

Looking Ahead  
The Cornell Roosevelt Institute  
Policy Journal



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# About the Cornell Roosevelt Institute

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The Roosevelt Institute at Cornell University is a student-run policy institute that generates, advocates, and lobbies for progressive policy ideas and initiatives in local, university, state, and national government. Members write for our campus policy journals, complete advocacy and education projects in the local community, host research discussions with professors, write policy and political blogs, and organize campus political debates and policy seminars.

The Roosevelt Institute at Cornell University is divided into seven policy centers:

Center for Economic Policy and Development  
Center for Foreign Policy and International Studies  
Center for Energy and Environmental Policy  
Center for Education Policy and Development  
Center for Healthcare Policy  
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# Letter from the Director

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Dear Readers,

I am very pleased to present the seventh issue of Looking Ahead: The Cornell Roosevelt Institute Policy Journal from the Center for Domestic Policy. As the Policy Director and Editor of this journal I have had the amazing experience of producing this journal for the past two semesters, and the talent and innovation of each analyst never ceases to amaze me. Each analyst has combined creativity and passion with careful research and hard work to produce the policy proposals that comprise this publication. I have found each piece to be enjoyable to read and incredibly thought provoking and I hope you will as well.

Sincerely,

David Melly

Government (A&S '15)

Director, Center for Domestic Policy

# Take Back the Vote: Electoral Reform in NYS

By Michael Alter '16, Email: mca67@cornell.edu

*Given that money has a visible and pernicious effect on our nations' political system in general and electoral process in particular, states and counties, such as NY and Westchester, should enact campaign and electoral reform.*

## **Background:**

Although ideas and calls for campaign finance reform date back to the 19th century, modern day reform movements started because of Watergate. After what the president's men had done to influence the election, and because of huge public pressure on Congress to do something significant, the Federal Election Campaign Act (FECA) which had been passed in 1972 was amended in 1974 to include campaign contribution limits from individuals, parties, and other organizations, like political action committees (PACs).<sup>1</sup> The amendments also created the Federal Election Commission (FEC) to regulate all federal elections and to run a public financing scheme for federal elections and the party conventions.

FECA could only handle part of the problem; its policies were directed at "hard" money, or money donated directly to a campaign, not "soft" money,

money donated to PACs or parties for "party building purposes". To strengthen federal law on campaign financing in order to target soft money and to regulate so-called issue advocacy ads, Congress passed the Bipartisan Campaign Reform Act (BCRA) in 2002.<sup>2</sup> This law tightened regulations on the parties and put in blackout periods before primary and general elections for issue ads. Since then, the Supreme Court has, in several decisions but most famously in *Citizens United v FEC* (2010), struck down restriction after restriction on soft money, and set the precedents that money is speech and that corporations are people who are entitled to free speech.

The problem with status quo campaign finance law is that it encourages bad political behavior. In incentivizes like almost nothing else can politicians to cater to select groups of people, usually quite wealthy and powerful groups interested in getting a good return on their "investment". The fact that they are usually concerned with certain issues is not the point – it is that other groups with other interests will not be heard nearly as easily. A major reason people are reluctant to participate in the electoral process is because they feel they have no say, and the money part of the equation is a major factor in their feeling insignificant.

## **Policy Idea:**

In order to combat the influence of money in politics, and in order to enact policy without having to rely on the federal government, I would propose that Westchester County, NY adopt a public financing scheme similar to ones already adopted in other states, like Connecticut and Arizona, and similar to one already adopted in NYC. Having NYC and Westchester County, two of the most populous areas of the state and ones with most of the state's money, would pressure the rest of the state to follow suit.

## **Policy Analysis:**

To comply with previous Supreme Court rulings, the system would have to be totally voluntary.<sup>3</sup> Candidates who opt-in to this system have several restrictions placed on them about whom they can accept money from, how much they can accept, and other regulations. A matching system is often used, whereby small donations from individuals or groups are matched by the state at some ratio (4 to 1, for example).

Westchester has its own politics, and given how it is one of the richest counties in the US and both the Clintons and Gov. Cuomo have their official residences here, a change here would be very significant for the state. It is a great place to enact meaningful electoral reform, as it would set a precedent that wealthy counties do care about how money influences their political landscape. NYC has a matching system in place where each donation to a candidate is matched by the city at a ratio of 6 to 1 for the first \$175.<sup>4</sup> Westchester is a bit more

### **Key Facts:**

- Approximately \$3.7 billion was spent on the recent election cycle by 0.2% of the American public<sup>6</sup>
- Since *Citizens United*, polls have increasingly showed that electoral and campaign finance reform is a central issue to the electorate.<sup>7</sup>
- In the states where a public financing system has been enacted, the overwhelming majority of the public favors it and the overwhelming majority of the politicians participate in it.<sup>8</sup>

conservative that the city, so a ratio of 5 to 1 for the first \$200 might be better.

This option is superior to other options (like doing nothing and letting the problem fester, or waiting around for a constitutional amendment to override the Supreme Court which could take decades) because it is an active solution that can be implemented now. Voter apathy in places where such policies have been implemented has decreased, voter participation has increased in both participating in work for the campaigns and donations, as voters now feel like they have a real chance of getting their voices and concerns heard. Politicians like it because they don't like being on the phone primarily with the same group of donors year after year asking for their money, and it gives them more time to talk to their broader constituency base which makes for better representatives and more cohesive politics.

### Talking Points:

- Voter disengagement is a huge problem for a democracy. Why should voters take active roles in keeping their government accountable if they don't feel like they have any reason to believe their government listens to them? That's how governments become onerous and repressive.
- Politicians should have to talk to the whole spectrum of the constituency they represent, not just a few more connected and well-off parts of it. They should also be challenged: over 40% of the NYS Assembly this cycle was reelected unopposed.<sup>9</sup>
- The wide range of problems this country faces won't be solved by elected officials who are so focused on campaigning they don't prioritize governing. Fixing campaign finance and making electoral reforms will enable us to more easily put more responsive and focused people in decision making positions so that we can better deal with the issues we face.

### Next Steps:

Westchester County has its own legislature and executive. In fact, County Executive Rob Astorino was the Republican nominee for governor this year. Part of his campaign highlighted Gov. Cuomo's failure to deliver on his promises of electoral reform.<sup>5</sup> I see a great opportunity for him to take advantage of this proposal to do something the governor couldn't or wouldn't do himself.

A piece of legislation would have to be passed by a majority of the County Legislature and then signed by Astorino. Before that could happen, there would most likely have to be a few public hearings about the idea and some public demonstrations in favor of it to build some momentum.

### End Notes:

1 "The FEC and the Federal Campaign Finance Law," FEC, last modified January 2013, accessed Nov 20, 2014, [http://www.fec.gov/pages/brochures/fecfec.html#Historical\\_Background](http://www.fec.gov/pages/brochures/fecfec.html#Historical_Background).

2 "Campaign Finance Law Quick Reference for Reporters," FEC, accessed Nov 19, 2014, [http://www.fec.gov/press/bkgnd/bcra\\_overview.shtml](http://www.fec.gov/press/bkgnd/bcra_overview.shtml).

3 "Buckley v Valeo," FEC, accessed Nov 20, 2014, [http://www.fec.gov/law/litigation\\_CCA\\_B.shtml#buckley](http://www.fec.gov/law/litigation_CCA_B.shtml#buckley).

4 Angela Migally, Susan M. Liss, Frederick A. O. Schwarz, Jr., "Small Donor Matching Funds: The NYC Election Experience" The Brennan Center for Justice, NYU School of Law, <http://www.brennancenter.org/publication/small-donor-matching-funds-nyc-election-experience>.

5 Ian Vandewalker, "Op-Ed: Albany's whiff at public campaign financing," Newsday, last modified April 13, 2014, accessed Nov 20, 2014, <http://www.newsday.com/opinion/oped/albany-s-whiff-at-public-campaign-financing-ian-vandewalker-1.7678804>.

6 Chris Cillizza, "The 2014 election cost \$3.7 billion. We spend twice that much on Halloween," The Washington Post, last modified Nov 6, 2014, accessed Nov 23, 2014, <http://www.washingtonpost.com/blogs/the-fix/wp/2014/11/06/the-2014-election-cost-3-7-billion-we-spend-twice-that-much-on-halloween/>

7 Dan Eggen, "Poll: Large majority opposes Supreme Court's decision on campaign financing," The Washington Post, last modified February 17, 2010, accessed Nov 20, 2014, <http://www.washingtonpost.com/wp-dyn/content/article/2010/02/17/AR2010021701151.html>.

8 "A Brief History of Fair Elections," accessed Nov 20, 2014, <http://www.publiccampaign.org/fair-elections-now-act>.

9 "New York State Assembly Elections, 2014," accessed Nov 25, 2014, [http://ballotpedia.org/New\\_York\\_State\\_Assembly\\_elections,\\_2014](http://ballotpedia.org/New_York_State_Assembly_elections,_2014).

# User-Driven Prioritization: A Unique Solution For A Unique Problem

By Lucas Berger '16, Email: llb98@cornell.edu

*Net neutrality and paid prioritization have become key topics in the greater debate between Democrats and Republicans about how to regulate the Internet. Both sides have offered their own extreme solutions to the problem but implementing the middle ground solution of user-driven prioritization can appease both sides, and drive our nation into the future of Internet policy.*

## **Background:**

Net neutrality, in its most basic form, is the goal of the movement to ban Internet service providers for charging different companies more money in order to use a “fast lane” on the web, also known as “paid prioritization,” which leaves smaller companies and individual users stuck with slower connections unless they are willing to pay a higher fee as well. It is a debate that has been prominent in the technology industry for the past decade but has only entered the national spotlight in the last year. Now, with President Obama recently declaring himself an ardent supporter of net neutrality, the issue has truly become

front-page news.<sup>1</sup> The Internet, to this point, has rarely been subject to much regulation by the government. It is classified as an “Information Service”, which means it can be controlled very little by the government.<sup>2</sup> Huge commercial Internet Service Providers (ISPs) hold much of the power and the “regulator” of the Internet is the Federal Communication Commission, an independent agency. Lawmakers do have a good deal of influence over the FCC, especially the President, so it is not an industry totally bereft of government control. President Obama and congressional Democrats are calling for FCC chairman Tom Wheeler to reclassify the Internet as a public utility under Title II of the 1934 communications act.<sup>3</sup> Republicans say that this would give the government total control over the Internet, drastically reducing its potential for innovation and growth, and they are prepared to pass legislation that bans such a reclassification from being made.<sup>4</sup>

## **Key Facts:**

- Last year Comcast, the largest ISP in the country, spent \$16.4 million on campaigns and lobbying; second most of an U.S company<sup>8</sup>
- Recent poll from University of Delaware’s Center for Political Communication found that 81% of respondents did not support paid prioritization<sup>9</sup>
- During the George W. Bush presidency, the FCC chose not to classify broadband as a Title II service<sup>10</sup>

## **Policy Idea:**

User-Driven Prioritization, which was first proposed to the FCC by AT&T during their net-neutrality proceeding in July of this year,<sup>5</sup> is a policy that could help solve net neutrality in respect to paid prioritization. The first part of this policy is to pass legislation through Congress that stops the FCC from reclassifying the Internet as a public utility. While Congress is not allowed to outright ban turning the internet into a utility or force the FCC into making a decision, there are still few ways they could heavily influence the agency. This could take the form of putting an authorization system in place for certain decisions the FCC makes, or by cutting funding if they choose to exercise Title II. This would be followed by strongly encouraging the FCC to implement a framework where Internet users are able to pay for increased bandwidth for certain websites they use while maintaining regular levels in all other cases.

## **Policy Analysis:**

This policy attempts to bridge the gap between Democrats and their opposition made up of congressional Republicans and powerful ISPs. The President and his supporters think that putting the Internet under government control will provide protection from the interests of large corporations, but that is dangerously shortsighted even with the threat of paid prioritization. Up to this point, the Internet has done a great job of evolving and keeping up with user needs. Surfing the web today is different and better than it was ten years ago, and although people are afraid of changing the status quo, we arrived here with the help of ISPs and a generally unregulated market. At the same time, some regulation needs to be put into place. President Obama made the point during

his call to action that the Internet has become a crucial part of many Americans' lives. If it is left totally susceptible to market forces then consumers, of whom there are many, could find themselves having to pay crippling fees in order to pay for the bandwidth to use the websites they need. Effectively implementing and enforcing user-driven prioritization will appease both sides of this debate, and protect the Internet for future generations. The first step is simple and would stop the Internet from ever becoming a public utility, a crucial step in securing its long-term freedom. User-driven prioritization also gives an effective way for regulating the prioritization market. People should be allowed to choose to pay more for better bandwidth on certain websites, and Internet companies should be free to provide this service. User-driven prioritization makes this exact situation possible but does not give ISPs the power to decide who receives fast lane access. Instead this power is given entirely to the users, thus allowing the market to exist, but not exploited by ISPs. This choosing process could happen in a number of ways, but a favored option is that larger companies, such as Netflix, would offer a more expensive and faster plan for their service. Once enough people signed up for the faster service, Netflix can negotiate with ISPs on price, and the program can be set up.<sup>6</sup> In that way every user is satisfied, and ISPs are also able to generate additional revenue.

### **Next Steps:**

When it comes to net neutrality, the time to act is now. The FCC is in the midst of deliberating with a number of congressional committees on the issue, and although they have stated that no decisions will be made before 2015, new policies are not far off.<sup>7</sup> Republicans will also soon have control of both the House and Senate. With this voting power they should act as soon as possible, which means drafting legislation that stops the FCC from reclassifying the Internet as a public utility. Once that has been taken care of, Congress should take the lead (anything suggested by the President will most likely be shot down) and draft a proposal for how user-driven prioritization should operate, most importantly what restrictions can be put into place to make sure internet service providers do not find some way to circumvent the purpose of the policy through loopholes. This would take away the power to choose from users, thus making it no different than typical paid prioritization. Once that proposal has been sent out, the decisions on how to proceed is still up to the independent FCC, but at least the government will have suggested a fair, bipartisan idea on how to solve net neutrality, one that the FCC will certainly give strong consideration when making their decisions.

### **End Notes:**

- 1 Tummarello, Kate, Brooks Boliek, and Alex Byers. "The New War over Net Neutrality." POLITICO. November 10, 2014
- 2 Boliek, Brooks, and Alex Byers. "Net Neutrality Storm Engulfs FCC." POLITICO. November 12, 2014
- 3 Nader, Ralph. "Obama, Not the Giant Telecoms, Is Right on Net Neutrality." The Huffington Post. November 17, 2014.
- 4 Tummarello, Kate, Brooks Boliek, and Alex Byers. "The New War over Net Neutrality." POLITICO. November 10, 2014
- 5 Scola, Nancy. "Net Neutrality Defenders Actually Fine If Internet Users Decide What Goes Fast." Washington Post. July 21, 2014.
- 6 Fung, Brian. "AT&T's Fascinating Third-way Proposal on Net Neutrality." Washington Post. September 15, 2014.
- 7 Boliek, Brooks, and Alex Byers. "Net Neutrality Storm Engulfs FCC." POLITICO. November 12, 2014
- 8 Edwards, Haley S. "Conservatives Overwhelmingly Back Net Neutrality, Poll Finds." Time. November 11, 2014.
- 9 Ehrenfreund, Max. "New Poll: Republicans and Democrats Both Overwhelmingly Support Net Neutrality." Washington Post. November 12, 2014.
- 10 Scola, Nancy. "Net Neutrality Defenders Actually Fine If Internet Users Decide What Goes Fast." Washington Post. July 21, 2014.

### **Talking points:**

- Net neutrality is something that the public cares about, so doing nothing will lead to major disapproval
- Turning the internet into a public utility would give the government major control over how it operates, possibly stifling innovation
- Implementing user-driven prioritization would guarantee net-neutrality while providing prioritization to those who want it
- User-driven prioritization could be implemented now, and would have a big impact on the upcoming FCC rulings

# Voter ID Laws: Solution to a Nonexistent Problem

Woojin Choi '17, Email: wc354@cornell.edu

*Voter impersonation fraud, which voter ID laws are designed to prevent, is rare and relatively harmless. State governments should therefore focus on legislations aimed at other types of voting frauds that pose greater threats than voter impersonations.*

## **Background:**

In recent years, voter ID laws have captured much attention from the public and their controversial nature has subjected itself to a highly politicized debate regarding their constitutionality. Requiring voters to show some form of identification at the polls, voter ID laws are a recent phenomenon, as prior to the 2006 election no state ever required a voter to show a government-issued photo ID as a necessary condition to voting.<sup>1</sup> These laws have spread rapidly, however, as now 34 states have enacted voter ID laws in some form and the Supreme Court has continued to uphold their constitutionality.<sup>2</sup> From a substantive perspective, such efforts are not addressing what appear to be more common sources of voter frauds such as frauds dealing with absentee balloting and elections officials.

### **Key Facts:**

- Voter impersonation, which voter ID laws are designed to prevent, made up only 3.6 percent of 28 cases of voter fraud convictions since 2000.<sup>4</sup>
- 14 percent involved absentee ballot fraud, which are not addressed by voter ID laws.<sup>4</sup>
- There were 74 cases of felons and 56 cases of noncitizens voting due to confusion regarding voting eligibility requirements.<sup>4</sup>

## **Analysis:**

Absentee balloting provides far more opportunity for fraud and intimidation than on-site voter fraud. After all, it is more reasonable to steal an election by manipulating results on the back end. An analysis by News21, a journalism project at Arizona State University, found 28 cases of voter fraud convictions since 2000. Of those, 14 percent involved absentee ballot fraud whereas voter impersonation, the form of fraud that voter ID laws are designed to prevent, made up only 3.6 percent of those cases. In one instance, forty-six people, mainly city workers, were found guilty in a wide-ranging conspiracy to purchase votes through the use of absentee ballots.<sup>4</sup>

Therefore, requirements to show a government-issued photo ID as a condition to voting should be eliminated due to the insufficient evidence showing that voter impersonation is a serious problem. In order to prevent fraud via absentee balloting, states should allow voters to mail in ballots under certain specific conditions, such as illness, disability, or old age. This should not place too much of a burden on mail-in voters since nearly half of them are aged 60 and older.<sup>6</sup>

In addition to fraud associated with absentee ballots, other forms of fraud continue to pose a problem to the integrity of elections. For example, there were 74 cases of felons voting and 56 cases of noncitizens voting due to their confusion regarding their eligibility. On top of that, election officials often make mistakes, ranging from giving voters ballots when they have already voted to confusion about voters' eligibility requirements. These election-fraud cases were often the result of mistakes by confused voters or election officials.<sup>4</sup> Clearly, the elections system needs a revamp as unprofessional election officials and lack of uniformity add to the problem with frauds.

## **Next Steps:**

Since state governments enact many of the voter ID laws, change should occur mainly at the state level. The electorate needs to come to a realization about the nature of these inefficient voter ID laws and keep their state representatives accountable, perhaps by writing to them and expressing their opinions regarding the issue and using the power of their votes.

This opinion should echo the idea that voter ID laws are not addressing the real problem with fraud and that fraud associated with absentee balloting and other types of fraud need to be scrutinized further. State legislators also

### **Taking Points:**

- Requirements to show a government-issued photo ID as a condition to voting should be eliminated due to the inadequate evidence showing that voter impersonation is a serious problem.
- In order to prevent fraud via absentee balloting, states should allow voters to mail in ballots under certain specific conditions, such as illness, disability, or old age.
- State governments must review their elections system as for them to provide clear eligibility rules for voters and better training for elections officials.

need to realize the facts about voter frauds and nullify existing voter ID laws and legislate new laws that more adequately address the voter fraud issue, such as creating restrictions to absentee voting. They should also add more clarity to the state elections system to provide clear eligibility rules for voters and better training for elections officials.

### **End Notes:**

1. Lee, Suevon. "Everything You've Ever Wanted to Know About Voter ID Laws." Top Stories RSS. November 5, 2012. Accessed November 16, 2014. <http://www.propublica.org/article/everything-youve-ever-wanted-to-know-about-voter-id-laws>.
2. Underhill, Wendy. "Voter Identification Requirements | Voter ID Laws." Voter Identification Requirements | Voter ID Laws. October 31, 2014. Accessed November 16, 2014. <http://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx>.
3. Lipton, Eric, and Ian Urbina. "In 5-Year Effort, Scant Evidence of Voter Fraud." The New York Times. April 11, 2007. Accessed November 16, 2014. <http://www.nytimes.com/2007/04/12/washington/12fraud.html?pagewanted=all>.
4. Khan, Natasha, and Corbin Carson. "Comprehensive Database of U.S. Voter Fraud Uncovers No Evidence That Photo ID Is Needed." Who Can Vote? August 12, 2012. Accessed November 16, 2014. <http://votingrights.news21.com/article/election-fraud/>.
5. "Elections: Issues Related to State Voter Identification Laws." U.S. GAO -. September 19, 2014. Accessed November 16, 2014. <http://www.gao.gov/products/GAO-14-634>.
6. Childress, Sarah. "Why Voter ID Laws Aren't Really about Fraud." PBS. October 20, 2014. Accessed November 17, 2014. <http://www.pbs.org/wgbh/pages/frontline/government-elections-politics/why-voter-id-laws-arent-really-about-fraud/>.

# Not Close Enough For Comfort: Decreasing Levels of Sexual Assault on College Campuses

By Delphi Cleaveland '17, Email: rdc226@cornell.edu

*Loopholes in the congressional legislation targeting sexual assault have permitted institutions of higher education to still maintain environments in which women are predictably sexually victimized.*

## **Background:**

The Jean Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act<sup>1</sup> was established in 1989 following the rape and murder of a 19 year-old student at Lehigh University.

The Clery Act, as it has been nicknamed requires all colleges and institutions receiving federal financial aid to annually preform, publish, and distribute, Annual Campus Security Reports<sup>2</sup> to all current and prospective students and employees. Under the legislation universities are also required to report their crime statistics to the U.S. Department of Education<sup>3</sup>. In the event of violations in publishing results, the Department of Education can inflict civil penalties, ranging from monetary fines to suspension from federal aid programs.

A central issue of the Clery Act involves the incentives put in place surrounding university and college crime reports. Colleges and universities, are required to individually collect and publish their results. First, this means that each institution is permitted to establish its own standards for what qualifies as, say, sexual assault. Given that these institutions are rewarded with increased funding for decreased crime rates, there is an obvious incentive to apply the loosest standards possible. This is especially true in an environment in which institutions are competing with one another for prestige and to avoid the negative PR of relative scandals<sup>4</sup>. Thus better results in published crime reports can actually allude to environments in which victims feel oppressed into silence in the name of high national rankings. Indeed, recent investigations into what has been deemed the “party culture” of college life, have revealed horrifyingly high rates of unreported crime, particularly involving cases of sexual harassment and assault.

## **Policy Idea:**

The above facts suggest that the Clery Act needs to be strengthened via the creation of a new Office under the Department of Justice, whose mission would be to address issues of crime on college campuses with an emphasis on abolishing “rape culture” while simultaneously providing resources to address other harmful structures (e.g., hate crimes). The office would have the power and capacity to create area based response teams to perform arbitrary Security Reports and Surveys similar in composition and function to the Institutional Animal Care and Use Committees established under the Animal Welfare Act. In the event of negative results, it would be the Office’s responsibility to work with the college to fix any problems.

## **Policy Analysis:**

With the current levels of college enrollment in the United States, higher than they have ever been<sup>5</sup> -- with particular emphasis on the majority enrollment of women -- colleges need to provide welcoming harbors of support and safety.

The creation of an Office on Campus Safety, with the sole purpose of addressing the well being of college students, has the potential to increase the graduation rates, further gender equality, and ultimately abolish the incredibly harmful “rape culture” currently found on campuses across the country. It would also cover any loopholes resulting from the current stratification between the responses from the Violence Against Women Office and the Department of Education.

The new Office would distribute its power through regional / area based committees of appointed rep-

### **Key Facts:**

- 1 in 4 women falls victim to attempted or completed rape while in college.
- Only 2% of incapacitated rape victims report their assault to law enforcement<sup>7</sup>.
- It is estimated that among college students the rates of dating violence range from 10-50%. These rates are far higher than the national averages of intimate partner violence which fall between 11-12%.
- Sexual danger is higher in Fraternities and bars because these environments structurally promote female subservience and are unregulated by universities<sup>8</sup>.

representatives. These individuals would be mandated to come from particular backgrounds: e.g., a community member, a security representative, a faculty member, etc. and they would act as go betweens between the Office and the colleges. Ideally these committees would be the ones who would create Security Reports and administer surveys—like the one performed earlier this year by MIT<sup>6</sup>. Given the committees' removal from any single institution, the statistics generated would be unbiased, and in addition they could respond to complaints without concern for external variables, such as alumni public relations.

Thus a web of communication would foster not only between the colleges and their respective representatives on the area committees but also successful methods could be easily promoted from college to college, with the representative as a vehicle. Thus as more and more data is collected, and the web of agency is strengthened between schools and outside aid, sexual crime on college campuses can be noted, addressed, and abolished.

### **End Notes:**

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# Reforming New York's Drug Rehabilitation System

By Alex Goldstein '16, Email: amg343@cornell.edu

*In order to combat the spread of drug addiction and overdose in New York, the state should nationalize drug rehabilitation so that price no longer affects people's ability to receive treatment.*

## **Background:**

Between October 17th and November 10th of this year, Ithaca, New York experienced three fatal and thirteen nonfatal heroin overdoses.<sup>1</sup> Additionally, Monroe County has faced a 63 percent jump in its number of heroin and opioid treatment admissions between 2004 and 2013.<sup>2</sup> This increase in heroin and prescription drug use reflects a broader national trend that has had severe impacts on the Northeast, with New York being hit particularly hard. These substances have become both cheaper and more easily accessible to young adults in recent years, contributing to the growing crisis.

Despite this growth of drug addiction, the state of New York continues to offer rehabilitation services at incredibly high costs. As "most drugs are often [...] sold and distributed throughout many lower-income areas" those who are most affected by addiction tend not to have the money or insurance to afford traditional rehabilitation centers.<sup>3</sup> While the government funds and subsidizes rehabilitation programs, a lack of well-trained staff and experience in drug therapy techniques causes these programs to result in much higher rates of relapse as compared

to privately owned rehabilitation centers. The Affordable Care Act will take steps to alleviate this divide by reimbursing some services for substance use disorders, but will not have a significant enough effect due to its limits on eligibility and the continued high price of top quality drug rehabilitation.<sup>4</sup>

### **Key Facts:**

- About 3 million people, less than 1 percent of America's population, consume 80 percent of illegal hard drugs<sup>8</sup>
- Each "dollar invested in addiction treatment programs yields a return of between \$4 and \$7 in reduced drug-related crime, criminal justice costs, and theft"<sup>9</sup>
- Standard drug and alcohol rehabilitation facilities cost between \$10,000 and \$20,000 per month<sup>10</sup>

## **Policy Idea:**

In order to combat New York's rapidly spreading drug problem, it would be wise for the state to put more effort towards curing those who currently suffer from addiction. In doing so, the state should publically subsidize its top rehabilitation centers and donate more money to the training of medical professionals in this field. By nationalizing the recovery and rehabilitation industry, individuals with abuse problems will be more likely to seek help and will ultimately be more likely to be cured of their addiction.

## **Policy Analysis**

In dealing with the nationalization of this field, there are multiple factors that explain why this is the most effective strategy, all stemming from the importance of affordability within a system that continually disadvantages the lower class and perpetuates a cycle of poverty.

First, and most obviously, this system will be beneficial to individuals suffering from drug addiction by giving them the opportunity to seek recovery. According to NSDUH data from surveys between 2005 and 2008, 32.1 percent of people suffering from drug and alcohol abuse did not seek treatment because they did not have health coverage or could not afford the cost.<sup>5</sup> While a third of abusers may seem inconsequential, the process of publically treating substance abuse as an illness rather than a crime will have beneficial effects on those who did not seek help because they feared that treatment may have a negative effect on their job (12.3 percent) and those who feared the negative opinions of their community (11.8 percent).

Second, a public rehabilitation and recovery system will ultimately benefit the economy by bringing heavy addicts back into the workforce. It is not difficult to observe the relationship between unemployment and abuse, with 18.1 percent of unemployed people abusing illicit drugs, well above the national average.<sup>6</sup> Helping to

cure these individuals of their addiction will encourage them to seek employment and facilitate spending in the economy rather than the black market.

Finally, by providing cheaper, more effective treatment, this policy can help prevent future drug abuse amongst nonusers by decreasing current abusers' relative numbers and influence within these communities.

### **Next Steps:**

In order for this policy to come into fruition, it will require strong initiatives on both the national and state levels. The Affordable Care Act has taken steps in the right direction by providing health insurance to many low-income Americans and identifying substance abuse as a medical rather than criminal problem. On a state level, Governor Cuomo signed legislation this summer to combat cocaine, heroin, and opioid abuse through insurance reform, stronger penalties, and new law enforcement tools, as well as other provisions. However, treating addiction will most effectively come about through greater affordability. New York State must take the measures to get a majority of its citizens signed up for medical insurance through the Affordable Care Act and add its own reforms that place the burden of paying for these drug treatment facilities at the state and federal level.

### **End Notes:**

1 "Ithaca Police Investigate Laced Heroin in Deaths, ODs." Accessed November 18, 2014. <http://www.ithacajournal.com/story/news/local/2014/11/17/ithaca-police-investigate-laced-heroin-deaths-ods/19187877/>

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# Yes to “Yes means Yes”

By Alexandra Klein '18, Email: ack226@cornell.edu

*Yes means Yes sexual assault policy coupled with better consent education should be implemented on college campuses nationwide to increase victim empowerment and address the systematic problem of rape culture.*

## **Background:**

Under the current American judicial system, college campuses are allowed their own quasi-judicial sexual assault processes following “no means no” policy. Under “no means no” the victim of an assault must in some way say “no” to any sexual interaction. “No means no” has failed because our society engenders a belief in young women that sex and sexual assault are things that will naturally happen to them, not acts in which they are active participants. “No means no” requires that the victim of the assault feels that he or she has a right to say no to his or her assault, and although that theoretically may be true, in practice many other factors obfuscate even the most basic sexual rights and practices, especially for young women.

Moreover, college campus judicial systems exist outside our current legal framework, and in past years have failed miserably to protect students and uphold their rights and safety. Horror stories of administrative failure in handling cases of rape at colleges far and wide plague the news. Take the cases of Jackie of the University of Virginia,<sup>1</sup> Sarah of James Madison University,<sup>2</sup> Emma of Columbia University,<sup>3</sup> or any of the other 52 schools under Title IX investigation by the United States

## **Key Facts:**

- In the United States 55 colleges and universities are currently under Title IX investigation by the Department of Education for failing to properly adjudicate cases of rape or sexual assault.
- A study of young women between the ages of three and seventeen who had been sexually harassed or assaulted found that the majority of girls rationalize these experiences and believe that sex is something that “just happens” to you, demonstrating the overwhelming dominance of passivity in women’s notions of sex and sexual assault.

Department of Education for mishandling sexual assault and harassment.<sup>4</sup> Women who are assaulted fear being the “woman who cried rape” and the societal repercussions of bringing their assailants to justice, more than they genuinely believe they can achieve proper adjudication in cases of sexual assault.<sup>5</sup>

## **Policy Idea:**

“Yes means yes” sexual assault policy coupled with improved consent education should be implemented at a federal level in application to all private and public post-secondary schools echoing similar legislation passed in California on September 28, 2014. “Yes means yes” would require a conscious, voluntary and affirmative agreement to engaging in sexual activity, and not allow a student who is unconscious, asleep, drunk, or drugged to be perceived as capable of consent. Improved consent education should focus on helping young students, especially women; understand that they have the power to avoid sexual assault.

## **Policy Analysis:**

Under current “no means no” sexual assault policy, an extreme burden is placed on victims. They alone must prove, first that they were involved in some form of sexual contact with the perpetrator, and second, that they attempted to say no or did not consent. The way that current policy is phrased allows passivity to be interpreted as consent. This is fundamentally problematic in large part due to research showing that many young women who have been either harassed or assaulted believe their victimization is completely normal. In a recent study from Gender & Society, Heather Hlavka interviewed young women between the ages of three and seventeen who were sexually harassed or assaulted. The majority of girls rationalized their experiences and believed that sex was something that just happened to them. Experiences of assault were “overwhelmingly described as ‘normal stuff’ that ‘guys do’ or tolerating what ‘just happens.’”<sup>6</sup> This study was not unique in its findings, echoing previous research demonstrating that unhealthy attitudes about sexuality take root at a young age and that women often do not see themselves as having the power to say no to sexual assault.<sup>7</sup>

In altering policy, lawmakers can work to give potential assault victims greater power and a greater voice. Young women especially need to have greater consent education so that they may understand that they have the power to say no, but lest this fail, as it often does, we need the system to be prepared to account for the fact that

many women will feel unable to do so. In adopting a “yes means yes” standard, victims who did not feel that they could say no will still be accounted for and supported by the administrations that have so drastically failed them in the past.

### **Next Steps:**

This problem should be addressed from both within colleges and on a federal level through student pressure. Coalitions of student activists along with pressures from

concerned citizens should work to convince universities to shift their sexual assault policy to a “yes means yes” standard. Colleges should also be encouraged to increase funding and focus on consent education that teaches young students that they alone have the power to control their situation, giving them the ability to exist actively, rather than passively, in sexual situations. Moreover, the federal government should be encouraged to implement these standards and policies nation-wide.

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### **Talking Points:**

- “No means no” sexual assault policy has allowed the notion that passivity is equivalent to consent prevail on college campuses.
- Young women in our society need to understand that sexual assault isn’t something that just happens to them, and they play an active part in the initiation of sexual activity.
- A “yes means yes” standard, coupled with better consent education, will help create a society in which victims of sexual assault feel that they have right to speak up.

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# Mitigating Police Misconduct: Require Officers to Wear Chest Cameras

By Jon Levitan '17, Email: jdl268@cornell.edu

*Congress should make a law requiring all police officers to wear forward facing chest cameras in order to hold officers more accountable for their actions.*

## **Background:**

Police brutality is a serious problem in the United States, and it is a distinctly American problem.<sup>1</sup> The discourse surrounding the issue has been reignited recently after the fatal shooting of Michael Brown, an unarmed black teenager, by Officer Darren Wilson, in Ferguson, MO, and the protests following the shooting garnered national attention. The estimates of how many people are killed by police range from 400 to over 1,000<sup>2</sup> each year, but regardless it is a disturbing reality of American life. Homicide, however is only one dimension of police misconduct: police also clearly discriminate on basis the basis of race. Ferguson again provides the example; an astonishing 86 percent of traffic stops are of black drivers<sup>3</sup> despite the town only being 63% percent black.

Action has been taken by at least one municipality: the town of Rialto, California has began equipping each of their police officers with chest-mounted cameras that objectively record everything that the officer does. The positive results of Rialto's experiment have been staggering: the use of force by police decreased by 60%, as did citizen complaints against police, which dropped by 88%.<sup>4</sup> Rialto is just one town, however, and this policy must be implemented nationwide.

### **Key Facts:**

- Police kill between 400 and over 1,100 Americans a year.<sup>7</sup>
- Chest Cameras costs 300-400 dollars each. <sup>8</sup>
- Chest Cameras have reduced the use of force by police by 60%, and citizen complaints against police by 88%. <sup>9</sup>

## **Policy Analysis:**

The implementation of chest-mounted cameras must be done to cut down on police misconduct, including homicide. Beyond acting as a preventive measure to make officers think twice before using force, secondarily these cameras could also provide resolve to otherwise unclear situations. In the Ferguson case, one of the central issues was what Brown was doing before Wilson fired the fatal shots. Wilson contends that Brown was charging at him, but many eyewitnesses state that Brown had surrendered by putting his hands in the air before Wilson executed him. Had Wilson been wearing a camera, this dispute could be easily resolved.

The primary drawback of chest mounted cameras is cost, each one costs roughly \$300-\$400, so equipping each police officer in the country with one would be a significant financial burden for taxpayers to bear.<sup>5</sup> Of course, that taxpayer money makes our law enforcement better and more accountable for their actions, which will make for better law enforcement.

One of the appeals of this issue is that it is not a wholly progressive or conservative issue; it could garner support from both ideological sides. For progressives, who value equitable outcomes, especially regarding race, this policy would hopefully build trust between communities of color and the police. For conservatives, who are concerned about an overly powerful state, the cameras would hold police more accountable and lessen the use of violence by the state.

Organizations such as the ACLU and NAACP have already begun to advocate for more chest mounted cameras, so they would naturally be the first organizations to look to in pursuing the implementation of this policy.<sup>6</sup> It certainly makes sense that organizations concerned with racial inequality like the ACLU and NAACP would advocate for this issue, since police misconduct is frequently targeted at people of color. Of course, people of color would stand to gain the most from this policy, since the discrimination the face at the hands of police would be mitigated, but all Americans would benefit from a more accountable law enforcement.

## **Next Steps:**

The practice of having police wear chest-mounted cameras is slowly being more and more widespread, but that does not mean we should not act now to make the practice universal nationally. Every day that officers go without having their actions recorded there is a higher probability that they will not think twice about shooting an unarmed person. Even if that probability is tiny, in the aggregate it saves lives. Passing a congressional law would be ideal but unlikely given the current political climate. Perhaps if the federal government insisted that

federal funding would be pulled from states or municipalities that do not equip their officers with chest cameras. This strategy would be even more effective if the funding for the cameras actually came from the federal level. There would have to be an increase in taxes or a redistribution of the current federal budget in order to pay for all of these cameras and the storage for the data that they create. The funding issue, however, is relatively minor in the grand scheme of things and the benefits of that taxpayer money go to all Americans.

### Talking Points:

- Police discriminately target people of color.
- Chest cameras would make police more accountable for their actions.
- Chest cameras would make evidence gathering in cases of police misconduct much easier.

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# Refugee Resettlement: Abandoned or Rescued by New York State?

By Maggie McGrane '16, Email: mkm263@cornell.edu

*The establishment of nine regional offices in New York State and reprioritization of resettlement goals have the potential to ensure quality, consistent, long-term services in a system which has not been restructured in over 30 years.*

## **Background:**

In response to the Federal Refugee Act of 1980, New York State formed a refugee assistance program, which is now known as the Bureau of Refugee and Immigrant Assistance (BRIA). The goal of the Bureau is to establish economic and social self-sufficiency amongst resettled refugees. Official gauges of the Bureau's efficiency are measured in terms of either employment outcomes or decreased dependency on public welfare systems.<sup>1</sup> Utilizing only economic metrics as a measure for successful integration does not adequately incentive volunteer agencies to assist in language proficiency, citizenship, and educational attainment. BRIA does not administer any of the programs it devises but rather coordinates with volunteer providers. The lack of streamlined services makes it difficult for refugees to seek support beyond their first few months.

## **Policy Idea:**

The absence of regional offices makes it difficult for refugees to know exactly where to seek assistance, disrupts the continuity in service and accuracy of informational records. Title 8, Chapter 12, § 1522 of US Code requires regular consultation “with State and local governments and private non-

profit voluntary agencies concerning ... the intended distribution of refugees among the States and localities.”<sup>2</sup> In practice, resettlement communities rarely have any notice of, or input into the quantity of refugees they receive. Consequently, low-income housing markets become oversaturated, school districts are cannot appropriately prepare for the influx of students with extensive ESL needs, and racial tensions frequently ensue.

The cooperation of BRIA in restructuring its current framework and approach to resettlement will be crucial in initiating change. Stakeholders include the refugees themselves, immigrant advocacy groups, BRIA, and New York tax payers that stand to benefit from efficient administration of state services. The current system is causing a strain on local communities, the federal welfare system, and most importantly failing the survivors of international conflicts, to whom we willing offer refuge.

## **Next Steps:**

Streamlining the system begins with adjusting the burden of administration from outside service providers to BRIA offices. The first step in restructuring the administration of services is the establishment of regional offices in the Albany, Binghamton, Buffalo, Central, Long Island, Metro, NYC Metro, Rochester and Utica areas respectively. Each office will serve as a central contact point while increasing the efficiency and coordination of services. Upon placement, each regional office will receive critical information about a refugee's personal history and specific needs from the Office of Refugee Resettlement so that reception communities can adequately prepare. Such a system will make it easier for refugees to seek help and ensure consistent and sustainable services.

New benchmarks for successful administration need to include cultural components, not just economic ones. Language proficiency and citizenship levels are two such, currently unaccounted for, variables that are crucial to successful assimilation. These services are often neglected as a result of the frontloading which can result in the abandonment of individuals after initial needs, such as employment and housing, are met. Each new regional office will employ social workers to ensure consistent lifetime support. These social workers will provide personalized attention as new challenges to resettlement arise, especially in regards to unforeseen cultural barriers. These structural adjustments will allow NY to more satisfactorily fulfill its obligations to individuals to which it offers refuge.

## **Key Facts:**

- President Obama increased admissions for the 2014 fiscal year by 20% to 70,000<sup>3</sup>
- 3,965 refugees were resettled in NY during the 2013 Federal Fiscal Year<sup>4</sup>
- Upstate is home to 94% of all NY's refugees<sup>5</sup>

## **End Notes:**

1 “New York State Refugee Social Services Program (RSSP): Request for Proposals and Application.” Office of Temporary and Disability Assistance. January 1, 2013. Accessed November 26, 2014.

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3 “Presidential Memorandum -- Refugee Admissions for Fiscal Year 2014.” The White House. October 2, 2013. Accessed November 15, 2014.

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6 Q. Swafford, Kawanda. “Victimization of Bhutanese Refugees.” GE-NMF Primary Care Leadership Program. Accessed November 24, 2014.

## **Talking Points:**

- Suicide rates for certain refugee groups, including the Bhutanese which make up 59% of NY’s refugees, have suicide rates three times the national average, indicating inefficient methods of integration.<sup>6</sup>
- Rising refugee admission rates is causing a strain on local communities, the federal welfare system, and failing the survivors of international conflicts to whom we willing offer refuge.
- Unlike immigrants, refugees are taken into the country on the basis of humanitarian

# The Need to Release and Integrate Elderly Prisoners to Society

By Julia Saltzman '16, Email: jas873@cornell.edu

*Since the elderly are the fastest-growing segment of the already too large prison population in America, we should release older prisoners who do not threaten public safety and create programs to safely re-introduce them to society.*

## **Background:**

Due to tough-on-crime policies and longer sentencing that defined our criminal policies in the 1980s and 1990s, our country has experienced a dramatic rise in its prison population, and more prisoners are staying in correctional facilities into their old age. Nationwide, there are 246,600 elderly people behind bars and 8,392 in New York.<sup>1</sup> This number is only expected to rise as prisoners serving long sentences grow older.

The imprisonment of the elderly at high rates raises ethical, moral, medical, and budgetary concerns. The elderly have the lowest recidivism rate and are unlikely to pose a significant safety threat to the general public. Many are suffering from serious medical conditions and imprisonment accelerates the aging process.<sup>2</sup> Medical care is poor and prison facilities are not built to accommodate the elderly. Additionally, the cost of imprisoning an individual skyrockets with age: the elderly are the most expensive group to incarcerate. A recent ACLU report finds that the cost to imprison

an average prisoner is normally \$34,135 per year but becomes \$68,270 per year when a prisoner is older than 50.<sup>3</sup>

Although many elderly prisoners who do not threaten public safety should be released, the

manner of their release also raises concerns. Reintegration into normal society is challenging for any prisoner, but for the elderly additional risks arise including “greater risks of homelessness, low employment, increased anxiety, fragmented community and family ties, chronic medical conditions, and increased mortality rates.”<sup>4</sup> Many of these inmates have been imprisoned for so long that they no longer have families or support systems to turn to and have to face a world they know nothing about.

## **Policy Idea:**

A two-pronged approach must be taken to release elderly prisoners who do not pose a threat to public safety and to help integrate these prisoners who have been out of touch with the outside world into modern society. The first is to initiate a review process for offenders who are over 50 and have served over ten years of their sentence. The second part will involve creating a program in New York State to replicate Colorado’s Long Term Offender Program that will serve as a resource to help prisoners through the process of adjusting to life outside of bars. Although Colorado’s program is temporarily suspended, it has helped selected elderly inmates learn how to succeed outside of prison walls by teaching classes while they are still inside and providing mentorship and support on the outside.<sup>5</sup>

## **Policy Analysis:**

It is extremely important that both policies are implemented in tandem. Reviewing inmates would determine if the inmate would like to be released, examine their personal growth and prison record, and assess whether or not the inmate fully understands the consequences of the crime that he or she committed. This should address both their willingness to enter the outside world and any threat they might pose to public safety. This review process should make sure that those who are deserving are released, and this system should not be abused to release unfit candidates who may pose a greater future burden to the incarceration system.

Although inmates across the board are known to have problems returning to society, this return can be especially difficult for the elderly because they may not have families or employment to return to, and they have been in prison for so long that the outside world may be unrecognizable. Some elderly ex-prisoners speak about the difficulty of obtaining identification and the inability to navigate changed public transportation.<sup>6</sup> Colorado’s

### **Key Facts:**

- The elderly are the fastest-growing segment of the prison population: from 1995 to 2010 the entire prison population increased by 42%, and during this same time period the elderly inmate population increased by 282%.<sup>10</sup>
- By 2030, a third of all inmates will be elderly.<sup>11</sup>
- Recidivism drops dramatically with age, so as released prisoners get older, they are less likely to commit crimes.<sup>12</sup>
- The cost to imprison an average prisoner is normally \$34,135 per year but becomes \$68,270 per year when a prisoner is older than 50.<sup>13</sup>

Long Term Offender Program addressed this issue by instituting programming that focused on peer support and restorative justice.<sup>7</sup> While participants were still in prison, they took a class to learn about possible situations that will arise when they are released, including finding housing, employment, and how to set up a bank account. On the outside they are released to a halfway house and supported by counselors and meetings with their peers.<sup>8</sup> Of the 32 participants, all have been able to find employment and housing.<sup>9</sup>

### **Talking Points:**

- Elderly inmates are simultaneously the most expensive to incarcerate and the least dangerous to society.<sup>14</sup>
- A state could save \$1 million a year if they were to release 14 elderly inmates.<sup>15</sup>
- Releasing elderly inmates carries higher risks to the prisoner than releasing the average inmate including increased risk of homelessness and high rates of physical and mental health problems.<sup>16</sup>
- New York should develop a program that will release elderly prisoners and prepare them to function in society.

New York State should recognize the success of programs like these and create a wider support network that specializes in assisting the release of elderly prisoners.

### **Next Steps:**

Moving forward, New York should take the lead in instituting programs to release and integrate elderly inmates. As the state that began the tough-on-crime era with The Rockefeller Drug Laws in 1973, it can also become a leader in prison-reform. The next steps that should be taken are to bring together those who have a stake in the issue such as ex-inmates, correctional facility employees, geriatric care experts, and advocacy groups such as the Osborne Association to share with policy-makers why current policies fall short and to work together to draft programs that will fairly release elderly inmates and assist in their integration into modern society. These programs should be initiated in all prisons in New York. They should include a mechanism to review inmates who are over 50 and have served over ten years of their sentences and the creation of a parole program that focuses on education, conversation, and peer mentorship to help integrate elderly prisoners back into American society.

### **End Notes:**

1 "At America's Expense: The Mass Incarceration of the Elderly." American Civil Liberties Union. June 1, 2012. Accessed November 17, 2014.

2 "The High Costs of Low Risk: The Crisis of America's Aging Prison Population." The Osborne Association. July 1, 2014. Accessed November 17, 2014.

3 "At America's Expense."

4 "The High Costs of Low Risk."

5 Prendergast, Alan. "Why Did Colorado Shut Down Its Most Successful Parole Program?" Denver Westword. September 23, 2014. Accessed November 25, 2014.

6 Law, Victoria. "You're Old & Finally Out Of Prison: What Happens Now?" Gothamist. September 18, 2014. Accessed November 17, 2014.

7 Sullivan, Laura. "Life After 'Life': Aging Inmates Struggle For Redemption." NPR. June 4, 2014. Accessed November 17, 2014.

8 "The High Costs of Low Risk."

9 Sullivan, Laura. "Life after 'Life:'"

10 "The High Costs of Low Risk."

11 "At America's Expense."

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14 "The High Costs of Low Risk."

15 Sullivan, Laura. "Life after 'Life:'"

16 "The High Costs of Low Risk."

# Voter ID laws, Unconstitutional and Unethical

By David Taylor '17, Email: drt53@cornell.edu

*An Amendment or law restricting Voter ID laws is a necessary for the protection of many American voters. Any problem associated with voter fraud is far outweighed by the inequality created by Voter ID laws.*

## **Background:**

Voter turnout in the most recent midterm elections was historically low. Low voter turnout is not a new problem, especially among young and minority voters.<sup>1</sup> Although general disinterest and apathy are large factors involved in voter participation states have begun passing Voter ID laws. As of the 2014 elections 31 states have active voter ID laws.<sup>2</sup> While these laws are designed and advertised as protections against voter fraud, in reality they simply provide a barrier to voting. Before looking at the barrier to voting it is important to consider the purpose of these legislation, voter fraud. Since 2000 there have been 31 cases of voter fraud compared to the over 1 billion votes cast, and many of these instances would not have been prevented by voter ID laws.<sup>3</sup> Even in the largest case of voter fraud, 24 people wouldn't have affected any congressional or national election.<sup>4</sup> These instances are insignificant and are minute in comparison to the number of eligible voters that are be unable to vote because of Voter ID laws. The Pennsylvania Voter ID law that was repealed by a state judge would have disenfranchised as many as 750000 voters.<sup>5</sup> The ideas across the country have an enormous impact in disenfranchising voters across the country especially Blacks and Hispanics who are least likely to have photo identification. The fight against these laws is mostly fought in courts but that battle is slow and every election that goes past with voters being disenfranchised impinges the quality of our democracy.

### **Key Facts:**

- Voter turnout for the 2014 midterms was the lowest since WWII<sup>6</sup>
- 31 States have active Voter ID laws<sup>2</sup>
- The most severe instance of in person voter fraud was 24 vote<sup>4</sup>

## **Policy Idea:**

To combat Voter ID laws it is necessary to past comprehensive legislation banning them across the country. This legislation must make any new voter ID laws illegal and dissolve any that are currently in affect. This legislation will be challenged in the Supreme Court but should hold up under precedent set by previous legislation such as the Voting Rights Act.

## **Policy Analysis:**

While it would be ideal to pass a constitutional amendment to permanently fix the problem of disenfranchisement, it does not give the government the flexibility to enforce with discretion. An amendment would also take multiple election cycles to make its way through the ratification process. The current process of attacking such laws though the judicial system, although effective in overturning the more severe of these laws, takes time and hasn't being an affective in combating all of the legislation. In Kansas and Tennessee alone some 100,000 fewer people are reported to have voted due to voter ID laws that haven't been challenged for their constitution-

## **Next Steps:**

The next steps for this process is to get legislation banning voter Id laws moving through Congress. It is going to require a large coalition of congressman and civil liberties groups. This coalition would need to gather both the support of the public and congress to get a national discussion on the real issues of voting rights. A rational discussion on Voter fraud and disenfranchisement will bring the important talking points to the discussion. Once Legislation is proposed it needs to be pushed through with conviction not wavering or compromising on points of voting rights.

### **Talking Points:**

- Disenfranchisement is a larger issue in terms of impact on election outcomes than voter fraud
- Are Voter ID laws the modern poll taxes?
- There is evidence to suggest that some or all voter ID laws may not be constitutional

## **End Notes:**

- 1 File, Thom. 2013. "The diversifying Electorate—Voting Rates by Race and Hispanic Origin in 2012 (and other Recent Elections)." Current Population Survey Reports, P20-569. U.S. Census Bureau Washington, DC. <http://www.census.gov/prod/2013pubs/p20-568.pdf>
  - 2 Underhill, Wendy. "Voter Identification Requirements | Voter ID Laws." Voter Identification Requirements | Voter ID Laws. October 31, 2014. Accessed November 20, 2014.
  - 3 Levitt, Justin. "A Comprehensive Investigation of Voter Impersonation Finds 31 Credible Incidents out of One Billion Ballots Cast." Washington Post. August 6, 2014. Accessed November 20, 2014.
  - 4 Bump, Philip. "The Disconnect between Voter ID Laws and Voter Fraud." Washington Post. October 13, 2014. Accessed November 20, 2014.
  - 5 W, R. "It Turns out Disenfranchising People Is Unconstitutional." The Economist. January 20, 2014. Accessed November 20, 2014.
  - 6 DelReal, Jose A. "Voter Turnout in 2014 Was the Lowest since WWII." Washington Post. Accessed November 20, 2014.
- cific : The Lancet Global Health. September 10, 2013. Accessed November 26, 2014. [http://www.thelancet.com/journals/lancet/article/PIIS2214-109X\(13\)70069-X/abstract](http://www.thelancet.com/journals/lancet/article/PIIS2214-109X(13)70069-X/abstract).

# Title II and the Fight for Net Neutrality

By Jackson Weber '17, Email: jcw236@cornell.edu

*Amidst tentative FCC proposals to eliminate net neutrality through the creation of fast and slow Internet lanes, the public must fight to protect net neutrality through reclassification of broadband Internet to Title II under the Telecommunications Act of 1934.*

## **Background:**

The Internet has quickly become an essential part of the both the American and global economy. As a result, it is now increasingly easy for innovative ideas to blossom into successful businesses. Perhaps as a result of the effective infusion of the Internet into everyday life, the continuation of equal access to and utilization of the Internet is in jeopardy. First coined by law professor Tim Wu in 2003, net neutrality refers to the “principle that the company that connects you to the Internet does not get to control what you do on the Internet.”<sup>1</sup> Internet service providers possess the power to dramatically influence an individual’s Internet experience in ways such as making some sites inaccessible or operating fast and slow lanes for certain sites. This past spring, the Federal Communication Commission released a tentative rules proposal that would allow ISPs to do just that, with fast lanes being for those sites that pay additional fees to the providers.<sup>2</sup> In the proceeding months, public outrage against this new policy escalated and in the past weeks President Obama has also voiced his objection regarding this approach to the Internet.

### **Key Facts:**

- The FCC tentatively proposed the creation of Internet fast and slow lanes last spring.
- The public has voiced vehement opposition to that policy through online comments on the FCC’s website.
- Congress most likely will not be able to pass a bill on net neutrality so the public must rely on the FCC’s rules instead.
- The FCC can work to preserve net neutrality by reclassifying broadband Internet service to Title II under the Telecommunications Act of 1934.

## **Policy Analysis:**

While the FCC contemplates their upcoming action, it would be ill advised to let this issue linger for long. Until the FCC presents the new rules regarding net neutrality, ISPs, corporations, entrepreneurs, and Internet users alike all remain in a state of limbo. Although ISPs argue the contrary, their ability to create fast and slow lanes must be prevented. Not only would that discrimination harm the individual’s ability to use the Internet to it’s fullest potential, but it would also discourage Internet and technological innovation. If new ideas lack the funding to buy a fast lane, they will quickly be overlooked due to lack of usage and popularity. This is similar to anti-trust debates from decades past in that massive, powerful companies are able to dominate entire industries and prevent the entrance of competitors. Technology innovators have the opportunity to do great things for the betterment of society, but without net neutrality that ability is severely inhibited. One way to solidify net neutrality is to reclassify broadband Internet service to Title II under the Telecommunications Act of 1934. The move to a Title II classification refers to the Telecommunications Act of 1934 and is the classification that phone providers are currently under. Under the Title II classification, ISPs would be required to act in the public interest and not discriminate against different Internet users. There would be no opportunity for the creation of separate fast and slow lanes, preserving the ability for all to succeed in the online marketplace.

## **Stakeholders/Audience:**

There are many organizations and people who have both a stake in this policy change and the ability to help make it a reality. ISPs persist in their goal to prevent net neutrality from becoming a reality. Silicon Valley has continuously voiced its support for net neutrality and must continue its efforts. The support of politicians in favor of net neutrality, such as President Obama and some members of Congress, also helps promote the goal of an open and equal Internet. However, the FCC is a non-partisan commission and any sign of one-sided political influence is undesirable, especially for the party whose president appointed the FCC officials. Despite the impact of those two groups of people, the most important and influential stakeholders are the American people. Following the announcement of updated FCC rules, almost 4 million citizens have submitted online comments to the FCC about net neutrality. This influx of activity caused the FCC’s server to crash and almost 100% of these com-

ments were in favor of net neutrality.<sup>3</sup> The public must continue speaking out in order for the change they desire to materialize.

### **Next Steps:**

Instead of simply waiting for the FCC to introduce new rules regarding net neutrality, the only other option to implement full net neutrality is through an act of Congress. Although there would be obviously no threat of Presi-

dential veto given Obama's wholehearted support of a reclassification of broadband to Title II, the current state of Congress makes this a virtually hopeless option. The ISPs employ a very influential group of lobbyists and are determined to fight net neutrality as long as necessary. Providers also possess the financial backing to win that fight. Accordingly, relying on the FCC to support net neutrality is the only realistic option. As the FCC considers their impending ruling, the Commission should support the strongest policy for net neutrality and reclassify broadband Internet service to Title II of the Telecommunications Act.

### **End Notes:**

1 Michael Weinberg, "What is Net Neutrality Again", September 3, 2013, <https://www.publicknowledge.org/news-blog/blogs/what-is-net-neutrality-again>

2 Gauthem Nagesh, "FCC to Propose New 'Net Neutrality' Rules", April 23, 2014, <http://online.wsj.com/news/articles/SB10001424052702304518704579519963416350296>

3 Bob Lannon and Andrew Pendleton, "What Can We Learn From 800,000 Comments On The FCC's Net Neutrality Plan", September 2, 2014, <http://sunlightfoundation.com/blog/2014/09/02/what-can-we-learn-from-800000-public-comments-on-the-fccs-net-neutrality-plan/>

### **Talking Points:**

- Solidifying net neutrality is essential to fostering continued innovation and entrepreneurship.
- Failure to protect net neutrality will allow the marketplace to return to the era monopolistic competition in certain economic sectors.
- The public must continue to express their support for net neutrality online and in print in order to encourage the FCC to issue a reclassification of broadband Internet to Title II.

# Meet the Domestic Policy Center



**Michael Alter**

Michael is a junior in the College of Arts and Sciences from Pleasantville, NY pursuing a triple major in Government, Economics, and History. He is a member of the Cornell Forensics Society, Cornell Democrats and Cornell Republicans, and has worked in political offices at the state and federal level. Proud to come from a huge Irish family, his interests include reading, videogames, archery, tennis, and skiing.



**Lucas Berger**

Lucas is a junior in the Cornell College of Human Ecology. He is from Bronxville, New York. He is most interested in immigration and health policy.



**Woojin Choi**

Woojin is a sophomore studying Government in the College of Arts and Sciences. He has been involved in various political campaigns in Southern California and is hoping to manage one in the future.



**Delphi Cleaveland**

Delphi is a sophomore studying Government in the College of Arts and Sciences. She is particularly interested in women's rights issues and spent the past summer working with a women's policy advocacy group in Washington, D.C.



**Alex Goldstein**

Alex is a junior in the school of Arts and Sciences studying government, history, and business.



**Alexandra Klein**

Alexandra Klein is a freshman at Cornell University's ILR School.



**Jon Levitan**

Jon Levitan is a sophomore in the ILR School, apart from the Roosevelt Institute, he broadcasts baseball and soccer for the Big Red Sports Network and is the Kitchen Manager for the Pi Kappa Alpha Fraternity.



**Maggie McGrane**

Margaret is a junior in the school of Industrial and Labor Relations minoring in International Relations and Inequality Studies.

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### **Julia Saltzman**

Julia is from Wayland, Massachusetts and is currently a Junior in the School of Industrial and Labor Relations with minors in Spanish, Business, and Inequality Studies.



### **David Taylor**

David Taylor is a sophomore in Arts and Sciences studying government. He hails originally from Charlottesville, Virginia and is on the Cornell Varsity Track and Field and Cross-Country teams.



### **Jackson Weber**

Jackson is a sophomore from Milwaukee, Wisconsin in the College of Arts and Sciences majoring in Government and minoring in Law & Society and Business. He is also a member of the Varsity Football team.



### **David Melly, Director**

David is a senior studying government in the College of Arts and Sciences. He is from Boston and has worked extensively in Massachusetts politics, including for Congressman Joe Kennedy III and Attorney General Martha Coakley. He is writing his senior thesis on the influence of money in politics.

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“A nation that destroys its soils destroys itself. Forests are the lungs of our land, purifying the air and giving fresh strength to our people.”

- Franklin D. Roosevelt