
STATE BOARD REPORT

May 2010, Issue #6



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State Board Reports are available online by clicking on Local League Resources*

TABLE OF CONTENTS

News From Your President – Betsey Swan	1 - 3
Attachment 1—Thoughts About Health Care Reform.....	4
Membership News – Georgia DeGregorio, VP Membership	
Membership in the 21 st Century.....	6
<i>Local League Information Form (returned by July 1, 2010)</i>	7
Issues & Advocacy News – Sally Robinson, VP Issues & Advocacy	
May 5 th Albany on the Record Event.....	8
Update on Redistricting Reform.....	8
Issues Specialist Reports	
Legislative Update.....	9
Election Law Update.....	10
Juvenile Justice Update.....	11
Court Restructuring Update.....	13
Voter Service News – Maggie Moehringer, VP Voter Services	
Fall Debates	15
2010 Voter Guides	
Changes in Store for Military and Overseas Voters	
New Absentee Ballot Form	
Your Right to Vote in NYS: Special Populations	
<i>2010 Voter Guides Order Form (returned by June 20, 2010)</i>	17
Students Inside Albany Interview	18
“A Tompkins County Teen’s Inside View of the Capital District”	
By Sue Henninger	
<i>Ithaca Parent and Teen</i> – Summer 2010	
State News, May 2010	22



NEWS FROM YOUR PRESIDENT

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NEW YORK CITY SPRING FLING

I think I can speak for all in attendance when I say the Spring Fling was a resounding success. Approximately 80 League members and friends from around the state gathered in the lovely home of **Sally and Eric Robinson** to feast on scrumptious *hors d' oeuvres* and renew friendships. Thank you Sally for all your hard work to make the party a success.

Special guest **Bernard Nussbaum**, former Counsel in the Clinton White House and a partner, along with Eric, in the law firm of Wachtell, Lipton, Rosen & Katz provided the entertainment for the evening, regaling us with war stories and, on a more serious note, describing his precedent-setting litigation to win pay raises for the New York State judges. Although I was well aware that judicial salaries were woefully inadequate, I had not realized that they had fallen from being comparable to what one could earn as a partner in a major New York City law firm to less than an entering associate currently earns, earning New York State the dubious distinction of having the lowest judicial salaries in the nation. Although Mr. Nussbaum was careful not to cast aspersions on the quality of the judiciary, he aptly noted that failure to address this problem adequately would seriously endanger one of the three major arms of the state governmental system.

One forgets what an interesting group of people League members are, and it was nice to pursue conversations outside of the confines of a meeting agenda. As one person remarked to me, “The League should hold more purely social events.” I agree wholeheartedly.

ALBANY ON THE RECORD

Albany on the Record was a rousing success with 300 attendees hearing from Governor Paterson, Comptroller DiNapoli and the four legislative leaders who outlined their plans to fix Albany now. Special thanks to League member Jay Gallagher, former Gannett Bureau Chief, who questioned each of the speakers and to John Kaehny of Reinvent Albany who produced the event. Also, thanks to each and every League member whose presence in Albany helped to make this event such a success.

STUDENTS INSIDE ALBANY

The 2010 Students Inside Albany conference, held from April 11-14 was a resounding success with 30 students sponsored by 25 Local Leagues. Our thanks to each League who sent a student. Photos from the conference are posted under Youth Programs on our website (a button on the left side on the homepage), as well as an interview of one student by League member, Susan Henninger, and published in *Ithaca Parent and Teen*. A summary of the conference will be posted in the near future.

GOVERNMENT CONSOLIDATION / SHARED SERVICES STUDY

Local Leagues are in the midst of completing their government consolidation / shared services studies. Results should be reported on the forms sent to League Presidents and study Chairs and returned to the League office by June 1.

LWVUS CONVENTION WEBSITE

Take a look at the convention portion of our website at www.lwvny.org. We are listing the entire New York State delegation to convention to convention. If you are going to convention and have not yet been listed as a delegate on our website, send us your name, League, and e-mail address, so that we may add you to the list. New materials about caucuses, concurrences, and resolutions are posted as they are received.

LWVNY CONCURRENCES AND RESOLUTIONS

The Saratoga County League has recommended a **concurrence with Maine's marriage equality position**. The concurrence has been endorsed by LWV Maine and LWV Maryland. At its May board meeting, the LWVNY voted to support bringing the Marriage Equality Concurrence to the floor of the Convention for a vote by convention delegates about whether to adopt the marriage equality position by concurrence from the floor of the convention.

The Tompkins County League has introduced the following resolution to support expansion of LWVUS legislative priorities to encompass safe drilling and mining for energy resources:

Be it therefore resolved that we, representatives at the 2010 National Convention of the League of Women Voters, call upon the Board to use the resources of the League to support and lobby for significant strengthening of appropriate regulation, oversight, inspection, and penalties associated with the development of fossil fuel resources. This strengthening should include elimination from national and state legislation of the exemptions for drilling and mining, as well as additional legislation requiring the federal and state agencies to regulate drilling and mining in a manner consistent with the preservation of a healthy environment.

This resolution is put forward to enable, among other things, the LWVUS and its members to lobby at the national level for stricter oversight in the hydraulic fracturing of the Marcellus shale. At its May board meeting the board of the LWVNY voted to support this resolution.

The Tompkins County League has introduced the following resolution to urge the LWVUS to support *Medicare for All* legislation:

Whereas the League of Women Voters of the United States believes quality health care at an affordable cost should be available to all U. S. residents; and

Whereas the current and proposed systems do not achieve the League goals of affordability and access to everyone; and

Whereas an improved Medicare for all, a publicly funded and privately delivered national health care plan, is consistent with this goal;

Therefore, be it resolved, we, the representatives of local and state Leagues assembled at the 2010 LWVUS Convention, call upon the LWVUS Board to advocate strongly for bills that legislate for improved Medicare for all.

At its May board meeting the LWVNY decided it would not endorse this resolution because it was highly unlikely that additional health care legislation would be introduced in the near future and because resources could be more effectively used to monitor and comment on implementation of the Patient Protection and Affordable Care Act of 2010 at both the state and national levels. See my thoughts about implementation in Attachment 1.

LWVNY 2010 COUNCIL

Materials for our 2010 League Council have been mailed and sent electronically to all League Presidents. **Make sure to return your votes to the League office by June 18.**

LWVUS SEEKS INFORMATION ABOUT LOCAL LEAGUE DUES

I attach an item from one of LWVUS President Mary Wilson's Leaguer Updates:

Record Your League's Dues Rate in the Database (NEW)

Please remember to record/update your League's dues rate by going to our online database: Just above the list of LEAGUE OFFICERS, you'll see LEAGUE DUES. Click on LEAGUE DUES and enter the amount (no \$ sign necessary). For additional instructions, review the online [database manual](#). If you need personal assistance, please send an email request to membership@lww.org or call Betty Taira (202-263-1345).

PEREGRINATIONS

Over the past two months I have had the honor of attending a number of celebrations around the state.

The New York City League invited me as their guest to their annual luncheon honoring Jennifer Raab, President of Hunter College. The event was sold out, Jennifer Raab gave a rousing speech, and I had great fun meeting members of the New York City League and the CUNY administration.

The Mid-Hudson League invited me to its 50th Anniversary celebration, which headlined Maurice Hinchey, Congressman for New York's 22nd District.

I attended the **Rochester Metro League's** 85th anniversary, with featured speaker Pulitzer Prize winning journalist and author David Kay Johnston.

I attended the **Albany County League's** 90th birthday party celebration and annual dinner with special guest Susan B. Anthony. At that celebration the Albany County League

presented the state League with a check for \$1,920.00 in honor of the League's founding. What a wonderful birthday gift! Thank you to all the Leagues for including me in your celebrations.

WANTED: YOUR E-MAIL ADDRESS

Don't let the train leave the station without you. The state *Voter* changed to an electronic format last November. You will receive the electronic *Voter* automatically free of charge if we have an e-mail address for you. If not, you may order a printed version for \$30.00 a year (6 issues).

ATTACHMENT 1

TO: MEMBERS, LWVNY
FROM: BETSEY SWAN, PRESIDENT, LWVNY
DATE: MAY 20, 2010
RE: THOUGHTS ABOUT HEALTH CARE REFORM

At its May board meeting, the LWVNY considered whether to support a resolution put forward by the Tompkins County League, that would push the LWVUS to lobby for a *Medicare for All* health care bill. The board decided not to support this resolution. Although I do not speak for the board as a whole, the following represents my thoughts about why support for such a resolution was not advisable.

While supporters of the Patient Protection and Affordable Care Act of 2010 (the Act) declare victory, and those who favor a single payer system continue to advocate for it, we move on to the promulgation and adoption of administrative regulations, which will ultimately flesh out the outlines contained in the Act and go a long way to determining what health care of the future will look like.

I believe lobbying for a single payer system is futile at this point. Congress has spoken with the Act and has now moved on to other challenges. Moreover, the political moment that led to the Act's passage has passed. During its negotiation the Senate lost its filibuster-proof majority of Democrats, and the Democrats are projected to suffer widespread loss of seats in the upcoming midterm elections. The stars that had aligned have moved on; thus, barring a desire to tilt at windmills, the time to propose or support a new bill has passed; in my opinion it will not again occur until after the next Presidential election.

Although League President Mary Wilson declared a "victory" with passage of the Act, it remains to be seen whether this landmark legislation moves forward the League's action agenda of providing universal, affordable basic health care to all or whether it merely hastens the demise of an already broken system.

At this point I should disclose my prejudices – that contrary to the rhetoric advanced by those on both sides of the debate, the Act will neither abolish the problems that affect the current system nor put it on a track to destruction on which it was not already traveling. The Act abolished some of the greatest barriers to obtaining health care in this country but took few immediate steps to curtail spiraling costs. As a column by Paul Krugman in the March 28, 2008 edition of the *New York Times* noted, health care costs in the United States, as a percentage of GDP, have escalated over time far more than those in other developed countries, to the point where we are paying more for our health care than any other developed nation yet seeing only middle-of-the-road results for our expenditures.ⁱ

Without addressing this underlying problem, the old system would have imploded and the new system will do the same.

As is the case in most issues, I believe the answers lie not in all-or-nothing partisan rhetoric but in the careful crafting of the system’s details. Over the next several years the citizens of this country must enter into an honest discussion about the type of health care for which they are willing to pay. This discussion should address the multiplicity of cost drivers, including the wisdom of a fee for service model of reimbursement, the differing levels of reimbursement for different health care professionals, the role of medical malpractice litigation in driving costs, and the extent to which costly interventions have demonstrable efficacy for patients. We must also inquire how countries that spend considerable less for health care show better patient outcomes and ask what we can learn from those models.

I believe the League’s efforts can be used most efficiently in reviewing the evidence and asking these difficult questions as we move into the next level of health care reform, and I ask all League members with an interest in health care to join in this endeavor.

ⁱ The column quoted the following statistics:

	1970	2004
US	7	15.3
Canada	7	9.9
Germany	6.2	10.6
UK	4.5	8.1

MEMBERSHIP NEWS

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MEMBERSHIP IN THE 21ST CENTURY

We have finished the year with celebrations all around the state.

First we welcome a full League: LWVWC [Warren County]. This group worked hard to fulfill the requirements for the State board to recommend their recognition by National. Congratulations are in order to Rachel Clothier and her team as well as to Barbara Thomas who is their regional director.

In addition, Wayne County has been approved as a MAL [Member at Large] unit. Best wishes to Janice Fitzpatrick and her team in establishing a presence in Wayne County.

In April, I attended an informational meeting for Westbury, L.I., accompanied by their mentor, Paula Blum. While in Nassau County, I had the pleasure of meeting with the Great Neck League leadership team to discuss how they can apply the ideas I am learning through the Membership Recruitment Program.

I am discovering many leagues can be discouraged by their falling numbers and lack of leadership depth. I can testify that this does not have to happen. I have seen first hand the ideas and recommendations found on our website and in the national MRI material working. It is quite simple: work out a plan for the League to be visible all year round, involve non-board members in the process, and learn to be comfortable in asking people to join.

Want to get started? Call me and I will meet with you at any time.

I would also like to celebrate the excellent work that the regional directors are doing. They contact their leagues after each board meeting and discuss their mutual concerns and successes. This communication is essential to being a healthy league in that it recognizes the partnership between State and Local leagues. Each sustaining the other. Keep up the good work.

LOCAL LEAGUE INFORMATION FORM

LEAGUE OF WOMEN VOTERS OF _____

DO YOU HAVE AN OFFICE: YES or NO (please circle one)

IF YES, OFFICE ADDRESS: _____

OFFICE TELEPHONE W/AREA CODE: _____

OFFICE E-MAIL: _____

WEBSITE: YES or NO IF YES, WEBSITE ADDRESS: _____
(please circle one)

ALSO, PLEASE FORWARD TO THE STATE LEAGUE OFFICE A LIST THAT INCLUDES

**NAME & E-MAIL ADDRESS ONLY OF PERSON THAT HOLDS
THE FOLLOWING POSITIONS:**

- PRESIDENT, CO-PRESIDENT AND/OR VICE-PRESIDENT
- ADVOCACY & ISSUES CHAIR (or anyone that you would like on the Advocacy listserve)
- TREASURER
- BULLETIN EDITOR
- MEMBERSHIP CHAIR
- VOTER SERVICE CHAIR
- PROGRAM AND EDUCATION CHAIR
- FINANCE/DEVELOPMENT CHAIR

DUE TO STATE OFFICE BY JULY 1, 2010

**LWVNYS
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ISSUES AND ADVOCACY NEWS

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May 5 Albany on the Record Event

The League, along with our good government partners, Common Cause, NYPIRG, Citizens Union and the Brennan Center, were the main sponsors of a very successful event that sought to put state leaders on the record on where they stand on critical reform issues facing the state. We were joined by a new group, Reinvent Albany, which produced the event. Over 300 attendees, most of them League members, heard from Governor Paterson, Comptroller DiNapoli and the four legislative leaders who outlined their plans to fix Albany now.

Click on links below to see photos from the event, power point presentations on each of the issues, introductory video on why we need reform in Albany, and a video of the entire event. Jay Gallagher, former Gannett Bureau Chief, questioned each of the speakers.

- [Video of entire event](#)
- [Introductory Film](#)
- [Member Items Issues](#)
- [Campaign Finance Issues](#)
- [Ethics Issues](#)
- [Redistricting Issues](#)
- [Lobbying Issues](#)
- [More photos](#)

Update on Redistricting Reform

Currently in New York, the political parties in the majority draw the lines for their respective houses. In other words, legislators chose their voters not the other way around. The only check on this system is the possibility that the Governor could use his veto power to force changes.

We believe that creation of an independent redistricting commission must be a top priority for those interested in reform. We expect to take a leading role in educating the public about this critical issue. The process began on February 9, when over 60 people from 9 local Leagues and other organizations attended the Forum on Redistricting held at the Rockefeller Institute. Videos from the Forum are now available on the Rockefeller Institute website at www.rockinst.org/forumsandevents/. You can also get a DVD of the event by e-mailing or calling the League office. Expect to hear from us soon about more collaborative educational efforts with our good government partners, including easy to use educational materials that will be available to local leagues. *We would like local leagues to schedule an educational meeting on redistricting as early as possible in the fall to utilize the forthcoming materials.*

On the immediate horizon, the League supports a legislative solution that would immediately create an independent redistricting commission in time for the drawing of Congressional and legislative lines in

2011. The leading bill to do this is sponsored by Senator Valesky in the Senate, S1614-A and Assemblyman Gianaris in the Assembly, A5279-A.

The bill calls for a nominations committee to select 15 Democrats, 15 Republicans and 10 people who are registered with neither party. An 8 person reapportionment commission would be chosen from this pool and those 8 people would support 3 more members, one of whom would be the chair. The 8 members of the nominations committee would be appointed by the presiding judge of the Court of Appeals, the attorney general, the state comptroller, the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly.

LEGISLATIVE UPDATE

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The state budget is now over seven weeks late and negotiations are going nowhere. On Tuesday, May 18th, the Governor called the first open leaders meeting since early March. The Red Room of the Capitol was crowded with everyone from Republican Senators to reporters, lobbyists and staff people. It lasted over an hour and was highlighted with much political theater and no progress. The fundamental issues holding up the budget remain; here are a few of them.

The Governor wants severe budget cuts to close a \$9 billion dollar budget gap (he is not running for office this year). The Senate majority (Dems) want to hold onto and increase their majority so do not want to alienate the special interests both education and health care. They also have to protect their upstate members by railing against park closures and state worker layoffs. The Assembly majority (Dems) want to negotiate a budget behind closed doors because they don't want to expose their members to doing cuts in public (they want to protect their veto proof majority).

All parties know there must be cuts done but feel if they can keep doing weekly extenders, the inevitable won't come until after the elections. This would appear to be a very risky strategy since the state will not be able to pay its bills after June first, but politics is politics.

The League feels very strongly that the budget process should be open and should give rank and file legislators the opportunity to participate in the process so they are responsive to their constituencies. There have been no open joint conference committees to date and we will continue to advocate with the members (most are on our side) and with the media to pressure the Assembly to move their one house budget resolution to conference committee. Senate Majority Leader Sampson indicated in the Leaders meeting that he is ready to go to conference committee. Senator Skelos, the minority leader has been pushing for the open committee and Assemblymember Kolb also wants conference committees. Assembly Speaker Silver is the single holdout, however, he seems to be driving the bus in Albany these days. He has stated that he does not feel anything can be accomplished until they have a three way agreement (behind closed doors).

There will be another open leaders meeting next Tuesday and the Governor has said that he may call special session for next Thursday and Friday depriving the Democrats from going to their party convention which starts next Tuesday. Let's see who blinks first.

ELECTION LAW

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Absentee Ballot Application Reform is Here (Finally)

After 17 yrs. (yes, that's right – the LWVNYS testified at NYS Board of Elections Hearings in 1993 on the need for reform of the absentee ballot application process) we can claim victory for the voters of NYS. On Tuesday, April 13, the NYS Senate approved S2868B/Addabbo, legislation first introduced and passed earlier this session in the NYS Assembly by Assemblywoman Sandy Galef. Assemblywoman Galef's press release is quoted here:

“ New York State Assemblywoman Sandy Galef, Member of the Assembly Election Law Committee, and Senator Joseph P. Addabbo Jr., Chair of the Senate Elections Committee, announced today that their historic legislation, S.2868/A5276, passed both houses of the New York State Legislature and was signed by Governor Paterson on April 30. This bill simplifies the absentee ballot process for all New Yorkers, no longer requiring a complicated and intimidating explanation from someone who requests an absentee ballot.

This legislation would change the process by which a voter requests an absentee ballot. It allows an absentee ballot to be provided as long as the voter affirms, in good faith, that he or she will be out of the county or unable to appear at their designated polling site on Election Day due to illness or disability. The new absentee ballot application will simply require a sworn statement signed by the voter stating that the voter does not anticipate being able to access their polling site on Election Day for one of those reasons. (This legislation is not “no-fault” absentee voting. Such a change would require a constitutional amendment).

Currently voters are asked a series of lengthy questions that provide information of little value to the Board of Elections. These questions not only burden the voters with the complex task of explaining why they cannot appear at the poll site, but invade their privacy and jeopardize their safety by requiring such minute details. These details include the dates that voters will be away from their residences, where they are going, and who they will be with. If voters will be unable to go to the polls due to illness or disability, they must specify their physician's name and address; and if they will be in a hospital, they must disclose where it is located.”

Many thanks to all League members who have persevered in keeping this reform a priority. The legislation goes into effect immediately after the Governor signs the bill. A draft revised form is being circulated and League will respond with comments and suggestions. It will take effect for 2010 elections.

JUVENILE JUSTICE

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LWVNYS Advocacy of Alternatives to Incarceration and Current Status of Juvenile Justice in New York State

The NYS League of Women Voters has long embraced innovative efforts that promote economic, social and judicial efficacy, including alternatives to incarceration at all levels of the criminal justice process. The economic and societal costs associated with the present New York State criminal justice system are staggering; the cost of incarceration has become prohibitive and the rate of recidivism continues to be high. The juvenile justice system in New York is a microcosm of the inadequacies and failures of the state's criminal justice system. The annual cost of juvenile detention in New York State now exceeds \$100million. The recidivism rate is unfathomably high. A decade-old report shows that 75% of youths released from state custody between 1991 and 1995 were re-arrested, 62% were re-convicted and 45% were re-incarcerated. A juvenile justice system designed decades ago has ostensibly failed in its mission to promote public safety, hold youth accountable for their crimes, and produce positive outcomes for these youth.

After a two-year investigation of alleged abuses and civil rights at four juvenile facilities operated by the NYS Office of Children and Family Services (OCFS), the U.S. Department of Justice issued a report in August 2009, finding, among other things, civil right violations, gross violations of OCFS policy regarding the use of force resulting in abuse and mistreatment of the incarcerated youth, and chronic failure to evaluate, diagnose and properly treat the mental health problems of the youth housed at these facilities. The Department of Justice threatened action against New York State, including possible takeover of the juvenile facilities, if the problems were not quickly addressed and corrected.

The U.S. Justice Department report came approximately a year after Governor Patterson had appointed the Task Force on Transforming Juvenile Justice to investigate the juvenile justice system in New York State and prepare a "blueprint" to improve it. Essentially, the Task Force was charged with 1) investigating re-entry and community-based alternatives to placement; and 2) developing strategies to redefine residential facilities to ensure appropriate, therapeutic and humane treatment and supervision to those who were placed in the facilities. The Task Force also addressed the disproportionate minority representation in the juvenile justice system.

The Task Force, in a report issued December 2009, called for, among other things, closure/downsizing of some youth facilities; placing or relocating juveniles closer to their homes to encourage familial support and oversight; improving schooling and conditions at residential facilities, including the creation of a separate OCFS school system; and increased monitoring of the facilities. The Task Force also recommended the development and expansion of community-based alternatives to institutional placement.

Approximately eight months after the issuance of the U.S. Justice Department findings and more than five months after the Task Force rendered its report, some progress has been made toward the implementation of the recommendations of the Task Force.

At the Executive level, OCFS continues to negotiate with the US Justice Department; its Research Bureau is presently conducting research to develop “markers” or standards to be used by family court judges in determining whether post-adjudication incarceration is necessary for the protection of the youth and society. Concomitantly, OCFS has funded a pilot program developed by the Center for Youth Justice at the Vera Institute designed to assist judges in determining whether an arrested youth should be released, referred to a community-based supervised program or detained before trial. Presently, four upstate counties are participating in this pilot program – Erie, Syracuse, Monroe and Albany. Nassau County is scheduled to become part of the pilot project. State data has been encouraging-showing a decrease in both secured and unsecured detentions. New York City recently integrated its Department of Juvenile Justice into the Administration for Children’s Services in an effort to provide community-based therapy alternatives to youths who commit crimes, but are not considered a danger to society.

The NYS Division of Criminal Justice is examining the viability of establishing alternative, community-based diversionary programs, such as the Miami-Dade County and Washington, D.C. programs as well as a ‘Missouri Model’ residential program in New York.

The New York State Senate response to the U.S. Department of Justice report and the recommendations of Governor’s Task Force has been swift and far-reaching. In April, State Senator Velmanette Montgomery, Chairperson of the Senate Committee on Children and Families, unveiled a sweeping Juvenile Justice Reform Agenda. The following bills were introduced in the Senate. (Companion Assembly bills are noted.) The following is a summary of these bills (all have been referred to committee):

- **S.6711-B; Montgomery/A.10253; Scarborough:** Re-Direct New York, provides counties funding to create alternative programs to rehabilitate youth and keep them out of the detention facilities.
- **S.6474-B; Montgomery/A.10155; Aubry:** Juvenile Facility Oversight & Accountability, authorizes the Correctional Association of New York to inspect residential juvenile detention facilities and report incidents of wrongdoing to children and prompt immediate action.
- **S.6710-A; Montgomery/A.10252; Scarborough:** Re-Invest New York, requires that savings from the closing of State-operated juvenile facilities be reinvested in the Juvenile Justice Smart Investment Fund to support community-based services.
- **S.6709; Montgomery/A.10449; Lentol:** Alternative to Residential Placement, requires family court judges to sentence court-involved youth to community placement instead of residential placement if appropriate and safe.
- **S.6713; Montgomery/A.9805; Scarborough:** Educational Equality Training, establishes a pilot program to provide job and vocational skills training to youthful offenders.
- **S.6678; Huntley:** Legal Assistance for Youth with Mental Health Needs, requires Mental Hygiene Legal Services to provide legal services and assistance to youth who have been ordered by the court into the custody of the Office of Children and Family Services and have been placed in a state operated juvenile detention center.
- **S.6969; Huntley:** Presumptive Medicaid Eligibility, gives youth living with mental illness access to Medicaid upon their discharge from a juvenile justice facility to ensure that their treatment plan continues uninterrupted.
- **S.6961; Huntley:** Peer Advocacy, creates a youth mentor program for youth who have experienced traumatic events and can speak to someone older who will be a positive role-model.
- **S.5996/; Duane/A.3472A; Scarborough:** Juvenile Rights, mandates that the Office of Children and

Family Services describe the rights of a youth in a pamphlet. This bill also establishes a youth advisory board to promote communication with the administration on concerning issues.

Senator Montgomery estimates that these proposals will save New York State approximately \$6 million in the 2010-2011 budget year. Under the current system New York State reimburses counties about 50% of traditional pretrial detention and/or post-adjudication detention in an OCFS facility (which can approximate \$200,000 per year in some cases). Presently, New York State does not reimburse counties for placing a child in a community-based program that can cost far less, sometimes as little as \$5,000 per year.

Senator Montgomery's proposals call for reinvesting the savings resulting from the closure of the OCFS facilities (approximately \$12 million) in the Juvenile Justice Smart Investment Fund to support community-based services for at-risk and court-involved youth and establishing a 65% match for counties with alternative detention/placement programs. These proposals (S.6711/S.6710) have been included in the Senate budget.

It is suggested that the League advocate for a shift of the state juvenile justice system to more supportive and therapeutic model that would include a panoply of community-based alternatives to inappropriate incarceration of New York State youth. League involvement might include: 1) advocating the Governor's reaffirm his commitment to juvenile justice reform; 2) educating state legislators, particularly the members of the NYS Assembly, about the economic and social need to reform the juvenile justice system; 3) encouraging League members to contact their state and county legislators about these initiatives and the importance of the Assembly and the Governor to include these measures in the State Budget.

COURT RESTRUCTURING

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Court Restructuring

History of LWVNYS Involvement and Current Status

The NYS League of Women Voters has had a long-standing advocacy position on court restructuring (formerly called court merger). The current system of 9 separate trial courts is confusing to litigants and costly to everyone involved in the courts: litigants, taxpayers, and the court system itself. Consolidation of the state's trial courts requires a constitutional amendment, which needs passage by two separately elected legislatures, followed by an affirmative vote in the November general election. Traditionally, constitutional amendments receive first passage in the second year of the legislative session, followed by second passage of the newly elected legislature the following year. They then appear on the November ballot for voter approval. A court merger constitutional amendment actually received first passage in 1986, but was not passed by the legislature the following year, and it died before reaching the voters.

Efforts to restructure the current inefficient and costly system received new energy, when Chief Judge Judith Kaye appointed the "Commission on the Future of the Courts". The commission's

recommendations to simplify the court structure into a two-tier system were introduced as a Governor's program bill by the Senate Judiciary Chair in the spring of 2007. Unfortunately, no action was taken in 2008, the second year of the legislative session, which would have been the opportune time for first passage of a constitutional amendment, such as court restructuring. It was the year when Governor Spitzer resigned and the state began to see increasing fiscal pressures. In addition, Chief Judge Judith Kaye retired at the end of 2008, having reached her mandatory retirement age.

In 2009, no new efforts were made to address the need for restructuring via a constitutional amendment. The new Chief Judge, Jonathan Lippman, has not yet addressed the issue or advocated for it. Even though some of the most burdensome problems litigants face in the fractured courts have been addressed by administrative measures, e.g. the Integrated Domestic Violence Courts which can deal with all aspects of a case in one court, before one judge, or the other specialty "problem-solving" courts, such as drug and mental health courts, a restructuring constitutional amendment continues to be the desirable long-term solution. Successful passage of such a constitutional amendment would help redistribute resources in favor of the most over-burdened courts, especially the Family Courts. Although dealing with society's most pressing needs and the well-being of children, the current system still treats the Family Court like a "step child", while the Supreme Court fares much better in allocated resources and staff compensation.

There is no action in sight for the 2010 legislative session to move forward on the court restructuring issue. However, the LWVNYS should continue to monitor and advocate for change. Some suggestions for the League's ongoing involvement are:

1. Reconfirm the League's connection with traditional coalitions, such as the Fund for Modern Courts, Domestic Violence Prevention and other advocacy groups,
2. Educate state legislators about the need and benefits of court restructuring,
3. Educate the public about the issues and benefits involved,
4. Encourage League members and other citizens to participate in court watching / monitoring projects. Getting an inside view of how the courts function serves as an eye opener to recognize the needs and the shortcomings of the current system,
5. Continue to be prepared to advocate for a restructuring constitutional amendment when the timing is opportune.

VOTER SERVICE NEWS

Maggie Moehringer, Voter Service Vice-President
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FALL 2010 DEBATES

We are very happy to inform the local Leagues that LWVNYS has signed a Memorandum of Understanding with the NYS Association of Public Broadcasting Stations to partner in broadcasting debates for the elections for statewide office this fall. The stations, at a minimum, intend to provide live, statewide coverage of the debates for the office of NYS Governor and our two Senate races. If we can bring the candidates to the table for the other offices, or for interesting primaries, the stations have stated their intention to carry them, live or re-broadcast. This is tremendous news! Now we have to get the candidates to agree. Stay tuned!

VOTER'S GUIDES 2010

As we speak, the text for the *Voter's Guide Part I: Facts for Voters* is being prepared. Please find the order form in this SBR. We hope to have these printed very soon, so that they are available sooner than in years past. *Voter's Guide Part II: Candidate and Ballot Information* will be a challenge this year with so many candidates, and we don't yet know whether there will be any ballot issues. The time between the September 14th primary and the November 2nd election is horribly short, so we will have to get the document designed in advance of the primaries with our best guess of what's in store. To decrease confusion, we have included the option to order both Part I and Part II on this order form; if possible, please order both now.

CHANGES IN STORE FOR MILITARY AND OVERSEAS VOTERS

The NYS Board of Elections has been grappling with how to implement new Federal requirements enabling military and overseas voters (MOVs) to overcome the timing and procedural problems that have, in the past, made voting difficult for them. The Federal requirements involve making ballots and absentee ballot applications available for MOVs in electronic format, although the ballot itself must be filled in and posted; NYSBoE expects to hire a vendor to accomplish this element of compliance. New York is one of the states with a late primary, and this year the primary and the general elections are as close as they can possibly be. The Federal requirement is that ballots be sent to MOVs a minimum of 45 days in advance of the election. A bill is pending in the legislature to allow the NYS BoE to apply for a waiver from this requirement based on the fact that in NYS the ballot reception date for these voters is now 13 days after the election; if the ballots are transmitted at least 32 days in advance of the election, the 45 day requirement is met. If litigation or other delays prevent the finalization of the ballot 32 days in advance, and the MOV does not receive even the electronic ballot in a timely fashion, the Federal Write-in Absentee Ballot can be used. NYSBoE expects the legislation to pass and the waiver to be granted.

NEW ABSENTEE BALLOT FORM

As you are busily instructing your high school seniors in the use of the absentee ballot for voting while they are away at college, keep in mind that because of the passage of League-supported

legislation (hats off to Aimee and Barbara) the form will be changing; a draft is being circulated. No longer will intrusive questions be asked concerning why the voter is claiming to be unable to get to the polls; the affirmation and a signature is enough. While this is not the “no fault” ballot we ultimately might want, and is certainly not tantamount to “early voting”, it’s a step.

YOUR RIGHT TO VOTE IN NYS: SPECIAL POPULATIONS

Just a reminder that these pamphlets are posted on our web site and available for Leagues to print locally or to order in quantity from the State League office. Our series of five informational pamphlets covering the voting rights of college students, homeless individuals, the physically disabled, the mentally disabled and criminal offenders looks great, and is available for Leagues to order in quantity at reasonable rates. Please contact the League office for information.

2010 VOTERS GUIDE

PART I – FACTS FOR VOTERS

Voting Requirements
Absentee Voting Information
Registration Information

AVAILABLE AS EARLY AS POSSIBLE IN JULY

PART II

Candidate Information
Information on Ballot Proposals (if any)

AVAILABLE IN LATE SEPTEMBER

Local League Order Form-2010 Voters Guide

VOTER GUIDES ORDER FORM
\$100 PER 1,000 BROCHURES ORDERED
OR \$10 PER 100

QUANTITY ORDERED

PART I _____ \$ _____

PART II _____ \$ _____

TOTAL \$ _____

Please circle **RESALE** or **FREE**

If you do not specify whether the brochures are for free distribution or resale, we will assume that they are free and the applicable tax will be charged.

AMOUNT ENCLOSED _____

tax and shipping will be billed separately

OR

AMOUNT REQUESTED FROM EF ACCOUNT**
(EF Withdrawal form attached) _____

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NAME: _____

LWV: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

PHONE: _____

EMAIL: _____

Please make checks payable to:

League of Women Voters of New York State
62 Grand Street, Albany, New York, 12207
Phone: 518-465-4162 / Fax: 518-465-0812
E-Mail: lwny@lwny.org

**PLEASE RETURN FORM TO THE STATE
LEAGUE OFFICE
NO LATER THAN JUNE 20, 2010**



STUDENTS INSIDE ALBANY

A Tompkins County Teen's Inside View of the Capital District

By Sue Henninger

Andrew Dunn, a senior at Charles O. Dickerson High School in Trumansburg, recently returned from *Students Inside Albany*, a four day conference at the Crowne Plaza Hotel in Albany. Dunn was chosen to represent Tompkins County in the statewide forum, hosted each spring by the New York State League of Women Voters and funded by local Leagues.

In his application essay Dunn wrote that he was interested in attending SIA to get a more in-depth look at politics. Read on to see if he was able to achieve this!

Q. Albany has been in somewhat of a turmoil recently Was this evident to you students during your time in the Capital District?

A. Yes and no. With the budget it was definitely a busy time of year. When we sat in on the Assembly I noticed that the Republicans were trying to gain more influence and the Democrats were definitely not receptive to this because right now they have the majority vote. Also the Republicans were saying that the Democrats were making the budget behind closed doors and not including the Republicans in their decisions and that they should remember that bipartisanship means inclusion.

The day we visited the Senate was a Tuesday which I guess is usually a pretty quiet day. They do what's called a "Resolution Calendar"; for example one resolution was to make April 15th a "Safe Stop" day. They also commended a high school basketball team for their success and thanked a Common Council for hosting a benefit.

Q. As part of the SIA program you attended some lectures related to government and politics. What were your favorites?

A. I really liked the talk by Robert Freeman who is the Executive Director of the NYS Committee on Open Government. He was an interesting speaker and really knowledgeable. He advises people about how to use the Freedom of Information Law (FOIL) which deals with citizen's rights to access to government records and the Open Meetings Law to their advantage to keep Boards (Town, School etc...) from holding meetings that should be public behind closed doors. He explained that "closed door"

meetings can only legally occur at very specific times, which is not something everyone knows.

The Media Panel lecture was really good too. There were panel members from the Times Union newspaper, Newsday, a public access TV program, and a blogger. They talked about the effect of media on politics and the role of a journalist in the political scene. They also told us about breaking stories, confidential sources, and the power that journalism still has.

The other thing that was interesting was when they talked about the influence that the Internet has and how it often doesn't have the journalistic integrity of newspapers because newspapers and reporters still check their sources and try to be as accurate as possible while blogs are often just someone's opinion.

Q. You also took a tour of the Capital. What did you see?

A. Our tour guide focused mostly on the history and the architecture of the Capital Building. We did see the Senate and Assembly Chambers and the "Million Dollar Staircase". It goes up multiple levels in the middle building and is made of this expensive red Scottish sandstone and has all of these intricate carvings on it.

Q. The League of Women Voters sponsors this conference each year. Did you know anything about the League beforehand and did your impressions change after the conference?

A. I didn't really know anything about the League except for what I heard from Ray (the student who went last year). What I learned about them at the conference was that they're non-partisan; they don't support any political parties. They do in-depth studies to decide what they stand for and then they lobby for lots of different causes. I think their positions seem to be sound ones.

The League was founded to help women get education and to have the right to vote. Today one of the things they're working on that I agree with is extending elected officials political terms so that politicians can focus on issues while they're in office not just on getting reelected.

Q. You also shadowed your county representatives-Senator George Winner (R) and Assemblywoman Barbara Lifton (D). What did you learn from them?

A. I liked both of them and thought they both knew a lot about their jobs and what was going on in the areas they cover. They each have staff members who help them read the local news to find things that might be of interest to them and I saw Lifton reading an article on hydrofracking which is a big deal in Tompkins County. I got to watch Senator

Winner record a clip about some of his views for a local new station and Assemblywoman Lifton showed me around the “back rooms” of the chambers.

They’re both smart and good at their jobs. I think I would vote for both of them (Dunn recently turned 18).

Q. Were their jobs what you had expected?

A. The Senate was, Things were more formal there and they seemed more businesslike. The other students and I were all surprised about how laid back the Assembly members were. They were doing all sorts of other things like eating and talking about movies they were going to see while there was a debate going on down on the floor.

Q. How do you think your generation can change things in Albany?

A. Well, the most important thing I learned was that politicians are real people. Before the conference I had the idea in my head that they weren’t approachable and that things like writing letters wouldn’t make a difference to them one way or another. But now I see that politicians do meet with people and they do read the letters and emails they get and listen to phone calls. Politicians pay attention to local new and they seem to care about what people in their districts want. So we need to be willing to approach politicians so they can hear what we have to say,

Through the Media Panel, I realized that the Internet is more important than ever because this generation is more comfortable using technology. With media technology we can keep up with current news easily and be more informed from a variety of sources in a very short time. We just need to makes sure that the information we get is accurate. And, we really need to think about things critically and not just accept them as true.

Q. You’ll be heading off to college next fall. Will your intended major mesh with your interest in politics?

A. I think so. I never wanted to be a politician and I still don’t! I would like to have a research job studying the effects that the citizens have on politics through things like voter trends and the decision making process that people use when they’re deciding who to vote for. So I’d be on the outside evaluating and then I’d convey my results to the general public.

Q. How about your personal life and politics?

A. From this conference and from the AP Government classes that I’ve taken, I always knew that I’d be active in politics on a local level by voting and making sure my voice gets heard at meetings if there’s something happening that I really care about.

Q. Would you encourage other students to apply for the *Students Inside Albany* program next year?

A. I would. Some of it was a slight review of the AP Government class that I'm in but the extra lectures and the shadowing made a big difference. The other people I met were excellent. My roommate was from Long Island and he's going to Cornell so I may see him again. There were lots of kids from the cities (NYC, Albany, and Rochester) and their view of Albany is really different from mine because of the wealth, the location, and the population density of their communities. And-everyone there liked to talk about politics which was great!

Sue Henninger (www.fingerlakeswriter.com) and fellow Tompkins County League of Women Voters member, Kathleen Yen, co-chair both "Students Inside Albany" and the elementary school program, "Take Me to Vote!"

This article originally appeared in Ithaca Parent and Teen-Summer 2010 (www.ithacachild.net)



State News

The League of Women Voters of New York State

May 2010

Fall 2010 Debates

We are very happy to inform our members that LWVNYS has signed a Memorandum of Understanding with the NYS Association of Public Broadcasting Stations to partner in broadcasting debates for the elections for statewide office this fall. The stations, at a minimum, intend to provide live, statewide coverage of the debates for the office of NYS Governor and our two Senate races. If we can bring the candidates to the table for the other offices, or for interesting primaries, the stations have stated their intention to carry them, live or re-broadcast. This is tremendous news! Now we have to get the candidates to agree. Stay tuned!

Update on Redistricting Reform

Currently in New York, the political parties in the majority draw the lines for their respective houses. In other words, legislators chose their voters not the other way around. The only check on this system is the possibility that the Governor could use his veto power to force changes.

We believe that creation of an independent redistricting commission must be a top priority for those interested in reform. We expect to take a leading role in educating the public about this critical issue. The process began on February 9, when over 60 people from 9 local Leagues and other organizations attended the Forum on Redistricting held at the Rockefeller Institute. Videos from the Forum are now available on the Rockefeller Institute website at www.rockinst.org/forumsandevents/.

You can also get a DVD of the event by e-mailing or calling the League office. Expect to hear from us soon about more collaborative educational efforts with our good government partners, including easy to use educational materials that will be available to local leagues. *We would like local leagues to schedule an educational meeting on redistricting as early as possible in the fall to utilize the forthcoming materials.*

“Albany On the Record”

Albany on the Record was a rousing success with 300 attendees hearing from Governor Paterson, Comptroller DiNapoli and the four legislative leaders who outlined their plans to fix Albany now. Photos from the event, power point presentations on each of the issues, introductory video on why we need reform in Albany, and a video of the entire event is available on our website. Special thanks to Jay Gallagher, former Gannett Bureau Chief, who questioned each of the speakers and to John Kaehny of Reinvent Albany who produced the event.

Spring Fling Weekend in NYC

Over 70 League members and friends attended the Spring Fling fundraiser on May 14. It was a wonderful evening with a gathering of many old-time League members reminiscing and talking. Thank you to all who attended and to those who supported the event. Photos from the event can be viewed on our website.

Students Inside Albany Conference

The 2010 Students Inside Albany conference, held from April 11-14 was a resounding success with 30 students sponsored by 25 Local Leagues. Our thanks to each League who sent a student. Photos from the conference are posted under Youth Programs on our website (a button on the left side on the homepage), as well as an interview of one student by League member, Susan Henninger, and published in *Ithaca Parent and Teen*. A summary of the conference will be posted in the near future.

Membership

First we welcome a full League: LWVWC [Warren County]. This group worked hard to fulfill the requirements for the State board to recommend their recognition by National. Congratulations are in order to Rachel Clothier and her team as well as to Barbara Thomas who is their regional director.

In addition, Wayne County has been approved as a MAL [Member at Large] unit. Best wishes to Janice Fitzpatrick and her team in establishing a presence in Wayne County.

Historic Legislation Passes

Historic legislation passed the NYS legislature reforming the absentee ballot application process. This bill simplifies the absentee ballot process for all New Yorkers, no longer requiring a complicated and intimidating explanation from someone who requests an absentee ballot. The League has fought long and hard for this simplification.

1919 Society

Don't forget to include the state League in your will - and join the 1919 Society. If you already have included the League in your will, just let us know and we'll add you to the members of the Society. We will not ask for either proof of the bequest or its amount - we just want to honor your future support. As a member, your name will be engraved on a plaque in the state League office, listed in the *State Voter*, and on the website.

Capitol Beat Blog

Watch and comment on a new League blog about New York State politics written by retired journalist Jay Gallagher. Spread the word - and start the dialogue! Just click in the upper right corner of our website, New League Blog. Save it on your "Favorites" and check it often; you can comment without joining.

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