

Advocacy for Policy Change

Brandeis students work to reform Massachusetts law

September 2011



Brandeis University

Advocacy for Policy Change is supported by generous multi-year commitments from Ethics Center International Advisory Board Member Norbert Weissberg and former Board Member Judith Schneider.



► *Norbert Weissberg and Judith Schneider at "Present and Defend: Projects from Advocacy for Policy Change," April 2011.*

For more information about the projects in this report, visit www.brandeis.edu/ethics/atbrandeis/advocacy

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Introduction

Melissa Stimell



In its second year, “Advocacy for Policy Change” (LGLS 161b) thrived. Enrollment nearly doubled from the 2009-10 pilot. Students continued to contribute to the creation of a just society through legislative advocacy on such issues as human trafficking, immigration, and access to health care. The course benefitted from the continued dedication of an exceptional teaching assistant, Cynthia A. Tschampl, Ph.D. candidate in Health Policy at the Heller School for Social Policy and Management; and the logistical, financial, and intellectual support of both the International Center for Ethics, Justice and Public Life and the Legal Studies Program at Brandeis University.

“Advocacy for Policy Change” combines an investigation of the ethical dilemmas that arise in the process of lawmaking with hands-on advocacy work. Students are encouraged to think deeply about the complexities of shaping laws for constituents who hold diverse viewpoints about what is right and good for society and how to best progress through the legislative process. Students choose to focus on an existing law they feel could be credibly challenged on ethical or moral grounds, or a proposed law that is being promoted to redress perceived wrongs.

Working in teams, the students research their chosen issues and design and implement models of legislative advocacy. Each team is mentored by a state legislator and/or a member of an advocacy organization, who help them understand the lawmaking process, connect with colleagues, and set realistic goals.

Each student completes a series of assignments related to their project, in formats relevant to advocacy work – such as an “elevator speech” – and a short video. (The full list of assignments is on page 5.) What follows in this book are excerpts from these assignments from each project, updates on the bills and budgetary line items, and links to more information on the relevant issues or organizations.

There are a few people I must thank individually. This course would not exist without the ongoing support of Professor Richard Gaskins, my mentor and the Director of the Legal Studies Program. He and Daniel Terris, Director of the International Center for Ethics, Justice and Public Life, took the kernel of a unique idea and made it a reality. Massachusetts State Representative and Brandeis alum Jay Kaufman ‘68, MA ‘73, and Judy Meredith, Director of the Public Policy Institute and longtime advocate, helped me to create a course worthy of Brandeis University.

This course is part of the *Advocacy for Policy Change* initiative, designed to encourage citizens to bring moral and ethical insights to the legislative process. This initiative is supported by generous multi-year commitments from International Center for Ethics, Justice and Public Life International Advisory Board member Norbert Weissberg and his wife, former Board member Judith Schneider, to whom the students and I are very grateful. For more about this initiative, see brandeis.edu/ethics/atbrandeis/advocacy.

“Advocacy for Policy Change” has generated considerable excitement at Brandeis University, where students are committed to combining academic pursuits with hands-on work. As we move into the third year of this course and this initiative, I look forward to its continued development.

Melissa Stimell
Associate Professor of the Practice in Legal Studies
Director of Internships, Legal Studies Program
Internship Coordinator, Social Justice and Social Policy Program

A Message from
Massachusetts
State Representative
Jay Kaufman '68, MA '73

The wonderfully engaged, bright, and energetic students in the “Advocacy for Policy Change” course brought new ideas and new energy to public policymaking.

Grounded in a realistic look at what it takes to advocate for and make significant change in the public arena, they dug into difficult “real world” problems and got to meaningfully interact with the state’s change agents and would-be (or should-be) change agents.

I have no doubt that their probing questions, insights and ideas have made me a better legislator, and will help make for better policy in the Commonwealth of Massachusetts in the years ahead.

As a Brandeis University alum, I am particularly gratified to have had the opportunity to contribute to this valuable new course, which promises to continue the Brandeis tradition of active engagement with the pressing issues of the time.



Representative Kaufman (center) with the students of “Advocacy for Policy Change” at the Massachusetts State House, February 15, 2011.

Required Project Components

The reports in this volume are excerpted from the material required of each student team in “Advocacy for Policy Change” (Legal Studies 161b) in Spring 2011. The assignments were designed to develop and demonstrate the students’ understanding of the issues and the advocacy process.

Storybook Assignment

One of the most crucial components of the advocacy process is the sharing of personal stories. For this assignment, students were directed to connect with individuals impacted by their issues and collect their stories.

Research Report

The research report is an in-depth document containing facts and analysis of the bill or budget item studied.

Elevator Speech

A prepared advocate should be able to give someone a general idea of their issue and a plan of action within a few seconds – the time it takes to ride an elevator. Students were instructed to imagine riding in an elevator at the State House with a legislator or aide for this assignment.

Script for an in-depth meeting with House Ways and Means staff

For this assignment, students were to write up an accessible and personalized speech to be given in a 5-10 minute meeting with the chair of the House Ways and Means Committee.

Campaign Journal

The campaign journal was an opportunity for students to reflect upon at least two substantive meetings with coalition organizations or policymakers.

Op-Ed

The op-ed section of *The Boston Globe* presents a wide array of opinions from community members. Students wrote their own op-ed pieces, sharing their opinions on their advocacy issues in 750 words or less.

Advocacy Video

Using either original footage or existing YouTube films, students created a “media mash-up” to present their issues through video.

Final oral presentation: “Present and Defend”

Bringing everything together, on Friday, April 29th, 2011, students gave 15-20 minute oral presentations of their legislative advocacy projects.

Tuberculosis (TB), an ancient and highly contagious airborne disease caused by the Mycobacterium tuberculosis bacterium, has infected over 15,000 people in the state of Massachusetts.

A proposal generated by the Medical Advisory Committee for the Elimination of TB (MACET) for the fiscal year 2012 would work toward relieving the costs of TB not only for victims of the life threatening illness, but also the entirety of the Commonwealth by eliminating patient co-pays and deductibles for TB care.

Access to TB Services

Robert Mesika '12
Bayleigh Ruhm '12

■ The Line Items

4512-0103 HIV/AIDS Prevention, Treatment and Services

4516-1000 Hinton State Laboratory Institute and Communicable Disease Control Services

4510-0100 Department of Public Health Critical Operations

■ Elevator Speech

Hello, Representative [Name]! I'm glad I bumped into you because I know you care about preserving public security and health by preventing possible epidemics across our community and state. Many of your neighbors and constituents are fearful of seeking TB services due to insurance restrictions and lack of affordability. Our outside section to the amended House budget

will eliminate patient co-payments and deductibles for life-saving TB services, thereby encouraging victims within our state to seek prompt treatment and stopping the spread of this highly contagious, fatal, and increasingly drug-resistant disease. You, Representative [Name], can protect our great state from this future epidemic by voting "Yes!" on our outside section in the amended and final House budget, and by encouraging the Chair of the Ways and Means Committee and your fellow legislators to support this measure, as well.



Robert Mesika '12 and Bayleigh Ruhm '12

■ Excerpt from Storybook

Myrna Leiper is an RN and the Public Nurse Coordinator for TB Service Area (TSA) 1, consisting of Central and Western Massachusetts. Myrna had the following story to share regarding one of her patients, "Jane."

Jane is a 43 year-old Haitian woman, wife, and mother of two. Although her husband emigrated to the U.S. approximately 20 years ago, and her daughters two years ago, Jane was unable to do so until little over one year ago. She and her family currently live in a small, confined two-bedroom apartment in a tightly-knit community in Western Massachusetts. Jane does not speak English, and at the time this story was shared, no translators had been available during her medical situation.

When Jane first arrived in Massachusetts, she was sent to a local emergency care facility for treatment of third-degree burns. At this time she was determined to be HIV+ and to suffer from multiple mental health disorders. Jane was brought to another facility when her burns did not heal; she was hospitalized and suspected to be a victim of domestic violence. With this second visit and the appearance of coughing and weight-loss symptoms, Jane was finally diagnosed with Active Pulmonary and Disseminated TB.

It would later be determined that Jane's original burns and those after her initial health care visit were inflicted due to cultural stigma. Haitians believe that TB is a sinner's curse and that the only way to rid the body of it is through burning. Haitians will generally not treat TB medically.

While Jane is currently on her husband's insurance, it has high patient costs including approximately an \$80 co-payment. Jane does not qualify for the government health programs due to her short residency in the U.S. Her husband's insurance will force her discharge from the hospital, where she is in a ward specifically reserved for the care and prevention of TB, as soon as she is considered no longer contagious. However Jane will be unable to continue treatment without the aid of the hospital, as the nearest TB clinic to her home is 40 driving minutes away and her community is without public transit. If Jane does make it to the clinic, even without a translator, the clinic will be able to treat her HIV, but not her mental illnesses. Jane will also be confined to a small apartment where she will come in contact with family and with helpful friends and neighbors, potentially spreading the airborne illness quickly if she is unable to continue treatment.

One of Jane's daughters now tests positive for a latent TB infection, but is not being treated.

Jane is now experiencing nearly all the barriers to care for TB in the Massachusetts public health system,

including lack of structural support, language barriers, additional and compounded illnesses, and increased medical costs. To improve Jane's situation and that of so many others, as well as prevent the spread of TB, support for TB services must improve and the patient costs to care must be decreased. This may be done by eliminating co-payments and deductibles currently required of patients.

■ Excerpts from Campaign Journals

Robert

We made a clear connection to Representative Canavan's past nursing career. Yet, we found out that while the story from Dr. Garvey was effective, some of the statistics presented, such as there being 222 TB cases in MA last year, downplayed the threat of the disease to Canavan. She even said, "Wow, I expected those numbers to be higher" in response to the number of cases. We fixed this in later meetings by making sure to adjust statistics that seemed subtle to highlight their relevance to our cause.

Bayleigh

The simplest example of the need for flexibility in the arranged plan arrived in the first meeting, with Representative Toomey's aide, Tim Snyder. Although the MACET group seemed to be stating the issues straightforwardly, Mr. Snyder repeatedly asked how the line items would actually affect TB services. He also became sidetracked with the idea that Massachusetts had already achieved great strides in this area, despite being astounded at the case statistics mentioned at the beginning of the meeting. It seemed as though the group was able to regain his attention to what needed to be done, but he could or would not commit his own support – he gave the impression he would inform Rep. Toomey of the issues surrounding TB, but not fight for it. This meeting cemented the idea "it is not just what you say, but how you say it."

■ Update (May 2011)

Line Item 4512-0103 HIV/AIDS Prevention, Treatment and Services passed, but the other two amendments (4516-1000 and 4510-0100) were cut.

For more information

Massachusetts Medical Advisory Committee for the Elimination of Tuberculosis: www.mamacet.org

Wrongful convictions create massive civil injustices and human rights abuses in Massachusetts. Often a simple forensic test, if granted by a judge or district attorney, can establish innocence or confirm guilt. This past legislative session, two representatives re-filed a previously proposed, much-needed DNA access law for the state.

Defendant Access to DNA Evidence

Stephanie Johnson '13
Anna Khandros '11

■ The Bill

Final Draft H02165: "An Act to Provide Access to Scientific and Forensic Analysis"

■ Elevator Speech

Hello Representative/Senator [Name]! Can you imagine spending 20 years of your life in prison for a crime you did not commit? We all care about a fair justice system, but wrongful convictions create civil injustices and human rights abuses right here in our communities. Massachusetts has already exonerated 33 innocent individuals, but scholars estimate that between 0.5 and 4% of *all* convictions are incorrect.

The tragedy of incarcerating the wrong person goes beyond the suffering of the individual who loses his or her liberty. The victim and victim's survivors suffer as well because they gain only a false and temporary sense of closure. Furthermore, wrongful convictions jeopardize public safety because the real perpetrator remains at large. In 43% of the first 251 DNA exoneration cases nationwide, the real perpetrator of the crime was identified after an innocent

person served time for it. Those real perpetrators committed at least 72 more violent crimes before being caught.

The currently proposed *Act to Provide Access to Scientific and Forensic Analysis* will help remedy the problem of wrongful convictions by guaranteeing convicted individuals who claim innocence the right to a DNA test of crime scene evidence. Massachusetts is one of only two states that does have such a DNA access law, even though it would uphold the values of our justice system and prevent the state from wasting almost \$46,000 a year keeping an innocent person in jail. Please help us to end wrongful convictions by making sure Bill H02165 receives a hearing and your vote.



Anna Khandros '11 and Stephanie Johnson '13

■ Op-Ed Piece

Imagine having your future, all the potential that you possess, torn away from you.

One day you're surrounded by family and friends then suddenly, you're accused of a heinous crime, rushed through trial, and thrown in jail. You spend years claiming innocence and waiting for somebody to realize their horrible mistake.

Dennis Maher was 23 years old when he was incarcerated for assault and two brutal rapes. He, like the attacker in two of the cases, was wearing a red sweatshirt. Dennis told the judge he didn't do it.

Seven years later, the Innocence Project, which challenges wrongful convictions with forensic testing, took up Maher's case, but it took nearly another decade for a law student to find what authorities claimed did not exist. DNA evidence.

The story doesn't end there. Once Dennis filed for DNA testing, a judge used his discretionary powers to deny the request without a hearing. Dennis had no choice but to wait another six years for the judge to retire to appeal. Then, after 19 years behind bars, a forensic analysis showed that the semen found on both rape victims was not Maher's. Dennis was freed.

Ongoing injustice

So why wasn't the crime scene evidence brought up by the prosecution initially, or available to the defense earlier? And how could a judge simply deny Dennis' request for testing?

Currently, evidence is preserved by police departments, and access to DNA testing granted by judges and sometimes district attorneys. Neither of these actions or procedures are formally required by law, preventing compliance standards and limiting the ability of citizens to contest legal decisions.

It was the Supreme Judicial Court Standing Advisory Committee that gave judges this discretionary authority. According to William Leahy, a former member of this committee, this option seemed adequate at the time because nobody saw wrongful convictions as a problem in Massachusetts.

The statistics suggested otherwise. Throughout its history, Massachusetts has exonerated 33 individuals, 9 through DNA testing. Yet Massachusetts was, and still is, one of only two states without a DNA access law that affirms the right of incarcerated individuals claiming innocence the right to DNA testing.

So what?

Today, people still seem unaware of the problem, and that it affects them.

The tragedy of incarcerating the wrong person goes beyond the suffering of the individual who loses his or her liberty. The victim and victim's survivors suffer as well because they gain only a false and temporary sense of closure. Just ask Patricia Gale, who thought that she had long moved on from that night in 1983 when she fought off her attacker.

Furthermore, wrongful convictions jeopardize public safety. In 43% of the first 251 DNA exoneration cases nationwide, the real perpetrator was identified after the wrong person served. Those real perpetrators committed at least 72 more violent crimes before being caught.

As if that's not enough, the financial costs of keeping the wrong person incarcerated are also high. Massachusetts spent an annual half a million dollars on the nine individuals who were later exonerated by DNA testing, not including legal fees from multiple trials and appeals. DNA testing for these men would have cost the state a one-time fee of under \$13,000.

A solution?

Leahy realized that the Committee was wrong. Around 2004, it became increasingly clear, largely based on emerging stories such as Dennis', that wrongful convictions occur in this state just as they do everywhere else.

Leahy went on to work with a Boston Bar Association task force to research the problem, which, after 18 months, released a report with recommendations for judicial reform. Subsequently, the BBA, along with a coalition that includes the New England Innocence Project, American Civil Liberties Union, and the Committee for Public Counsel Services, became a driving force for a DNA access law in Massachusetts, called *An Act to Provide Access to Scientific and Forensic Analysis*.

The proposed bill acknowledges the significant number of DNA exonerations in recent years, and that modern techniques can be used to overturn previous wrongful convictions. It applies to any person convicted of a criminal offense who asserts that he or she is innocent, and allows him or her to file a motion for forensic or scientific analysis, if the evidence or biological material exists.

The bill additionally requires that the state preserve biological evidence from crime scenes for as long as the defendant is in custody or on parole, even if the evidence was not introduced at trial.

Finally, a call to action. Now to convince policymakers what it took lawyers decades to realize. Massachusetts needs a DNA access law. *Call your representative or senator and ask him help end wrongful convictions by supporting Bill H02165.*

■ Excerpts from Campaign Journals

Anna

From a meeting with Joanne Muti, aide to Representative Daniel Winslow (R-Norfolk)

Representative Winslow followed up to our initial e-mail himself, and the meeting with his staffer was the best by far. Joanne took detailed notes as we spoke (which was so intimidating!), and asked many follow-up questions. It was nice to have a dialogue rather than spew out an elevator speech. We referenced Representative Winslow's public service history, tenure as a judge, and policy suggestion papers as much as possible, and Joanne suggested that although he has no position, Representative Winslow will probably support the bill. Joanne also asked for our contact information, as well as about our post-college plans. Before Stephanie and I left, Joanne and I bonded about the Peace Corps. She reminded me of my (Republican) grandmother, which made me question the bipartisan stereotypes I sometimes hold. I think that this may be a start in finding unlikely allies for a campaign that requires as much support as possible. From Joanne, I learned to try to relate to policymakers on a more personal level, not just over common social values, because it seemed to help the advocacy cause.

From general reflections and conclusion

All of these meetings helped me to develop my communication skills, as well as my confidence when talking to policymakers. Although the course and advocacy process was challenging, it reminded me that writing research papers, beyond college, is useless unless you can also present in person, and help people to understand and support your position.

The biggest lesson I learned this semester was that I can apply what I learn in Legal Studies classes to the real world. I used to think of social justice in a larger sense, but advocating for policy change reminded me that it starts right here on campus and in my immediate community.

Stephanie

From introduction

Working on *An Act to Provide Scientific and Forensic Analysis* was one of the highlights of my semester. After hearing about the injustice that wrongful convictions posed, we knew that this was the bill we wanted to focus

on. I became an expert on this bill, and I used that expertise to advocate for its passage. While I had a great experience working on this bill, it was also extremely challenging. Anna and I began this journey on our own. We did not have a coalition to join to help us move forward. We did not have the same guidance and support that the other groups had. However, we had a strong desire to tackle a pressing issue that was being ignored. We dived head first in to an issue that was kept behind closed doors and barely discussed, and tried our hardest to bring it to light. We did not have a coalition to give us a push forward, but during our journey, we met with legislative aides who gave us a strong insight in to how the State House works. From our extensive research and advocacy, we came to the realization that this bill died in the past not because of active opposition, but because of the lack of advocacy. This time around, we wanted to change that and we focused on bringing awareness in the State House about *An Act to Provide Scientific and Forensic Analysis*.

From a meeting with Representative Christopher Markey's aide

We had about an hour wait until our next scheduled meeting, so we decided to visit the other legislators on the Joint Committee on the Judiciary. We stopped at Representative Christopher Markey's office first because from our research, we learned that he was very big on public safety and was a former prosecutor. Because of his history, we wanted to speak with him to get his opinion and position on the bill. We knocked on the door, and one of his aides let us in. We gave our background information and a quick explanation of the bill. The legislative aide was about in his 30s, and even though he had just arrived, he allowed us to meet with him. The greetings and meeting happened so quickly that we forgot his name. We gave him the same speech that we gave to Sarah Walkovich, but it went extremely well. Anna and I did a great job, and we conveyed our message eloquently. The staffer took notes the entire time! He was extremely engaged and hooked by our speech. At the end, he inquired about the federal bill, Justice for All, and said that it was embarrassing that Massachusetts is only one of two states that does not have such a law. He was impressed with our storybook, and he took our contact information. He told us that he would get this information to Representative Markey as soon as possible.

■ **Update (July 2011)**

The bill was discussed at a public hearing before the Judiciary Committee on June 8. It was reported favorably by the committee and referred to the House Committee on Ways and Means.

For more information

Innocence Project

www.innocenceproject.org

Justice Brandeis Innocence Project

www.brandeis.edu/investigate/innocence/

In 2007, Governor Deval Patrick brought forth a piece of legislation in hopes that it would help the state of Massachusetts flourish fiscally, economically, and socially. The Destination Resort Casino Bill, in limbo since, proposes to bring casinos to the Palmer, Fall River, and Revere areas to develop the economy and increase employment opportunities for citizens.

Destination Resort Casino

Zach Malin '12
Alex Tynan '12

■ The Bill

Final Draft H4068: "Destination Resort Casino"

■ Elevator Speech

Oh! Hello Representative [Name]. I'm happy I ran into you because I know you agree that our state is a stronger community with more jobs and less disparity in our finances. Our society sees the possibility to fully flourish when all members of the commonwealth are given a fair and even opportunity to succeed. I am sure you desperately want to reverse these problems in hopes of helping your constituents and our community. We know that increasing jobs and closing the budget gap would be possible through expanded gaming in Massachusetts. Additionally, the long-term social and monetary rewards for workers in various sectors of Massachusetts are undeniable. Rather than let this great chance pass by your office, and allow another representative to take the lead, you can lend your assistance to Speaker of the House DeLeo and Governor Patrick to the Expanded Gambling Bill #4068 to the house floor for a vote. Vote yes on HB #4068.



Zach Malin '12 and Alex Tynan '12

■ Excerpts from Campaign Journals

Alex

At this time in my progression with the Destination Resort Casino bill, I felt fundamentally torn between the two sides. On one hand we have an industry that preys on weak citizens and allows them to risk money in hopes of hitting it big, which rarely happens. Yet, on the opposite side, we have communities around the state that could use these jobs and income to improve their standard

of living. There were no real problems in my research for this bill. The toughest thing was mustering up the courage to talk to strangers about casinos. After I did a cost-benefit analysis of my own, I realized these casinos deserve a shot to be voted on again in the State House. The economy and state are in a different way, with unemployment much higher. With these interviews I made tough decisions, but ultimately am proud of them because I went about it like a true legislator should. I researched, listened to, and met with people from both sides. Then took their ideas and made a decision by my own will about how I thought we could best suit the economy of Massachusetts concerning the destination resort casino bill.

Zach

The next person Alex and I met with was Kathi-Anne Reinstein (D), a state representative from Revere. When we arrived at the State House we were unsure about how the representatives would feel about the bill, but Representative Jay Kaufman brought Representative Reinstein to our rescue and aid. In all honesty, she opened our eyes to the situation regarding the implications of casinos and indirectly persuaded us to advocate alongside her for this bill to pass. We discussed the necessity for jobs and a substantial income in low-income demographic areas such as the municipalities she represents. After we left our meeting, Alex and I decided that we should change our initial viewpoint and support the introduction of gaming into the state of Massachusetts. We realized that this bill could provide jobs and revenues to the state and its people that have never been seen before. The Destination Resort Casino bill can immediately have a positive impact on the commonwealth socially and economically.

■ Update (May 2011)

The Destination Resort Casino bill will need to be refiled in the next round of bills. Alex and Zach believe that the major advocacy groups that will aid greatly in the cause are Teamsters Local 25, the Massachusetts Teachers Association, the Local Carpenter's Unions, and of course, Massachusetts citizens.

For more information

Coalition for Jobs and Growth

jobsandgrowthtoday.org/

Access to in-state tuition for undocumented students has been on the docket of the Massachusetts legislature for the past several years. Following the failure of the DREAM Act to pass in both houses of Congress, Massachusetts policymakers reintroduced this contested topic to the Massachusetts legislature in a new bill that would ensure that any Massachusetts student who meets certain qualifications is eligible for in-state tuition rates.

In-State Tuition for Undocumented Students

Kate Alexander '12
Kayla Cronin '11

■ The Bill

Final Draft H02109: "Access to In-State Tuition for Undocumented Students"

■ Elevator Speech

Hello Representative. I always thought that academic success was rewarded in our educational system, but that's just not true. Renata Lopez and Deivid Ribeiro earned straight A's in high school, but because they were brought to the United States when they were young children, are undocumented and required to pay out-of-state tuition rates in the only home they have ever known. As undocumented students, Deivid and Renata have to work minimum-wage jobs to pay for every class they are able to take, and are often unable to take more than one or two classes each year. These students have potential, but it is being wasted over deep fryers. I don't understand how our educational system is letting these students slip through, but I do understand the solution to this educational injustice. Bill H02109 will grant in-state tuition rates to deserving students like Renata and Deivid, and would bring in \$2.5 million in new

revenue for our state schools that we know are hurting financially.

If H02109 passes, students like Renata and Deivid could afford college and, through the bill's path to citizenship, acquire a high-wage job. They would benefit, and so would Massachusetts because each person who attends college and obtains a skilled job is one less drain on our social service budget. Not to mention the fact that immigrant college graduates in Massachusetts earn twice as much as immigrants with only a high school degree, which translates into \$2.5 million dollars in new tax revenue for Massachusetts. Texas has already seen these benefits – do we really



Kayla Cronin '11 and Kate Alexander '12

want Massachusetts' educational policy lagging behind? You can build a stronger educational system and economy for Massachusetts by supporting H02109.

■ Excerpts from Campaign Journals

Kate

From a general meeting for the Student Immigration Movement

This meeting was the most educational and emotional meeting I could have attended, and the most challenging personally. The Student Immigration Movement was started by a group of startlingly brave undocumented students who are talented, academically gifted, and completely unable to attend college because it is three times more expensive for them than it is for their classmates. They overcame their fears of being ousted as an undocumented immigrant and deported to help others in similar situations and challenge how the U.S. thinks about immigration. Their stories, and the stories of the people in the room who they were helping and the stories of their allies, were incredible. It was this meeting where Kayla and I met each of the individuals who would come to be represented in our storybook: Renata, Deivid, Vanessa and Cady. Their stories were incredible and moving and challenged how I think about immigration and immigrant students... I had always thought that it was their own fault for not trying hard enough to succeed, but this project forced me to reflect on the institutionalized discrimination against these students. I can't know if I would have tried as hard as I did in high school had I been aware that there was no chance of me going to college, but I bet that I wouldn't have felt quite the same encouragement to succeed.

Kayla

From a general meeting for the Student Immigration Movement

Some of these stories were heartbreaking and really affected me. In fact, this meeting is what inspired me to form BIEI (Brandeis Immigration Education Initiative). It also confirmed my feelings on this bill and solidified my position on it. The students were so articulate and really wanted to go to school, not just because they felt they should, or that it would help them get a job later, but because they truly wanted to learn. I could think of no group who deserves more to go to school. It made me reflect about the plenty of students I know in college who are wasting their time and not taking it seriously.

This was the first meeting of the year so first they recapped their previous campaign, the DREAM Act. They discussed what went well and what needs to be improved. People openly gave their thoughts and opinions as many had traveled to D.C. when the act went to vote. Secondly, they discussed what their goals for the upcoming year were. They were very organized and clearly outlined their goals. Guess what their main objective was? They wanted to advocate for the in-state tuition bill!

I made some meaningful connections that day. After the meeting was finished we had a social during which everyone could talk and get to know one another. It was here that Kate and I met Renata, one of the people featured in our storybook. We learned her story and actually interviewed her there. We met Cady that day too; she is also featured in our storybook. Through talking to other members we were told to get in contact with Deivid because he had an amazing story to tell. He just unfortunately couldn't make that meeting. We got his contact information and later were able to interview him. His story was incredible and included in our storybook.

This meeting with SIM really inspired Kate, Vanessa, Molly, Morgan and I to start a similar group on the Brandeis campus. As a result, the Brandeis Immigration Education Initiative was born. The goal of this group is to raise the Brandeis community's awareness on immigration issues, help SIM in their endeavors for immigrant rights, and to discover, and possibly change, Brandeis's own policy when it comes to admitting undocumented students.

■ Update (June 2011)

The Joint Committee on Higher Education scheduled a July hearing for the bill.

For more information

Student Immigrant Movement
www.simforum.org

The Thirteenth Amendment of the United States Constitution prohibits slavery and involuntary servitude, but Massachusetts has not yet adopted legislation making human trafficking a crime, and there is no officially-sanctioned agency that maintains records on the prevalence of the crime.

Human Trafficking

Ethan Davis '11

Mark Garibyan '11

■ The Bill

Final Draft S827: "An Act Relative to the Commercial Exploitation Of People"

■ Elevator Speech

Hello Representative [Name], it is great to see you again! I'm glad I ran into you because I know that you are an ardent supporter of human rights issues, and human trafficking is a despicable violation of these rights. Right now Massachusetts has a human trafficking problem and these egregious human rights violations are occurring every day. I think we can all agree that basic human rights are something that all people deserve to have and that these rights should be protected. Many of those being trafficked currently, and at risk in the future, are children who are defenseless against these predators. I know that

you are opposed to involuntary servitude, both sexual and for labor, and this is an issue that you have an opportunity to help fix. There is no current state law on human trafficking, making Massachusetts just one of only five states to not adequately provide effective laws to help law enforcement prosecute human traffickers. Law enforcement officials do not have the necessary tools to prosecute the criminals with sentences befitting the crime, and police cannot currently differentiate an innocent trafficking victim from a willing prostitute, and the true victims are often originally seen as criminals by the state. Unfortunately, this problem is under the surface and not many people in the Commonwealth are even aware that these human rights violations are taking place within the state.



Ethan Davis '11 and Mark Garibyan '11

Legislation is needed in order to protect human trafficking victims from prosecution, and to give law enforcement the necessary tools to apprehend and punish these heinous criminals. This bill would help replace the current archaic laws in place and enable stricter repercussions for criminals to keep them off the street for longer at a minimal financial cost to the Commonwealth. Additionally, it will create a restitution fund to help victims get back on their feet, and this fund will come from the criminal's seized assets, not the state's coffers. Please support S827, "An Act Relative To The Commercial Exploitation Of People," by helping it get to the floor for a vote and then voting yes. Also, please e-mail your constituents to show them human rights violations are something that you take very seriously and want to put an end to!

■ Op-Ed Piece

Imagine being taken against your will and held captive while forced to commit sexual acts or work involuntarily in inhumane conditions: this is a harsh reality that far too many people currently face in Massachusetts. Human trafficking is a very prominent form of modern day slavery. It is a human rights issue that many people don't believe affects us right here in Massachusetts. However, Massachusetts Attorney General Martha Coakley passionately believes that human trafficking is "not just overseas, not just across the country, but right here in Massachusetts." Trafficking victims are repressed against their will and lose the basic freedoms all of us have come to cherish while living in this country. Although this manipulation should outrage everyone, unfortunately it doesn't. The degradation of innocent human beings cannot be tolerated any longer, and it is time that Massachusetts takes a stand on this critical and pressing issue.

Involuntary servitude represents a disgusting exploitation of fellow human beings. Most of the victims of human trafficking are women and children, and they include both foreigners trafficked into Massachusetts and children being kidnapped within the state itself. In the U.S., 244,000 American youths are thought to be at risk of sexual exploitation. Additionally, the National Human Trafficking and Resource Center received 77 calls from Massachusetts relating to human trafficking in 2009. These calls came from 26 different cities and towns in the Commonwealth. These are the facts. Unfortunately so is this: Forty-five states have taken a proactive approach to curbing human trafficking by passing state legislation in an attempt to combat the problem. Massachusetts is

not one of them. Although 77 calls may not seem like a high enough number that would necessitate immediate government action, it is the nature of the crime, not the quantity, that makes it especially heinous.

The passage of an anti-human trafficking bill will provide law enforcement with more effective tools to combat the problem, and they will be better equipped to apprehend and penalize the criminals while helping protect the real victims. A large number of people support this bill publicly, including Attorney General Martha Coakley, prominent legislators including Judiciary Committee House Chairman Eugene O'Flaherty, Boston Police Commissioner Ed Davis and various DAs across the Commonwealth.

Besides the criminals themselves, no one supports human trafficking. So why then has nothing been passed in the Commonwealth to help protect the helpless victims and put in place more stringent punishments for the criminals? Stunningly, apathy is the common answer. Many people have argued, including the Attorney General herself, that the reason no law has previously been passed in Massachusetts to help combat this egregious human rights violation is that there are more pressing issues, and legislators have not had the motivation to work on this concern. According to Laurie Myers, president of Community VOICES, a group advocating for stricter restrictions against sex offenders, "the issue of human trafficking is known to those who work with sexually abused and exploited children, but has never been a priority on Beacon Hill." Tell that to the victims. Human trafficking is a form of modern-day slavery and time is extremely important. The faster the legislature takes necessary action, the quicker Massachusetts can crack down on this atrocity.

This issue needs to become paramount within the walls of the State House. One person who gets it, Senator Mark Montigny's General Counsel Thomas Brophy, believes that "this is the single most important piece of legislation that this legislature will pass this session." Since the anti-human trafficking bill was initially filed, the number of legislators in support of it has doubled. We can, and need, to put an end to the State Legislature's apathetic stance. Contact your legislators and inform them of this dire issue and urge them to support S827 in the Senate and H2850 in the House. We, as free Americans, can no longer tolerate turning a blind eye to the persecution of so many innocent people.

■ Excerpts from Campaign Journals

Ethan

I felt that my preparation for the meeting was extremely important. Going into the meeting, I knew that they both respected my opinion, but it was clear after the opening minute of my speech that they respected me as an authority figure on the topic. The meeting was mutually beneficial: I was helpful to her by providing her information about a bill she did not know a lot about, and after hearing a comprehensive assessment of the bill she was eager to help support it. Although by this point it was too late to sign on to the bill as a co-sponsor, she nonetheless emailed Eugene O’Flaherty, House Chairman on the Judiciary Committee, offering her support. This made me feel like I had a tangible effect on the legislative process, and definitely boosted my confidence in public speaking and my ability to “be an expert” on this piece of legislation. I don’t think this meeting could have gone any better from either of our perspectives; it gave me what I wanted (another legislator signing on as a supporter of the anti-human trafficking bill), and she received a bill that she could sign on to as a hero opportunity.

Mark

Siddarth Kara is a Fellow at the Harvard Kennedy School’s Carr Center for Human Rights Policy. He sought to implement his thorough understanding of how businesses operate to better analyze the illegal practice of trafficking in humans, since – according to him – it is a business like any other. Profit maximization, the chief purpose of business, is thwarted when a risk factor is involved with the activity, since risk either deters consumers and suppliers or introduces an additional cost which lessens overall profits. To curb the heinous practice of human trafficking, countries must intervene against both the supplier and the consumer by injecting a greater risk factor into their behavior. Currently, since Massachusetts does not have specific human trafficking laws, the risk factor of this illegal industry is not enough of a deterrent. Therefore, since both consumers and suppliers are “rational economic agents,” they act in accordance with a very generous business vogue – low prices, low risk, and large supply.

Kara’s economic perspective has reframed the lack of human trafficking laws as a ‘risk’ factor associated with that behavior. We found that the concept of ‘risk’ as a deterrent helped our listeners to better understand why human trafficking is happening in Massachusetts (no risk translates into a highly lucrative business model), and why the proposed legislation – the risk factor – has to be passed in order to mitigate human trafficking. After the end of

the meeting, Ethan and I had the chance to speak with the attendees and increase support for the bill. Our pitch was highly congruent with what we all heard, and it sounded like this: “think of the risk factor that Siddarth was talking about as a functioning legal system. If penalties for a certain crime are high, a criminal will think twice before committing it, and perhaps be completely deterred. When there are no penalties, coupled with the alluring monetary reward of human trafficking, this human rights violation will continue to persist.

■ Update (May 2011)

An Act Relative to the Commercial Exploitation of People is currently in the Joint Committee on the Judiciary. So far, no hearing has been scheduled. On May 23, 2011 (Missing Children’s Day), Senate President Therese Murray promised advocates of missing children that lawmakers would pass legislation targeting human trafficking.

For more information

The Polaris Project

www.dreamcenter.org

Mandatory Minimum Sentencing Reform

Carl Goldfarb '11

Brett Segall '11

Jesse Silberstein '11

Each year in Massachusetts, hundreds of people receive fixed and often lengthy prison sentences for nonviolent, low-level drug offenses. These sentences are known as “mandatory minimums” because a judge must impose a fixed prison sentence established by law, regardless of the facts of the case. Mandatory minimums regarding drug cases are “one size fits all” sentences based solely on the quantity of drugs involved in the offense. The judges are prohibited from considering any other factors, such as the defendant’s role in the offense, prior criminal history, or need for drug treatment. Governor Deval Patrick proposed a bill to repeal mandatory minimum sentences for drug trafficking unless a person has both a prior conviction for the same offense and wielded or used a firearm during its commission.

■ The Bill

Final Draft H00040: “An Act Relative to Criminal Sentencing”

■ Elevator Speech

Hello Representative DeLeo. It is fortunate that we caught up with you because there is something we would like to discuss. You must agree that our community is better off when the most violent offenders are the ones populating our prisons, affording law-abiding citizens a sense of security. And surely you agree that we are better off when our prisons are equipped to house prisoners at the rate they are incarcerated. However, existing mandatory minimum

legislation can send harmless, one-time drug offenders to jail instead of their more dangerous counterparts. This means that prison space is scarcely available, often leaving more violent offenders free to roam the streets and endanger us and our families – your constituents. Thankfully, Governor Patrick’s new bill, H00040: An Act Relative to Criminal Sentencing, can begin to correct these problems. This bill would repeal mandatory minimums for certain offenses. Thus, it would lower the rate of incarceration, both reducing prison costs and ensuring that the limited prison space we have



Brett Segall '11, Jesse Silberstein '11 and Carl Goldfarb '11,

is reserved for the most violent and threatening offenders. Plus, it would restore judicial sentencing discretion, which will expand offender opportunities for probation, parole, and even drug rehabilitation. These options would only ease offender reintroduction back into our society. The best part is that *you* can make a difference by acting in support of H00040 when it goes to the House floor for a vote, and encouraging your colleagues to do the same.

■ Op-Ed Piece

There have been numerous stories over the past few months focusing on the need for an overhaul in the criminal sentencing system in the United States, especially in Massachusetts. The focus has been centered on the mandatory minimums, primarily regarding drug offenders. The United States not only has the highest rate of incarceration in the world, but also houses one-fourth of all of the prisoners in the world. Why is this the case?

Prisons throughout the country are seriously overcrowded, and in Massachusetts we are no different. There are over 25,000 inmates serving time throughout the state. However, it is interesting to note that drug offenders serving mandatory minimums make up over one-quarter of the prison population. The Massachusetts Sentencing Commission reports that over 30% of those state prisoners either had no prior criminal record or they had only a few convictions for minor offenses. So, in short, the prisons are filling up at an alarming rate because so many low-level drug offenders are serving the mandatory minimum sentences, even if it is their first offense. And guess who is left paying for the intake of these inmates? Yup, you guessed it, the taxpayers of the Commonwealth. We are left to pay the enormous costs of our failed policies to the amount of \$45,917.05 a year for a state prisoner according to the Massachusetts Department of Corrections.

Personally, I believe that putting criminals behind bars is something we should strive for as a society, even if there is an economic cost to it. However, upon seeing the statistics, our money isn't being spent effectively. For example, one of the more controversial and less efficient sentences occurs when someone gets busted for selling drugs within a "school zone". This law places a mandatory minimum for those who are caught selling any type or quantity of drug within 1,000 feet of a school to jail for two years. This law sends more than 300 people alone to jail every year, regardless if they were caught dealing to children, the actual original intent of the law. If the drug bust occurred outside of a "school zone" and it was the person's first offense, it would normally result in probation and not two years in a cell.

Not only that, the "school zone" law creates an urban effect, because those busted for selling drugs are more likely to violate this rule if they live in a densely populated area. This factor has added to the major discrepancy of the racial makeup of those serving the mandatory sentences. The numbers are startling; one in every 54 Hispanic men and one in every 15 Black men ages 18 and over are currently behind bars. Conversely, only one in every 106 White men ages 18 and over are behind bars. Many argue that this "urban effect" is a contributing factor as to why there are so many more minorities in jail.

To make matters worse, those who finish their mandatory minimum sentence who actually have a drug addiction problem are then thrown back onto the street where they are more likely to commit the same act again, instead of being released into a rehab facility. No rehabilitation back into society takes place for this particular offender, leaving the rest of us asking the same question, "If my tax money goes to keeping this person in jail, why can't it also go to keeping him out?" In fact, according to the Association for Behavioral Healthcare, the average cost of a drug treatment program is \$10,000 a person; that number is \$35,000 less than it costs to keep him locked up. This just creates a perpetual cycle and nothing has been done to end it. Clearly, something needs to change because the way it stands now, justice is not being served and tax money can be better spent on programs that have to be placed on the back burner due to lack of funding.

Ask your senators and representatives to support the overhaul of our Commonwealth's mandatory minimum sentencing, Bill H40.

■ Excerpts from Campaign Journals

Carl

For our bill, H40, the first event we had was a meeting in Senator Creem's Office with her Chief of Staff, Richard Powell. Senator Creem was not available; however, her aides were very useful and informative. In our meeting, Mr. Powell told us how the last time this matter was taken up for a vote before the state legislature, no one voted solely on party lines, but instead by their philosophical ideals. He also reaffirmed how much of a supporter Senator Creem is of the proposed reduction of the mandatory minimums. In our meeting, it kind of felt like both sides was "preaching to the choir". For example, there were times where we would finish each other's sentences when we were talking about the lack of rehabilitation back into society. I felt that

we could have spent our time more wisely with either the new members of the House and with other members who were on the fence, not firmly cemented in their decision on the issue.

Brett

After a meeting with Keith MacFarland, aide to Representative Eugene O’Flaherty

Although our bill is an important piece of legislation that is being examined, I feel that it isn’t currently being acted upon and that it is being overshadowed by other proposals and legislation. I felt after meeting with Mr. MacFarland that this was somewhat the reason for the hearing for our bill occurring later in the coming weeks/months. Since the bill was not directly being considered, I feel that the only thing that could have worked better was if an appointment was made ahead to meet with Representative Eugene O’Flaherty himself. Nevertheless though, I felt we made a connection with Keith after talking with him. We stressed to him that our Bill H40 should be reviewed at an earlier time and weighted as a priority. He gave us all his business card and told us to attend the upcoming hearings. He also added that he would advocate our position on the Bill to Representative Eugene O’Flaherty and pass on our message when he was available.

Jesse

From a meeting with Richard Powell, Senator Creem’s Chief of Staff

He also pointed out that the competing factions on the bill are divided more along philosophical than party lines. Those who oppose the bill think it is needlessly “soft on crime,” which sends a message of complacency toward crime and weakens general deterrence, while those who support it think it is one measure in an ongoing effort to get “smart on crime.” Finally, Richard explained that without rehabilitative efforts, getting “tough on crime” means nothing because it does not reduce the chances of an individual recidivating upon release.

■ Update (August 2011)

An Act Relative to the Commercial Exploitation of People is currently in the Joint Committee on the Judiciary. A hearing is scheduled for September.

For more information

**Families Against Mandatory Minimums
Massachusetts Project: www.FAMM.org**

While Massachusetts has made meaningful strides in health care reform, the state has long ignored the problems as they apply to young adults. House 63 provides Massachusetts with the opportunity to prove its commitment to the young adult population by granting them an affordable health care option.

MassHealth Expansion for Young Adults

Sari Ladin '11

Shanna Rifkin '11

■ The Bill

Final Draft H63: "An Act Ensuring Access to Basic Health Care for Children and Young Adults"

■ Elevator Speech

Representative [Name], I am so happy that I ran into you! As future leaders of our state, I am sure you would agree that the health and well-being of young adults is important not just to them, but to the entire Commonwealth. Currently, young adults must bear the burden of a health care system that views them as invincible. MassHealth Legislation drops coverage for enrolled young adults upon their 19th birthday, leaving them with inadequate coverage

options, and allowing for any potential health conditions, even a benign one, to progress, posing significant risk to their health and future productivity. I know that you and your constituents are concerned about the tight budget. While expanding health care programs may seem inappropriate, many of your constituents have children of their own, and if it were their kids, they would want what's best for them. While Chapter 58 helped to ensure health care security for the majority of Massachusetts residents, young adults and students were systematically excluded from the levels of reform and care that are granted to everyone else in the state. We believe that MassHealth reform will begin to fix this problem, by ensuring continuous coverage for young adults. An investment in the health of young adults is an investment in the future economic productivity of



Shanna Rifkin '11 and Sari Ladin '11

Massachusetts. By urging House Speaker DeLeo to bring House Bill 63 to the floor for a vote, you will be a role model to the future leaders of the State.

■ Excerpts from Storybook

Aaron Marden, student organizer and founder of the Student Health Organizing Coalition (SHOC): “When the Commonwealth of Massachusetts enacted health care reform, lawmakers neglected a large segment of the population: students, like me.”

Melissa’s Story: Melissa is a college student who had to go off of her MassHealth when she qualified for a QSHIP plan, making it nearly impossible for her to get the prescription drugs she needed to help mitigate the affect of her learning disabilities.

Child Health Access Coalition: As the writers of this bill, the coalition recognizes the important role that continuity of care plays in the delivery of high quality health care. Expanding MassHealth to college students would ensure a more continuous health care system

■ Excerpts from Campaign Journals

Shanna

From a meeting with the legal counsel of Representative Khan, co-sponsor of the bill

This meeting took place on one of our class visits to the State House. Sari and I met with the legal counsel to discuss the progress of the bill, alert them of our support, and ask them when they thought the hearing for the bill would be scheduled. We found out a lot of useful information. First of all, this was the second time a MassHealth expansion bill had been filed, however, as we had already known, it is not a favorable bill, because many people think that the state cannot afford to expand MassHealth coverage, and therefore, the bill usually dies. However, Representative Khan’s office assured us that they would not hold the bill up, and that it was actually one of their priorities to have some movement on it. Unfortunately, the hearing for the bill will not take place until the fall, so that is not something that we will be

able to attend. An interesting note, when we introduced ourselves and said we are from Brandeis the receptionist said, “Oh yes, Brandeis is a great school! We get so many student advocates from that place, you guys are really learning how to make a difference.”

Sari

I met with Representative Ruth Balser and her Legislative Aide, Brendan Morris today and discussed the history of the MassHealth Expansion Bill. The meeting was arranged with a youth advocacy organization called Y MORE to discuss their budget priorities for FY12. Upon entering Representative Balser’s office, I introduced myself as a constituent and a Brandeis student and briefly explained my reasons for joining the Y MORE legislative visit. I notified both Brendan and Representative Balser that I would be visiting the State House the next day with my class and would like to set up a time to meet with them. Fortunately, Brendan was available after the Y MORE meeting so I had the opportunity to sit down with him to discuss the bill. He did not know very much about the bill during our meeting, so I had a chance to describe the bill and practice my elevator speech. Since Representative Balser is a co-sponsor, I did not try to convince Brendan to support the bill. I focused more on explaining the issue that the bill addresses. We had a slight miscommunication regarding the Affordable Care Act. I did not do a good job in distinguishing between expanding health insurance for young adults by letting them stay on their parents’ insurance and expanding access to Medicaid for young adults. I was trying to explain that expansion of Medicaid has not yet been implemented and will only go into effect in January 2014, but Brendan thought I was talking about the other expansion of health care access for young adults. Despite the confusion, Brendan clarified important holes in our research regarding the history of the bill and its scheduled hearings. He said he would send me an e-mail with more information and he followed through with his promise. From his e-mail, I learned that H63 is a re-file from the last legislative session and did not get enough support in the House Ways and Means Committee because the opposition argued that Massachusetts could not afford this expansion. He confirmed that the hearing is likely to be scheduled for the fall. I really enjoyed sitting down with Brendan and felt that the sense of urgency in my speech may have led him to respond so promptly.

■ Update (May 2011)

The bill received a hearing in the Joint Committee on Children, Families, and Persons with Disabilities in late April, for which Shana and Sari submitted written testimony.

For more information

Commonwealth of Massachusetts Executive Office of Health and Human Services

www.mass.gov/Eeohhs2/docs/eohhs/cms_waiver/ma_1115_demonstration_june2010.pdf

The Kaiser Foundation

www.kff.org/medicaid/upload/8057.pdf

Enrollment and Disenrollment in MassHealth and Commonwealth Care

www.massmedicaid.org/~media/MMPI/Files/2010_4_21_disenrollment_mh_cc.pdf

The foreclosure crisis imposes costs on homeowners, renters, and banks alike. For this reason, the best approach to the situation is one that can benefit all affected parties. An Act to Establish Foreclosure Mediation with Judicial Review, proposed to the Massachusetts State Legislature in January of 2011, embodies this approach by protecting the voices of mortgagors while generating workable solutions for lenders.

Mediation to Prevent Foreclosure

Sahar Massachi '11

Anthony Medeiros '11

■ The Bill

Final Draft S00673: "An Act to Establish Mandatory Foreclosure Mediation"

■ Elevator Speech

We can agree that it is unjust for citizens to be kicked out of their homes, through no fault of their own. Across Massachusetts, people are being evicted from their homes. Houses are being boarded up, and property values are plummeting. Families and communities are under financial and social strain. Why? Because banks are refusing to renegotiate the terms of predatory subprime loans. Great news! There is a solution. Senator Chandler is sponsoring a mandatory mediation bill that would force banks and borrowers to try to hammer out a mutually beneficial deal. In other states where this has been

tried, the majority of mediations end up with a deal acceptable to everyone. Can you please ask Senator Creem to make this a priority item in the Judiciary Committee?



Anthony Medeiros '11 and Sahar Massachi '11

■ Excerpts from Storybook

Meet Marshall. Marshall is a 75 year-old man in Dorchester. He suffers from rats, poisonous liquids, broken appliances, and feces dripping from fractured pipes. Here's why.

In 1997, he bought a house with an adjustable-rate mortgage in order to live with his sick parents. Their medical bills rose, as did the rate on his mortgage, and he was no longer able to pay the monthly fee. After being foreclosed on, he has been a tenant of the bank.

Though the bank has a legal obligation to repair the home to a reasonable standard, it would rather lose the hassle of being a landlord and lose money on an empty house. This situation is working for no one.

Meet Grace. Grace has dedicated her life to defending the poor, the powerless, and the foreclosed.

Grace has a great respect for her friends and neighbors, and believes that they have the power to stand up for themselves. She advocates for mandatory mediation because she believes in empowering her fellow citizens to be equal negotiators, not victims, of the banks. As a scholar of foreclosure legislation and the crisis, she has seen, over and over again, the horror of banks dealing in bad faith and kicking out citizens because they don't want to deal with the paperwork that would be needed to save them both money.

Grace ran for Governor in 2006 on the strength of her belief. Now, as she paces the State House ferociously in her well-worn sneakers, staffers, representatives, and lobbyists all stop and greet her – they know that she's on the march for justice.

■ Excerpts from Campaign Journals

Anthony

The coalition event that I was able to attend was a meeting of City Life/Vida Urbana, an organization in Jamaica Plain helping individuals who faced foreclosure. CLVU was recommended by almost every person related to the issue that I had spoken with so far. The event itself was fantastic – it was well attended and clearly empowering for the people there. Individuals got up to share their stories of foreclosure, and Steve Meachum, the director, helped people strategize their resistance to the bank's legal action. I was deeply impressed with this community's ability to organize itself, and during the meeting they took volunteers for various activist events over the next week. More impressive was that the meetings were weekly. This was not a special one-time event. In fact, CLVU was able to generate and maintain this kind of energy every week. What I learned most from the event was the extent to which the foreclosure crisis was affecting real people. Simply reading about it or watching the news could never match the understanding I got from seeing real people share their stories and struggles.

Sahar

It all began with a phone call on a Friday morning. "Hi, Sahar? This is Grace Ross; you contacted me before about working on foreclosure advocacy. I'm lobbying in the State House today – you should come if you can. The deadline to get Representatives to file cosponsorships is today at 5pm, and I need all the help I can get." Oh. It was already 12:30. I worried about the inconvenience of getting there and back. It's hard to meet with a stranger in a strange place. Sometimes you have to just make the leap, and I'm glad I did.

I arrived at the State House by 2-ish. I called Grace, and met her at a random Rep's office. We talked for a few minutes, and then I followed her as she went from office to office, trying to round up cosponsors from each. Now, here's the weird thing. It totally worked! Everyone seemed to know her, and even people who didn't listened attentively. As we neared the 5pm deadline, representatives apologized for not having enough time to read, reflect, and cosponsor, but vowed to likely vote for the bills when the time came. The world really does seem to belong to those who show up.

■ Update (May 2011)

The bill is currently in the Joint Committee on the Judiciary, awaiting a hearing.

For more information

Association of Community Organizations for Reform Now
www.acorn.org

Massachusetts Alliance Against Predatory Lending
www.maapl.info

Paid Sick Leave

Madeleine Gecht '11
Rebecca Ludwig '11

Even though the vast majority of Massachusetts residents possess financial access to regular doctor visits and medical attention, millions are unable to take advantage of this right. Indeed, 45 percent of private-sector employees lack a single guaranteed paid sick day, useable for doctor visits or at-home recovery in the event of illness. An even greater percentage of workers are unable to take off from work to care for an ill child or elderly parent. For many of these workers the loss of a day's wages is detrimental to their family's financial well-being; as a result, they forego necessary medical attention and arrive at work sick and contagious – a threat to public health.

■ The Bill

Final Draft H01398: "Massachusetts Paid Leave Act"

■ Op-Ed Piece

The clock strikes 6 A.M., and you've woken up feeling like you were hit by a train. Your head pounds. You've got the chills. Lumps the size and consistency of golf balls adorn either side of your neck.

We've all been there, and it ain't fun.

Any doctor (or mom) will likely give you the same advice: rest, rest, rest. Drink your fluids. Take an Advil.

The advice of employers, on the other hand, will be more varied. Some

will suggest their workers follow the doctor's orders. And others – hundreds of thousands of others, in fact – will offer their employees a different set of instructions. In the best-case scenario: suck it up, or you won't be paid. In the worst-case scenario: suck it up, or you won't have a job here by the time you recover.

Indeed, roughly 1,404,000 private-sector workers in Massachusetts (that's about 42 percent of the state's workforce) are not guaranteed a single paid sick day by their employers. For many of these workers,



Rebecca Ludwig '11 and Madeleine Gecht '11

the loss of one day's wages means not being able to make the rent or buy enough food to feed their family. The result? Many must forgo their own recovery from illness, send a sick child to school, or leave an ailing elderly parent at home alone.

This is a grave injustice, not to mention a serious public health concern. The swine flu scare brought this issue to public attention when schools, the most prominent contexts of contagion, complained of parents sending their children to school while ill. Employees, too, were coming to work while under the weather, prompting many Massachusetts businesses to initiate "emergency" paid sick leave. Does it really make sense to wait until the next mediatised public health crisis to pass this kind of reform permanently?

The Paid Sick Day Act, drafted by Senator Pat Jehlen and Representative Kay Kahn, ensures that no employee needs to choose between putting food on the table and caring for themselves or their children when ill. It would entitle every worker in Massachusetts one hour of paid sick leave for every thirty hours worked, for a maximum of seven paid sick days annually. The days would not carry over to subsequent years.

The Act should receive a hearing in the Labor and Workforce Development committee in the coming weeks. Despite the common-sense nature of this bill, critics are concerned that the bill puts unfair pressure on employers, particularly in today's economic climate. However, sickness spreads, and sickness untreated worsens. This translates to significant costs to employers in the form of absent employees, lower productivity, and worker turnover. One study estimates that Massachusetts employers will save \$130,000,000 annually following the institution of paid sick leave.

Everyone benefits from paid sick leave. Individuals can afford to recover. Parents can afford to stay at home to care for a sick child. Communities become less vulnerable to the spread of disease. Employers have happier employees, higher levels of productivity, and lower rates of worker turnover. The state's overwhelmed health care system receives a break because untreated minor illnesses can lead to serious conditions, which often necessitate expensive medical interventions.

If you feel passionate about workers' rights or public health, The Paid Sick Days Act is worth your attention. Take action: call your representatives and tell them why their support matters to you.

Because, frankly, mom knows best: if you're under the weather, rest is the answer. And maybe a little chicken noodle soup.

■ Excerpts from Campaign Journals

Madeleine

From meeting with Senator Barry Finegold's Chief of Staff

This was my and Rebecca's first meeting with a legislative aide, so we were pretty nervous, although her open and kind demeanor put us at ease. She told us that Finegold hadn't committed his support for the bill because, as a small business owner himself, he was concerned about the financial pressures associated with mandated paid sick leave. As such, we adjusted our "legislative script" to address the cost-saving side of paid sick leave. Thankfully, we also brought a copy of the Institute for Women's Policy Research report on the effects of mandated paid sick leave on businesses in San Francisco (the report talks about how there was virtually no negative effect on businesses following the implementation of paid sick leave). We also brought the Institute for Women's Policy Research's report on the cost-saving aspects of paid sick leave – mainly its potential to reduce turnover and raise productivity. We left both reports with her. On a side note: I wish we had reports from other sources, since the Institute for Women's Policy Research has a known liberal agenda; it would have been helpful to have a report or testimonials from business owners who offer paid sick leave themselves.

Also helpful was bringing in research relative to Finegold's district (thank you, citydata.com!). We found out that one of the cities in his district, Lawrence, has one of the highest percentages of households run by single parents (52% of homes, and number 36 on a list of 101 cities with the most single-parent households). The aide responded very well to these statistics and wrote them down in a notebook. We also had statistics to show that Lawrence had a high number of people working in construction and food service – industries in which workers are least likely to receive paid sick leave. The woman later told us that Finegold "loves fact-driven data," so these district-specific data pieces were key to our conversation.

Rebecca

Our "lobbying day" was complicated and confusing every step of the way. We weren't sure if we would be messing up some secret plan of the paid leave coalition if we spoke to the wrong legislators, so we wanted to ask Elizabeth Toulan who she thought we should talk to first. We tried for over a week and could not get in touch with her. So, we called up the coalition's second-in-command, Chrissy Long. I was sincerely taken aback by how straightforward and no-nonsense Chrissy was even on the phone, and

immediately felt stupid for calling her. Matter-of-factly, she told us we should talk to anyone on the labor and workforce development committee. Maddy tried to make appointments to meet with legislators or their aides, and people were really confused about why non-constituents were trying to meet with them anyway. We struggled to figure out how to sound important.

Overall, we found the aides fairly easy to talk to. We spoke with Representative Rogers' aide, Chris Allen, who had not even heard of the Paid Leave Act. It was so exhilarating to be able to inform him, and have reasonable answers for his questions. However, we forgot to print out enough copies of the reports, so I felt stupid talking about the report with nothing to hand him.

Numbers and solid facts were visibly the most effective. Mr. Allen even took down some notes on the things we were saying. As frustrating and time consuming as it is, I guess finding the numbers really is that important.

We were really excited to speak with Rogers' office because John Rogers happens to be a Brandeis alum. However, this didn't seem as thrilling to the aide as it did to us. The thing that worked the best here was telling the truth and admitting we were human. Maddy and I told the aide that we were students, and were new at this whole lobbying thing. We politely apologized for being a bit flustered and disoriented. He seemed to relax a little bit more when we told him this as well. So I guess its okay to be human sometimes.

■ Update (July 2011)

In June 2011, Connecticut became the first state to pass legislation requiring businesses (with 50 or more employees) to provide paid sick leave to their workers. In July, the Massachusetts Legislature's Joint Committee on Labor and Workforce Development held a hearing on the Massachusetts bill.

For more information

Massachusetts Paid Leave Coalition

www.masspaidleave.org/about.html

Massachusetts AFL-CIO

www.massafclcio.org

Student Access to Educational Services and Exclusion from School

Beneva Davies '13
Cynthia Massillon '12

Many students are unable to remain in school and receive adequate education because they are suspended or excluded for multiple days from school. An Act Relative to Students' Access to Educational Services and Exclusion from School can help alleviate the issues that school exclusions place on the school system by requiring that students who are expelled for more than ten days must be provided with educational services such as Saturday school, tutoring and alternative placement.

■ The Bill

Final Draft H00178: "An Act Relative to Student's Access to Educational Services and Exclusion from School"

■ Elevator Speech

Oh! Hello Representative [Name]. I'm so glad I ran into you because I know you agree that all our children deserve the right to access an adequate education. The future of Massachusetts is in jeopardy because of "the heavy handed zero-tolerance policy" in the case of school exclusion legislation. The current school exclusion legislation denies students equal opportunity to a sufficient education. I know that this matters to you and your constituents because the future of our communities is at stake—without ample education our children will never grow to meet their potential as responsible, law-abiding, contributing citizens. In 2001, 34% of districts and charter schools excluded students from school. The current proposed bill will allow students who are excluded to be provided

with education services such as tutoring, alternative placement and/or Saturday school. With this reform we can help all our children succeed.

Do not leave our communities, your district, in danger of falling behind; help bring the School Exclusion Bill H00178 to the House floor for a vote. Speak to chairs of both the Senate and House Committee on Education in favor of An Act Relative to Student's Access to Educational Services and Exclusion from School, Bill H00178. Stand in solidarity with education.



Beneva Davies '13 and Cynthia Massillon '12

■ Excerpt from Campaign Journals

Beneva

The first meeting I had this semester was actually impromptu and totally unexpected. I tutor for a program called LACE (Learning and Cultural Enrichment). The program brings children from the local middle school, on to campus, who are from families who have recently immigrated to America and attend English Language Learner courses. Most times these children come from disadvantaged homes and it shows in the classroom. The first time I met my tutee we sat and spoke while enjoying a milkshake. As we began to get acquainted and I encouraged her to open up and trust me, something she revealed struck me. Her story is one that applies to many students everywhere, who are suffering from heavy-handed disciplinary policies in schools where one size fits all and it's easier to get excluded from school than it is to get an adequate education.

Jeanne is a student at Kennedy Middle School. She emigrated from Haiti with her family a few years back and is working hard in English Language Learner (ELL) courses to keep up with the other children. Jeanne struggles with bullying because of her accent, culture shock as she continues to adjust to new surroundings, and an immense amount of pressure as she tries to be what she sees as "good enough." However, Jeanne has also had a few run-ins with the disciplinary system. Jeanne described a sense of helplessness; "when people pick on me I fight back but only I get in trouble." The school system does not account for all the other issues Jeanne deals with; they simply apply their universal punishments. Jeanne is a child who carries many burdens and needs a little extra help, but instead of being supported she is marginalized. Jeanne is not alone, many immigrant, and English Language Learner students are not given the ample amount of support they need and their fear and uneasiness translates to misbehavior and ultimately exclusion from school. Excluding children from school, who already struggle to stay at the average learning level and continue to fight and overcome their many structural barriers, only hurts them. In many ways, this meeting may have been the most compelling experience I had this semester. As the semester went on I met with legislators and different coalition members but this one meeting is still the one of most value. When advocating for a bill, meeting the people who are immediately affected by the legislation you are fighting for is moving and inspirational.

■ Update (July 2011)

The Massachusetts Legislature's Joint Committee on Education is scheduled to hold a hearing on the bill in September.

For more information

Massachusetts Advocates for Children

www.massadvocates.org/resources-cla.php



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