



# BULLETIN

NOV/DEC., 2015

## OUR MISSION

*The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.*

### Diversity Policy

The League of Women Voters of Saratoga County, in both its values and practices, is committed to inclusion and diversity.

This means:

There shall be no barriers to participation in any activity of the League on the basis of economic position, gender, race, creed, age, sexual orientation, political affiliation, national origin or disability.

We recognize that diverse perspectives are important and necessary for responsible and representative decision-making.

We believe inclusiveness enhances the organization's ability to respond more effectively to changing conditions and needs.

We affirm our commitment to reflecting the diversity of Saratoga County.



## Public Forum: Should we *Raise the Age* for prosecuting youth as adult criminals?

### Speakers:

A **Town Justice** speaking about present law and options for dealing with 16 & 17 year olds. (Justice not confirmed at time of publication)

**Paige Pierce**, Executive Director of Families Together (Albany) (Speaking about adolescent brain development)

**Karin Moran Carreau**, Public Policy Advocate with Families Together (Albany)(Speaking about proposed legislation)

**Monday, November 23**

**Dutcher Room, SSPL, 6-8pm**

Immediately following this Public Forum League members will decide if they concur with the position developed from the position of the LWV of Ohio (see p. 3)

Members to bring buffet of soups and other refreshments

## Consensus Meeting

### MONEY IN POLITICS

Dutcher Room, SSPL

**Tuesday, December 8—6:30pm**

See page 5 for information on this topic

Committee members needed



## COME ONE & ALL TO OUR LWVSC HOLIDAY PARTY!

**WEDNESDAY DECEMBER 16 6PM**

Cash bar and hors' d'oeuvres starting at 6pm , Buffet dinner follows

Holiday Inn, 232 Broadway, Saratoga Springs **\$35.**





## League of Women Voters of Saratoga County (NY-639)

Official address: LWV of Saratoga County  
PO Box 1029, Saratoga Springs, NY 12866  
www.lwvsaratoga.org (518) 728-0237

### Steering Committee

#### September, October, November

**Donna Dardaris**

64 Middle St. Ballston Spa—884-9070

#### December, January, February

**Mary Lou Classen**

4 Blue Spruce Lane, Clifton Park—877-8874

#### March, April, May

**Darnell Rohrbaugh**, Chair, Youth Programs  
6 Almeria Drive, Clifton Park—371-2588

#### June, July, August

**Nancy Martinez**—Membership Chair  
15 Fifth Ave., Saratoga Springs—584-7971

#### Secretary

**Kathleen Koeblich**

718 Malta Ave. Ext, Malta, NY —587-3616

#### Treasurer

**Steven Koeblich**

718 Malta Ave.. Ext, Malta, NY —587-3616

#### Directors

**Kathleen Donahue**

51 Hampton Circle, Mechanicville, NY 12118  
541-3387

**Charlotte Druschel**

27 Paisley Road, Ballston Spa, NY 12020  
885-8986

**Louise Golub**, Chair, Action & Issues

10 Hathorn St., Saratoga Springs—584-7518

**Tim Holmes**

3 Collins Terrace, Saratoga Springs—587-9499

**Ann Kril**, Chair, Voter Services

60 Hillcrest Dr., Saratoga Springs—584-1436

#### **Schedule of LWVSC Board Meetings**

United Methodist Church, Henning Road, SS  
7—9pm 1<sup>st</sup> Wednesday of each month

**All members are welcome to attend board meetings.**

**League of Women Voters of New York State or  
League of Women Voters of New York State  
Education Foundation**

62 Grand Street, Albany, NY 12207  
465-4162 www.lwvny.org

president: **Dare Thompson**, [darethompson@gmail.com](mailto:darethompson@gmail.com)

Executive Director: **Laura Bierman**, [laura@lwvny.org](mailto:laura@lwvny.org)

Communication & Development Coordinator:

**Kate Jankowski**, [kate@lwvny.org](mailto:kate@lwvny.org)

Public Policy Specialist

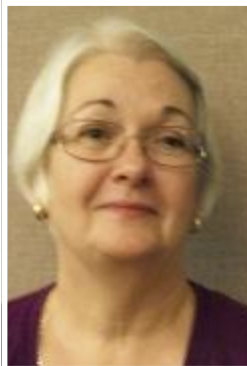
**Jennifer Wilson**, [jenniferlwv.org](mailto:jenniferlwv.org)

Bookkeeping & Finance Manager

**Lisa Allendorph**, [lisa@lwvny.org](mailto:lisa@lwvny.org)

**League of Women Voters of the United States**

1730 M Street, NW, Washington, DC 20036-4508  
202-429-1965 www.lwv.org



*From the Steering Committee Lead...*

Well, the election cycle is over for another year and I **know** that all of you took time out of your busy schedules to get to the polls on November 3<sup>rd</sup>. Local government actions and decisions impact on us most directly and local elections are probably our best opportunity to make our voices heard.

I would like to extend a very special thank you to Janice Burns for heading up our voter

registration efforts throughout the time leading up to the elections. Her group of volunteers worked at several venues throughout the summer and fall helping people to get their registrations completed, handing out applications for absentee ballots, and literature on voting in New York State.

And a **HUGE** thank you to Ann Kril and the Voter Services team for all of their hard work. From all of the behind the scenes work compiling the candidate information for our Vote411 website to the several Meet the Candidates events they sponsored, the team worked tirelessly to get information out to the public so that they could cast informed votes on Election Day. I personally visited the Vote411 site to learn more about the four candidates for State Supreme Court. I'm sure you will join me in expressing our great appreciation to these dedicated members.

On October 16<sup>th</sup>, Darnell Rohrbaugh, Isaac Smith, one of our Students Inside Albany participants, and I joined members from the Albany LWV to host an information table at the 39<sup>th</sup> Annual Civics and Law-Related Education Conference held by the Law, Youth and Citizenship Program of the New York State Bar Association. The conference was titled "Human Rights Challenges: Past and Present" and was geared toward NYS teachers in Grades K-12 (with primary focus on secondary teachers. Some of the topics discussed included "Teaching Equal Protection in the Age of Diversity", "The Voting Rights Act – A Noble Past, an Uncertain Future", "Human Trafficking", and "New York's Age of Criminal Responsibility". I was struck at how closely all of these topics parallel the League's own issues of focus. For example, the Raise the Age presentation the League will be conducting on November 23<sup>rd</sup> is directly related to the discussion on NY's Age of Criminal Responsibility. I'm hoping that there will be opportunities in the future for our League to work with the NYS Bar Association and other organizations that share our concerns to develop joint presentations for the public.

Enjoy a happy, healthy and safe holiday season. *Donna*

*Thanks to our Contributors*

**Rita Balmuth**

**Jean-Marie Crocker**

**Claire Olds**

**Dolores (Dee) Sarno**

## DO YOU CONCUR?

On Monday evening, November 23<sup>rd</sup>, we will have a presentation related to the movement to **Raise the Age** that children can be treated as adults in the court system. Immediately following the presentation LWV members will decide to approve or disapprove the concurrence position below (we can't rewrite it).

In League-speak concurrence is defined as agreement by League members with a position on an issue reached by a small group of members or by another League. In this case we are being asked if we agree with the main points of a position developed by the LWV of Ohio.



### Proposed LWVNY Juvenile Justice Position

1. **Children under the age of 18 are not adults and their treatment within the juvenile justice and criminal court system should relate to their stage of development.**
2. **Children should not be held in adult jails.**
3. **Rehabilitation is the purpose of the juvenile justice system.**
4. **The legal rights of children should be protected.**

### Arguments Against the Concurrence

There are those who say that people should be punished for their criminal acts no matter what their age. Efforts in other states to “raise the age” have been met with fears that to do so would endanger public safety, overburden the Family Court system and cost too much.

These arguments have been heard in this state also. On April 14, 2015 Tioga County legislators unanimously agreed that the cost of either of the two Raise the Age proposals now under consideration would be too much for the county to handle. Senator Bonacic has released a YouTube video which, while allowing for the possibility that the age should be raised for some children who engage in minor forms of criminal conduct, opines that for those who commit serious crimes, they should do the time, regardless of age.

According to a report in the Daily News, former Senate Deputy GOP leader Thomas Libous (R- Binghamton) said he was open to the proposal but added that it was a sensitive issue for lawmakers because of the violent nature of some youth crimes. Senator Martin Golden of Brooklyn, another Republican and a former New York City police officer, commented “Some of the most heinous crimes are committed by kids who are 16 and 17.”



### Arguments in Favor of Concurrence

The underlying premise of the proposed position is that children are not adults. This premise is based on accepted scientific evidence, which ‘informed’ the NYS Commission Report. It states: Over the last 15 years, an uncontroverted body of research has emerged demonstrating that the brain does not reach maturation until early adulthood, with certain types of adult cognitive abilities not fully developed until the mid-20s. The differences between adolescents and adults can be categorized into three important areas: self-regulation, particularly in emotionally charged contexts; sensitivity to peer influence and immediate rewards; and ability to make decisions that require an orientation toward the future.

The existence of these differences in the way children and adults think, act, and react make it inappropriate for society to respond to the anti-social behavior of children in the same way as it responds to anti-social behavior of adults. Notably, this science was recognized and relied upon in 2002 when LWV Ohio updated its position, demonstrating that this study was at the forefront of up-to-date thinking on the issue.

The US Supreme Court recently considered the propriety of criminal justice responses to actions of persons under the age of 18 in three cases. In these cases, it found that the diminished culpability made the imposition of the death penalty on those under 18 at the time of the criminal act and

*Continued on page 4*

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imposition of a prison term of life without the possibility for parole unconstitutional for both non-homicide and homicide offenders, noting, in the last case, that juvenile offenders have “diminished culpability and greater prospects for reform. . . and [are] more amenable to rehabilitation than adults”

Thus the implementation of “Raise the Age” proposals would bring New York State up-to-date in the current thinking about - juvenile justice. The fact that New York is presently an outlier in this regard is not controlling, but should be seriously considered in framing policy on the treatment of young people. Adoption of this concurrence would allow LWVNYS to be part of the conversation.

Further, the proposed position is in accordance with our position on Alternatives to Incarceration, which promotes the utilization of alternative dispositions for criminal conduct over a system that favors incarceration. We have, for a long time, disfavored incarceration as the default response to criminal conduct, and have developed standards for evaluating programs directed at rehabilitation rather than punishment as the preferred response to criminal behavior.



## WOMEN'S EQUALITY

Finally, on October 21<sup>st</sup> Governor Andrew Cuomo signed the eight Women's Equality bills that the legislature passed this year. Congratulations to all of you who worked so hard to get this done! The Leagues and their members were an important part of the 850 organizations who made up the Women's Equality Coalition.

The missing plank of the WEA - protection for reproductive rights - didn't even get introduced into the Senate this year. This situation isn't likely to change until after the election in 2016, so for the upcoming legislative session I am encouraging Leagues to put their energy into the campaign for Paid Family Leave Insurance (PFLI).

*By Barbara Thomas, LWVNY Women's Issues Specialist*



## LWVSC BOOK CLUB

**Book Club meets at 1:30 pm on the 2<sup>nd</sup> Wednesday of the month at various locations. In November we will meet at the home of Terry Lowenthal, 12 Mystic Lane, Saratoga Springs.** For November, we have selected *Unfair*, by Adam Benforado. This is a recently published book about the criminal justice system and it will fit in nicely with our November meeting on Raising the Age.

We will be selecting books to read for the rest of the year, so please bring your suggestions with you.

On December 9th we will meet at the **Ripe Tomato, Route 9 in Malta at 12:30**. Please note the time change. They will once again allow us to order from the menu with separate checks, and give us a nice private room to keep our noisy and jovial group from disturbing the rest of the diners.

**All League members are welcome to attend these discussions, so come when you can. If you have suggestions for future books, send them to Francine Rodger.**

## Paid Family Leave Insurance (PFLI)

Have you ever needed to take time off from work to care for and bond with your new infant, or your ailing parent? Your seriously ill spouse?

Even though the federal Family & Medical Leave act guarantees that you can take time off for these needs it doesn't guarantee you any pay. And just at a time when you have greater financial needs!

Paid Family Leave Insurance (PFLI) is an issue that has been bubbling up in our society and the NYS Legislature, too. The most viable proposals for PFLI call for funding it through employee payroll deductions (of less than 50 cents a week) as a part of the NYS temporary disability program.

LWVNYS believes that when one is unable to work because of pressing family needs one should still be entitled to income sufficient to meet your basic human needs. Taking time off to bond with a new infant, take care of an ill child, spouse, parent, or other family member, shouldn't be luxuries or a cause of job loss, debt or bankruptcy; that is often the case without PFLI.

**Do you have a story to tell about a time when you really needed PFLI?** If you do, please contact Barb at [barb.lwv@nycap.rr.com](mailto:barb.lwv@nycap.rr.com) or 681-7530. We are collecting people and stories for our lobbying efforts.

## MONEY IN POLITICS

### Options for Reforming Money in Politics

Summary of available options to address a series of decisions made by the U.S. Supreme Court since 1976 that have weakened the procedures that regulate the spending and giving to political campaigns. These reform strategies remain constitutional in the wake of these Court decisions.

#### Legislative Approaches:

**Disclose sources of contributions and expenditures** (action by Congress and states). The Supreme Court has upheld disclosure as a means of providing information to the electorate and avoiding corruption or the appearance of corruption.

**Tighten rules governing coordination in order to limit “independent” spending such as Super PACs** (action by Congress and states). Supreme Court decisions allowing unlimited campaign spending by outside groups are premised on the notion that such spending is truly independent and not coordinated with a candidate in any way. Congress and the states could tighten these rules. The FEC could also take action (see below).

**Adopt public funding for all candidates** (action by Congress and states). Congress could extend public funding to candidates for all federal offices and more states could adopt public financing. Currently, only candidates for president can receive public funding at the federal level, and in the past two presidential elections, the candidates have opted out of the public funding system. In all cases, public financing is a voluntary option. Both LWVUS and many state Leagues consistently support public financing of elections.

**Prohibit members of Congress from fundraising from the interests they most directly regulate**

(action by Congress). For example, Congress could prohibit contributions from PACs and lobbyists associated with federal government contractors. It could close the “revolving door.”

**Change the makeup of the U.S. Supreme Court by including more justices friendly to reform**

(action by the Congress and/or the President). Congress could expand the court, adding additional justices to change the majority opinion on campaign finance regulation.

**Use or expand state corporate law** (action by states). There are efforts to use or expand state corporate laws to regulate the behavior of corporations. One possibility would be to require directors to obtain

shareholder approval before making campaign donations and expenditures, as well as public disclosure of such spending. Another possibility is to require non-interference in state and local elections as a condition for obtaining a business license in a given state.

#### Regulatory Approaches

**Enforce campaign finance laws**

(action by the Federal Election Commission and state regulatory agencies). The Federal Election Commission (FEC), established in 1974, could be much more effective at enforcing remaining federal campaign finance laws, such as disclosure requirements and coordination rules. Lawsuits are pending to force FEC action in these areas.

**Adopt a Securities and Exchange Commission (SEC) rule governing corporate political expenditures** (action by the SEC or possibly Congress). In 2011, a group of ten corporate- and securities-law professors petitioned the Securities and Exchange Commission to require public companies to disclose their political activities, including campaign donations and lobbying efforts. [ii]An SEC rule change would not require Congressional approval.



*Continued on page 6*

*Please bring this sheet to the meeting December 8th.*

*Continued from page 5*

**Strengthen and enforce 501(c)(4) political activity rules** (action by the Internal Revenue Service; IRS). To be tax-exempt as a social welfare organization according to the Internal Revenue Code (IRC) section 501(c)(4), an organization must not be organized for profit and must be operated exclusively to promote social welfare.

#### **Other Approaches**

**Overtturn Buckley and/or Citizens United rulings by the Supreme Court.** An example promoted by Lawrence Lessig is to move the existing Court using a case with an originalist justification for broadening the definition of corruption.

**Wait for the ideological makeup on the Court to change** (action by the President and Congress).

**Work for a Congress comprised of members committed to reform** (action by the grassroots). Ultimately, the voters decide.

**Amend the U.S Constitution to overturn rulings** (action by Congress and the states). Amendment resolutions that have been offered contain provisions that fall into the following categories:

**1. Restore the authority of Congress and the states to limit campaign spending.** Most of these proposed amendments state simply that Congress and the states shall have the power to regulate both contributions and expenditures by anyone. Some mention only elections of candidates, while others include spending on ballot measures.

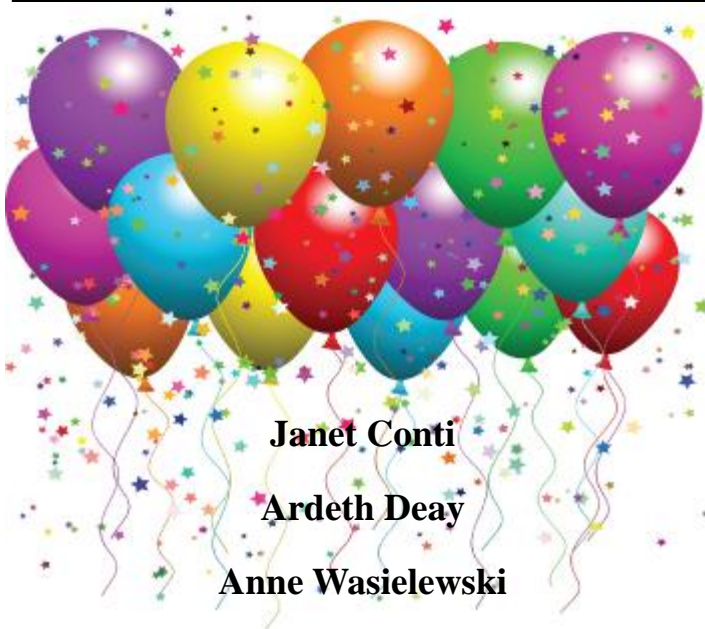
**2. Assert that the rights protected by the Constitution are those of natural persons**

**only.** Some of these proposals address First Amendment speech rights only. Those that are broader argue that the privileges of corporate entities and other collective entities are created by statute and, unlike the rights of natural persons protected by the Constitution, are not inalienable. Some of these proposals also:

- Allow Congress and the states to enact measures such as public financing and disclosure in order to protect the integrity and fairness of elections, to limit the corrupting effect of private wealth, and to guarantee the dependence of elected officials on the public alone;
- Forbid the judiciary from construing the expenditure of money as protected speech;
- State that nothing in the amendment shall be construed as limiting freedom of the press. See the issue paper *Money in Politics: The Role of the Supreme Court*, <http://forum.lwv.org/member-resources/article/money-politics-role-suprem....> <http://www.sec.gov/rules/petitions/2011/petn4-637.pdf>. <http://www.lessig.org/2013/07/the-original-meaning-of-corruption/> See LWVUS Constitutional Amendment Study for process for amending the Constitution, <http://forum.lwv.org/category/member-resources/our-work/constitutional-a...>



**WELCOME NEW MEMBERS**



**Janet Conti**

**Ardeth Deay**

**Anne Wasielewski**

**CONSENSUS MEETING—about  
criteria to use in evaluating a proposed  
U.S. Constitutional Amendment  
or a U.S. Constitutional Convention**

Kathy Koebrich the committee chair, did a yeoman’s job of organizing the material to be presented and the skeleton of the presentation, with assistance from Francine Rodger, Pattie Garrett and Steve Koebrich. Barb Thomas presented the Con positions and Cliff Ammon presented the Pro. Pattie Garrett and Joan Disare recorded and Janice Burns timed. Terry Lowenthal kept the discussion focused and within the time limits, so that we actually reached consensus on most of the points. Our consensus will be combined with those of Leagues across the country for a new LWVUS position.

**Save the evening of Tuesday,  
November 17**

Possible Special LWV Film Screening

**Suffragette**

Check your email, FaceBook and  
[www.lwvsaratoga.org](http://www.lwvsaratoga.org) for announcements.

Says Elizabeth MacNamara, LWVUS president,  
“In a time of great cynicism about politics and  
apathy among voters, the movie serves as a  
good reminder to look back and remember what  
life was like for those once excluded from  
the political process.”



The committee: Left  
to Right  
Barb Thomas  
Terry Lowenthal  
Kathy Koebrich  
Cliff Ammon

## Candidates Made Their Case



Cynthia Young & Vincent DeLucia ran for Malta Supervisor.



John Safford & Joanne Yepsen ran for Saratoga Springs Mayor.



Kenneth Ivins & Michelle Madigan ran for Comr. of Finance



Questions came from the audience.

## VOTERS' SERVICES

Building an informed electorate is at the heart of the LWV mission. Nothing is more important than helping voters compare candidates in an unbiased way. We do that through Candidate events – this year we held them for the Malta primary race, the Malta general election candidates, the Saratoga Springs candidates for Commissioner of Public Safety, Public Works & the Saratoga Springs candidates for Commissioner of Finance, Mayor and Supervisors (2 events). And we do that through our online Voter's Guide (Vote411). This year our online guide featured candidates' written responses to LWV asked questions and the video of their candidate event. Ann Kril chaired the Voters' Service committee and Francine Rodger did most of the work for the online Voter's Guide (Vote411).



Both Peter Martin & Matthew Vietch ran unopposed



Debby Peck-Kellerer served as moderator.





# HELP WANTED

All positions receive compensation in the form of gratitude. Contact info for board members is on page 2.

## THEATRICAL AGENT...



...to schedule  
Suffragist performances  
Contact Nancy Martinez

## Project Coordinator

*Students Inside Albany*  
Recruit, screen and  
select students  
December-through March,  
Contact Darnell Rohrbaugh



## Cooks Needed

Bring your Soup or Casserole  
(anything that can be served in a  
bowl and eaten with a spoon),  
your bread or finger-type dessert.

**Bring it to the forum about  
Raise the Age on November 23.**

Call Barb at 681-7530  
before she calls you

## Custodial Help,

part-time  
Set out chairs at events,

Contact Nancy Martinez

## Greeters Needed

**Must be friendly, able  
to attend League  
events**



Contact:  
Nancy Martinez  
584-7971

## Grant Writer

Work from home. Able to take  
rejection and rejoice in success.  
Contact aerodger@aol.com

## SALES REP

Sell the League to the public at one of our tables  
no experience necessary, contact Nancy Martinez



## FUNDRAISER

Able to develop contacts, maintain  
communication ...  
contact Donna Dardaris

## Kitchen Help

**Monday, November 23,**

Split shift: 5:30 – 6, 8:15 – 8:45

Call Barb at 681-7530



## Sick and Tired of all the money that buys our elections?

Mary Lou Classen needs a few good people to help  
present already written material on

## *Money in Politics*

Must be available Dec. 8th.-Call her.

## JOIN US & MAKE A DIFFERENCE

- YES!** I Would like to join the League.
- 2015/16 dues enclosed.
- (Note: The Bulletin is free with membership)
- \$55. Individual     \$80 Family     \$25 Student
- Please send more information
- I would like to subscribe to the BULLETIN,  
\$15. enclosed
- In addition, I would like to contribute \$ \_\_\_\_\_
- Please send a gift membership to: enclose name  
and address

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_

Check if you would prefer an electronic Bulletin

**Mail to: Membership, League of Women Voters  
P.O. Box 1029, Saratoga Springs, NY 12866**



**THE LEAGUE OF  
WOMEN VOTERS  
OF SARATOGA COUNTY**  
P.O. BOX 1029 SARATOGA SPRINGS, NY 12866

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**NOV/DEC, 2015**

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**UPCOMING EVENTS**

- November 3**, Tuesday, **Election Day**, Polls open 6am-9pm.
- November 11**, Wednesday, **Book Club**, Home of Terry Lowenthal, 1:30pm.
- November 17**, Tuesday, Possible LWV screening of *Suffragette*, BowTie Cinemas, SS, evening,
- November 23**, Monday, **Raise the Age** (for the Judicial System to treat children as an adult)  
**Panel and Concurrence**, Dutcher Room, SSPL, 6pm.
- December 8**, Tuesday, **Money in Politics Powerpoint/Consensus**, Dutcher Community Rm, SSPL, 6:30pm
- December 9**, Wednesday, **Book Club**, Ripe Tomatoe, 12:30pm
- December 16**, Wednesday, **LWV Holiday Party**, at the Holiday Inn, 232 Broadway, Saratoga Springs, 6pm
- January 14 -18**, Thursday – Monday, **The Unfinished Work of MLK, Jr.**, various venues and times

**LWVSC HOLIDAY PARTY RESERVATION**

Name \_\_\_\_\_

Address \_\_\_\_\_

How many \_\_\_\_\_ @ \$35. = \$ \_\_\_\_\_ Phone \_\_\_\_\_



**RSVP by December 4th.**

Please make your check out to LWVSC and mail it to:  
Steve Koebrich, 718 Malta Ave. Ext., Ballston Spa, NY 12020