could be established there on the under-utilized grounds. Staffing could be provided locally through the resources of a large health system like Baptist Health South Florida, our two medical schools at Florida International University and University of Miami, as well as the Jackson Hospitals.

It is not the time for false bravado. The healthcare professionals in South Florida are courageous on a daily basis, but the right thing to do, both for the safety of the patients and the staff, is to thoughtfully deploy our resources in the most effective manner. With a dedicated facility, a secure environment, and motivated volunteer staff, the right thing is done for both these patients and the community. Let's learn from the brave nurses and doctors at Texas Presbyterian, and let's also remember Kate Hale calling for the cavalry and not wait until the storm hits to put a solution in place.

D. Wayne Brackin is executive vice president and CEO of Baptist Health South Florida.

## ELECTIONS

## Are our courts for sale?

BY JOE NOCERA  
NYTimes.com

One of the most shocking ads aired this political season was aimed at a woman named Robin Hudson.

Hudson, 62, is not a congressional or Senate candidate. Rather, she is a state Supreme Court justice in North Carolina, seeking her second eight-year term. It wasn't all that long ago when, in North Carolina, judicial races were publicly financed. If a candidate spent more than \$100,000, it was unusual. Ads mainly consisted of judicial candidates promising to be fair. Any money the candidates raised was almost entirely local.



NOCERA

This ad in North Carolina, however, which aired during the primary season, was a startling departure. First, the money came from an organization called Justice for All NC — which, in turn, was funded primarily by the Republican State Leadership Committee. That is to say, it was the kind of post-Citizens United money that has flooded the political system and polluted our politics.

And then there was its substance. "We want judges to protect us," the ad began. The voice-over went on to say that when child molesters sued to stop electronic monitoring, Hudson had "sided with the predators."

Not surprisingly, the truth was a bit different. In 2010, the state Supreme Court was asked to rule on whether an electronic-monitoring law could apply to those who had been convicted before it passed. Hudson, in a dissent, wrote that the law could not be applied retroactively.

As it turns out, the ad probably backfired. "It clearly exceeded all

bounds of propriety and accuracy," said Robert Orr, a former North Carolina Supreme Court justice. Hudson won her primary and has a good chance of retaining her seat in the election next week.

But her experience is being replicated in many of the 38 states that hold some form of judicial elections. "We are seeing money records broken all over the country," said Bert Brandenburg, the executive director of Justice at Stake, which tracks money in judicial elections. "Right now, we are watching big money being spent in Michigan. We are seeing the same thing in Montana and Ohio. There is even money going into a district court race in Missouri." He added, "This is the new normal."

To be sure, the definition of big money in a judicial election is a lot different than big money in a hotly contested Senate race. According to Alicia Bannon at the Brennan Center for Justice at New York University School of Law, a total of \$38.7 million was spent on judicial elections in 2009-10. During the next election cycle, the total rose to \$56.4 million.

But that is partly the point. "With a relatively small investment, interest groups have opportunities to shape state courts," said Bannon. Sure enough, that is exactly what seems to be going on. Americans for Prosperity, financed by the Koch brothers, has been involved in races in Tennessee and Montana, according to Brandenburg. And the Republican State Leadership Committee started something this year called the Judicial Fairness Initiative, which supports conservative candidates.

In that district court race in Missouri, for instance, Judge Pat Joyce, a 20-year judicial veteran, has been accused in attack ads bought by the Republican State Leadership Committee as being a

liberal. ("Radical environmentalists think Joyce is so groovy," says one ad.) Republicans are spending \$100,000 on attack ads and have given another \$100,000 to her opponent, a man whose campaign was nearly \$13,000 in debt before the Republican money showed up.

It should be obvious why this is a problem. Judges need to be impartial, and that is harder when they have to raise a lot of money from people who are likely to appear before them in court — in order to compete with independent campaign expenditures. An influx of independent campaign money aimed at one judge can also serve as a warning shot to other judges that they'll face the same opposition if their rulings aren't conservative enough. Most of all, it is terribly corrosive to the rule of law if people don't believe in the essential fairness of judges.

Yet there seems to be little doubt that the need to raise money does, in fact, affect judges. Joanna Shepherd, a professor at Emory Law, conducted an empirical study that tried to determine whether television attack ads were causing judges to rule against criminal defendants more often. (Most attack ads revolve around criminal cases.) She found, as she wrote in a report entitled "Skewed Justice," that "the more TV ads aired during state supreme court judicial elections in a state, the less likely justices are to vote in favor of criminal defendants."

"There are two hypotheses," she told me when I called to ask her about the study. "Either judges are fearful of making rulings that provide fodder for the ads. Or the TV ads are working and helping get certain judges elected."

"Either way," she concluded, "outcomes are changing."

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## MID-TERMS

## An election about nothing — except President Obama

BY JOY-ANN REID  
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For Democrats, the upcoming midterms are about Barack Obama, and they aren't.

Across the country, jittery campaign managers are putting in requests for the Clintons, for Elizabeth Warren (at least in the Northeast and Iowa) and for Michelle Obama, while President Obama is anything but a hot ticket on the trail.

Would it help Democrats to have a wildly popular president helping their national party? Sure. And there will be plenty of historical picking over of this White House's response to the GOP's "all-out from day one" blitz against the Obama presidency.

But what will be more dispositive in each midterm race are the distinct issues voters are focused on, and the quality of the state parties, candidates and campaigns, plus the overall anti-incumbent environment.

Still, Democrats face a nasty Senate map filled with states Mitt Romney carried in 2012. So they're legitimately concerned that Republicans have nationalized the election, by serving up a fever stew of remote terrors like ISIS and Ebola, plus the diaphanous miasma of "illegals" and phantom "voter fraud," while rallying the part of their base that never quite got over 2008 for one last swing at the president who makes their blood boil.

Republican candidates nationwide are running against opponents who all seem to be named Barack Obama. And so Democrats (exceptions including Mary Burke, who's facing union bogeyman Scott Walker in Wisconsin and Florida's Charlie Crist), are largely steering clear.

Except that the party's fate on Nov. 4 depends largely on coaxing African-American and Hispanic voters who lined up around the block in 2010 and 2012 but skipped 2010. Barack Obama is crucial to making that sale.

And so the delicate balancing act for Democrats, particularly in the South, where half of all African Americans still live, is to run one campaign for their state, and another for black voters.

By and large, that means leaving much of the "Obama messaging" to national organizations like the DNC, the DSCC and outside spending

groups.

In a final flurry of rallies, conference calls and sit-downs with African-American, Hispanic, Asian-Pacific Islander and other base constituency leaders, senior Democrats, including DNC Chair Debbie Wasserman Schultz, and even Vice President Joe Biden, are putting on the hard sell.

They're telling community leaders that what happens in the election will determine whether the last two years of Obama's term are years of hope or despair.

"We need to tell people they are electing the last Congress that's gonna be in place to make sure the president's last two years are successful or not," one senior Democrat said on a Tuesday conference call with minority leaders. "We need to wake up next Wednesday morning knowing we did everything we could. Let's not say if only I'd knocked on one more door or made one more phone call things could have been different."

At the same time, Democrats are mindful that they've rolled out that message before, and that the ongoing drag of economic inequality and disproportionate struggle could make rallying minority voters to Obama's side one last time a tougher sell.

And so, the Democratic message is heavy on warnings: that Republicans will hand even more power to the CEO class should they grab Senate control, as well as reminders that voter ID and other suppressive measures target the young, the black and the brown.

"The Republicans have made it an art form to convince our people that voting doesn't matter because government doesn't work anyway," Vice President Biden said on that call, according to a participant. "But for the sake of the people who are busting their necks to make a living, we've got to get out the vote."

On the gubernatorial front, Democrats are eagerly citing New Jersey Gov. Chris Christie's blunt call at a recent U.S. Chamber of Commerce Institute for Legal Reform event for Republicans to hold governorships to "control the mechanisms of voting" in 2016.

"Would you rather have Rick Scott in Florida overseeing the voting mechanism, or Charlie Crist?" Gov. Christie bluntly asked at that event.

It's a question Democrats are asking their most loyal base.

Joy-Ann Reid is the host of "The Reid Report" on MSNBC.



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