



# VOTER

The League of Women Voters of New Castle County, Delaware

August/ Summer 2015

www.lwvdelaware-newcastlecounty.org

Vol. 22, No.1

The Mission of the League of Women Voters is to empower citizens to shape better communities.

The League of Women Voters of NCC invites all to **AUGUST Hot Topic Lunch**  
**Monday, AUGUST 24, 2015, 11:30 am - 1:00 pm**  
**Michael's Restaurant** 1000 Churchman's Rd, Newark, DE 19713 (302) 368-4230

**TOPIC: The case for passage of Senate Concurrent Resolution 6, also referred to as the "Free and Fair Elections" resolution.**  
**Speaker: Dr. Judith Childs Butler**

The LWVUS has begun the study of campaign finance reform. Two studies are underway -- Amending the Constitution and Money in Politics (MIP). For LWV of New Castle County to participate, we need to start NOW and become informed about all sides to the issue.

If you are concerned about the effect that Citizens United is having on campaign finance and the functioning of our government, it's time to get involved. So join us to hear one approach to this important issue.

August Hot Topic speaker is Dr. Judith Childs Butler who will present the case for passage of Senate Concurrent Resolution 6, also referred to as the "Free and Fair Elections" resolution.

Judy graduated from Middlebury College with a degree in biology and then received a BSN (Nursing) from Boston University and a Ph.D. in pharmacology from Georgetown University. She was the Head of the Clinical Pharmacology Core Facility at the Alfred I. duPont Hospital for Children for many years and also taught pharmacology to nursing students at the University of Delaware and at Delaware Technical and Community College. She has served on several Boards, including Wilmington Friends School, the Female Benevolent Society (a 200-year old Quaker charity), and Pacem in Terris, which she chaired for several years.



After being concerned for decades about the corrupting influence of private money in our electoral process, Judy retired two years ago from AstraZeneca to devote her energies full-time to reversing the Supreme Court decisions in Citizens United, McCutcheon, and several related cases. She is also the mother of 2 adult children who are members of the Millennial generation and to whom she feels a deep commitment in the work she is doing.

The purpose of HOT TOPIC LUNCHESES is to become informed on a wide variety of timely topics, check in with current and longtime friends, make new friends, and invite others (your friends, neighbors, colleagues) to experience the League in an informal setting and to be motivated to explore the issues further.

**All are welcome**

*(Continued on page 3, Hot Topic)*

## PRESIDENT'S MESSAGE

Members of the League, including Emily White, Fay Whittle and Letty Diswood from LWVNCC, recently participated in a Round Table discussion with 20 women students, ages 18-24, from Sub Saharan Africa. The meeting with League members was requested by Dr. Elaine Salo, academic director of the Women's Empowerment Institute for Sub Saharan African Women held at the University Of Delaware in June and July. The Women's Empowerment Institute is supported by a grant from the US State Department. The focus of the discussion was women's political engagement and activism. All the young women are university students, mainly from African countries threatened by conflict such as South Sudan, Cote d'Ivoire, Mali and the Democratic Republic of Congo. Many of them may well become part of state reconstruction and institutional rebuilding in their countries of origin. See pictures in right column..



Thoughts on the LWVDE Round Table referenced above: Remember when we were a developing country, the *New World, America*? No. We weren't around in that era of growth. The stories and information about their backgrounds shared by 20 young

women, both graduate and undergraduate students, were riveting.

The students had so many questions for the League members in attendance. The questions reflected concepts women in this country were struggling with from the time when our country was in its developing stages: "Should the husband help with the house and children if both partners are working?" "Should women have children if they want to pursue a career?" "Should men and women be paid equally for the same job?" is a dilemma we're still facing in the U.S. These young women are getting a head start in questioning such an inequitable practice at a formative stage of their developing countries.

Especially memorable to me: Stories of families relocating to nearby countries while wars are raging over oil production and ownership, creating desperate situations for everyone. We've never experienced this trauma in the U.S. Escaping, on foot, in the dark of night, as a single mother with four little ones, hiding from insurgents who will kill you because of your nationality and religion is a terror we hope to never

experience. The mother and children were on their own because the husband was far away, fighting for freedom.

Only young women whose families can pay for education, and who support educating women, have the opportunity to attend college. Young girls and women in the countryside are given or sold into marriage as soon as the family needs money, and welcomes funds coming from a dowry. Our long fought-for freedoms, American women, are often taken for granted. We presented our lives as role models, and the rights we've achieved as inspiration for our ambitious visitors, and offered them connections to validate their ideas. We will be resources for these "new friends" as they move forward in their own aspirations and goals.

Emily White  
LWVNCC President



(Continued from page 1, **Hot Topic**)

**Buffet lunch is \$15.00 paid at time of the luncheon. Please pay in cash if at all possible.**

RSVP at [lwwde@comcast.net](mailto:lwwde@comcast.net) or 302-571-8948 by Sunday, August 22, so the restaurant knows how many to expect.

**Please feel free to come even if you did not call in.** If you need a ride, leave a message on the League Office phone or e-mail when you RSVP. **FOR CAR POOLING- CALL 302-571-8948 AND LEAVE A MESSAGE.**

Directions: Michael's is located at 1000 Churchman's Road, Newark. See <http://michaelsde.com/directions/>

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- ✓ **SAVE THIS DATE!!! Public School Redistricting Informational Forum, Monday, November 16, 2015 at 6:30 P.M.** at the Kirkwood Library Community Room, at 6:30 P.M. LWV of New Castle County and AAUW will cosponsor this forum. Mr. Rich Daniel, member of the Wilmington Education Improvement Commission, and not confirmed other participants, will speak.
- ✓ **SAVE THIS DATE!!! Tuesday, April 12, 2016.** On that evening, at Arsht Hall, the LWNCC will hold its **Carrie Chapman Catt award dinner**. We will recognize people who have made significant contributions to our community. Stay tuned for more details!!

**And who was Carrie Chapman Catt?** She was one of the key coordinators of the women's suffrage movement and a skillful political strategist. She reorganized the National American Woman Suffrage Association and played a leading role in its successful campaign to win voting rights for women. Upon ratification of the 19th amendment in 1920 she founded the League of Women Voters saying "Winning the vote is only an opening wedge, but to learn to use it is a bigger task." The vote was, in her words, "a tool to build a better nation...to provide for the common welfare...to help humanity upward." She served the League as honorary president until her death in 1947.

So, following in her footsteps, we use the following **criteria in choosing an honoree:**

- **And honoree will be chosen who has made significant contributions to the community.**
- **Who has an awareness of community issues or problems and ability to respond to them in innovative ways.**
- **Who is open to others.**
- **Who carries on the principles of the League.**

Please let us know of people you feel fit these criteria – name, contact information and why you think they should be honored. Your LWNCC Board will discuss, evaluate and choose one or more people.

Joyce P. Johnson, chair, Carrie Chapman Catt Award Celebration.

#### MEMBERSHIP UPDATE

This is the time when the LWNCC is in full gear asking its current members and members who have lapsed their membership to renew their membership to the LWNCC for FY 2015-16. Renewing at the local level automatically makes you a member of the state and national Leagues. A renewal letter was mailed by bulk mail beginning August. If you have received this letter please don't let it get lost in the stacks of mail and send that check right away. We thank you for your past support and look forward to a rewarding, exciting year. Any questions? Leave a message at the office 302-571-8948 or send an email [lwncc@comcast.net](mailto:lwncc@comcast.net).  
Your Membership Committee

#### WELCOME NEW MEMBERS

**Linda Barnett** - [luvchocdog@hotmail.com](mailto:luvchocdog@hotmail.com)

Welcome back: **Mark Brunswick** [markc-bbrunswick@comcast.com](mailto:markc-bbrunswick@comcast.com)

**The LWV of New Castle County will participate in the LWVUS study about structures of American Democracy.**

**LWV of New Castle County will sponsor a forum:**

**AMENDING THE CONSTITUTION: HOW, WHEN, AND WHY.**

**Speaker: Dean Rod Smolla**

**Monday evening, September 28, 2015 at 6:30 P.M.**

**at Widener University Delaware Law School**

**PLACE: The Main Law Building, in the Ruby R. Vale Moote Lecture Hall Court Room, 4601 Concord Pike, Wilmington, DE 19803 Details will follow.**

### **WHY IS THE LEAGUE STUDYING THE STRUCTURES OF AMERICAN DEMOCRACY?**

At the 2014 National Convention delegates voted to adopt a comprehensive three-part program combining study and review of key, specific structures of American democracy, consisting of:

- 1.) A study of the of amending the U.S. Constitution, including Constitutional Conventions.
- 2.) A review and update of the League position on campaign finance in light of forty years of change since the Watergate reforms, in order to enhance member understanding of the new schemes and structures used to influence elections and erode protections against corruption in our political process, and to review possible responses to counter them in the current environment of rapid change; and
- 3.) A review of the redistricting process for the U.S. Congress, through the existing redistricting task force, for the purpose of developing action steps.

**Our Hot Topic Lunch on Monday, August 24 will address The case for passage of Senate Concurrent Resolution 6, also referred to as the “Free and Fair Elections” resolution. Speaker: Dr. Judith Childs Butler.**

We are planning a September forum that will address the consensus questions on amending the Constitution that are posted at the end of this newsletter.

Why did the delegates vote to do a study?

- There is public pressure to amend the Constitution Examples: Balanced budget and Overturn Citizens United.

**The scope of study includes:**

**Consensus questions in three parts**

**Criteria for evaluating a proposed amendment**

**US Article V Constitutional Convention**

**Balance between League position and either an amendment or a Convention**

Part 1: Criteria for supporting or opposing a particular Constitutional Amendment

- We have no member understanding and agreement on how to evaluate amendment proposals

Part 2: Constitutional Convention Article V provides that a Constitutional Convention shall be called by Congress if requested by 2/3 of the states.

(Continued on page 5 *Structures of American Democracy*)



(Continued from page 4 *Structures of American Democracy*)

- We have no member understanding or agreement on whether we would support the concept of an Article V Constitutional Convention or the way such a convention would be conducted.

Part 3: Balance between League position and a Constitutional Amendment or an Article V Constitutional Convention

Part 3 depends on the answers to parts 1 & 2 so should be considered after completing the first two parts of the study.  
Format for Study Materials

**Consensus questions include a short “pro” and “con” statement and are listed on pages 8-11.  
Study Guide contains background on each question and a “points of view” section.**

**Keep tuned for date, location for consensus meetings in October.**

## GREAT DECISIONS DISCUSSION GROUPS

### GREAT DECISIONS NORTH 2ND THURSDAY

**When:** Thursday, September 10, 10 AM

**Where:** Immanuel Episcopal Church parlor, 17<sup>th</sup> and Riverview, Wilmington

**What:** Read Topic 5: The U.S. and Africa: *The rise and fall of Obamamania* by Adekeye Adebajo

Call Joyce 302-655-3411 or Jackie 302-239-2564 Lunch will follow for those interested - Visitors always welcome!

### GREAT DECISIONS 3RD MONDAY

**What:** Great Decisions: *Syria's Refugee Crisis*

**When:** 3rd Monday, Sept. 21, 1:30 - 3:30 pm

**Where:** Newark Free Library

**Who:** Arlette Rasmussen will lead the discussion

**What else:** Lunch before talk, for those who wish it

**When:** Noon to 1:15 pm

**Where:** Bamboo House

**How:** Contact Vicky Kleinman, 731-4950, to assure space

## LAND USE TRANSPORTATION/LAND USE COMMITTEE

This committee will meet Tuesday, September 8th, 1:30-3:30, home of Peggy Schultz. The committee currently is studying the Coastal Zone Act, with a focus in the fall on port proposals for the Coastal Zone, at or near the present port. Call ahead if you need directions to the meeting place or would like to Skype.

Committee members met recently with the County Executive on the port issue. Notes from that interview will be published in the LWVDE Voter. The Committee also recently commented on two Coastal Zone permit applications, one involving manufacture of plastic pellets and the other to manufacture/process nitrogen and food grade carbon dioxide on site. DNREC fails to include carbon dioxide as a pollutant and has not implemented its own Goals and Indicators, upon which the League continues to comment negatively. However, DNREC has said they are willing to explore a statewide system of Goals and Indicators, a plan which the Committee heartily endorses.

If you are interested join us, We're always looking for new members, so let us know if these topics interest you. This Committee usually meets the 2nd Tuesday of the month.

Peggy Schultz, Co-Chair with Jane Dilley

## IN MEMORIAM



Samuel Kenneth Anderson AGE: 86 • Wilmington, DE Mr. Anderson departed this life Tues., June 09, 2015. He joined the League two years ago and was involved in the book discussion group studying Michele Alexander's *The New Jim Crow*. Samuel was a musician and active in politics throughout his life.

## VOTER SERVICE HIGHLIGHTS - COMMUNITY OUTREACH - sign up!

Patti Christopher, our Voter Registration Coordinator, has had no rest this Summer. League members have been setting up tables at venues around Wilmington and New Castle County. Thanks go to Patti and all those who helped and are signed up for the registration activities listed below .

**June 27th** from 3 :00 -5:30PM East Side Charter School sports

"Cease Violence Wilmington had two events in Wilmington Basketball tournament at Salesianum High School on **Saturday June 27th** from 10:00 am ending at 6:00 pm. and **Friday July 10th** at Brown Burton and Winchester Park on 26 Locust from 4:00 pm - 8:00 pm

**Wednesday August 5th** – Wilmington Housing Authority at 2700 N Broom Street in the back 11 a.m. -12 P.M.

**Sunday August 9th** – **Mother Africa Church**, 812 N. Franklin Street. Registration was after the services.

**Saturday August 15th - Tabernacle Gospel Cathedral**, 501 W. Washington Street – this is the Back to School Community Days 10-2 P.M.

**Sunday August 16th** – **Mother Africa Church**. 12-1 P.M. 812 N. Franklin Street. Registration will be after the services.

**Friday, August 28th - Elsmere Garden Society**, 5 - 8 P.M.. Corner of B St. & Linden Avenue, Corner of B St. & Linden Avenue

**August Quarterly**

**Saturday Aug. 29th, Tubman Park/Riverfront** 3:30-5:30 PM

**Sunday, August 30th 29th, Tubman Park/Riverfront** 3:30-5:30 P.M..

**Sunday, September 20, Newark Community Day**  
11 A.M. - 4 P.M. Rain Date: Sunday, September 27, 2015



**Please contact Patti Christopher if you can work part of on September 20 or any of the dates listed above.**  
[wjcr4@verizon.net](mailto:wjcr4@verizon.net)

**HIGHLIGHTS of ANNUAL MEETING \* 95<sup>th</sup> LWV ANNIVERSARY \*  
HONORING 50 YEAR MEMBERS**

The annual meeting was held Monday, June 22, 2015 at the Kirkwood Library Community Room. A delicious spread of finger food and beverages was enjoyed, new and old acquaintances were made.

The following Leaguers who have been members for 50 years or more were honored with a carnation and a thank you for their hard work, support and participation in advocating and educating the public for so many years.

**Honorees:** Harriet Ainbinder; Yetta Chaiken; Betty Devine [founder '53]; Jane Dilley; Jean Colbert; Lorraine Fleming, Joann Hasse; Joyce Johnson; Joy Jones; Kit Kallal; June Kleban; Vicky Kleinman; Dorothy Munroe; Peggy Schultz; Ruth Siegel; Jerry Trabant; Cay Trask; Bettie von Frankenberg; Franne S. Wetmore; Sybil Zeftel.

**The annual meeting business** included the adoption of proposed bylaw changes, budgets, and Program for 2015-17.

Nominees, for 2015 - 2016 board were elected: **Officers:** President: Emily White; 2nd Vice Pres: Moonyeen Klopfenstein; Secretary: Joann Hasse; Treasurer appointed at subsequent board meeting Meta Little. **Directors:** Patti Christopher; Joyce Johnson; Marj Johnson; Beatrice Webb. **Nominating Committee:** Peggy Schultz; Letty Diswood.



Pictures at Left from L-R: Peggy Schultz, and Emily White, President of LWVNCC waiting for the New Castle County Council to begin to accept an Honorary Resolution to Commemorate the LWV 95 Anniversary. The resolution was sponsored by Councilman Robert S. Weiner.

**The following bios were missed in the annual Voter published in June.**

**Patti Christophe** My husband (Bill) and I have been married for 44 years and have 2 children ;( son and daughter) and have 2 grandsons. Recently I retired from a very rewarding nursing career of 38 years from Christiana Care. Currently; I am volunteering with Christiana in the Palliative Care. I continue to teach various classes for Heart Failure patients at Christiana Care.

In addition to the above and the LWVNCC, I am on the Board of “Mom’s House” a daycare in Wilmington. My husband and I assist and have cooked for Sojourner, and Sacred heart Village and House of Joseph. I have been a member of the LWVNCC approximately 15 years. Most of this time I have been involved with Voter Registration Coordinator.

**Meta Little** is a retired nurse educator, birder, reader, gardener and traveler. She holds a BSN degree in nursing from Simmons College, Boston and a MSN from the University of Delaware. She is a past president and council member of the Delmarva Ornithological Society. She served as treasurer of the local and state American Association of University Women (AAUW). She is active in numerous citizen science studies of bird populations throughout Delaware and is a keen observer of the environmental changes occurring throughout the state. She lives in Newark, Delaware near all three of her grown children and their dogs.

(Continued on page 8 *Highlights of Annual Meeting*)

(Continued from page 7 *Highlights of Annual Meeting*)

**Bea Webb** was born in Washington, D.C. and raised in Bethesda, MD. She received her Bachelor's Degree in Music from Greensboro College, NC. She was a Peace Corps Volunteer in Costa Rica where she played violin in the National Symphony and taught students. When she returned to the States, she moved to Delaware where she played violin in the Delaware Symphony for several years. She has spent most of her adult life teaching violin, viola, and cello privately and in the public schools. she also taught Spanish in high schools for two years. She married and raised three children. The two oldest children have become teachers. Presently, she teaches privately and at Music and Arts Center. She plays her violin in Serenata Strings and cello in a cello choir.

## CONSTITUTIONAL AMENDMENT CONSENSUS QUESTIONS

**These questions have been made available to you so that League members can prepare for our forum in September and consensus meetings will take place in October. Resource material for this consensus is found at [lww.org](http://lww.org).**

<http://forum.lww.org/category/member-resources/our-work/constitutional-amendment-study>

This study is in three parts. The questions in Part I are to develop guidelines for evaluating constitutional amendment proposals. Part II asks about aspects of an Article V Constitutional Convention that may be important in conducting such a convention. Part III asks two overall balancing questions between process and positions.

Answer each question, regardless of your answers to other questions.

### **Part I - Considerations for Evaluating Constitutional Amendment Proposals**

#### **1. Which of these should or should not be a consideration in identifying an appropriate and well-crafted amendment?**

a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed.

**PRO:** *Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.*

**CON:** *When public sentiment is overwhelmingly in favor of change, restraint based on veneration of the document is misplaced.*

**Should**       **Should not**       **No consensus**

b) Whether the amendment as written would be effective in achieving its policy objective.

**PRO:** *Amendments that may be unenforceable, miss the objective or have unintended consequences will not work to achieve the policy objective.*

**CON:** *It's all right to deliberately put something in the Constitution that will need to be interpreted by courts and legislatures over time.*

(Continued on page 9 *Consensus Questions*)



(Continued from page 8 **Consensus Questions**)

**Should**       **Should not**       **No consensus**

c) Whether the amendment would either make our political system more democratic or protect individual rights.

**PRO:** *Most amendments have sought to make our system more democratic by extending voting rights, for example, or to protect the rights of minorities from powerful interests.*

**CON:** *What has been typical in the past is not a good measure of what's appropriate or necessary today or in the future, especially since there have been relatively few amendments.*

**Should**       **Should not**       **No consensus**

(d) Whether the policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment.

**PRO:** *Due to the difficulty of amending the Constitution, it is important to consider whether legislation or political action is more likely to succeed than an amendment, in order to achieve the objective and to expend resources wisely.*

**CON:** *Important policy objectives should sometimes be pursued through a constitutional amendment even though it may be difficult for it to be enacted and even when other options are available.*

**Should**       **Should not**       **No consensus**

e) Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach.

**PRO:** *It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.*

**CON:** *Getting action on an issue is more important than how a policy objective can best be achieved.*

**Should**       **Should not**       **No consensus**

## **Part II - Aspects of an Article V Constitutional Convention**

### **2. What conditions should or should not be in place for an Article V Constitutional Convention initiated by the states?**

a) The Convention must be transparent and not conducted in secret.

**PRO:** *The public has a right to know what is being debated and voted on.*

**CON:** *The lack of public scrutiny and the ability to negotiate in private may enable delegates to more easily reach agreement.*

**Agree**    **Disagree**       **No consensus**

b) Representation at the Convention must be based on population rather than one state, one vote.

**PRO:** *The delegates represent citizens and should be distributed by U.S. population.*

**CON:** *The U.S. is really a federation of states that must agree by state to any change in the Constitution.*

(Continued on page 10 **Consensus Questions**)

(Continued from page 9 **Consensus Questions**)

Agree  Disagree  No consensus

c) State delegates must be elected rather than appointed.

**PRO:** *Delegates represent citizens and therefore need to be elected by them.*

**CON:** *Appointment allows for experts who wouldn't run in an election.*

Agree  Disagree  No consensus

d) Voting at the Convention must be by delegate, not by state.

**PRO:** *As at the Articles of Confederation Convention, delegates from one state can have varying views and should be able to express them by individual votes.*

**CON:** *Because any amendment proposal will go to the states for ratification, voting by state blocs—however the delegates are originally chosen—reflects the probability of eventual ratification.*

Agree  Disagree  No consensus

e) The Convention must be limited to a specific topic.

**PRO:** *It is important to guard against a “runaway convention”.*

**CON:** *The convention alternative was provided for a time when Congress was not listening, so the delegates should not be constrained.*

Agree  Disagree  No consensus

f) Only state resolutions on a single topic count when determining if a Convention must be called.

**PRO:** *Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a convention, and enhances citizen interest and participation in the process.*

**CON:** *There is no requirement for Congress to count state requests by topic and when enough states are unhappy enough to ask for a convention, it should happen.*

Agree  Disagree  No consensus

g) The validity of state “calls” for an Article V Constitutional Convention must be determined by the most recent action of the state. If a state has enacted a rescission of its call, that rescission should be respected by Congress.

**PRO:** *A state legislature should be free to determine its position in regard to an Article V Constitutional Convention. A rescission should be equally acceptable to Congress as a state's call for a convention.*

**CON:** *A state legislature's call for a Convention cannot be overturned because the process may never end.*

Agree  Disagree  No consensus

**3.** Should the League oppose an Article V Constitutional Convention to propose amendments to the U.S. Constitution because of unresolved questions about the powers and processes of such a convention?

**PRO:** *The Constitution is too important to trust an unknown or uncontrollable process. It is unclear whether conditions or safeguards regarding powers and processes for a convention can be successfully put in place.*

**CON:** *A convention is intended to be an unrestrained process to propose amendments to the Constitution.*

(Continued on page 11 **Consensus Questions**)

(Continued from page 10 *Consensus Questions*)

**Should**    **Should not**    **No consensus**

### Part III – Balancing Questions

#### 4. Should the League consider supporting a Constitutional amendment that will advance a League position even if:

a) There are significant problems with the actual amendment as proposed?

**PRO:** *Our positions have been studied and agreed to. If other organizations are supporting an amendment in a policy area we also support, we might participate even though it is inconsistent with the evaluation guidelines we support under Part I.*

**CON:** *If the League has a consensus on the evaluation guidelines outlined in Part I, then the League should not campaign on an amendment when it is inconsistent with those standards, even though the League supports the policy outcome.*

**Should consider**    **Should not consider**    **No consensus**

b. It is being put forward by a procedural process the League would otherwise oppose?

**PRO:** *Our positions have been studied and agreed to. If other organizations are supporting an amendment in a policy area we also support, we might participate even though it is inconsistent with the process criteria we support under Part II.*

**CON:** *If the League has a consensus on the process criteria outlined in Part II, then the League should not campaign for an amendment when the process being proposed is inconsistent with those standards, even though the League supports the policy outcome.*

**Should consider**    **Should not consider**    **No consensus**   \*Comment Section (max. 500 words)

### 50 Years After the Voting Rights Act Became Law, It Needs to be Restored

By: Elisabeth MacNamara 08/06/2015

Fifty years ago today, President Lyndon B. Johnson signed the Voting Rights Act (VRA) into law, calling the day "a triumph for freedom." The VRA was an historic achievement that changed America. But two years ago, the U.S. Supreme Court overturned a key part of the law, leading to a full frontal attack on the voting rights of American citizens.

For 95 years, the League of Women Voters has been fighting to keep the power of our democracy in the hands of the people, and we will not remain silent as the voting rights of Americans remain at risk. **[Join us as we tell Congress to restore the Voting Rights Act.](#)**

Congress currently has before it various proposals to restore the Voting Rights Act, but has taken no action in spite of mounting evidence of voter discrimination. Every day that Congress fails to act Americans are at risk of finding new barriers at the polls. In fact, we are dangerously close to holding our first presidential election in 50 years without the critical protections once embodied in the VRA.

**Voter discrimination cannot be tolerated. [Tell your members of Congress to mark the 50th anniversary of this influential law by restoring its key protections!](#)**

Our nation has taken great strides in advancing equality since 1965, but voter discrimination still exists today, and minority voices are still being silenced. The civil rights activists who helped pass the Voting Rights Act 50 years ago left our country with a legacy of strength and bravery in the fight for equal rights for all. Now is the time to build on that legacy.

The League of Women Voters has been fighting to protect the right to vote since 1920, and restoring the VRA is an important step to keep our elections fair, free and accessible. **[Join us and tell your members of Congress that the right to vote is one of the most basic rights in our country and it must be protected.](#)**

## CALENDAR

Thursday, August 20, at 1 pm	Peniel Methodist Church, New Port	<b>Justice Committee meeting</b> at 1 p. Details call Fay Whittle 731-1884, prisonministriesde@verizon.net
Monday, August 24, 2015, 11:30 am + 1:00 pm	Michael's Restaurant <a href="#">1000 Churchman's Rd Newark, DE 19713</a> (302) 368-4230 <a href="http://michaelsde.com/directions/">http://michaelsde.com/directions/</a>	<b>LWVNCC Hot Topic Lunch August 2015.</b> Discussion about passing a constitutional amendment or convening a constitutional convention to address the issue of money in politics. Guest speaker Judy Butler, state coordinator for Wolfpack, will bring her perspective to this discussion. RSVP at <a href="mailto:lwwde@comcast.net">lwwde@comcast.net</a> or 302-571-8948 by Saturday, August 23,. Please feel free to come even if you did not call in.
Tuesday, September 8th, 1:30-3:30 pm	Home of Peggy Schultz. Call ahead if you need directions to the meeting place or would like to Skype.	<b>Land Use/Transportation Committee</b> are studying the Coastal Zone Act, with fall focus on port proposals for the Coastal Zone. 302-598-9427 schultz_peggy@yahoo.com
Wednesday, September 9, 2015, 9:30 am-12:00 pm	Legislative Hall, 411 Legislative Ave, Dover DE 19901	<b>LWVDE Advocacy Corps meeting.</b> The AC meets on the second Wednesday of each month except December. Call Sandy Spence for details at 302-841-2882.
Thursday, September 10, 10 am	Immanuel Church Highlands, parlor, 17 <sup>th</sup> Str. Wilmington	<b>Great Decisions Discussion Group</b> Read Topic 5: The U.S. and Africa: <i>The rise and fall of Obamamania</i> by Adekeye Adebajo
Monday, September 14, 2015, 6:30 pm-8:30 pm	LWVNCC Office , 2400 West 17th Street, Wilmington DE 19806	<b>LWV of NCC Board Meeting.</b> Monthly meeting of the NCC board of directors.
Thursday, September 17, 2015, 6:00 pm-8:30pm	Roma Restaurant, 3 President Drive, Dover DE 19901	<b>State Board Meeting.</b> Monthly meeting of the state board of directors
Monday, September 28, 2015 in the evening	Widener University Delaware Law School. PLACE: The Main Law Building, in the Ruby R. Vale Moote Lecture Hall Court Room, 4601 Concord Pike, Wilmington, DE	<b>AMENDING THE CONSTITUTION: HOW, WHEN AND WHY. Speaker Dean Rod Smolla</b>
Sunday, October 11, 2015, 3:00 pm	Milton Theatre, <a href="#">110 Union St Milton, DE 19968</a>	<b>LWVDE Fundraiser.</b> It's a showing of the film "1776" at the newly renovated Milton Theatre. Proceeds will go toward funding our proposed Civics Education Program for Adults.
Wednesday, March 23, 2016	Location to be determined	<b>League Day in Dover 2016:</b> Annual Legislative Day

**League of Women Voters of New Castle County**  
**2400 W 17th Street**  
**Clash Wing, Room 1, Lower Level**  
**Wilmington, DE 19806**





# VOTER

The League of Women Voters of New Castle County, Delaware

September 2015

www.lwvdelaware-newcastlecounty.org

Vol. 22, No.2

The Mission of the League of Women Voters is to empower citizens to shape better communities.

## AMENDING THE CONSTITUTION: HOW, WHEN, AND WHY.

**Speaker: Dean Rod Smolla**

**Monday, September 28, 2015**

**Refreshments: 6:00–6:30 P.M.**

**Program: 6:30 – 8 P.M.**

**Widener University Delaware Law School**

**PLACE: Ruby R. Vale Moot Courtroom, Main Law Building**

**4601 Concord Pike, Wilmington, DE 19803**

**Sponsors: The League of Women Voters of New Castle County and cosponsors, Americans for Democratic Action (Delaware Chapter), Delaware Coalition for Open Government, and Common Cause of Delaware**

**The forum is free and open to the public.**

**This forum will provide an understanding of the issues being addressed in a study about structures of American Democracy that the LWV of the United States is engaged in nationwide.**

**Why did the delegates vote to do a study? There is public pressure to amend the Constitution in the wake of things like balanced budget issues and the *Citizens United v. FEC* decision..**

**The study includes consensus questions in three parts : Criteria for evaluating a proposed amendment; a U.S. Article V Constitutional Convention; and Balancing a League position between an amendment or a Convention.**



### **Our speaker, Dean Rod Smolla, is an expert on the Constitution.**

Rod Smolla is Dean and Professor of Law at Widener University Delaware Law School. After graduating from Yale and Duke Law School, first in his class, he returned home to Chicago where he began private practice, then moved into academic life, beginning his career as a law professor. He has had a multi-faceted career, serving as president of Furman University; dean of two law schools: at Washington and Lee University and at the University of Richmond, before starting at Delaware Law this summer. He has served on the law faculties of several universities and as a visiting professor at many others..

Smolla is an accomplished teacher and author. He has won numerous teaching awards, including the Virginia State Council of Higher Education Distinguished Faculty Award.

*(Continued on page 2 Constitution Forum)*

(Continued from page 1 *Constitution Forum*)

He has published law review articles and essays; has written legal treatises, university press books, trade books for general audiences, articles and fiction, including short stories and plays. His latest book, *The Constitution Goes to College*, deals with constitutional principles and ideas that have shaped higher education.

Throughout his career, Smolla has been active in litigation matters involving constitutional law, civil rights, mass media, advertising, defamation and privacy law. He has participated as counsel or co-counsel in state and federal courts, and is a frequent advocate, having presented many oral arguments, including some before the U.S. Supreme Court. He has been an advocate for greater bipartisan cooperation in addressing major issues of public policy, and for greater civility in public discourse.

No RSVP is required, but for planning purposes email: [lwncc@comcast.net](mailto:lwncc@comcast.net) or leave message at 301-571-8948.

Thank you to Dr. Judith Childs Butler who presented an inspiring discussion at the August 24th Hot Topic Lunch "The case for passage of Senate Concurrent Resolution 6, also referred to as the "Free and Fair Elections" resolution". It was a perfect introduction to our next Hot Topic evening program listed above. "AMENDING THE CONSTITUTION: HOW, WHEN, AND WHY" with a dynamic speaker, Dean Rod Smolla.

The next Hot Topic Lunch at Michael's Restaurant will be one of the locations we are taking consensus on the Constitution study. See the Summer voter for a listing of the consensus questions and also see study guide with background of questions at this link: <http://forum.lwv.org/category/member-resources/our-work/constitutional-amendment-study>

### VOTER SERVICE HIGHLIGHTS - COMMUNITY OUTREACH - sign up!

Summer has been very busy with requests. Some we have been able to fulfill and others we had to turn down. We have a very small volunteer pool and these people have been amazing this summer jumping in, whenever they could. I suspect we will be getting busier due to elections. Again, if you receive a request – please don't just send me a name connected with an organization. When this happens; the time spent tracking down the proper contact can be a delay of significant time. Sending a request, should have the contact, the organization and a phone and email.

Below are the requests that we have presently for September; if anyone can help, please let me know.

#### **Thursday, September 17, Constitution Day, Delaware Community Colleges**

Stanton Campus 11 am - 1 pm Wilmington Campus 11 am - 1 pm

#### **Sunday, September 20, Newark Community Day**

11 am - 4 pm volunteers needed to cover table and also to register voters  
Letty Diswood & Bill and Carole Walsh set up and take down.

#### **Tuesday, September 22, National Registration Day**

Details are still pending as to where and when



Above pictured are enthusiastic attendees of Saturday, August 15th - Tabernacle Gospel Cathedral, 501 W. Washington Street – Back to School Community Day. League members Marj, Emily and Letty provided voter registration and civic information at table right outside the church.

**Other venues in August were: Sunday August 9th – Mother Africa Church, 812 N. Franklin Street.** Registration was after the services. **Sunday August 16th – Mother Africa Church.** 12-1 P.M. 812 N. Franklin Street. Registration will be after the services. **Friday, August 28th - Elsmere Garden Society, 5 - 8 P.M..** Corner of B St. & Linden Avenue, Corner of B St. & Linden Avenue. **August Quarterly Saturday Aug. 29th, Tubman Park/Riverfront 3:30-5:30 PM** **Sunday, August 30th 29th, Tubman Park/Riverfront 3:30-5:30 P.M.** and VA Women's Equality Day program.

**Please contact Patti Christopher if you can work part of on September 20 or any of the dates listed above.**  
[wjcr4@verizon.net](mailto:wjcr4@verizon.net)

- ✓ **SAVE THIS DATE!!! Public School Redistricting Informational Forum, Monday, November 16, 2015 at 6:30 P.M.** at the Kirkwood Library Community Room, at 6:30 P.M. LWV of New Castle County and AAUW will cosponsor this forum. Mr. Rich Daniel, member of the Wilmington Education Improvement Commission, and not confirmed other participants, will speak.
- ✓ **SAVE THIS DATE!!! Tuesday, April 12, 2016.** On that evening, at Arsht Hall, the LWNCC will hold its **Carrie Chapman Catt award dinner.** We will recognize people who have made significant contributions to our community. Stay tuned for more details!!  
 Criteria in choosing an honoree:
  - An honoree will be chosen who has made significant contributions to the community
  - Who has an awareness of community issues or problems and ability to respond to them in innovative ways
  - Who is open to diverse cultures
  - Who carries on the principles of the League

Please let us know of people you feel fit these criteria – name, contact information and why you think they should be honored. Your LWNCC Board will discuss, evaluate and choose one or more people.

Joyce P. Johnson, chair, Carrie Chapman Catt Award Celebration.

- ✓ **SAVE THIS DATE!!! League Day in Dover: Annual Legislative Day. Wednesday, March 23, 2016**

## MEMBERSHIP UPDATE

Thank you to all our members who have renewed their membership to the LWVNCC for FY 2015-16. Renewing at the local level automatically makes you a member of the state and national Leagues. A renewal letter was mailed by bulk mail beginning August. If you have received this letter please don't let it get lost in the stacks of mail and send that check right away. We thank you for your past support and look forward to a rewarding, exciting year. Any questions? Leave a message at the office 302-571-8948 or send an email [lwnvnc@comcast.net](mailto:lwnvnc@comcast.net).

Your Membership Committee

## WELCOME NEW MEMBERS

**Carol Holt:** [cholt823@alo.com](mailto:cholt823@alo.com)

**Melissa Hopkins** (rejoined): [mthopkins126@gmail.com](mailto:mthopkins126@gmail.com)

**Delia L. Kirwan:** [dede@udel.edu](mailto:dede@udel.edu)

**Susan Radecki** (rejoined): [sjr3601@verizon.net](mailto:sjr3601@verizon.net)

## THANK YOU TO OUR CONTRIBUTORS

A HUGE thank you to our contributors who have made a contribution the LWV of New Castle County and to the LWV Education Fund (NCC account). We are grateful and appreciate your generosity.

Harriet Ainbinder  
Susan Brynteson  
Sheila M. Cassels  
Yetta Chaiken  
Mary Ann Champion  
Barbara D. Crowell  
Lorraine M. Fleming  
Dorothy P. Flippen  
Jane Frelick  
Marion Godfrey  
Jacqueline (Jackie)& Jack  
Harris

Joann Hasse  
Joyce P. Johnson  
Marjorie Johnson  
George-Anne Kelly  
June Kleban  
Vicky K. Kleinman  
Janet & Brian Kramer  
Meta C. Little  
Virginia S. Mayforth  
Sheila Mensch  
Sally Milbury-Steen  
Lois Myoda

Lisa Pertzoff  
Ruth Siegel  
Susan & Mike Soltys  
Catherine L. Spence  
Robert Walton  
Frances Sippel Wetmore  
Joan T. White  
Fay G. Whittle  
Catherine W. Wojewodzki

## GREAT DECISIONS DISCUSSION GROUPS

### GREAT DECISIONS NORTH 2ND THURSDAY

**When:** Thursday, September 10, 10 AM

**Where:** Immanuel Episcopal Church parlor, 17<sup>th</sup> and Riverview, Wilmington

**What:** Read Topic 5: The U.S. and Africa: *The rise and fall of Obamamania* by Adekeye Adebajo

Call Joyce 302-655-3411 or Jackie 302-239-2564 Lunch will follow for those interested - Visitors always welcome!

### GREAT DECISIONS 3RD MONDAY

**When:** 3rd Monday, Sept. 21, 1:30 - 3:30 pm

**Where:** Newark Free Library

**What:** Read Topic: *Syria's Refugee Crisis*

**What else:** Lunch before talk, for those who wish it

**Where:** Bamboo House

**Who:** Arlette Rasmussen will lead the discussion

**When:** Noon to 1:15 pm

**How:** Contact Vicky Kleinman, 731-4950, to assure space



## LAND USE / TRANSPORTATION COMMITTEE

This committee will meet Tuesday, September 8th, 1:30-3:30, home of Peggy Schultz. The committee currently is studying the Coastal Zone Act, with a focus in the fall on port proposals for the Coastal Zone, at or near the present port. Call ahead if you need directions to the meeting place or would like to Skype.

If you are interested join us, We're always looking for new members, so let us know if these topics interest you. This Committee usually meets the 2nd Tuesday of the month.

Peggy Schultz, Co-Chair with Jane Dille

## JUSTICE COMMITTEE

A meeting of the Social Justice Committee on August 20 was attended by 5 people. Our consensus was not to abandon the New Jim Crow efforts, but to determine at the next meeting what aspect of the New Jim Crow some members could focus on and what aspect of human trafficking others could focus on.

Abigail Layton, Deputy General from the Child Predator Task Force, was a guest at the meeting. She provided a wealth of information about human trafficking and what is happening in Delaware. The Delaware Legislature passed SB 197, a first in the country to pass this type of legislation.

### **The bill's synopsis follows:**

"Under the first prong, the act seeks to prevent and to penalize the criminal conduct—trafficking, forced labor, and sexual servitude—at the core of human trafficking. The act recognizes the forms of coercion that human traffickers use, including threats, force, debt bondage, abuse of the legal process, and use of a victim's disability/mental impairment. The bill also offers a comprehensive definition tied to the act's provisions on forced labor and sexual servitude. Sexual servitude gives rise to an enhanced penalty when a minor is made available or maintained for the purposes of commercial sexual activity. Also included is the requirement for persons convicted to pay restitution to the victim, while the Court shall order forfeiture of real or personal property used in or derived from human trafficking activities.

Under its second prong, the act provides essential protections for human trafficking victims. Consistent with Delaware's rape shield law, the act prohibits evidence of the alleged victim's past sexual behavior. The bill also outlines special provisions for minors, including a diversion alternative for minors who are human trafficking victims and commit prostitution or nonviolent offenses directly resulting from being a victim, and classifies such minors as neglected or abused children under the Delaware Code. Further, all victims may seek applications for pardon and may move to vacate a conviction of and expunge charges for prostitution or other non-violent offenses that directly resulted from being a human-trafficking victim. Victims are also allowed to bring civil action against their traffickers under this bill.

Under its third prong, the act promotes partnerships in the fight against human trafficking, elevates public awareness, and fosters development of coordinated victim services. A permanent human-trafficking council is created to develop a systematic plan to assist victims, collect human trafficking data, and promote awareness. Public awareness signs and the national human trafficking hotline number are to be posted in locations where victims of human-trafficking are often found. The act ensures that human-trafficking victims have access to benefits and services. The act states that law enforcement officers shall provide visa information to persons reasonably believed to be human-trafficking victims. Finally, the act amends other related statutes as necessary to accomplish the purposes of the act."

Ms. Layton noted that there is a Trafficking Hotline. Law enforcement people are not trained to deal with these situations at the present time. And the question to address is "What do we do with those who want to get out of trafficking? The Taskforce is forming sub-committees at the state level and these meetings are open to the public.

The Justice Committee meeting for September 1, had to be cancelled. Fay Whittle will be meeting with the warden of the Baylor Women's Correctional Institution on September 7 and will notify committee members of a new meeting date after that meeting.

Fay Whittle, Justice Committee Chair

## CONSTITUTIONAL AMENDMENT CONSENSUS QUESTIONS

These questions have been made available to you so that League members can prepare for our forum in September and consensus meetings will take place in October. Resource material for this consensus is found at [lwv.org](http://forum.lwv.org).

<http://forum.lwv.org/category/member-resources/our-work/constitutional-amendment-study>



The Movement for a Culture of Peace has announced a second annual march for peace and nonviolence in Wilmington. The Sept. 20 march will begin at 3:30 pm in Cool Spring Park and follow a route through West Center City, where many of the city's recent shootings have taken place.

The Delaware Coalition Against Gun Violence is a principal organizer of the Movement for a Culture of Peace, which grew out of the original march in September 2014. For more information on this year's event, go to the

[Movement's website.](#)



Please join the Delaware Center for Justice and our guest speakers, including Mark Mauer and Alec Karakatsanis, for a one-day conference that will take each of us outside of our comfort zones in order to address what changes really need to occur in order to reduce mass incarceration in our state and in our country.

Breakfast and lunch will be included in the \$10 registration fee.

**DDCJ hopes to see you on October 23rd at this event that is sure to be one to remember.**

**When:** Friday October 23, 2015 from 8:30 AM to 3:00 PM EDT

**Where:** The Hilton - Wilmington/Christiana, 100 Continental Drive, Newark, DE 19713

8:30am-9am: **Registration & Breakfast** 9am--3pm

Delaware Center for Justice, 302-658-7174 ext. 10

**Registration and questions:** [center@dcjustice.org](mailto:center@dcjustice.org)

*An invitation to Kent and New Castle County Leagues and the public*

*The League of Women Voters of  
Sussex County*

**Land Use Committee Forum**

**The 1972 Clean Water Act:**

*A Federal Perspective on  
Challenging Issues*

**Wednesday, September 16, 2015 7:30 to 9:00 PM  
in County Council Chambers, 2 The Circle, Georgetown**

**Program**

**Welcome: Jane Lord, LWVSC President    Moderator: Carol Jones**

**Overview and Introduction: Sue Claire Harper, Land Use Committee Chair**

**Speaker: Leon G. Billings**

*As staff director of the Senate Subcommittee on Environmental Pollution from 1966 to 1978, Mr Billings was the principal majority author of the CWA. He also served as chief of staff to Senator and Secretary of State Edmund S. Muskie. Having presented a course on the CWA at Columbia University, Mr. Billings currently teaches at Yale University and the University of Maine School of Law.*

**This forum is co-sponsored by the LWVSC Water/Sea Level Rise Committee**

**Question and Answer Period to Follow**

**Part of a 2015-16 Series of Land Use Forums to be held in County Council Chambers,  
2 The Circle, Georgetown, in preparation for developing the 2018 Comprehensive Plan.**

**Find updates on our website: [www.sussexlww.org](http://www.sussexlww.org)**

From January through May of 2011, the League of Women Voters of Sussex County held five county-wide Land Use Forums designed to educate the public, and solicit their concerns and vision for the future development of Sussex County. A key focus of these forums has been to impress upon the public the major role they can play in land use decisions. As the County prepares to draft the 2018 Comprehensive Plan, local officials are keenly aware that public input is a pivotal aspect of this process. By informing elected council members of their land use concerns, Sussex residents can help the county fulfill this mandate

On September 16th, environmental consultant Leon G. Billings will speak on the 1972 Clean Water Act, offering a federal perspective on one of Sussex's most challenging issues.

Information about the LWVSC upcoming programs can be found on our website: [www.sussexlww.org](http://www.sussexlww.org)

## CALENDAR

Tuesday, September 8th, 1:30-3:30 pm	Home of Peggy Schultz. Call ahead if you need directions to the meeting place or would like to Skype.	<b>Land Use/Transportation Committee</b> are studying the Coastal Zone Act, with fall focus on port proposals for the Coastal Zone. 302-598-9427 schultz_peggy@yahoo.com
Wednesday, September 9, 2015, 9:30 am-12:00 pm	Legislative Hall, 411 Legislative Ave, Dover DE 19901	<b>LWVDE Advocacy Corps meeting.</b> The AC meets on the second Wednesday of each month except December. Call Sandy Spence for details at 302-841-2882.
Thursday, September 10, 10 am	Immanuel Church Highlands, parlor, 17 <sup>th</sup> Str. Wilmington	<b>Great Decisions Discussion Group</b> Read Topic 5: The U.S. and Africa: <i>The rise and fall of Obamamania</i> by Adekeye Adebajo
Monday, September 14, 2015, 6:30 pm-8:30 pm	LWVNCC Office , 2400 West 17th Street, Wilmington DE 19806	<b>LWV of NCC Board Meeting.</b> Monthly meeting of the NCC board of directors.
Thursday, September 17, 2015, 6:00 pm-8:30pm	Roma Restaurant, 3 President Drive, Dover DE 19901	<b>State Board Meeting.</b> Monthly meeting of the state board of directors
Monday, May 21, 1:30-3:30 pm	Newark Free Library <a href="#">750 Library Ave</a> <a href="#">Newark, DE 19711</a>	<b>Monday Great Decisions Group.</b> Discussion of " <i>Syria's Refugee Crisis</i> " at the Newark Free Library from 1:30 to 3:30. As usual, many of us will meet for lunch at noon at the Bamboo House beforehand. Please contact Vicky Kleinman for more details.
<b>Monday, September 28, 2015 in the evening</b>	Widener University Delaware Law School. PLACE: The Main Law Building, in the Ruby R. Vale Moote Court Room, 4601 Concord Pike, Wilmington, DE	<b>AMENDING THE CONSTITUTION: HOW, WHEN AND WHY. Speaker Dean Rod Smolla</b> <b>Sponsors: LWV of New Castle County, ADA, DelCOG, CC of Delaware</b>
Sunday, October 11, 2015, 3:00 pm	Milton Theatre, <a href="#">110 Union St Milton, DE 19968</a>	<b>LWVDE Fundraiser.</b> It's a showing of the film "1776" at the newly renovated Milton Theatre. Proceeds will go toward funding our proposed Civics Education Program for Adults.
Monday, October 26, 2015 11:30 - 1 pm	Michael's Restaurant <a href="#">1000 Churchman's Rd Newark, DE 19713</a> (302) 368-4230 <a href="http://michaelsde.com/directions/">http://michaelsde.com/directions/</a>	<b>LWVNCC Hot Topic Lunch - Discussion and taking consensus on Constitution study.</b>
Wednesday, March 23, 2016	Location to be determined	<b>League Day in Dover 2016: Annual Legislative Day</b>

**League of Women Voters of New Castle County**  
**2400 W 17th Street**  
**Clash Wing, Room 1, Lower Level**  
**Wilmington, DE 19806**

**lwvncc@comcast.net**  
**www.lwvdelaware-newcastlecounty.org**





# VOTER

The League of Women Voters of New Castle County, Delaware

October 2015

[www.lwvdelaware-newcastlecounty.org](http://www.lwvdelaware-newcastlecounty.org)

Vol. 22, No.3

The Mission of the League of Women Voters is to empower citizens to shape better communities.

**We invite you to come to one of the following locations to take part in consensus meetings on the process of AMENDING THE CONSTITUTION AND CONSTITUTIONAL CONVENTION.**

**Friday, October 16, 11 A.M. - 1 pm at Emily White's Home**, 283 Dallam Rd. Oaklands, Newark  
302-264-0768 cell [mcculloughem5@aol.com](mailto:mcculloughem5@aol.com)

**Tuesday, October 20, 1 -3 P.M. at Joyce Johnson's Home**, 1005 S. Hilton Rd. Oak Lane Manor  
302-655-3411, [drjohntc@verizon.net](mailto:drjohntc@verizon.net)

**Monday, October 26, 11:30 A.M.- 1:30 P.M. Hot Topic Lunch**

**Michael's Restaurant**, 1000 Churchman's Rd, Newark, DE 19713  
**Buffet lunch is \$15.00 paid at time of the luncheon. Please pay in cash if at all possible.**

RSVP at [lwvde@comcast.net](mailto:lwvde@comcast.net) or 302-571-8948 by Sunday, October 25, so the restaurant knows how many to expect.

Please feel free to come even if you did not call in. If you need a ride, leave a message on the League Office phone or e-mail when you RSVP. **FOR CAR POOLING- CALL 302-571-8948 AND LEAVE A MESSAGE.**

Directions: Michael's is located at 1000 Churchman's Road, Newark. See <http://michaelsde.com/directions/>

**The consensus questions are at the end of this newsletter. You should have received the consensus STUDY GUIDE by email week of September 21. It lists the pro and con of each question and addresses issues to be discussed at the consensus meetings.**

To view the study guide with background of questions at this link:

<http://forum.lwv.org/category/member-resources/our-work/constitutional-amendment-study>

NOTE!! We have a video of the program AMENDING THE CONSTITUTION: HOW, WHEN, AND WHY  
Speaker: Dean Rod Smolla held at Widener Delaware Law School on September 28<sup>th</sup> on our webpage. Check it out at [www.lwvdelaware-newcastlecounty.org](http://www.lwvdelaware-newcastlecounty.org) or on YouTube <https://youtu.be/Ff79Q4wOB1w>.

If you are unable to attend please print and fill out the consensus questions on pages 7-9 and mail to LWNCC 2400 W 17TH Street, Clash Wing, Room 1, Lower Level, Wilmington, DE 19806 or fax to 302-571-8948 or email to [lwvncc@comcast.net](mailto:lwvncc@comcast.net).

Deadline: Monday, November 3, 2015

You are invited to learn about the proposed redistricting plan in New Castle County, that would include the Christina and Colonial School Districts and the Red Clay District.

## **THE SCHOOL REDISTRICTING PLAN**

**Speaker: Dan Rich, Policy Director, Wilmington Education Improvement Commission, and Professor of Public Policy, University of Delaware**

**MONDAY, NOVEMBER 16, 2015, 6:30 P.M**

**TALK FOLLOWED BY QUESTIONS AND ANSWERS**

Kirkwood Library, 6000 Kirkwood Highway, Wilmington, DE 19808

**SPONSORS: American Association of University Women, Newark and League of Women Voters of New Castle County**

**THIS FORUM IS FREE AND OPEN TO THE PUBLIC.**

The Wilmington Education Improvement Commission is responsible for implementing recommendations to strengthen Wilmington public education and to provide greater support for all Delaware schools with high concentrations of low-income students and English language learners.

The work of the Commission includes the development of a plan for redistricting in New Castle County, with the Christina and Colonial School Districts no longer serving Wilmington students and the Red Clay District taking on these students. The redistricting plan also will address the resources needed for redistricting to be successful in better supporting student learning.

The forum will provide an understanding of issues being addressed by the Wilmington Education Improvement Commission.

Thank you to the Kirkwood Library for hosting this community forum.

### **President's Message**

The Congress of the United States operates in a partisan fashion, and uses every means to block the efforts of our President to run the country. This practice does not have the best interest of the constituents at heart, but rather agendas that are self-serving along party lines.

The League of Women Voters of Delaware keeps abreast of the workings of our Government in our State. There are committees that are vigilant in the research that keeps them current with happenings in the state that could affect our land use, the protection of our coastline and an Advocacy Corps that monitors state legislation and proposed bills as they are brought to the Delaware legislature. The League operates in a non-partisan way at all times. The Congress of the United States could well take the example, and run the entire country in such a manner of equality.

**I urge you to be part of the League's Amending the US Constitution consensus meetings this month and go to the links to learn about the issues being addresses.**

Emily White, LWVNCC President

## VOTER SERVICE HIGHLIGHTS - COMMUNITY OUTREACH



Left: Carole Walsh worked at the LWV information table Sunday, September 20, at Newark Community Day.

Right: Letty Diswood registering voters. Thank you Bill and Carole Walsh and Letty Diswood who set up/took down the booth, and Peggy and Jerry Schultz who also registered voters.



Left: Meta Little registering students on Thursday, September 17, Constitution Day, at Delaware Community Colleges, Stanton Campus.

The League also had a registration table at the Wilmington Campus.

Patti Christopher, Voter Registration Coordinator  
wjcjr4@verizon.net

- ✓ **SAVE THIS DATE!!! PORT PANEL, Wednesday, November 11 at 7 P.M.** the League will present "Perspectives on Expansion of Delaware Ports," a panel of roundtable presentations designed to add new information and insight to the port discussion. Venue to be announced.



- ✓ **SAVE THIS DATE!!! Tuesday, April 12, 2016.** On that evening, at Arsht Hall, the LWNCC will hold its **Carrie Chapman Catt award dinner**. We will recognize people who have made significant contributions to our community. Stay tuned for more details!!  
Joyce P. Johnson, chair, Carrie Chapman Catt Award Celebration.
- ✓ **SAVE THIS DATE!!! League Day in Dover: Annual Legislative Day. Wednesday, March 23, 2016 at the Outlook, Duncan Center, Dover, Delaware**
- ✓ **SAVE THIS DATE!!! Common Cause of Delaware invitation to the Annual Good Government Tribute Awards Dinner, November 19, 2015 5:30 - 9 pm.** The League of Women Voters of Delaware and its local Leagues is being honored with the **Public Service Achievement Award**. Tony Allen will be honored with the **John Gardner Lifetime Achievement Award**.
- ✓ Opening Reception, Silent Auction, Seated Dinner, Awards Ceremony, Keynote Address: Miles Rapaport, President of Common Cause **Tickets:** [www.commoncause.org/GoodGovernment2015](http://www.commoncause.org/GoodGovernment2015)

## MEMBERSHIP UPDATE

**REMINDER! Thank you to all or members who have renewed their membership to the LWNCC for FY 2015-16.** Renewing at the local level automatically makes you a member of the state and national Leagues. A renewal letter was mailed by bulk mail beginning August. If you have received this letter please don't let it get lost in the stacks of mail and send that check right away. We thank you for your past support and look forward to a rewarding, exciting year. Any questions? Leave a message at the office 302-571-8948 or send an email [lwncc@comcast.net](mailto:lwncc@comcast.net).

Your Membership Committee

## THANK YOU TO OUR CONTRIBUTORS

**A HUGE thank you to our contributors who have made a contribution to the LWV of New Castle County and to the LWV Education Fund (NCC account). We are grateful and appreciate your generosity.** Listed below are members who have contributed since the September newsletter.

Alice Davis, Jane & Frank Dilley, Letty & Larry Diswood, Nancy G. Frederic, Catherine (Kit) Kallal, Peggy & Jerold Schultz, Florence (Flo) M. Waibel

## GREAT DECISIONS DISCUSSION GROUPS

### GREAT DECISIONS NORTH 2ND THURSDAY

#### Great Decisions North

**When:** Thursday, October 8, 10:00 am

**Where:** Immanuel Episcopal Church parlor, 17<sup>th</sup> and Riverview, Wilmington

**What:** Read **Topic 6: Syria's refugee crisis**

Call Joyce 302-655-3411 or Jackie 302-239-2564 Lunch will follow for those interested - Visitors always welcome!

### GREAT DECISIONS 3RD MONDAY

**What:** Great Decisions: *Human Trafficking*

**When:** 3rd Monday, October 19, 1:30 - 3:30 pm

**Where:** Newark Free Library

**Who:** Discussion Leader: Louise Little

**What else:** Lunch, for those who wish it.

**Where:** Bamboo House

**When:** Noon - 1:15, before the library discussion

**How:** Contact Vicky Kleinman, 731-4950, to assure space

## ENVIRONMENTAL COMMITTEE

This committee will meet on Friday, October 16, 1:30 - 3:30 P.M. at Chad Tolman's home 2503 Raven Rd. Chalfonte Wilmington. For directions call 302-478-3516 or email [ctolman141@gmail.com](mailto:ctolman141@gmail.com).

## LAND USE / TRANSPORTATION COMMITTEE

This committee will meet-Tuesday, Oct. 13, 1:30 to 3:30, home of Peggy Schultz 113 Cardiff Court W. Meadowdale, Newark. Call 302-598-9427 cell, [schultz\\_peggy@yahoo.com](mailto:schultz_peggy@yahoo.com) The committee currently is planning a program for our League's November 11, Hot topic evening program about **ROUNDTABLE DISCUSSION OF THE WILMINGTON PORT EXPANSION**.

They are also studying the Coastal Zone Act, with a focus in the fall on port proposals for the Coastal Zone, at or near the present port. Call ahead if you need directions to the meeting place or would like to Skype.

If you are interested join us, We're always looking for new members, so let us know if these topics interest you. This Committee usually meets the 2nd Tuesday of the month.

Peggy Schultz, Co-Chair with Jane Dilley

## LAND USE/TRANSPORTATION COMMITTEE MEETS WITH NCC EXECUTIVE GORDON

Four members of the LWV Land Use/Transportation Committee met with County Executive Tom Gordon on July 7 to gather information on the proposal for a new port near Newcastle (Riveredge). Also present were Charles Potter, State Representative; Nick DiBuo, aide to Charles Potter; and Kimokoh Harris, Longshoremen Association.

With regard to **compliance with the requirements of the Coastal Zone Act**, Gordon reported views he had gathered from knowledgeable persons that there should be no conflict. He said, however, an independent environmental study is imperative; that \$200,000 of the anticipated \$400,000 cost has been identified in the appropriation creating the Task Force (HCR 38), the hope being that the state would pick up the rest.

**Can't the Port of Wilmington be expanded to handle additional traffic; and what would be the effect of new super ships requiring at least a 50' draft?** Mr. Gordon, Rep. Potter, and Mr. Harris described a feasibility study (which was distributed to our committee). This showed an expected 65% increase in the shipping trade seeking East Coast ports. They said that for Delaware to stay in the competition we should actually have three ports in our Port Authority: niche for Port of Wilmington being fresh fruit, refrigerated cargo, cattle, steel, autos; a new port at Riveredge being a container port requiring only a 38' draft. This location already provides intermodal access for effective rail and truck distribution. A Chinese company now owning the former GM site on Boxwood Road is interested in re-purposing it as a distribution center. The owners would be interested in financing that project. With 15-17 cranes the Riveredge capacity would be four times larger than Port of Wilmington. Third, the Claymont possibility would support the Evraz industrial development at the former steel mill.

**What benefits would the Riveredge site provide that would compensate for the extensive dredging required at this shallow location?** Gordon emphasized the need to study the capacities of Wilmington and Riveredge port sites as well as the Evraz possibility. Construction cost for Riveredge is projected to be \$600,000,000 which would include the initial dredging of enough area for a turn around. Dredging maintenance would be supplied by the Corps of Engineers. The Evraz site if built would be at least 10 years in the future while Riveredge is a proposal "shovel ready" if permits and funding are available. Investment offers are coming in from Wall Street to China for this project. Delaware's job creation opportunities at Riveredge would be significant and much greater still with an expanded Port of Wilmington and a third port at Claymont. Job creation loomed large in the consideration for Riveredge port development. It is anticipated that the port development would provide 17,000 good-quality jobs and the GM distribution center site 5,000 more. In addition there is concern that Delaware stay in competition with New Jersey's port planning. Wilmington area ports are desirable because the time to get goods out of the area is so much less than from either New York or Philadelphia

Port development and activity generates a variety of environmental considerations beyond requirements of the Coastal Zone Act. If this plan goes forward **would Mr. Gordon support developing an environmental management plan** to include such things as sea level rise/flood,/extreme weather response; potential health impacts; water and air quality management, and more? Mr. Gordon noted that such a plan would improve cost effectiveness but did not elaborate.

## JUSTICE COMMITTEE

The Social Justice Committee will be meeting at the Baylor Prison, date has not been determined. The committee will not abandon the New Jim Crow efforts, but to determine what aspect of the New Jim Crow some members could focus on and what aspect of human trafficking others could focus on.

Fay Whittle, Justice Committee Chair





Please join the Delaware Center for Justice and our guest speakers, including Mark Mauer and Alec Karakatsanis, for a one-day conference that will take each of us outside of our comfort zones in order to address what changes really need to occur in order to reduce mass incarceration in our state and in our country.

Breakfast and lunch will be included in the \$10 registration fee.

**DDCJ hopes to see you on October 23rd at this event that is sure to be one to remember.** When: Friday October 23, 2015 from 8:30 AM to 3:00 PM EDT

**Where:** The Hilton - Wilmington/Christiana, 100 Continental Drive, Newark, DE 19713, 8:30am-9am: **Registration & Breakfast** 9am--3pm Delaware Center for Justice, 302-658-7174 ext. 10, **Registration and questions:** [center@dcjustice.org](mailto:center@dcjustice.org)

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## **Delaware Coalition to Dismantle The New Jim Crow Invites You to A Community Forum *Hope Opportunity and Race; Breaking The Prison Poverty Connection***

**Saturday November 14, 2015 from 8:00 AM to 4:30 PM EST**

**Where:** CHASE CENTER ON THE RIVERFRONT, WILMINGTON, DE, 815 Justison St., Wilmington, DE Please save the date (Nov 14) to join us in mobilizing Delaware towards racial justice. We will feature a number of speakers in the morning followed by workshops designed to hear your thoughts and ideas on how to change inequities in employment, criminal justice and policing.

### **Featured speakers:**

**Michelle Alexander (Video):** Author, *The New Jim Crow*; Mass incarceration in the age of colorblindness; **Dr. Jawanja Kunjufu:** Founder African American Images; **Dr. Yasser Arafat Payne:** Black American Studies, U. Delaware; **Dr. Karl Alexander:** Johns Hopkins University.

Registration will open soon. Coalition to Dismantle the New Jim Crow, [chucksingleton@comcast.net](mailto:chucksingleton@comcast.net)  
302-559-6856

### **CONSTITUTIONAL AMENDMENT CONSENSUS QUESTIONS**

**These questions have been made available to you so that League members can prepare for our consensus meetings in October. The STUDY GUIDE and resource material for this consensus is found at [lwv.org](http://forum.lwv.org).**

<http://forum.lwv.org/category/member-resources/our-work/constitutional-amendment-study>

## Constitutional Amendment Consensus Questions (Keep for the October consensus meetings)

This study is in three parts. The questions in Part I are to develop guidelines for evaluating constitutional amendment proposals. Part II asks about aspects of an Article V Constitutional Convention that may be important in conducting such a convention. Part III asks two overall balancing questions between process and positions.

Answer each question, regardless of your answers to other questions.

### Part I - Considerations for Evaluating Constitutional Amendment Proposals

#### 1. Which of these should or should not be a consideration in identifying an appropriate and well-crafted amendment?

a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed.

**PRO:** Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.

**CON:** When public sentiment is overwhelmingly in favor of change, restraint based on veneration of the document is misplaced.

**Should**       **Should not**       **No consensus**

b) Whether the amendment as written would be effective in achieving its policy objective.

**PRO:** Amendments that may be unenforceable, miss the objective or have unintended consequences will not work to achieve the policy objective.

**CON:** It's all right to deliberately put something in the Constitution that will need to be interpreted by courts and legislatures over time.

**Should**       **Should not**       **No consensus**

c) Whether the amendment would either make our political system more democratic or protect individual rights.

**PRO:** Most amendments have sought to make our system more democratic by extending voting rights, for example, or to protect the rights of minorities from powerful interests.

**CON:** What has been typical in the past is not a good measure of what's appropriate or necessary today or in the future, especially since there have been relatively few amendments.

**Should**       **Should not**       **No consensus**

(d) Whether the policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment.

**PRO:** Due to the difficulty of amending the Constitution, it is important to consider whether legislation or political action is more likely to succeed than an amendment, in order to achieve the objective and to expend resources wisely.

**CON:** Important policy objectives should sometimes be pursued through a constitutional amendment even though it may be difficult for it to be enacted and even when other options are available.

**Should**       **Should not**       **No consensus**

e) Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach.

**PRO:** *It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.*

**CON:** *Getting action on an issue is more important than how a policy objective can best be achieved.*

**Should**       **Should not**     **No consensus**

## **Part II - Aspects of an Article V Constitutional Convention**

### **2. What conditions should or should not be in place for an Article V Constitutional Convention initiated by the states?**

a) The Convention must be transparent and not conducted in secret.

**PRO:** *The public has a right to know what is being debated and voted on.*

**CON:** *The lack of public scrutiny and the ability to negotiate in private may enable delegates to more easily reach agreement.*

**Agree**    **Disagree**    **No consensus**

b) Representation at the Convention must be based on population rather than one state, one vote.

**PRO:** *The delegates represent citizens and should be distributed by U.S. population.*

**CON:** *The U.S. is really a federation of states that must agree by state to any change in the Constitution.*

**Agree**    **Disagree**     **No consensus**

c) State delegates must be elected rather than appointed.

**PRO:** *Delegates represent citizens and therefore need to be elected by them.*

**CON:** *Appointment allows for experts who wouldn't run in an election.*

**Agree**    **Disagree**     **No consensus**

d) Voting at the Convention must be by delegate, not by state.

**PRO:** *As at the Articles of Confederation Convention, delegates from one state can have varying views and should be able to express them by individual votes.*

**CON:** *Because any amendment proposal will go to the states for ratification, voting by state blocs—however the delegates are originally chosen—reflects the probability of eventual ratification.*

**Agree**    **Disagree**     **No consensus**

e) The Convention must be limited to a specific topic.

**PRO:** *It is important to guard against a “runaway convention”.*

**CON:** *The convention alternative was provided for a time when Congress was not listening, so the delegates should not be constrained.*

**Agree**    **Disagree**     **No consensus**

f) Only state resolutions on a single topic count when determining if a Convention must be called.

**PRO:** *Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a convention, and enhances citizen interest and participation in the process.*

**CON:** *There is no requirement for Congress to count state requests by topic and when enough states are unhappy enough to ask for a convention, it should happen.*

Agree  Disagree  No consensus

g) The validity of state “calls” for an Article V Constitutional Convention must be determined by the most recent action of the state. If a state has enacted a rescission of its call, that rescission should be respected by Congress.

**PRO:** *A state legislature should be free to determine its position in regard to an Article V Constitutional Convention. A rescission should be equally acceptable to Congress as a state’s call for a convention.*

**CON:** *A state legislature’s call for a Convention can not be overturned because the process may never end.*

Agree  Disagree  No consensus

**3.** Should the League oppose an Article V Constitutional Convention to propose amendments to the U.S. Constitution because of unresolved questions about the powers and processes of such a convention?

**PRO:** *The Constitution is too important to trust an unknown or uncontrollable process. It is unclear whether conditions or safeguards regarding powers and processes for a convention can be successfully put in place.*

**CON:** *A convention is intended to be an unrestrained process to propose amendments to the Constitution.*

Should  Should not  No consensus

### Part III – Balancing Questions

**4.** Should the League consider supporting a Constitutional amendment that will advance a League position even if:

a) There are significant problems with the actual amendment as proposed?

**PRO:** *Our positions have been studied and agreed to. If other organizations are supporting an amendment in a policy area we also support, we might participate even though it is inconsistent with the evaluation guidelines we support under Part I.*

**CON:** *If the League has a consensus on the evaluation guidelines outlined in Part I, then the League should not campaign on an amendment when it is inconsistent with those standards, even though the League supports the policy outcome.*

Should consider  Should not consider  No consensus

b. It is being put forward by a procedural process the League would otherwise oppose?

**PRO:** *Our positions have been studied and agreed to. If other organizations are supporting an amendment in a policy area we also support, we might participate even though it is inconsistent with the process criteria we support under Part II.*

**CON:** *If the League has a consensus on the process criteria outlined in Part II, then the League should not campaign for an amendment when the process being proposed is inconsistent with those standards, even though the League supports the policy outcome.*

Should consider  Should not consider  No consensus

**Comment Section (max. 500 words)**

## CALENDAR

Thursday, October 8, 10 am	Immanuel Church Highlands, parlor, 17 <sup>th</sup> Str. Wilmington	<b>Great Decisions Discussion Group</b> Read Topic 6: T <i>Syria's refugee crisis</i> .
Sunday, October 11, 2015, 3:00 pm	Milton Theatre, <a href="#">110 Union St Milton, DE 19968</a>	<b>LWVDE Fundraiser.</b> It's a showing of the film "1776" at the newly renovated Milton Theatre. Proceeds will go toward funding our proposed Civics Education Program for Adults.
Monday, October 12, 2015, 6:30 pm-8:30 pm	LWVNCC Office 2400 West 17th Street, Wilmington DE 19806	<b>LWV of NCC Board Meeting.</b> Monthly meeting of the NCC board of directors.
Tuesday, October 13, 1:30-3:30 pm	Home of Peggy Schultz. Call ahead if you need directions to the meeting place or would like to Skype.	<b>Land Use/Transportation Committee</b> will be planning the League's hot Topic evening program: A roundtable discussion of the Wilmington Port expansion. They also are studying the Coastal Zone Act. 302-598-9427 schultz_peggy@yahoo.com
Wednesday, October 14, 2015, 9:30 am-12:00 pm	Legislative Hall, 411 Legislative Ave, Dover DE 19901	<b>LWVDE Advocacy Corps meeting</b> The AC meets on the second Wednesday of each month except December. Call Sandy Spence for details at 302-841-2882.
Thursday, October 15, 2015, 6:00 pm-8:30 pm	Temporary new location: Fraizer's 9 E Lookerman Street Dover, DE 19901	<b>State Board Meeting.</b> Monthly meeting of the state board of directors
<b>Friday, October 16, 11 A.M. - 1 pm</b>	Emily White's Home	<b>Constitution Consensus meeting to discuss the questions</b> Call to rsvp 302-264-0768 cell or email mcculloughem5@aol.com
Friday, October 16, 1:30 - 3:30 pm	Chad Tolman's home	<b>Environmental Committee meeting</b> For directions call 302-478-3516 or email ctolman141@gmail.com
Monday, October 19, 1:30-3:30 pm	Newark Free Library <a href="#">750 Library Ave Newark, DE 19711</a>	<b>Monday Great Decisions Group.</b> Discussion of " <i>Syria's Refugee Crisis</i> " at the Newark Free Library from 1:30 to 3:30. As usual, many of us will meet for lunch at noon at the Bamboo House beforehand. Please contact Vicky Kleinman for more details.
<b>Tuesday, October 20, 1 -3 pm</b>	Joyce Johnson's home	<b>Constitution Consensus meeting to discuss the questions</b> Call to rsvp 302-655-3411 or email drjohntc@verizon.net
<b>Monday, October 26, 2015 11:30-1 pm</b>	Michael's Restaurant <a href="#">1000 Churchman's Rd Newark, DE 19713</a>	<b>LWVNCC Hot Topic Lunch - Discussion and taking consensus on Constitution study.</b> 302) 368-4230 <a href="http://michaelsde.com/directions/">http://michaelsde.com/directions/</a>
Friday, December 11, 2015 11 am - 2 pm	Looking Glass Restaurant Polytech High School <a href="#">823 Walnut Shade Road Woodside, DE 19980</a>	<b>Joint LWV Annual Holiday Luncheon.</b> The Kent County League will host a luncheon for the three county leagues of Delaware. TBD whether consensus will be incorporated into the day's events.

**League of Women Voters of New Castle County**  
2400 W 17th Street  
Clash Wing, Room 1, Lower Level  
Wilmington, DE 19806

[lwncc@comcast.net](mailto:lwncc@comcast.net)  
[www.lwvdelaware-newcastlecounty.org](http://www.lwvdelaware-newcastlecounty.org)





# VOTER

The League of Women Voters of New Castle County, Delaware

November 2015

www.lwvdelaware-newcastlecounty.org

Vol. 22, No.4

The Mission of the League of Women Voters is to empower citizens to shape better communities.

## HOT TOPIC EVENING PROGRAM



## “PERSPECTIVES ON EXPANSION OF DELAWARE PORTS”

Sponsored by League of Women Voters  
Wednesday, November 11, 2015

Where: ILA Hall, Wm. Ashe, President, Local 1694  
200 S. Claymont St., Wilmington, DE 19801

(Diagonally across from Elbert Palmer Elementary School)

What’s the impact of expanding Delaware’s ports on jobs, environment, and government?  
Come to this panel to hear from a diverse range of speakers about what the potential might be for the future of Delaware ports.

6:30 P.M. Donut holes & cider

7:00 P.M. Panel Presentation

8:00-8:30 P.M. Written questions & answers

## PANEL

**FACILITATOR:** John Flaherty, President, Delaware Coalition for Open Government

**LONG TERM CONTRACT DESCRIPTION:** Gene Bailey, Administrator, Port of Wilmington

**ECONOMIC CONSIDERATIONS:** Prof. Michael Casson, Jr., University Center for Economic Development and International Trade (UCEDIT)

**COASTAL ZONE ACT & ENVIRONMENTAL CONSIDERATIONS:** Dave Carter, President, Delaware Audubon Society & retired environmental manager

**EVRAZ STEEL MILL SITE:** Bob Byrd, lobbyist with the Byrd Group

**PORT OF WILMINGTON:** Sen. Bob Marshall, Chair, Senate Labor & Industrial Relations Comm.

**RIVEREDGE SITE:** Ronald “Kimoko” Harris, Business Agent, ILA Local 1883

**CARPPOOLING:** LEAVE A MESSAGE AT 302-571-8948 OR [LWVDE@COMCAST.NET](mailto:LWVDE@COMCAST.NET)

Directions are on next page.

**Directions:** South on E 4th Street/US 13 S/DE-9 across the Christina River bridge follow US-13 S/DE-9 (.36 miles). Turn left onto Christiana Ave/DE-9/DE-9A). Continue to follow Christiana Avenue/DE-9/DE-9A, (.17 miles). Turn right onto Bradford Street. (*Bradford Street is just past S. Claymont Street. If you reach Lobdell Street you've gone about 0.1 miles too far. If you reach A Street, you've gone too far.*) Take the 1st right onto S. Claymont Street. (*If you reach Chapel Street you have gone a little too far*)

International Longshoremen's 200 S. Claymont Street is on the right. (If you reach Apple Street you have gone too far.)

**HOT TOPIC EVENING PROGRAM:** You are invited to learn about the proposed redistricting plan in New Castle County, that would include some or all of the districts now serving Wilmington Students .

## **THE SCHOOL REDISTRICTING PLAN**

**Speaker:** Dan Rich, Policy Director, Wilmington Education Improvement Commission, and Professor of Public Policy, University of Delaware

**MONDAY, NOVEMBER 16, 2015, 6:30 P.M**

**PRESENTATION FOLLOWED BY QUESTIONS AND ANSWERS**

**Kirkwood Library, 6000 Kirkwood Highway, Wilmington, DE 19808**

### **SPONSORS:**

American Association of University Women, Newark & League of Women Voters of New Castle County



**THIS FORUM IS FREE AND OPEN TO THE PUBLIC.**



The Wilmington Education Improvement Commission is responsible for implementing recommendations to strengthen Wilmington public education and to provide greater support for all Delaware schools with high concentrations of low-income students and English language learners.

The work of the Commission includes the development of a plan for redistricting in New Castle County that will better serve students in Wilmington and New Castle County. The redistricting plan also will address the resources needed for redistricting to be successful in better supporting student learning.

The forum will provide an understanding of issues being addressed by the Wilmington Education Improvement Commission.

Thank you to the Kirkwood Library for hosting this community forum.

**CARPPOOLING: LEAVE A MESSAGE AT 302-571-8948 OR LWVDE@COMCAST.NET**

## President's Message



**The Elephant in the Room: The lead language for the Delaware Center for Justice's Vision of Justice for 2015. The speakers for this event, with their combined knowledge and experience, provided a day-long supply of brain-cracking information.**

So you ask, "What is the elephant in the room?" It's the subject of racial injustice and unhealthy prison systems, which are severely biased against African Americans and people of color, in general. Human beings are in cages of concrete and metal. Pre-trial injustice sends people to these cages if there is no money to secure the financial support a Bail Bondsman. The legal system becomes a process rather than justice, and violates Constitutional Human Rights. By all legal standards, prisoners should be kept in the least restrictive environment. Prisons are systemically racist. To enact change, persistent pressure from grass roots organizations is necessary. Forty decades of such work has been slow and tedious, and change is slow in coming.

Criminal justice reforms are now being spearheaded by President Obama. This support creates optimism for positive change. In 2000, Congress passed a Fair Sentencing Bill. The U.S. Sentencing Commission has reduced drug sentences for nonviolent crimes for federal prisoners. Changes such as no mandatory life sentences without parole for youth offenders are the result of a US Supreme Court decision, prompting changes in state laws. The Booker case in the Supreme Court recognizes alternatives to incarceration.

Grass roots organizations, and attorneys for such non-profit organizations, are watch dogs for injustices that occur through our country. The legal involvement creates an awareness raising process. The general public's understanding is limited by each person's experience. It is the job of advocates to shed a light for others.

The present system is a funnel from the streets to the prisons. Stabilization of housing, education and compassion for victims can lead to lower rates of incarceration. Fifty percent of children in Delaware live in poverty.

Post-incarceration issues include the following losses: food stamps, Pell Grants, subsidized housing, licensing of many kinds: driving, RN, teaching, business, and the list goes on--social issues from finding a job to loss of voting rights. Quoting the Justice Reinvestment Council: "It has taken 40 years to build mass incarceration. The continuing change will be a slow process, and won't happen overnight."



*Pictured panelists at the Visions of Justice 2015 forum are: (L-R) Reverend Terrace Keeling, Pastor, (standing) La Tisha Bracy, moderator, Project Director for Sen. Coons, Tony Allen, Bank of America, and Cerron Case, Legislative Liaison to Gov. Markell. Other panelist not pictured: Ryan Tack-Hooper, Staff Attorney, ACLU.*

Emily White, President, LWVNCC (Summary of speakers' presentations from DCJ's Vision of Justice for 2015)

### **Here are a few ways to keep the wheels of justice going even now that the event is over:**

- 1) **Organize!** Just like Ryan Tack-Hooper said in the panel, organizing doesn't have to be scary. It can mean bringing topics you care about into conversations and actions in your existing network.
- 2) **Attend** the upcoming [Access to Justice](#) Forum and Public Hearings to learn more about criminal justice reform and voice your opinion about what changes Delaware should make. If you enjoyed this conference, you might also enjoy ["Hope, Opportunity, & Race: Breaking the Poverty and Prison Connection"](#) on November 14.
- 3) **Learn** more about what the Delaware Center for Justice is doing in our community. Visit our [newly re-vamped website](#), like us on [Facebook](#), or [sign up for our email newsletter](#) today! If you are particularly interested in our SMART Pre-Trial Demonstration Initiative, contact [Kate Parker West](#), Local Site Coordinator.
- 4) **Get involved** with one of the other organizations advocating for justice in Delaware, including [Delaware Repeal](#), [Delaware Citizens Opposed to the Death Penalty](#), the [ACLU of Delaware](#), and the [Delaware Coalition to Dismantle the New Jim Crow](#).

## AMENDING THE CONSTITUTION: HOW, WHEN AND WHY



For those who may have missed **AMENDING THE CONSTITUTION: HOW, WHEN, AND WHY** with Dean of Widener University Delaware Law School Rob Smolla, please click on the link below to view the event: <https://youtu.be/Ff79Q4wOB1w>

This excellent presentation was informative, entertaining and thought provoking. We thank Widener University Delaware Law School for the excellent facilities, the videographer and, especially, Dean Rob Smolla for making this program possible.

*Pictured at left: Dean Rob Smolla*



*Pictures at right: First row L-R: Susan Brynteson, Judy Butler, Linda Barnett. Back row: L-R: Carole Walsh, Joyce Johnson, Lisa Pertzoff (back of head), Emily White, and Katie Gifford.*

Several meetings were held to take consensus on amending the Constitution: Friday, October 16, at Emily White's Home, and Tuesday, October 20, at Joyce Johnson's Home. We also had a lively meeting Monday, October 26, at our Hot Topic Lunch. The questionnaires are filled out and will be tabulated and go to LWVUS along with those from the local leagues across the US. Eventually we will know whether there is a consensus on the issues addressed when the LWVUS board makes the announcement.

**A SECOND PART** to this effort is an opportunity to take consensus on **MONEY IN POLITICS**. We have scheduled January 25, 2016 for a **HOT TOPIC LUNCH** and hope to see even more of you take part. Check out the consensus questions and links to the resource material on LWVUS.org. **Click on the links:**

The **MIP Consensus Study**, including the MIP Consensus Questions, is now posted. In addition, papers, including [Enforcement of Campaign Finance Law](#) and [Evidence of Spending's Impacts on Electoral and Legislative Outcomes](#) are posted on the [Money in Politics page](#).

### **Delaware Coalition to Dismantle The New Jim Crow Invites You to A Community Forum *Hope Opportunity and Race; Breaking The Prison Poverty Connection***

**Saturday November 14, 2015 from 8:00 AM to 4:30 PM EST**

**FREE PROGRAM - BUT NEED TO REGISTER**

**Where: CHASE CENTER ON THE RIVERFRONT, WILMINGTON, DE, 815 Justison St., Wilmington, DE** Please save the date (Nov 14) to join us in mobilizing Delaware towards racial justice. We will feature a number of speakers in the morning followed by workshops designed to hear your thoughts and ideas on how to change inequities in employment, criminal justice and policing.

**Featured speakers: Michelle Alexander (Video): Author, The New Jim Crow; Mass incarceration in the age of colorblindness; Dr. Jawanja Kunjufu: Founder African American Images; Dr. Yasser Arafat Payne: Black American Studies, U. Delaware; Dr. Karl Alexander: Johns Hopkins University.**

Registration: <http://endnewjimcrowde.org/> OR CALL Coalition to Dismantle the New Jim Crow, 302-559-6856

**Common Cause of Delaware invitation to the Annual Good Government Tribute Awards Dinner,**

**November 19, 2015 5:30 - 8:45 P.M.** The League of Women Voters of Delaware and its local Leagues is being honored with the Public Service Achievement Award. Location: Christiana Hilton, 100 Continental Drive, Newark, DE 19713

Opening Reception, Silent Auction, Seated Dinner, Awards Ceremony, Keynote Address: Miles Rappaport, President of Common Cause **Tickets:** <http://act-de.commoncause.org/site/R?i=45AU8Gd65HlztO9T8NDag>

- Cocktail Reception 5:30
- Seated Dinner 6:30
- Tribute Award Presentation to Tony Allen
- Tribute Award Presentation to the Delaware League of Women Voters, including the Sussex, Kent, and New Castle County Chapters
- Keynote Address: Miles Rappaport, President of Common Cause
- Silent Auction throughout the evening

Don't miss this exciting event!

The Tribute Dinner is the premier event that Common Cause Delaware puts on each year, and we hope you will be able to join us for a great evening. We really need your support!

Please reserve your seat today!

- ✓ **SAVE THIS DATE!!! League Day in Dover: Annual Legislative Day. Wednesday, March 23, 2016 at the Outlook, Duncan Center, Dover, Delaware**
- ✓ **SAVE THIS DATE!!! Tuesday, April 12, 2016. On that evening, at Arsht Hall, the LWNCC will hold its **Carrie Chapman Catt award dinner**. We will recognize people who have made significant contributions to our community. Stay tuned for more details!!**

Joyce P. Johnson, chair, Carrie Chapman Catt Award Celebration.

**MEMBERSHIP UPDATE**

**REMINDER! Thank you to all of our members who have renewed their membership to the LWNCC for FY 2015-16.** Renewing at the local level automatically makes you a member of the state and national Leagues. A first class letter was mailed in October. If you have received such a letter please don't let it get lost in your stacks of mail and send that check right away. We thank you for your past support and look forward to a rewarding, exciting year. Any questions? Leave a message at the office 302-571-8948 or send an email [lwncc@comcast.net](mailto:lwncc@comcast.net).

**Thank you to the following members who have given their time to plan a program or helped in so many ways:** Bob Hasse for collating the New Citizen welcome folders each month, Connie Georgov who coordinates the volunteers and also attends the ceremonies, and her helpers, Emily White, and many others that I have missed; Judy Taggart for planning the Redistricting Forum, Peggy Schultz and Jane Dilley for planning the Expansion of Ports Forum; Moonyeen Klopfenstein and Letty Diswood for working on the MLD Membership Leadership program; and the members of the committees that are providing testimony to governing entities.

Your Membership Committee

*Thank You*

**TO OUR CONTRIBUTORS: *Patricia J. Brill, Judith H. Butler, Jean P. Colbert, Mary Anne Edwards, Connie Georgov, Joy Jones, Pat H. Todd***



## GREAT DECISIONS DISCUSSION GROUPS

### GREAT DECISIONS NORTH 2ND THURSDAY

**Great Decisions North (No meeting in November)**

**When:** Thursday, December 10, 10:00 A.M.

**Where:** Immanuel Episcopal Church parlor, 17<sup>th</sup> and Riverview, Wilmington

**What:** Read Topic 7: *Human Trafficking* and Topic 8: *Brazil's Metamorphosis*

Call Joyce 302-655-3411 or Jackie 302-239-2564 Lunch will follow for those interested - Visitors always welcome!

### GREAT DECISIONS 3RD MONDAY

**What:** Great Decisions: *Brazil in Metamorphosis*

**When:** 3rd Monday, November 16, 1:30 - 3:30 P.M.

**Where:** Newark Free Library

**Who:** Discussion Leader: Doris Crowley

**What else:** Lunch, for those who wish it.

**Where:** Bamboo House

**When:** Noon - 1:15, before the library discussion

**How:** Contact Vicky Kleinman, 731-4950, to assure space

## ENVIRONMENTAL COMMITTEE

### HELP WANTED - New Committee to be formed!

Five to Eight League members needed to Research **FUSION** (not fission) nuclear energy for a study to be conducted by the State Environment Committee. A background in science is desired but not required of all members of this new subcommittee. A member with experience in League studies is also being sought. There are many questions in this area that need to be addressed, including but not limited to the political issue of government funding for basic research. All League members are invited and encouraged to participate.

The favor of a reply before November 15th will be appreciated. For further information and to apply for this job, please contact [lwvde@comcast.net](mailto:lwvde@comcast.net) or 302-571-8948

**Environmental Committee meeting will be held** Wednesday, November 4, 2:00 - 4:00 P.M. at Pat Todd's home. Call 302-762-5995 or [ptoddwilm@aol.com](mailto:ptoddwilm@aol.com) for directions. Coralie Pryde and Lisa Pertzoff

## LAND USE / TRANSPORTATION COMMITTEE

**This committee will meet Tuesday, November 10, and Tuesday, December 8, 1:30 to 3:30 P.M.,** at the home of Peggy Schultz 113 Cardiff Court W. Meadowdale, Newark. Call 302-598-9427 cell, [schultz\\_peggy@yahoo.com](mailto:schultz_peggy@yahoo.com).

Peggy Schultz, Co-Chair with Jane Dilley

## JUSTICE COMMITTEE

**The Social Justice Committee will be meeting at the Baylor Prison in November 17,** but the meeting is closed to the public because of security issues. The committee will not abandon the New Jim Crow efforts, but will try to determine what aspect of the New Jim Crow some members could focus on and what aspect of human trafficking others could focus on.

Fay Whittle, Justice Committee Chair

## **Christina Board of Education meeting, October 27<sup>th</sup>, 7-8:30 p.m., Gauger-Cobbs Middle School**

The Christina Board meeting on Tuesday, October 27<sup>th</sup>, was a General Business meeting with only one action item: the approval of the draft of a framework for future planning for Christina – WEIC. WEIC is the Wilmington Education Improvement Commission, which was tasked by the state legislature to develop a plan for the possible redistricting of Wilmington public schools. Ordinarily, to re-draw district lines a referendum of the public must occur; however, because of WEIC, our state Senate authorized the State Board of Education to re-draw district lines without a public referendum, so the potentially affected schools and school districts including Christina School District (CSD) are planning for the possibility of re-districting. It was stated at the board meeting that the State DOE's authority to re-draw districts without a referendum vote will expire sometime in 2016, so the decisions and recommendations are occurring in what was repeatedly described during the meeting as a very tight timeline.

Public comment occurred first, and two members of the public gave comment. The first, who described herself as a teacher for the gifted and talented in an inner-city CSD school, pointed out that the committee meetings developing the draft plan presented at this meeting were not publicly noticed. She expressed frustration that these committee meetings should have been publicly noticed so that interested parties such as parents and teachers could attend and contribute. The second person giving public comment did so on behalf of a grassroots group called FOCSD (Friends of Christina School District), remarking that the school board members are valuable leaders who should comport themselves professionally not only in meetings but also in other venues such as social media.

After public comment, discussion of the only agenda item began with a presentation by Wendy Lapham, the CSD spokesperson (the slides, and the framework guidelines are available on the Christina website). The framework for planning was described as being based on the need to anticipate and minimize the disruption to teachers and students in the event that CSD's Wilmington schools become part of the Red Clay school district. The committee that developed the framework for planning selected the following areas as of key importance: a statewide funding system based on poverty levels in the schools; the maintenance and expansion of current unique CSD programs such as the Sarah Pyle Academy; Special Education needs, beginning with data collection on how many students currently have disabilities or specialized needs; staffing issues, such as financial support for transition staffing; and the disbursement of "hardscape" such as furniture, equipment and technology in CSD schools if they become Red Clay schools.

The discussion by board members began with a motion by Mr. Polaski to approve the draft plan, seconded by Mr. Young. Subsequent discussion led Mr. Young to propose an amendment to approve the draft plan as an interim measure, keeping the option of modifying the document open. However, it was the opinion of the CFO of CSD, who fielded questions on the presentation, that once this draft plan was approved it likely could not be rescinded or altered. The draft plan, if approved by the CSD board, would be included as an appendix in the document WEIC submits to the State BOE in December, at which point there will be a legally required public comment period on the WEIC plan. Several board members expressed the hope that there would be more "back and forth" discussion with various stakeholders prior to a final plan, and wanted to have more well-noticed public meetings and/or appoint point persons in the district to handle inquiries or discussion. The CFO, however, stressed that devoting more time and attention to the WEIC process could detract from other major CSD efforts this year, such as a tax increase referendum.

After the discussion, the original motion to approve the draft framework was repeated. The vote was 5 in favor (Elizabeth Paige, Fred Polaski, George Evans Esq., Harrie Ellen Minnehan, David Resler), 1 opposed (John Young, due to his wish to retain flexibility to alter the document), and 1 abstention (Shirley Saffer, no explanation or comments).

The meeting concluded at 8:30 p.m. with the board going into executive session.

Katie Gifford  
School Board Observer

## MONEY IN POLITICS CONSENSUS QUESTIONS

This update on Money In Politics builds on the League's current position on campaign finance. The consensus questions in Part I address the goals of campaign finance regulation in terms of democratic values. The questions in Part II relate to the extent to which First Amendment protections like free speech and freedom of the press should apply to various speakers and activities in the campaign finance context. Part III asks about methods of campaign finance regulation. **You are asked to respond to the questions without regard for the Supreme Court's current views on the First Amendment.** In responding to each question, please interpret the words in their most general sense. Keep in mind that the LWV intentionally words positions that are derived from member study in the broadest possible way so that our positions have relevance for many years. Future national Boards will determine when and how to apply our positions.

*(Note we will take consensus on January 25 at the HOT TOPIC LUNCH. In the meantime go to resource articles and Study Guide at [MIP Consensus Study Guide](#).*

*Also: The please ignore the box "no consensus" as this will be filled out at a meeting or when all questionnaires are tabulated end of January.*

### PART I QUESTIONS: Democratic Values and Interests with Respect to Financing Political Campaigns

#### 1. What should be the goals and purposes of campaign finance regulation?

*(Please respond to each item in Question 1.)*

a. Seek political equality for all citizens.

Agree    Disagree    No consensus

b. Protect representative democracy from being distorted by big spending in election campaigns.

Agree    Disagree    No consensus

c. Enable candidates to compete equitably for public office.

Agree    Disagree    No consensus

d. Ensure that candidates have sufficient funds to communicate their messages to the public.

Agree    Disagree    No consensus

e. Ensure that economic and corporate interests are part of election dialogue.

Agree    Disagree    No consensus

f. Provide voters sufficient information about candidates and campaign issues to make informed choices.

Agree    Disagree    No consensus

g. Ensure the public's right to know who is using money to influence elections.

Agree    Disagree    No consensus

h. Combat corruption and undue influence in government.

Agree    Disagree    No consensus

## 2. Evaluate whether the following activities are types of political corruption:

*(Please respond to each item in Question 2.)*

- a. A candidate or officeholder agrees to vote or work in favor of a donor's interests in exchange for a campaign contribution.
- Agree    Disagree    No consensus
- b. An officeholder or her/his staff gives greater access to donors.
- Agree    Disagree    No consensus
- c. An officeholder votes or works to support policies that reflect the preferences of individuals or organizations in order to attract contributions from them.
- Agree    Disagree    No consensus
- d. An office holder seeks political contributions implying that there will be retribution unless a donation is given.
- Agree    Disagree    No consensus
- e. The results of the political process consistently favor the interests of significant campaign contributors.
- Agree    Disagree    No consensus

## PART II QUESTIONS: First Amendment Protections for Speakers and Activities in Political Campaigns

This set of questions is designed to determine the extent to which the First Amendment protections of free speech and freedom of the press should apply to different speakers or activities in the regulation of campaign finance. Free speech and free press provide essentially the same protections to speakers, writers, publishers and advertising, whether or not they are part of the institutional press, and largely regardless of the medium. Essentially, these protections extend to any conduct that is expressive. Many of the options below would be found unconstitutional by the current Supreme Court, but we are seeking your League's views, not those of the Court. These are broad, overarching questions about spending to influence an election, including independent spending, contributions to candidates, broadcast news and other communication expenditures.

**1. Many different individuals and organizations use a variety of methods to communicate their views to voters in candidate elections. Should spending to influence an election by any of the following be limited?**

*(Please respond to each item in Question 1.)*

- a. Individual citizens, including wealthy individuals like George Soros and the Koch Brothers.
- Spending banned    Some spending limits    Unlimited spending    No consensus
- b. Political Action Committees, sponsored by an organization, such as the League of Conservation Voters, Chevron, the American Bankers Association, and the International Brotherhood of Electrical Workers (IBEW), whose campaign spending comes from contributions by individuals associated with the sponsoring organization, such as employees, stockholders, members and volunteers.
- Spending banned    Some spending limits    Unlimited spending    No consensus
- c. For-profit organizations, like Exxon, Ben and Jerry's, General Motors, and Starbucks, from their corporate treasury funds.
- Spending banned    Some spending limits    Unlimited spending    No consensus
- d. Trade associations, like the U.S. Chamber of Commerce, the American Wind Energy Association, and the American Petroleum Institute, from the association's general treasury funds.

Spending banned    Some spending limits    Unlimited spending    No consensus

e. Labor unions, like the United Autoworkers and Service Employees International, from the union's general treasury funds.

Spending banned    Some spending limits    Unlimited spending    No consensus

f. Non-profit organizations, like the Sierra Club, Wisconsin Right to Life, Coalition to Stop Gun Violence, American Crossroads, and Priorities USA, from the organization's general treasury funds.

Spending banned    Some spending limits    Unlimited spending    No consensus

g. Non-partisan voter registration and GOTV (get out the vote) organizations and activities, like the LWV and Nonprofit Vote.

Spending banned    Some spending limits    Unlimited spending    No consensus

h. Political parties, like the Republicans, Libertarians, and Democrats.

Spending banned    Some spending limits    Unlimited spending    No consensus

i. Candidates for public office spending money the candidate has raised from contributors.

Spending banned    Some spending limits    Unlimited spending    No consensus

j. Candidates for public office spending their own money.

Spending banned    Some spending limits    Unlimited spending    No consensus

**2. The press plays a major role in candidate elections through editorial endorsements, news coverage, and other communications directly to the public that are often important to the outcome. Should such spending to influence an election by any of the following be limited?**

*(Please respond to each item in Question 2.)*

a. Newspapers, like the New York Times and the Wall Street Journal.

Spending banned    Some spending limits    Unlimited spending    No consensus

b. Television and other electronic media, like Fox News, CNN, MSNBC and CBS.

Spending banned    Some spending limits    Unlimited spending    No consensus

c. Internet communications, like Huffington Post, Breitbart, Daily Kos, and individual bloggers.

Spending banned    Some spending limits    Unlimited spending    No consensus

### **PART III QUESTIONS: Methods for Regulating Campaign Finance to Protect the Democratic Process**

**1. In order to achieve the goals for campaign finance regulation, should the League support?**

*(Please respond to each item in Question 1 a and b.)*

a. Abolishing SuperPACs and spending coordinated or directed by candidates, other than a candidate's own single campaign committee.

Agree    Disagree    No consensus

b. Restrictions on direct donations and bundling by lobbyists? (Restrictions may include monetary limits as well as other regulations.)

Agree    Disagree    No consensus

c. Public funding for candidates? Should the League support:

*(You may respond to more than one item in Question 1 c.)*



i. Voluntary public financing of elections where candidates who choose to participate must also abide by reasonable spending limits?

Agree  Disagree  No consensus

ii. Mandatory public financing of elections where candidates must participate and abide by reasonable spending limits?

Agree  Disagree  No consensus

iii. Public financing without spending limits on candidates?

Agree  Disagree  No consensus

## 2. How should campaign finance regulations be administered and enforced?

*(You may choose more than one response for Question 2.)*

a. By an even-numbered commission with equal representation by the two major political parties to ensure partisan fairness (current Federal Election Commission [FEC] structure)?

b. By an odd-numbered commission with at least one independent or nonpartisan commissioner to ensure decisions can be made in case of partisan deadlock?

c. By structural and budget changes to the FEC (e.g., commission appointments, staffing, security, budget, decision making process) that would allow the agency to function effectively and meet its legislative and regulatory mandates.

d. No consensus.

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### FIRST CALL - The League of Women Voters' 52nd National Convention 2016 Washington, DC, Thurs., June 16 – Sun., June 19, 2016

We invite you to save these dates and plan to join hundreds of passionate and engaged leaders for this vibrant national gathering in our Nation's Capital next June.

**Why Attend.** Convention provides you with invaluable opportunities to experience:

- Dynamic discussions on how the League shapes and influences the national debate on key issues and challenges facing our democracy
- Timely and relevant calls to action and information from nationally recognized guest speakers on what it takes to lead effectively in today's political and communications arenas
- Information sessions and caucuses with takeaways to strengthen your Leagues and your voice
- Opportunities to grow your personal and professional network
- Making strategic connections with partners and resources as you grow your impact in your own community and the wider community of activists nationwide - in Making Democracy Work™
- Inspiration and fun! In the words of participants:

**"The enthusiasm is inspiring and exciting" "The energy in the hall is electric"  
"I enjoyed every moment!" "Learned afresh what an amazing organization this is"  
"Met fascinating contacts" "I want to come back!"**

**New in 2016.** Innovative features to enhance your 2016 Convention experience include:

- Streamlined plenary and speaker sessions that zero in on the League's impact on voter protection and empowerment goals
- New networking opportunities built around hands-on demonstrations of League activities with proven impact
- The option to sign up for Lobby Day on Capitol Hill to strengthen our clout around a core League issue
- An orientation especially for first timers, connecting them with their peers from day one, and making their convention experience productive, collaborative and personally enriching.

**What you can do now:**

- Save the dates and share them with your members.
- Check the [League's website beginning in November](#), for information on schedule, registration, hotel, and special events such as Lobby Day, and a fun evening with the political comedy group "Capitol Steps."

## CALENDAR

Wednesday, November 4, 2:00 - 4:00 pm	Pat Todd's home Cal 302-762-5995 or ptoddwilm@aol.com	<b>Environmental Committee meeting</b>
Monday, November 9, 2015, 6:30 pm- 8:30 pm	Kirkwood Library Conference Room, Kirkwood Hwy	<b>LWV of NCC Board Meeting.</b> Monthly meeting of the NCC board of directors.
Tuesday, November 10, 1:30 to 3:30	Home of Peggy Schultz Call 302-598-9427 cell, schultz_peggy@yahoo.com.	<b>Land Use/Transportation Committee</b>
Wednesday, November 11, 2015 6:30 pm Donut holes & cider, 7:00-8:30 pm program	ILA Hall, Wm. Ashe, President, Local 1694, 200 S. Claymont St., Wilmington, DE 19801	<b>LWVNCC Hot Topic program: "PERSPECTIVES ON EXPANSION OF DELAWARE PORTS"</b> Panel of seven will present all sides of this proposal.
Monday, November 16, 1:30-3:30 pm	Newark Free Library <u>750 Library Ave</u> <u>Newark, DE 19711</u>	<b>Monday Great Decisions Group.</b> Discussion of <i>Human Trafficking</i> at the Newark Free Library from 1:30 to 3:30. As usual, many of us will meet for lunch at noon at the Bamboo House beforehand. Please contact Vicky Kleinman for more details.
<b>Monday, November 16, 2015, 6:30 P.M</b>	Kirkwood Library, 6000 Kirkwood Highway, Wilmington, DE 19808	<b>HOT TOPIC program: THE SCHOOL REDISTRICTING PLAN</b> <b>Dan Rich, Policy Director, Wilmington Education Improvement Commission, and Professor of Public Policy, UD</b>
<b>Wednesday, November 18, 2015, 9:30 am-12:00 pm</b>	Legislative Hall <u>411 Legislative Avenue</u> <u>Dover, DE 19901</u>	<b>LWVDE Advocacy Corps meeting.</b> LWVDE Advocacy Corps meeting. The AC generally meets on the second Wednesday of each month except December. <b>However, we are meeting the third Wednesday in November.</b> Contact Committee Chair for details or call 302-841-2882.
Thursday, December 3, 2015, 6:00 pm- 8:30 pm	New location TBD (Note no meeting in November)	<b>State Board Meeting.</b> Monthly meeting of the state board of directors. Please call 302-478-8224 to notify attendance and restaurant count. Each individual pays for food separately.
Tuesday, December 8, 1:30 to 3:30	Home of Peggy Schultz Call 302-598-9427 cell, schultz_peggy@yahoo.com.	<b>Land Use/Transportation Committee</b>
Thursday, December 10, 10 am	Immanuel Church Highlands, parlor, 17 <sup>th</sup> Str. Wilmington	<b>Great Decisions Discussion Group</b> Read Topic 7: <i>Human Trafficking</i> and Topic 8: <i>Brazil's Metamorphosis</i> . (Note no meeting in November)
Friday, December 11, 2015 11 am - 2 pm	Looking Glass Restaurant Polytech High School <u>823 Walnut Shade Road</u> <u>Woodside, DE 19980</u>	<b>Joint LWV Annual Holiday Luncheon.</b> The Kent County League will host a luncheon for the three county leagues of Delaware.
<b>Monday, January 25, 2016 11:30-1 pm</b>	Michael's Restaurant <u>1000 Churchman's Rd</u> <u>Newark, DE 19713</u>	<b>LWVNCC Hot Topic Lunch - Discussion and taking consensus on Money In Politics Study.</b> 302) 368-4230 <a href="http://michaelsde.com/directions/">http://michaelsde.com/directions/</a>

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# VOTER

The League of Women Voters of New Castle County, Delaware

December 2015

www.lwvdelaware-newcastlecounty.org

Vol. 22, No.5

The Mission of the League of Women Voters is to empower citizens to shape better communities.

This is the second phase of the study and update of the **LWVUS Key Structures of Democracy**

## Money in Politics Review

The LWVUS Money in Politics Committee is conducting an update of the League’s position on campaign finance for the purpose of addressing the lack of member understanding and agreement as to whether financing a political campaign is protected speech under the First Amendment. The campaign finance position will be updated through a study and consensus process to consider:

- (1) the rights of individuals and organizations, under the First Amendment, to express their political views through independent expenditures and the finance of election campaign activities; and
- (2) how those rights, if any, should be protected and reconciled with the interests set out in the current position

Save the date:

**HOT TOPIC LUNCH MONDAY, JANUARY 25, 2016**

**TOPIC: MONEY IN POLITICS CONSENSUS.**

**Michael's Restaurant**, 1000 Churchman's Rd, Newark, DE 19713

Buffet lunch is \$15.00 paid at time of the luncheon. Please pay in cash if at all possible.

Get ready! Read the articles about **REVIEW AND UPDATE** and **THE FIRST AMENDMENT TO THE U.S. CONSTITUTION** on pages 6,7,8,9,10 of this Voter that discuss **Limits on Free Speech, Political Speech and Money, and the Recent Interpretation of the First Amendment.**

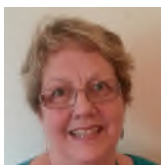
*"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." .....*

To view resource material that addresses all the various aspects of Money In Politics and the study guide with background of questions, paste these links into your web browser:

<http://forum.lwv.org/member-resources/article/study-guide-money-politics-consensus> and

<http://forum.lwv.org/member-resources/article/money-politics-independent-expenditures>

### President's Message



My favorite activity for League support is assisting Connie Georgov, chairperson of the LWVDE New Citizens Project. I attend the Citizenship Ceremony on the 1<sup>st</sup> Thursday of every month. Taking for granted the entitlements of American Citizenship is easy to do. Viewing the sea of faces filled with expressions of anxiety and anticipation, I am reminded of its supreme importance, particularly in this day and time of connected global events. With each



(Continued on page 2 **President's Message**)

(Continued from page 1 *President's Message*)

visit to this courtroom in the Federal Building, I feel thrilled to be a small part of this event.



On this day, November 5, 2015, the oath of allegiance was administered by a Deputy of U.S. Citizenship and Immigration. Dean Rod Smolla of Widener University Law School presented greetings to the new American citizens. The Honorable Christopher S. Sontchi of the U.S. Bankruptcy Court presented the keynote speech.

Judge Sontchi's words were memorable and heartfelt; seventeen years ago, he waited in this very courtroom, as his wife became an American citizen. She had emigrated to the U.S. from Russia. "Like your children, President Obama is the son of an immigrant. It is significant, also, that he is a person of color, a first for the U.S.A. The last President that was a son of an immigrant was Woodrow Wilson, who was elected in 1912. Interestingly, only 5 of our 44 Presidents have been a son (no daughters yet!) of one or more immigrants. It has long been a myth in this country that any child can become President. It is less of a myth today."

One of the day's new citizen's, Vivek Shah (India) shared the following thoughts.

"Many of us here represent a different culture, a different language and a different background. Our differences are what make this country so special. What makes me an American isn't the color of my skin, or the religion I practice, the food I eat, or the language I speak. Rather what makes me an American is that I uphold the principals of equality and freedom. These are the foundations of our country. ...As I take this oath today, I will be taking on much more than a new passport and a requirement to serve jury duty. Citizenship isn't just a privilege, but a grave responsibility to be a citizen of the United States, and to make your voice heard."

The late Supreme Court Justice Louis Brandeis said, "The only title in our democracy superior to that of the President is the title of Citizen."

Emily White, LWNCC President, December, 2015

\*(These two powerful speeches, in their entirety, will appear on the LWNCC Website later in 12/2015.)

## **SUCCESSFUL PANEL ON PORT EXPANSION HELD IN WILMINGTON LONGSHOREMEN'S HALL**

A stimulating evening of presentations and questions and answers was enjoyed by about 85 people, on the topic, "Perspectives on Expansion of Delaware Ports."



Able panelists included John Flaherty, President of the Delaware Coalition for Open Government (facilitator), Gene Bailey, Administrator of the Port of Wilmington (long-term contract), Dr. Mike Casson, Director of the University Center for Economic Development & International Trade (economic considerations), Dave Carter, President of the Delaware Audubon Society (environmental considerations, including Coastal Zone Act), Bob Byrd, lobbyist with the Byrd Group (Evraz site), Sen. Bob Marshall, Chair of the Senate Labor & Industrial Relations Committee (current Port of Wilmington site), Kimoko Harris, Business Agent with ILA Local 1883 (RiverEdge site).

Following nine-minute presentations by each panelist, written questions were submitted to Mr. Flaherty, the facilitator, who in turn asked one or more of the panelists to respond.

- To read a full report of the panel written by LWV member Erika Furlong, please click [here](#).
- To view Dave Carter's presentation notes and slides, please click [here](#) and [here](#).
- Mr. Byrd shared the following link to a video presentation of the development of the Evraz site <https://www.youtube.com/watch?v=lArW8n7Vyko>. Please click [here](#) to view and download a similar presentation from the Evraz site.
- A slide presentation on the RiverEdge site, described by Kimoko Harris, can be accessed [here](#).



## LEAGUE AWARDED COMMON CAUSE PUBLIC ACHIEVEMENT AWARD



President Jill Fuchs and LWVDE members with the Award, given to LWVDE, LWNCC, LWVNC and LWV

Pictured L-R, back row: Liane Sorenson, Miles Rappaport (President of Common Cause), Jane Lord, Sandy Spence, Charlotte King. L-R front row: Chrystal Hamilton, Letty Diswood, Jill Fuchs (President of LWVDE), Clair Snyder-Hall, Emily White.

## AN INFORMATIVE FORUM ABOUT THE WILMINGTON SCHOOL REDISTRICTING PLAN, was held November 16 at the Kirkwood Library, Wilmington

Dan Rich, Policy Director, Wilmington Education Improvement Commission, and Professor of Public Policy, University of Delaware gave a power point presentation of the work of the Commission that included the development of a plan for redistricting in New Castle County that will better serve students in Wilmington and New Castle County. The redistricting plan also will address the resources needed for redistricting to be successful in better supporting student learning.

The forum was well attended and lots of probing questions were asked by the public and legislators present.

We were all encouraged to go on to the WEIC webpage to post our comments and recommendations. The entire plan is on line and the a copy of the published report was available at the forum.

SPONSORS: American Association of University Women, Newark & League of Women Voters of New Castle County



## MEMBERSHIP UPDATE

**REMINDER! Thank you to all of our members who have renewed their membership to the LWNCC for FY 2015-16.** Renewing at the local level automatically makes you a member of the state and national Leagues. A first class letter was mailed in October. If you have received such a letter please don't let it get lost in your stacks of mail and send that check right away. We thank you for your past support and look forward to a rewarding, exciting year. Any questions? Leave a message at the office 302-571-8948 or send an email to [lwncc@comcast.net](mailto:lwncc@comcast.net).

Your Membership Committee

*Thank You*

**TO OUR CONTRIBUTORS:** Connie Georgov, Mitzi Law, Roberta Ray, Liane Sorenson, Cay Trask.

And to our **volunteers** who did the following work: Liz Fite who does our webpage every month. She does a wonderful job! Bob Hasse, with some help, collated 160 folders for the new citizens ceremony in December. Thanks to Peggy Schultz, Jane Dille and the Land Use/Transportation and Environmental Committees, who organized the Port Forum. Thanks to Judy Taggart and Linda Barnett, who organized the Redistricting Forum. Thanks to our treasurer who keeps the books for us now, Meta Little.

## Christina Board of Education meeting, November 10<sup>th</sup>, 7-8:30 p.m., Gauger-Cobbs Middle School

The audio of the Nov. 10, 2015 Christina School District (CSD) board meeting is online at [http://christinak12.org/apps/pages/index.jsp?uREC\\_ID=180377&type=d&pREC\\_ID=video&showMore=1&titleREC\\_ID=104008](http://christinak12.org/apps/pages/index.jsp?uREC_ID=180377&type=d&pREC_ID=video&showMore=1&titleREC_ID=104008), and I have noted in this summary where the discussions can be found on the audio. This summary condenses the nearly 3 hour long meeting which covered a broad range of topics.

Public comment (15:30 on the audio) included CSD secretaries unhappy with their working conditions; teachers concerned about transportation and testing issues (audio 28:11); FOSCD (Friends of CSD) efforts to help promote the district (audio 33:48); a call for board member Ms. Saffer's resignation in light of a misdemeanor harassment conviction (audio 24:40); and (in a separate comment) a defense of Ms. Saffer coupled with accusations of unethical behavior by other school board members (audio 36:40).

Subsequently, the CFO reported that the recent Citizen's Budget Oversight Committee (CBOC) meeting concluded that CSD is essentially following its planned budget (audio 42:30), and several principals then spoke - one about Newark High school's program wherein seniors who are on track to graduate can leave campus during study halls; and one about the Advanced Academic Program, which uses a new cognitive abilities test they hope will identify "gifted" children who may not stand out on traditional standardized tests. Next were four recommended expulsions (audio 67:40), each involving a "deadly weapon." One was not approved (71:00), with Mr. Evans, Esq. successfully arguing that CSD may not have legal grounds to expel a student based on an out-of-school incident that was apparently not being prosecuted by the state.

Class size waivers were the next agenda item (audio 83:40) with substantive discussion. The waivers, allowing class sizes larger than the ostensible district limits, passed with votes of 4-2 (Young & Saffer as the Nays). Mr. Young, one of the No votes, stated his opinion that with these waivers the district is "abdicating responsibility to children and their classrooms." Mr. Polaski and Mr. Evans spoke of their conviction, based on the CFO's statements, that CSD would enter bankruptcy if they did not permit larger class sizes.

The next agenda item was a proposal by Mr. Young (audio 92:30) that the school board review any contracts for consultants or outside labor so that as the 2016 tax referendum approaches, the board has a solid understanding of district spending. The CFO and several board members argued that further oversight and transparency would not be helpful and was not warranted.

Mr. Young then pulled an item from the Consent Agenda (audio 112:20): an expenditure of \$32,500 to expand CSD participation in a professional development summer program for teachers held at Yale University. Mr. Young believed the money would be more efficiently spent locally on a greater number of teachers during this time of purported fiscal restraint and scrutiny leading up to the next referendum. The other board members disagreed; and it was Mr. Resler's opinion that the funds for the program are federal money that the district had earned. Mr. Young's stated that federal money is also local taxpayer money, albeit filtered through the federal level. The expenditure was approved 5-1.

Mr. Polaski then reported on a State BOE workshop he attended (audio 143:10) with the topic of developing metrics for school boards to evaluate superintendents. Not all CSD board members were invited (audio 147:20). Mr. Polaski reported that according to his impression, the meeting had not gone as the DOE hoped, because attendees felt that "one size does not fit all" as far as evaluation metrics.

The last discussion of the evening began with a question from Mr. Polaski about a weekend gas leak at Shue-Medill (audio 150:30) that brought up what is apparently an ongoing resentment over the discontinuation of cellphone provision to district staff. The measure saved over \$100,000 but has led to discontent, including district staff who have chosen not to provide their personal home or cell phone numbers (audio 162:20) and are therefore hard to reach. The discussion was contentious, both on the topic and how it was brought up, and the meeting was adjourned at approximately 10:20pm.

The December 8, 2015 CSD board meeting will include the CFO's presentation of the recommendations for the 2016 operating referendum.

Katie Gifford, School Board Observer



- ✓ **SAVE THIS DATE!!!** League Day in Dover: Annual Legislative Day. Wednesday, March 23, 2016 at the Outlook, Duncan Center, Dover, Delaware
- ✓ **SAVE THIS DATE!!! Tuesday, April 12, 2016.** On that evening, at Arsht Hall, the LWVNCC will hold its **Carrie Chapman Catt award dinner**. We will recognize people who have made significant contributions to our community. Stay tuned for more details!!

Joyce P. Johnson, chair, Carrie Chapman Catt Award Celebration.

## GREAT DECISIONS DISCUSSION GROUPS

### GREAT DECISIONS NORTH, 2ND THURSDAY

**Great Decisions North (No meeting in November)**

**When:** Thursday, December 10, 10:00 A.M.

**Where:** Immanuel Episcopal Church parlor, 17<sup>th</sup> and Riverview, Wilmington

**What:** Read Topic 7: **Human Trafficking** and Topic 8: **Brazil's Metamorphosis**

Call Joyce Johnson 302-655-3411 or Jackie Harris 302-239-2564. Lunch will follow for those interested - Visitors always welcome!

### GREAT DECISIONS, 3RD MONDAY

January 11. Note this is the **SECOND** Monday; the third is ML King Day and the library is closed. We will be viewing the CD on Africa, which we missed with the discussion and will distribute the 2016 books.

Usual time: 1:30 - 3:30 pm.

Usual place: Newark Free Library.

Usual option: Lunch from noon - 1:15 at Bamboo House

Usual request: Notify Vicky Kleinman [302-731-4950] if interested in lunch.

## VOTER SERVICE UPDATE:

Looking ahead to 2016 which is a Presidential election year, we WILL be very busy and are always looking for volunteers.

Thank you to Judy Taggart and Cami Seward who helped register voters and spoke to the Compton Apartment residents on December 4.

Patti Christopher, Voter Registration Coordinator

## ENVIRONMENTAL COMMITTEE

### **HELP WANTED - New Committee to be formed!**

Five to Eight League members needed to Research **FUSION** (not fission) nuclear energy for a study to be conducted by the State Environment Committee. A background in science is desired but not required of all members of this new subcommittee. A member with experience in League studies is also being sought. There are many questions in this area that need to be addressed, including but not limited to the political issue of government funding for basic research. All League members are invited and encouraged to participate. Please call for further information and to apply for this job, please contact [lwvde@comcast.net](mailto:lwvde@comcast.net) or 302-571-8948

## LAND USE / TRANSPORTATION COMMITTEE

**This committee will meet Tuesday, December 8, 1:30 to 3:30 P.M.,** at the home of Peggy Schultz 113 Cardiff Court W. Meadowdale, Newark. Call 302-598-9427 cell, [schultz\\_peggy@yahoo.com](mailto:schultz_peggy@yahoo.com).

Peggy Schultz, Co-Chair with Jane Dilley

## MONEY IN POLITICS REVIEW AND UPDATE STUDY GUIDE

For the 2014-2016 biennium, the LWVUS Board recommended and the June 2014 LWVUS Convention adopted a multi-part program including, “A review and update of the League position on campaign finance in light of forty years of changes since the Watergate reforms, in order to enhance member understanding of the new schemes and structures used to influence elections and erode protections against corruption in our political process, and to review possible responses to counter them in the current environment.”

### ORIENTATION

After Convention 2014, the LWVUS Board worked diligently to develop solid operational details for the new Money in Politics (MIP) Review and Update Committee. These efforts led to a conclusion that a gap exists in the LWV campaign finance position with regard to the First Amendment.

Adopted in 1974, the League’s campaign finance position focuses only on the financing of election campaigns as it relates to the democratic process, i.e., opportunities for undue influence, opportunities to ensure equity among candidates, protection of the public right to know and to fully participate. In 1976, the United States Supreme Court approached the question of financing of election campaigns from the point of view of what the money actually funds and the interests of donors, candidates and independent spenders in preserving their ability to express political views through the activities being financed.

The activities that the U.S. Supreme Court focused on largely involve free speech. Election campaigns develop messages for publication, from speeches and debates to paid advertising in various media. Money is required to coordinate the messaging and pay for the advertising. Under the Court’s approach, a system of campaign finance protects the rights of the individual candidate to disseminate her message as well as the rights of her donors to express their own views through her message -- and also protects the rights of other political actors who may wish to make election expenditures independent of the candidates or to advocate in support or opposition to particular public policy issues. To the Court, this campaign speech (as opposed to campaign finance) is central to American democracy and is what the First Amendment was designed to protect.

The League position, with its more collective approach, does not answer the question of whether all or some political activity constitutes free speech protected under the First Amendment. Because it does not address that question, the position does not balance the First Amendment interests of candidates, donors, independent spenders, and issue advocates against the interest in equitable competition among candidates for office, preventing undue influence, and enhancing voter participation.

For almost 40 years, the Supreme Court’s approach and the League’s approach intersected in one important aspect. Over that time, the Court recognized the risk that campaign contributions are corrupting or appear corrupting, especially if those contributions are very large or come from the general funds of corporations or unions. Historically, the League has been able to argue successfully through litigation and through legislative action that contribution limits and the exclusion of corporations from participating directly in the political process should be upheld. The position has also allowed us to support enforcement mechanisms and other reforms.

That changed with the *Citizens United* decision. The Court drastically extended its views on free speech to allow unlimited independent spending in candidate elections by corporations and unions and entirely discounted any danger from any undue influence other than *quid pro quo* (“something for something”) corruption. That radically transformed the election landscape.

Proposed constitutional amendments in response to *Citizens United* and subsequent cases have focused on reversing the Court’s rulings that corporations have full political speech rights and that funding a political campaign is protected speech, and give Congress and the states the authority to regulate “the raising and spending of money by candidates and others to influence elections,” which the Court has deemed protected speech.

The League is pursuing a strategic, multi-dimensional approach at the federal and state levels to overcome or limit the Court’s decision in *Citizens United*. To date, the League has not supported or opposed particular legislation to amend the Constitution. Even putting aside the considerable practical barriers to (Continued on page 7 **Money In Politics Review**)

(Continued from page 6 *Money In Politics Review*) ratifying an amendment as well as unintended consequences of the various proposed amendments, we believe that our current campaign finance position does not address First Amendment considerations.

To update the League position on campaign finance to include the First Amendment requires member understanding and agreement on these issues. The Money in Politics Committee has thus been tasked with undertaking member study and consensus, in addition to educating members and the public broadly about money in politics issues.

### **SCOPE OF THE MIP REVIEW AND UPDATE**

The scope of the study, as adopted by the LWV Education Fund Board, October 2014, states:

The Committee will conduct an update of the League's position on campaign finance for the purpose of addressing the lack of member understanding and agreement on the extent to which political campaigns are protected speech under the First Amendment. The campaign finance position will be updated through a study and consensus process to consider:

- The rights of individuals and organizations, under the First Amendment, to express their political views through independent expenditures and the finance of election campaign activities; and
- How those rights, if any, should be protected and reconciled with the interests set out in the current position.

### **CURRENT LEAGUE POSITION ON CAMPAIGN FINANCE**

*Statement of Position on Campaign Finance, as Announced by National Board, January 1974 and Revised March 1982:*

The League of Women Voters of the United States believes that the methods of financing political campaigns should ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and allow maximum citizen participation in the political process. *This position is applicable to all federal campaigns for public office — presidential and congressional, primaries as well as general elections. It also may be applied to state and local campaigns.*

**LEAGUE GUIDING PRICIPLES** <http://lww.org/files/Impact%20on%20Issues%202014-2016%20Principles.pdf>

**Resource for Hot Topic Lunch Monday, January 25, 2016**  
**Background information for the MONEY IN POLITICS CONSENSUS**  
**THE FIRST AMENDMENT TO THE U.S. CONSTITUTION 1**

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*  
*Passed by Congress September 25, 1789. Ratified December 15, 1791.*

To understand the current framework of campaign finance in the U.S. requires a basic understanding of the First Amendment, which protects freedom of speech, the press, and association. The First Amendment guarantees citizens' right to express and to be exposed to a wide range of opinions and views. It was intended to ensure a free exchange of ideas, whether spoken or written, even if the ideas are unpopular. It covers all kinds of expression (including non-verbal communications, such as sit-ins, art, and advertisements). The media, including print, television, radio and Internet, is free to distribute a wide range of news, facts, opinions and pictures. The amendment protects not only the speaker, but also the recipient of the information. The right to read, hear, see and obtain different points of view is a First Amendment right as well.<sup>2</sup>

In our nation's early years, freedom of speech might be exemplified by someone on a soapbox speaking in a public square; press freedom involved printed speech; freedom of association allowed people to gather in the same location. Today's communication environment differs dramatically from the one that existed at our nation's founding. If someone today expresses an opinion in a blog or on social media, is it freedom of speech, press or association? And today's vast media environment has increased both the opportunities and cost to get out one's message. Media outlets may be owned by corporations. Both the individual blogger and the *New York Times* are protected by the First Amendment, even though the *Times* is a corporation. And when corporations own media outlets, are First Amendment protections changed? Should lines be drawn? Issues like these are part of the Supreme Court's consideration of limits on campaign financing.

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### **Limits on Free Speech**

The right to free speech is not absolute. The U.S. Supreme Court has ruled that the government sometimes may be allowed to limit speech. Historically, a fundamental distinction arose between the **content** of speech and the **means** whereby that speech is expressed.

Speech is given the greatest level of protection and the highest level of scrutiny by the Court under the First Amendment. But even the **content** of speech can be limited if it is an incitement to violence or obscene and without any redeeming social value. Although not subject to “prior restraint,” libel, slander, wrongful use of copyright material and fraudulent commercial speech are examples of speech that crosses the boundary of protection and can be enjoined and/or result in an award for damages.

Limits to freedom of speech have also been made with regard to content-neutral regulation of the **means** of expression. Means used to exercise freedom of speech have been subjected to “reasonable” limits with respect to time, place and manner of expression. Regulations like noise ordinances, anti-littering laws, and rules limiting occupation of public spaces like sidewalks, streets or the Mall in Washington, D.C., have been upheld when deemed to be reasonable.

Nor is free speech always popular. Protection of persons who make racist or sexist opinions can be misinterpreted as support of the statements. One federal judge stated that tolerating hateful speech is “the best protection we have against any Nazi-type regime in this country.”<sup>3</sup> To not restrict such speech has been interpreted as a valid governmental interest; but it would be in the government’s interest to limit that speech if it incites violence.

### **Political Speech and Money**

A critical question of the last forty years is the issue of money and speech. While some maintain that “money is speech” and argue that limitations on money in politics unconstitutionally limit free speech, others ridicule the notion that money and speech are synonymous – that a billion-dollar corporation spending unlimited amounts in political campaigns can be the same as a single person speaking at a public meeting. However, the relationship of money and speech is not so black and white -- in either direction.

In our current media-saturated society, it is clearly necessary to spend money to get one's views to the public for consideration. Thus government regulation of what a citizen running for political office can spend implicates the First Amendment in some fundamental way. On the other hand, it does seem strange to say that a special interest group can spend unlimited money buying a megaphone that drowns out the speech of others.

### **Recent Interpretation of the First Amendment**

Today the Court asks three questions before deciding on any First Amendment restrictions: Is there significant or compelling governmental interest that justifies the limitation? Is the limitation appropriate or the least restrictive means of protecting that governmental interest? Does the limitation apply too broadly to situations where the governmental interest is not in play? The Court uses these tests when they consider limits to campaign financing.<sup>4</sup>

In *Buckley v. Valeo* (1974) the Supreme Court held that blocking “corruption or the appearance of corruption” is a fundamental governmental interest that justifies some limitations on First Amendment freedoms. The Court then examined whether the limitations passed by Congress in the Federal Election Campaign Act were the least restrictive or appropriate means.

In *Buckley* and subsequent cases, the Court set a number of fundamental holdings:

1. Spending limits on candidates are unconstitutional because there is no link between the spending of money by candidates and “quid pro quo” corruption.
2. Contribution limits are constitutional because the giving of money to political candidates can lead to corruption or the appearance of corruption.
3. Disclosure of both spending and contributions can be required because disclosure diminishes the opportunity for corruption and enables the public to evaluate candidates.
4. Independent, uncoordinated expenditures cannot be limited because there is no gift to the candidate that could be corrupting.

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5. A variety of additional restrictions, such as contribution and solicitation limits on political parties, are acceptable as they prevent circumvention of contribution limits.

The Supreme Court under Chief Justice Roberts purports to apply the *Buckley* structure but has made far-reaching and fundamental changes in our campaign finance system by holding that:

1. The right of citizens to hear and the right of corporations to speak means that the ban on corporate participation in candidate elections is unconstitutional. Independent expenditures do not corrupt (*Citizens United* building on *Bellotti*).
2. The limit on the total amount an individual can give to candidates, political parties and political committees cannot be justified. There is no additional threat of corruption from a large number of contributions so long as the basic contribution limits are in place and the restriction is not the least restrictive means of preventing circumvention of those basic contribution limits (*McCutcheon*).
3. There is no place in campaign finance law for the rationale of fair competition, a level playing field, or protecting representative democracy – only corruption or the appearance of corruption justifies limits on the First Amendment (*Citizens United* overruling *Austin*; *McCutcheon*).
4. Quid pro quo corruption should be interpreted very narrowly so that gaining special access to an elected official, influencing an official's or a party's approach to an issue without vote buying, and soliciting million-dollar contributions don't give rise to corruption or the appearance of corruption (*Citizens United*; *McCutcheon*).

### **Questions for Consideration**

A number of questions must be considered when looking at the First Amendment in the campaign finance context. By strictly applying First Amendment analysis, drastically limiting what constitutes a compelling governmental interest, and rigorously searching for less restrictive means, the Roberts Court has upended campaign finance law. While some may say that this exclusive focus on the right of individuals and associations to spend money on speech is a "pure" approach, as the ACLU would maintain,<sup>5</sup> others believe that this one-sided analysis ignores the fundamental role that the First Amendment should play in protecting a representative form of government under the Constitution.

In *Citizens United* and *McCutcheon*, the Court overruled the 1990 decision in *Austin v. Michigan Chamber of Commerce*, where that Supreme Court recognized a compelling state interest in combating a "different type of corruption in the political arena: the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideas." In rejecting that compelling state interest and in rejecting that form of corruption, some argue that the current Court has embarked on a dangerous path.

Freedom of speech normally includes not only the right to speak, but it also protects the right to hear. The rights or identity of the speaker is not the only relevant consideration -- the need for citizens in a democracy to hear full discussion of issues is also protected. Thus in *Citizens United*, as in previous decisions by a more liberal Court, the right to hear was included in the First Amendment reasoning. Even if corporations should not have full free speech rights to spend unlimited sums in a candidate election, the right for the public to hear the views of corporations was constitutionally important.

Also, traditionally, freedom of the press and freedom of speech protect the same rights. These rights are not different based on the identity of the writer or the speaker. The lone blogger and the New York Times are protected by freedom of the press, even though one is a single individual and the other a large, for-profit corporation. Because campaign finance law has statutory exemptions for the press, allowing newspapers to spend money endorsing candidates, for example, constitutional law has not gone down the difficult path of defining "the press" that would be required if attempts were made to limit spending in the speech context but not limit freedom of the press. Should the press, however, defined, have different rights than individuals?

Another controversial issue is the question of corporate versus individual rights. Obviously, First Amendment freedoms belong to individuals; what are the limits of First Amendment rights when it comes to associations of individuals? After all, the First Amendment protects the right to associate as well as speech and press. Associations take many forms in American society; from political parties to religious organizations; from giant limited-liability, for-profit international corporations to local charitable organizations;

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from newspapers and media outlets owned by corporations to the League of Women Voters, with affiliated organizations in 50 states and more than 750 communities. Do all these associations or should all these associations have the same or different rights under the First Amendment, and how should they be differentiated in law?

Only relatively recently have limited-liability corporations created by state law had free speech rights to advertise their commercial products. But now they can “speak” and spend freely in candidate elections. Should the preacher of a tax-exempt church be allowed to urge parishioners to vote for a particular political party, and what is a “religious organization” anyway? What are the appropriate limits, if any, for a political party raising and spending funds to help its candidates in an election? Could the government set such limits too low?

Should there be limits on the quantity of speech? 6 Campaign finance limits are prohibited, the *Buckley* Court said, because they “necessarily reduce the quantity of expression by restricting the number of issues discussed, the depth of their exploration, and the size of the audience reached.” The concept that “More money allows for more speech” might mean that more people hear the ideas or it could be that some people just hear the same idea over and over. Another argument against this is that large quantities of some speech may interfere or not allow for the speech of others. How much money is needed to provide ample opportunity for an idea to be heard?

<sup>1</sup> This paper draws upon Lloyd Leonard, 2014. “The First Amendment” (Appendix B, *Money in Politics: Developing a Common Understanding to the Issues*, LWVUS).

<sup>2</sup>National Constitution Center, *Amendment 1, Freedom of Religion, Speech, Press, Assembly, and Petition*, <http://constitutioncenter.org>, accessed May 20, 2015.

<sup>3</sup>American Civil Liberties Union, January 2, 1997. *Freedom of Expression-ACLU Position Paper*, <https://www.aclu.org/freedom-expression-aclu-position-paper>, accessed May 20, 2015.

<sup>4</sup> See MIP Issue Paper “Historic Shifts in Supreme Court Opinion about Money in Politics.”

<sup>5</sup>American Civil Liberties Union, March 27, 2012, *The ACLU and Citizens United*, <https://www.aclu.org/aclu-and-citizens-united>, accessed May 20, 2015.

<sup>6</sup>David Kairys, October 16, 2012. “Is Freedom of Speech at Risk in the Election?” American Constitution Society Blog, <http://www.acslaw.org/acsblog/is-freedom-of-speech-at-risk-in-the-election>, accessed May 20, 2015.

## CALENDAR

Friday, December 11, 2015 11 am - 2 pm	Looking Glass Restaurant Polytech High School <a href="#">823 Walnut Shade Road</a> <a href="#">Woodside, DE 19980</a>	<b>Joint LWV Annual Holiday Luncheon.</b> The Kent County League will host a luncheon for the three county leagues of Delaware.
Wednesday, January 6, 2016, 9:30 am-12:00 pm	TBA	<b>LWVDE Advocacy Corps meeting.</b> LWVDE Advocacy Corps meeting. Contact Committee Chair for details or call 302-841-2882.
Monday, January, 11 2016, 6:30 pm-8:30 pm	TBA	<b>LWV of NCC Board Meeting.</b> Monthly meeting of the NCC board of directors.
Thursday, January 21, 2016, 6:00 pm-8:30 pm	New location TBD	<b>State Board Meeting.</b> Monthly meeting of the state board of directors. Please call 302-478-8224 to notify attendance and restaurant count. Each individual pays for food separately.
<b>Monday, January 25, 2016 11:30-1 pm</b>	Michael's Restaurant <a href="#">1000 Churchman's Rd</a> <a href="#">Newark, DE 19713</a>	<b>LWVNCC Hot Topic Lunch - Discussion and taking consensus on Money In Politics Study.</b> 302) 368-4230 <a href="http://michaelsde.com/directions/">http://michaelsde.com/directions/</a>
Wednesday, March 23, 2016 8:30-3:00pm	The Duncan Center <a href="#">500 Looeckerman St</a> <a href="#">Dover, DE 19904</a>	<b>SAVE THE DATE: League Day in Dover 2016.</b> Annual legislative day. Morning program relating to key criminal justice issues followed by Lunch and visit to Legislative Hall to meet with your legislators

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