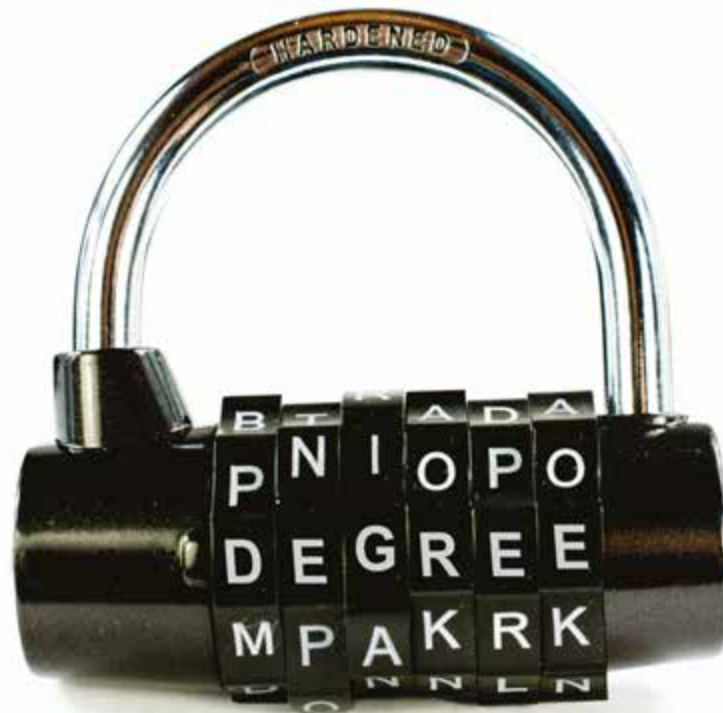


Unlocking Access

Free tuition programs are opening doors for some students—
but are they making the grade? **6**



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Agree with something in the magazine? Disagree? We'd love to hear your thoughts. Drop us a line at magazine@ncsl.org.

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Trends

2020 CENSUS

With Much on the Line, States Want Complete Counts

State Complete Count Commissions or Committees



House Seats in Play

In a decennial version of musical chairs, data collected in the 2020 census will be used to allocate the U.S. House of Representative's 435 seats to the 50 states.

Census watchers already are using projections of data released last year to predict which states will gain seats and which will lose them.

Biggest projected seat gainers:

Texas (+3 seats to 39) and Florida (+2 seats to 29)

Other gainers (all +1 seat):

Arizona to 10 total; Colorado to 8; Montana to 2; North Carolina to 14; and Oregon to 6

Projected seat losers (all -1 seat):

Alabama to 6; California to 52; Illinois to 17; Michigan to 13; Minnesota to 7; New York to 26; Ohio to 15; Pennsylvania to 17; Rhode Island to 1; and West Virginia to 2

Source: POLIDATA

Complete count committees—set up to make sure the census counts everyone, just once and in the right place—are more popular than ever. At least 29 states have a state-level committee in place and more are in the works.

“Nearly every state is in the process of forming a statewide complete count committee, something that did not occur during the 2010 census,” says Tim Olson, the Census Bureau’s associate director for field operations. “The energy and investment by all levels of government is remarkable, ensuring everyone is counted during the 2020 census.”

An accurate count is important because census numbers form the basis for electoral representation in the U.S. House of Representatives, state legislatures and

many other state and local bodies to which members are elected from districts. (Indirectly, the census also determines how many presidential electors a state has.) With congressional seats on the line, states on the cusp of gaining or losing one are particularly motivated to ensure their residents are counted.

The federal government will distribute more than \$880 billion annually for a decade using funding formulas based on census population counts. The number of people counted in 2020 will affect states’ share of those funds through 2030. That can be well over \$1,500 per person annually.

No surprise, then, that states are willing to invest in census outreach. California has \$154 million set aside for its count

committee. Alabama expects to allocate \$480,000, or about 10 cents per person.

Complete count committees can perform an outreach role by using the government’s bully pulpit to encourage participation. But they can have a subtler impact as well. If funding is available, a committee can encourage participation through microgrants to local organizations, which, in some communities, may be perceived as more “trusted messengers” than the government itself.

Whether it’s encouraged overtly or subtly, getting everyone counted can pay off.

—Wendy Underhill and Christi Zamarripa

CRIMINAL JUSTICE

Lawmakers Respond to Native Deaths, Disappearances

Recent news reports have drawn heart-wrenching, overdue attention to cases of missing and murdered Indigenous women and girls.

The FBI's National Crime Information Center database lists more than 5,700 Native American women as missing as of 2016. And the Urban Indian Health Institute identified 506 cases of missing and murdered American Indian and Alaska Native women and girls across 71 cities in 2018—280 were murder cases, 128 were missing persons cases and 98 had an unknown status.

But those numbers are, as researchers

will admit, only estimates. No one knows how big the problem really is because of underreporting of disappearances and poor data collection.

This year, 28 measures in 11 states were introduced to address those issues. Most (18 measures) were introduced by native legislators; six were enacted. Broadly, the bills addressed: creating task forces/increasing awareness; training/working with law enforcement; reporting and data collection; and congressional action.

In Montana, "Hanna's Act"—named for a 21-year-old found murdered on the Northern Cheyenne Reservation in 2013—

requires the state to employ a missing persons specialist to maintain a database and assist law enforcement and families after a native person is reported missing.

North Dakota now mandates investigative training for law enforcement. A similar measure was pending in South Dakota.

And a new law requires the Washington State Patrol to provide an estimate by June of how many native women are missing in the state. The legislation provided a model for similar measures in other states.

"We have to put this on the front burner," said Washington Representative Gina Mosbrucker (R), the bill's sponsor.

HEALTH CARE

Preparing for Possible High Court Action on *Roe*

With several state abortion cases having the potential to reach the U.S. Supreme Court, state lawmakers have considered a fair amount of legislation to fortify their views on the issue.

Legislatures have passed 423 abortion restrictions since 2010, according to the Guttmacher Institute, a Washington, D.C.-based research group that supports abortion rights.

Most recently, the Alabama House passed a bill criminalizing abortion to force the challenge. If it passes the Senate and is enacted, it will be the strictest abortion law in the country.

Arkansas recently joined Louisiana, Mississippi, North Dakota and South Dakota in enacting a law that would ban abortions if the high court overturns *Roe v. Wade*, the 1973 ruling that legalized abortions nationwide. The Arkansas law, approved by 78% of lawmakers, bans all abortions, except during medical emergencies, and does not exempt cases of rape, incest or fetal abnormalities.

Altogether, as of March 1, 18 states have laws to restrict abortion if *Roe* is overturned, according to Guttmacher. Several of those states, including Arizona, Michigan and Oklahoma, had passed abortion bans before *Roe* was decided, some forbidding the procedure unless the mother's life is at risk.

Other states are preparing for a possible reversal on *Roe* by

strengthening laws protecting access to abortion.

New York now permits abortion after the 24th week when the pregnancy is nonviable or the woman's life or health is in danger. New Mexico, Vermont and Virginia have considered similar bills. Illinois and Massachusetts have repealed their pre-*Roe* bans. Massachusetts ended its requirement that abortions after 13 weeks be done in a hospital. Washington now requires private insurance coverage of abortion in plans that also cover maternity care. And, taking a little different approach, Louisiana made it a crime to coerce someone into having an abortion.

Other measures lawmakers have considered or passed recently:

- Restricting abortions after a fetal heartbeat can be detected, usually around six weeks into a pregnancy. So-called heartbeat bills have been proposed in a dozen states this year and enacted in Georgia, Kentucky, Mississippi and Ohio, though a federal judge temporarily blocked Kentucky's hours after it was signed. Courts have struck them down in Iowa and North Dakota.
- Requiring facilities to inform women that a two-dose, drug-induced abortion potentially can be reversed after the first dose.
- Prohibiting abortions because of fetal disability.
- Requiring a married woman to certify in writing that she has informed her husband about her plans.

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MEDICAID

Courts Weigh In on Medicaid Work Rules

A federal judge recently struck down Arkansas' and Kentucky's plans to require Medicaid beneficiaries to work, causing uncertainty for the seven other states with similar plans currently approved by the Centers for Medicare and Medicaid Services. The judge ruled the requirements would undermine the purpose of Medicaid: to provide medical coverage to the needy. Both states have appealed the ruling.

This is just "another obstacle in our path to try to do the best we can in Arkansas with the chips the federal government and judiciary gives us," Arkansas Senate President Jim Hendren (R) told The Associated Press.

Other states remain undeterred by the ruling. Indiana and New Hampshire continue to run their programs. Arizona, Michigan, Ohio, Utah and Wisconsin have received approval. And Alabama, Mississippi, Oklahoma, South Dakota, Tennessee and Virginia all are awaiting approval, according to the Kaiser Family Foundation.

States are using Section 1115 waivers offered by the Social Security Act to design Medicaid expansions that meet their specific needs. One option is to require "community engagement" from able-bodied recipients, which may include paid and voluntary work, care-giving, seeking work or attending school or job training.

"We believe ... states are the laboratories of democracy," CMS chief Seema Verma tweeted after the ruling, "and we will vigorously support their innovative, state-driven efforts to develop and test reforms."

Many believe this issue will end up before the U.S. Supreme Court, but no one is sure how soon.

HEALTH

Who's Calling the Shots on Vaccines?

The measles outbreak continues to spread. From Jan. 1 to May 3, 764 cases were confirmed in 23 states. That's the highest annual total since 1994 and since the virus was declared eliminated in the U.S. in 2000, according to the Centers for Disease Control and Prevention.

Increases in cases can occur when infected travelers abroad bring it into the U.S., or when there's a spread in communities with pockets of unvaccinated people.

Early outbreaks occurred in and around New York City, where Mayor Bill de Blasio declared a public health emergency for parts of Brooklyn in April. State and local health departments investigate measles cases and outbreaks when they occur, and that can be costly. In and around Seattle, for example, schools and public health officials spent more than a \$1 million in the first two months of the year to contain the illness, according to the Washington State Department of Health.

Measles is highly contagious—up to 90% of people exposed to an infected person will likely get it if they have not been vaccinated. The disease spreads through coughing and sneezing and starts with a high fever. Then comes a runny nose, red eyes and, finally, a rash of tiny red spots breaks out over the body. It can lead to pneumonia, encephalitis (swelling of the brain) and death.

Most of those who get infected have not been fully vaccinated. (It takes two doses.)

Some people are suspicious of mandatory government-run vaccination programs, contending they infringe on their right to make medical decisions for themselves and their families. Others fear vaccines increase the risk of autism and other problems, though several large studies have shown otherwise. The most

MEASLES OUTBREAK

764

Confirmed cases, as of May 3

23

States with confirmed cases

90%

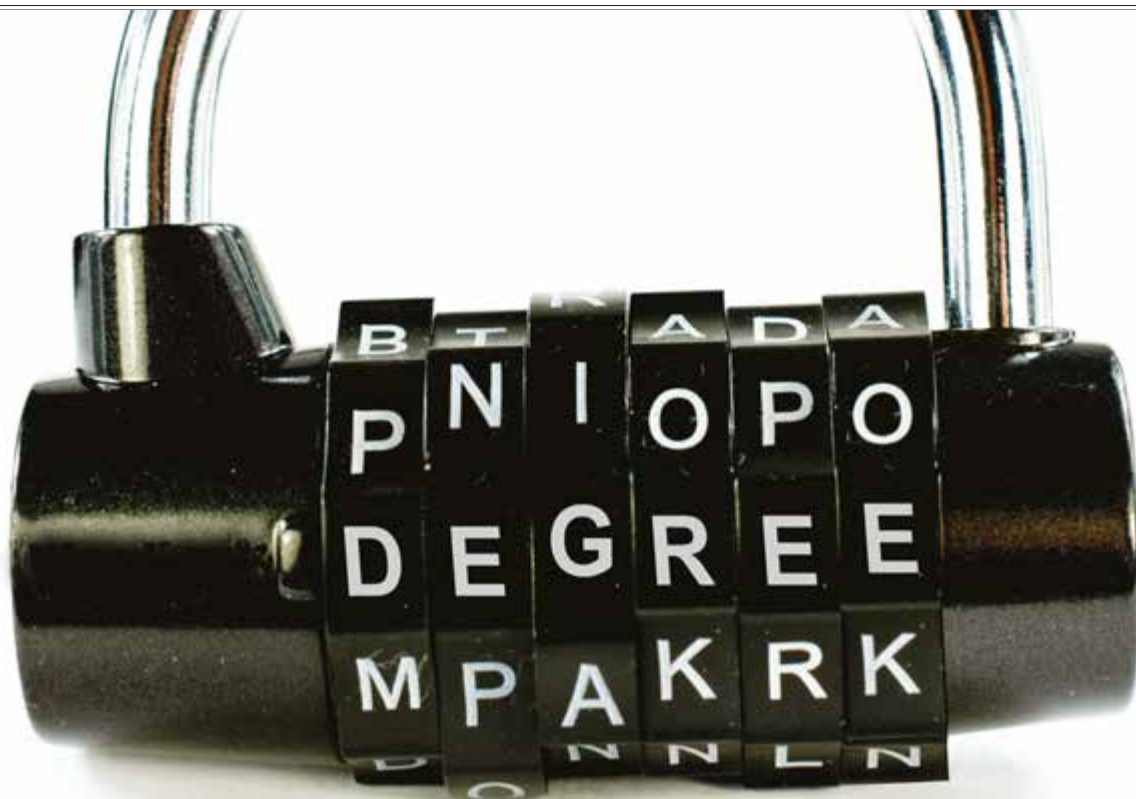
Portion of unvaccinated people likely to get measles if exposed to the virus

Source: Centers for Disease Control and Prevention

recent was released in March. Researchers in Denmark studied more than 650,000 children born between 1999 and 2010. The results showed no correlation between the measles, mumps and rubella vaccine and an increased risk of autism.

In fact, kids given the vaccine were 7% less likely to develop autism than those who did not get it.

Lawmakers have considered several bills this year to limit exemptions. At press time, a bill to remove personal belief exemptions had been passed by Washington lawmakers and was awaiting the governor's signature. And in Maine and Oregon, bills to remove personal exemptions were working their way through the process. If those three are enacted, it would leave 14 states with exemptions for personal or philosophical reasons. Every state allows vaccine exemptions for medical reasons, and 47 grant them for religious reasons. Only California, Mississippi and West Virginia don't allow religious exemptions.



EDUCATION

Unlocking Access

Free tuition programs are opening doors for some students—
but are they making the grade?

BY BENNETT G. BOGGS AND LESLEY KENNEDY

Sandra Timberlake's life hadn't quite turned out as she'd imagined.

With the crumbling of her first marriage, the newly single mother of four had been forced to move to the projects in her hometown of Nashville, Tenn. Then one night, while lying in bed listening to music from a family gathering outside, she thought about what she heard one of her new neighbors tell her 17-year-old pregnant daughter. "Baby, when you turn 18, you can have your own project."

"I got up, walked into my children's room and kissed each one," she says. "It

was at that moment I decided that, with God, nothing is impossible, and I have to break this generational cycle."

Timberlake, now 55, graduated in 2016 from Tennessee College of Applied Technology with two honor degrees in accounting and medical coding and just recently received a bachelor's degree in organizational leadership from the Lipscomb University College of Professional Studies. It took her a while, but Tennessee Reconnect, an initiative to help adults return to higher education—along with a grant and some smart savings—helped her not only earn her degree but also finish with no student debt.

High and Higher

Skyrocketing college tuition rates have made the affordability of higher education a priority for states. College tuition increased by nearly 260% from 1980 to 2014, while the consumer price index grew by only 120%. The annual average cost of tuition and fees is currently \$48,510 for private institutions, \$37,430 for out-of-state residents at four-year public colleges, \$21,370 for in-state students at state schools, and \$12,310 at community colleges, according to the College Board, the nonprofit private organization that administers the SATs and a scholarship

"NEARLY ALL OF THE NEW JOBS
CREATED AFTER THE RECESSION
REQUIRE SOME SORT OF
POSTSECONDARY DEGREE."

Tiffany Jones, director of higher education,
Education Trust



service. Those numbers are beyond many parents' reach.

Tiffany Jones, director of higher education at Education Trust, a national nonprofit that works to close opportunity gaps, says this dilemma has led leaders across the political spectrum to search for new ways to deal with the high costs. Ideas include forgiving loans, freezing tuition rates, giving credits for certain high school courses or for life and work experiences, and offering free tuition.

Popular, Though Not 'Free'

"Free college" has caught the attention of many. Seventeen states and more than 350 localities in 44 states have enacted free college policies, and 23 states considered or are still debating legislation this year. Widely known as promise programs, they are popular, diverse and, generally, seek to:

- Address concerns about spiraling college costs and student debt.
- Invest in workforce development to support a vital and sustainable economic climate attractive to new business ventures.
- Send a straightforward message that pursuing a postsecondary degree, credential or license is affordable, especially to those who might not think such a possibility is within reach.

The simple fact, however, is that nothing is free—expenses must be paid somehow, by someone—and legislatures must wres-



Some promise programs cover tuition only; others include living expenses. And several states require students to live and work in the state for as long as they attended college.



Jones



Shirkey

tle with how to increase access to postsecondary education in a fair, financially responsible way.

Critics question the value of spending taxpayers' money this way. They cite data from the National Center for Education Statistics showing that only 35% of students who enroll in community college go on to earn a degree or certificate. Some say these are really entitlement programs and question whether more college degrees will benefit the economy.

"We don't do a good enough job measuring value," Michigan's Senate Majority Leader Mike Shirkey (R) told reporters in response to a plan from Governor Gretchen Whitmer (D) to offer free com-

"THE SUCCESS OF THESE
STUDENTS SPEAKS FOR ITSELF
AND ALLOWS THE PROGRAM
TO CONTINUE GROWING."

Representative Bob Behning, Indiana



munity college in the state beginning in 2021, according to Pew's Stateline. Whitmer's goal of increasing the number of residents with college credentials is "pretty much meaningless," Shirkey said. "What if all those achievements were in underwater basket weaving?"

Others point out that many jobs don't need four-year degrees. And some prominent business executives, like Apple CEO Tim Cook, are publicly questioning whether college prepares workers with the skills businesses need for today's jobs. Free community college doesn't have to

lead to a four-year degree, of course; it offers opportunities to build the middle-skills workforce through postsecondary credentials, some of which can be earned in two years or less.

Earning a degree, however, clearly benefits the person. Current statistics from the U.S. Bureau of Labor Statistics show that the more education a worker has, the more he or she earns.

“Nearly all of the new jobs created after the recession require some sort of postsecondary degree or credential, so it’s increasingly the ticket to participate in our economy,” Jones says. “For students and families, a lot is at stake in terms of their ability to access higher education. But at

the same time, it’s increasingly hard to access.”

And it’s not just low-income students feeling the burden, Jones says, noting that middle- and upper-income students are also having trouble affording college “because the prices are so astronomical.”

The Kalamazoo Experiment

Although most promise programs are statewide efforts, they originated at the local level. One of the first was Kalamazoo Promise, created in Kalamazoo, Mich., in 2005 by anonymous benefactors concerned about declining economic development in the community.

The program’s simple premise: Grad-

uates of Kalamazoo’s public high schools will have their college tuition and fees paid for four years. Attracted by the program, new families and businesses moved into the community and development grew. As enrollments increased, so did the number of teachers applying to work in the schools. Even the overall school climate improved. And, with greater community support, new schools were built for the first time in nearly 30 years.

By almost all accounts, this early promise program benefited the community.

But did the number of Kalamazoo students going to college increase? Yes. A 2017 study by the Upjohn Institute for Employment Research showed the chance

Earning Credit for Work, Life Experience

To promote attending and completing college, lawmakers are granting students credit for previous learning experiences.

Since 2016, at least 19 states have expanded and simplified the process, sometimes called a “prior-learning assessment,” of giving college credits to students who can demonstrate the skills and knowledge they’ve gained in corporate or military training programs or through professional certifications.

At least 13 states help veterans earn credit for learning acquired in the military. And so far this year, 12 states have considered bills to expand prior-learning programs. The programs have been shown to increase the number of students, especially adult learners, who earn degrees or certificates, according to the American Council on Education.

The bills have taken various approaches. Illinois lawmakers required the state’s public universities to submit their policies on prior-learning credits to the Board of Higher Education for approval. Bills in Idaho and Washington addressed the transfer of academic credits between postsecondary



Many states grant students credit for prior learning experiences. At least 13 states allow veterans to earn credit for knowledge gained in the military.

institutions. Indiana allowed students to use scholarships and grants to pay for the assessments they must take to earn credit. And, to monitor the effectiveness of its programs, Oregon directed its Higher Education Coordinating Commission to

track student progress and participation. The commission used the reports to identify challenges and guide revisions of state standards in 2017.

—Andrew Smalley

A combination of analyses by Education Trust, the Institute for Higher Education Policy and the Century Foundation offers six criteria successful promise programs should pursue:

2 Cover fees and tuition. Fees often are hidden costs that form real barriers to participation.

4 Keep eligibility requirements to a minimum. This lets those who stand to benefit the most—adult, part-time and working students—participate. Keep the focus on need-based, not merit-based, aid.

6 Invest in student support systems and completion programs. These help students enter and successfully complete their programs.

Twenty-four states have enacted legislation to offer some form of statewide promise program.



Promises Vary

Program requirements vary as well. Arkansas, for example, requires recipients to remain in the state for at least three years after completing their studies. Students in New York's Excelsior Scholarship program must live and work in the state for as many years as they received the scholarship.

■ **Indiana.** For 30-plus years, Indiana has offered the 21st Century Scholars program to students who qualify for free or reduced-price lunch. Students apply in seventh or eighth grade for awards that cover four years of tuition and some fees at participating two- and four-year institutions, public or private. The pro-



Participants must be recent high school graduates enrolled full time in college. In 2018, the income cap was \$45,510 for a family of four. The annual cost to the state is approximately \$160 million.

"Some are often unaware of the finan-

cial aid opportunities and resources available to help with applications or to adjust to college,” says Indiana Representative Bob Behning (R). The 21st Century Scholars, however, are “more prepared to enter college and hit the ground running, and typically perform better than their peers,” he says. He believes “education is a good equalizer, and with more educated individuals choosing to remain in the state, Indiana will have a talent pool to attract businesses and provide services to our local communities.”

“The success of these students,” Behning says, “speaks for itself and allows the program to continue growing.”

■ **Oregon.** The Oregon Promise program took a different path. Established in 2015, it is available to all recent high school graduates regardless of family income. Students must have at least a 2.5 GPA and intend to pursue a degree, cre-



Roblan

dential or license at a state community college. Awards are calculated based on several factors and cover two academic years or a maximum of 90 academic credit hours. The student must maintain satisfactory progress and may enroll part time. The total annual cost to the state is between \$20 million and \$25 million, substantially less than Indiana’s.

With college more affordable, Oregon Promise students “fulfilled program requirements at a high rate, and continued into the second year of college at a high rate,” says Oregon Senator Arnie Roblan (D). The program is too new to know its effect on completion rates; nevertheless, it already faces hurdles. Current budget

recommendations from Governor Kate Brown (D) contain cuts for community colleges, including the elimination of Oregon Promise.

■ **Tennessee.** A recent development worth noting is Tennessee Reconnect. Established in 2018, the program focuses on nontraditional adult students who previously began but did not complete a degree or credential. This is what helped Sandra Timberlake, the single mom, go on and finish her degree. Building on Tennessee Promise, the Reconnect initiative offers an online network to enter transcript information and explore options and institutions for obtaining a credential or degree.

Kenyatta Lovett, executive director of Complete Tennessee, an independent nonprofit advocacy organization created to improve college completion rates, says the state has benefited from the support



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Lovett

of two governors—one Democrat, one Republican—and lawmakers who have passed legislation that has inspired other states.

In addition to covering tuition,

Lovett says, Tennessee's Promise and Reconnect programs raise awareness for families and students who may feel like college is out of reach. "With the term 'free' and with the supports that are provided," he says, "I think it's given a lot more families and students that belief, that confidence, that college is for them."

'The Other Costs'

Most state-level promise programs focus on community colleges, which are

much cheaper than four-year institutions. "That being said, community college students still really struggle to afford college because of all the other costs," says Jones, with the Education Trust. "And some have estimated that those—housing, books, food, transportation, child care, etc.—add up to about 80% of the total cost of attendance." These additional costs can be met by other grants, but often require loans.

Further, Education Trust research from 2018 found free college programs, in many states, ended up offering more aid to upper-middle-class students than to low-income students. "A lot of the design of existing free college policies at the state level is about helping students pay for tuition at community colleges after all of their other financial aid has been applied," Jones says. This is because low-income students who qualify for the maximum Pell Grant do not then qualify for more money from

the state's free college policy. Middle- or upper-income students, however, whose families make too much to qualify for the full Pell Grant may still qualify for the free college policy.

"States like Missouri found that over a third of their recipients of that particular program were from families who were earning over \$100,000 a year," Jones says. (Missouri's median family income is around \$67,000.) "We're not opposed to middle- and upper-income students getting support with the cost of college since it's gotten so out of control. We just want to be thoughtful about how we prioritize low-income students and their abilities to cover the full cost of attendance."

A Bipartisan Issue

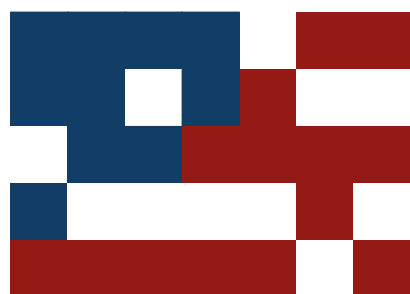
The student debt crisis and the increasing expectation that workers have a post-secondary degree to succeed long term in the job market will keep lawmakers focused on ways to make college more affordable.

One thing Republicans and Democrats can agree on, Lovett says, is that the cost of higher education today is "outrageous."

"On both sides of the aisle, the fact that student debt is growing and the fact that so many households now can't participate in higher education because of cost, links both parties to do something about it," he says. Whether officials look at it from an economic perspective or a social justice or moral view, he says, they're coming to the same conclusion: Costs are too high and we need solutions that make sense.

For Sandra Timberlake, Tennessee Reconnect changed the trajectory of her family's future—inspiring her to help others do what she did. "The program has impacted my personal mission in life to help underexposed people break generational cycles," she says. "One thing I always said about going back to school is that I can be that role model for that mom out there with four children. She sees me and thinks, If she can make it, so can I."

Ben Boggs is a program principal in education and Lesley Kennedy is manager of digital communications at NCSL.



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HEALTH CARE

DIAGNOSIS: ALZHEIMER'S

States are taking bipartisan action to combat one of the nation's costliest diseases.

BY SAMANTHA SCOTTI

It wasn't long ago that Scott Plakon thought of Alzheimer's as that disease that causes you to forget things then eventually die.

But in 2014, the Florida Republican received the devastating news that his wife of 29 years, Susie, who was then 53 years old, had been diagnosed with Alzheimer's. Between then and her death in July 2018, Plakon not only learned to recognize the disease for what it truly is, but also became a champion of the Alzheimer's awareness movement: speaking at rallies, filing legislation and protecting and enhancing

funding in his state's budget.

"It's just become a life's calling," he says. "Before Susie's diagnosis I didn't know about myoclonic or grand mal seizures, the agitation, sundown syndrome, hospital stays from injuries from the seizure falls or wandering—I once found her in our neighborhood doing one of our neighbor's dishes, and the sheriff was called."

There were so many things, Plakon says, that "go along with Alzheimer's and I didn't know anything about it."

"I didn't know about being in the middle of a parking lot while she's extremely agitated and wondering if people are calling the police because they think you're

taking some sort of aggressive action toward your wife because you're trying to get her in the car," he says. "So, I've tried to use the platform I've been given as a state legislator to bring greater awareness, and it seems to be working."

Widespread and Increasing

Alzheimer's disease, the most common form of dementia, is a progressive neurological illness that impairs the thinking and independence of millions of people worldwide. It's usually diagnosed in people 65 and older, but it starts earlier with subtle neurological changes occurring years or even decades before symptoms





THE CAREGIVERS

83%

Portion of care given by family members, friends or other unpaid caregivers

16 million

People providing unpaid care for people with the disease

Source, all figures: "2018 Alzheimer's Disease Facts and Figures," Alzheimer's Association, 2018.

appear. An estimated 5.7 million Americans currently live with Alzheimer's, and reports anticipate this number will more than double to 11.6 million by 2040.

To prepare for the increase, 49 states and territories have published a state Alzheimer's plan. The reports examine the current effect of Alzheimer's in each state and outline steps that could be taken over the next three to five years to support people with the disease and their families.

Included in nearly every state plan: recommendations for dementia training for health care and support workers. Most state plans also have provisions to improve the care received by those with the

THE COSTS

\$350,174

Lifetime cost of care for a person living with dementia, in 2018

disease and to assist unpaid caregivers. Other areas of overlap among the plans include improving home and community-based services, public awareness and data collection.

Caregivers' Burden

It's not just those diagnosed who struggle with the disease. Most caregivers (66%) live with the person in their care, while one-quarter are members of the "sandwich generation"—caring for both an aging parent and children younger than 18—according to the nonprofit Alzheimer's Association. Caregivers of people with dementia are twice as likely to report substantial emotional, physical and financial troubles as those caring for people without dementia.

Plakon, who has six children, says he was fortunate to have a large family to help with his wife's round-the-clock care, which, he says, can be "absolutely brutal."

"I think of an elderly couple, where their kids live out of state and they don't have financial resources—that can be a real hell-on-earth scenario," he says. "Alzheimer's requires 24-7 care, because sleep patterns are disrupted, they wake up in the middle of the night and may try to wander off. It requires a team of people to care for someone with Alzheimer's."

And the cost of care is sky-high. The approximate lifetime cost of caring for a person living with dementia in 2018 was \$350,174, according to the Alzheimer's Association. The national cost of Alzheimer's and other dementias in 2019 is projected to reach \$290 billion, including \$195 billion in Medicare and Medicaid payments. If no treatment is discovered to slow, stop

or prevent the disease, estimates suggest that the price tag will grow to \$1.1 trillion in 2050.

What States Are Doing

In response, state lawmakers are considering a variety of policy solutions. Some are broad in approach, such as strengthening payment and delivery systems for all long-term care or connecting unpaid family caregivers with the resources they need. Other policies are more narrowly targeted to individuals with the disease, and most of the work is bipartisan.

“Alzheimer’s doesn’t care what political party you are,” Plakon says, “if you’re male or female or, increasingly, even what age you are.” He notes a slogan he and Florida Representative Matt Willhite (D), with whom he has partnered on the issue, came up with a few years ago: “When you take red, the color of Republicans, and blue, the color of Democrats, and you mix them together, you get purple, the color of Alzheimer’s awareness.”

Early Detection and Diagnosis. A 2018 Virginia law directs the department of health to educate health care providers about the importance of early detection and timely diagnosis of cognitive impairment, and to increase awareness of the early warning signs of Alzheimer’s and dementia.



Dance

Virginia Senator Rosalyn Dance (D) hopes the bill will not only better inform health care providers about the disease, but also raise awareness of warning signs among communities of color, which

are at greater risk of developing Alzheimer’s and dementia, she says.

“During the 2018 General Assembly session, I was honored to work with many stakeholders in the Alzheimer’s awareness community to sponsor legislation aimed at early detection awareness,” she says. “As a result of this legislation, I hope more



COURTESY SCOTT PLAKON

Florida Representative Scott Plakon began advocating for Alzheimer’s awareness during his wife Susie’s four-year battle with the disease.

people will have better access to resources and care to treat Alzheimer’s across the commonwealth.”

A 2018 Massachusetts law requires physicians to complete a onetime continuing education course on the diagnosis and treatment of patients with cognitive impairments. It also requires hospitals to develop and carry out a plan for recognizing and managing patients with dementia. The law allows doctors to share an Alzheimer’s diagnosis and treatment plan with a family member or legal representative according to existing federal and state privacy laws.

Building a Dementia-Trained Workforce. Recognizing that people with Alzheimer’s or other dementias have unique health care needs, states are considering policies to support care providers and facilities, along with family caregivers. Oregon requires all direct care staff employed by a residential care facility to complete training in dementia care before caring for residents. New Hampshire established a commission in 2017 to evaluate the direct care workforce and

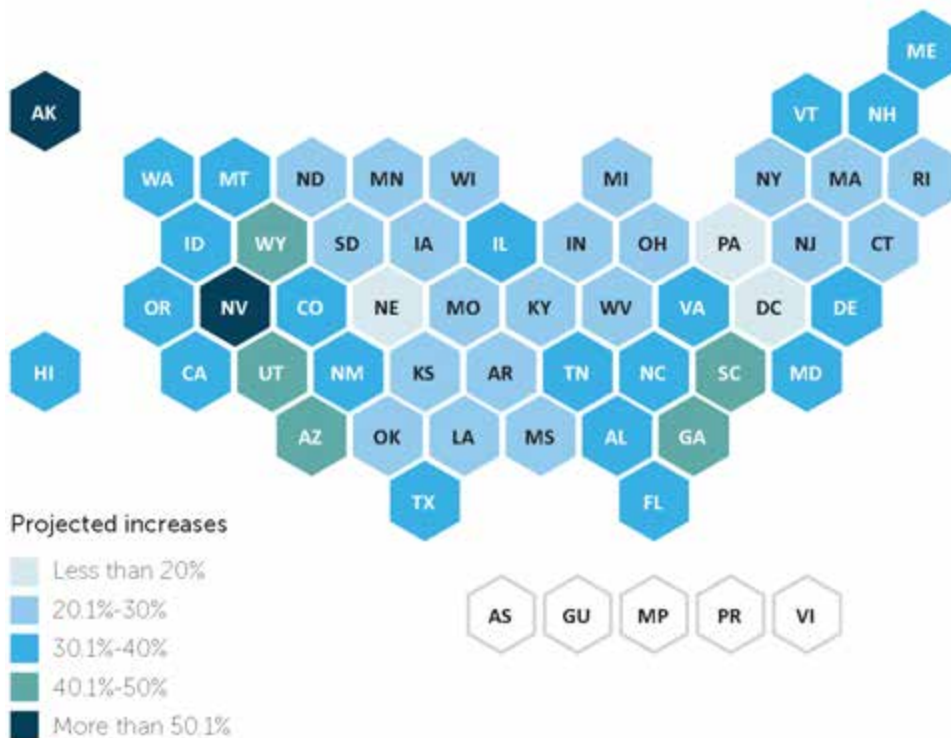
the preparedness of long-term support services for aging adults with dementia. Oklahoma directed the state board of health in 2017 to create rules requiring dementia training. And, with its 2016 Alzheimer’s Disease and Related Dementia Services Act, Illinois established minimum training requirements for employees of organizations that advertise or verbally offer to provide Alzheimer’s and dementia related services.

Dementia Training for First Responders. Dementia training is also needed for adult protective services officials, first responders and law enforcement. They frequently interact with people with Alzheimer’s and other dementias and are generally among the first to be contacted regarding emergencies, abuse or exploitation. In 2014, Connecticut established mandatory dementia training for a wide range of personnel, including emergency medical technicians, probate judges, paid conservators and protective services employees. The legislation requires that the refresher training EMTs take every three years for recertification

Medicaid Costs and Alzheimer's

Medicaid is the largest payer of long-term services and supports, covering more than half of those costs nationally. Medicaid payments for services related to Americans 65 and older living with Alzheimer's or other dementias vary substantially by state. Payments totaled more than \$46.5 billion in 2018, a number anticipated to increase 30% by 2025.

Below are the projected increases between 2018 and 2025 in Medicaid costs for Americans age 65 and older living with Alzheimer's or other dementias.



WHO'S AFFECTED BY ALZHEIMER'S

5.7 million

Americans living with Alzheimer's

2/3

Portion of patients who are women

2x

The rate at which older African Americans will get dementias compared with older whites

1.5x

The rate at which older Hispanics will get dementias compared with older whites

DISEASE DATA

6th

Place Alzheimer's holds in causes of death

1 in 3

Portion of those 75 or older who die of Alzheimer's

4-8 years

Average lifespan of a person after a diagnosis of Alzheimer's

includes instruction in Alzheimer's and dementia symptoms and care.

Alzheimer's and Dementia Task Forces. Various states have created task forces to coordinate statewide efforts to ensure quality care for those living with Alzheimer's or other dementias.

Wisconsin's Task Force on Alzheimer's and Dementia, formed by Assembly Speaker Robin Vos (R), developed the Wisconsin Cares Legislative Package. The Legislature enacted three of the bills the task force introduced in the 2015-16 session, including funding for caregiver respite, mobile crisis unit training and developing a pilot program to ensure that people with dementia who are experiencing a crisis are placed in an appropriate setting.

In Florida, Plakon serves on the state's Alzheimer's Disease Advisory Committee. He has worked to fund memory disorder centers and has sponsored bills to require more regular reporting about the disease to the governor and to educate first responders who may be called to deal with situations such as when his wife was found in a neighbor's home. Plakon says he's also constantly trying to increase respite care funding.

"Here in Florida, we have 560,000 families affected by this," he says. "And, with an aging baby boomer population, I've described it as a tsunami about to hit our state. We need to stay at the forefront on this in every different area, from policy to budget, so I'm trying to encourage my colleagues to get ahead of the tsunami before it hits the shore."

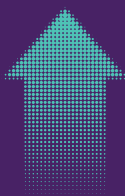
Samantha Scotti is a policy specialist in NCSL's Health Program. Lesley Kennedy, NCSL's manager of digital communications, contributed to this article.

ALZHEIMER'S IS A GROWING PUBLIC HEALTH CRISIS

Over **5 MILLION** Americans are living with Alzheimer's. **16 MILLION** more are serving as unpaid caregivers.

The Alzheimer's crisis requires bold action
by state governments.

HERE'S HOW STATE OFFICIALS CAN HELP:



Increase public awareness, early detection, and diagnosis



Increase access to home and community-based services



Build a dementia-capable workforce



Enhance the quality of care in residential setting

alzimpact.org/state

StateStats

Banking on Cannabis

Until the federal government lifts its ban on marijuana, most growers, processors and retailers in the rapidly expanding industry will continue to operate on a cash-only basis. Marijuana is legal, either medically or recreationally, in 34 states and the District of Columbia, but not under federal law. So most banks and credit unions are hesitant to work with cannabis businesses, whether legal and state-licensed or not. Without access to a financial institution, these businesses are targets for robberies.

That's why California is debating legislation to create and license charter banks and credit unions to provide limited financial services to cannabis businesses until the federal government establishes protections for all banks. Sixteen other states have passed legislation this year to help cannabis and hemp businesses access financial services.

Congress is now debating the Secure and Fair Enforcement Banking Act of 2019, or SAFE Banking Act, which would protect banks against federal punishment for working with state-approved cannabis businesses. Other federal efforts include the STATES Act, which would allow states to craft their own policies on cannabis even if it isn't legal nationally.

Opponents are against the legal trade of marijuana in general, believing it's a threat to public health that outweighs any tax benefits a state might gain from it.

At press time, the House Financial Services Committee had advanced the SAFE Banking Act with bipartisan support.

Where Marijuana Is Legal



Millions in Tax Revenue

Estimated 2018 tax revenue in states where recreational marijuana is legal

Washington	\$319 million
California	\$300 million
Colorado	\$266.6 million
Oregon	\$94.4 million
Nevada	\$69.8 million
Alaska	\$11 million
Massachusetts	\$5.2 million
D.C., Maine, Michigan, Vermont	\$0

By the Numbers

\$10.8 billion

The increase in legal sales nationwide in 2018

211,000

Full-time jobs in the legal cannabis industry

64,389

Legal full-time jobs added in 2018

296,000

Jobs that depend on legal cannabis, directly and indirectly

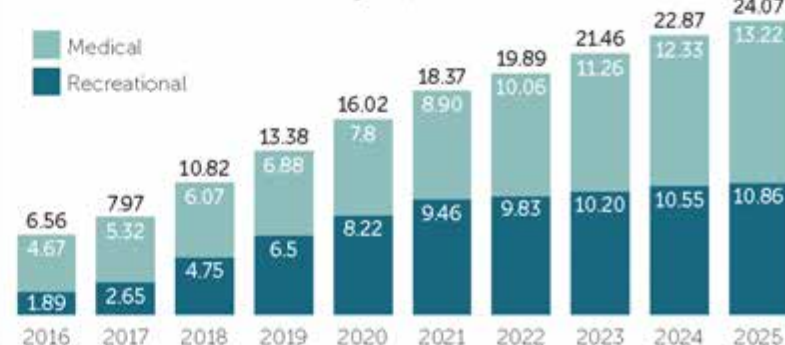
Financial Institution Participation

Number of banks working with U.S. cannabis businesses



Projected Growth

U.S. recreational and medical marijuana, in billions of dollars



Sources: The Cannabis Industry, Statista, Leafly, California Senate Bill 51, Congress.gov, Financial Crimes Enforcement Network

WASHINGTON

Compostable You

Burials and cremations could soon be laid to rest. Washington lawmakers have sent a bipartisan bill that would legalize an alternative—human composting—to the governor. The process involves placing the deceased's body in a reusable vessel for 30 days with a mixture of alfalfa, straw and wood chips. The result is a rich soil, according to the Seattle company that hopes to offer the service. When the process is complete, families can take the soil home for use in the garden or donate it to a conservation site. Composting is cheaper than burial, which averages \$8,000, uses one-eighth the energy of cremation and reduces the funeral industry's resource consumption—30 million board feet of wood, 104,000 tons of steel and 1.6 million tons of concrete annually. For a culture that values productivity, here's a sure way to a fertile afterlife.



COLORADO

Sweet Justice

When life gives you lemons ... pass a law that lets you sell lemonade! A Colorado mom and her three sons were running a lemonade stand last summer in a public park near their home when the police shut them down. They didn't have the necessary permits, they were told. "We were devastated," the mom told Colorado Public Radio. "We had no idea lemonade stands were illegal." They aren't any more, thanks to a new law she and her family fought to pass. The law prohibits local governments from requiring people 18 and younger to get a permit or license to run small operations—lemonade or craft stands, lawn-mowing businesses—fewer than 84 days a year. New Jersey, Utah and Wisconsin have similar laws to protect young entrepreneurs.

NORTH DAKOTA

Collared: Service Animal Scammers

North Dakota joins some two dozen states in making it illegal to pass a pet off as a service animal. Falsely claiming a pet as a service animal to "gain admission to a public place" or to obtain housing now can result in a fine of up to \$1,000. The bill's supporters say their efforts were aimed at protecting disabled people who truly rely on service animals.



PLASTIC POLLUTION

Bans on Single-Use Containers Grow

Maine has enacted the first state ban on single-use plastic food and drink containers made from polystyrene foam. The law applies to "covered establishments," such as restaurants and grocery stores. Hospitals, seafood shippers and certain other businesses are exempt. At press time, similar legislation had passed both chambers in the Maryland General Assembly with more than enough votes to override a veto should Governor Larry Hogan (R) issue one. Connecticut and Vermont were also considering plastic foam bans, and California lawmakers were pressing for the first statewide ban on single-use plastic shampoo and conditioner bottles in hotels and lodging businesses.

EMPLOYMENT

Work Licensing Reforms Roll On

Lawmakers continue to unravel the red tape associated with work licensing. Arizona now automatically grants occupational licenses to anyone who moves there with a clean credential from another state. It's the first state to knock down a common barrier for doctors, manicurists, home inspectors and many other workers who face new licensing requirements, paperwork and fees when they move to a different state. North Dakota

recently became the 26th state to eliminate licenses for braiding hair and threading eyebrows. It's welcome news to the state's hair braiders, who once were required to complete 1,800 hours of classes but now are free to work without a government permission slip.

FLORIDA

No Tether in Stormy Weather

Leaving a dog tied up outside during a hurricane or other dangerous storm would be a misdemeanor if proposed Florida legislation becomes

law. Violators could face jail time or a fine up to \$5,000, or both. Many Florida counties and towns prohibit tethering animals in extreme weather situations, but the bill, if passed, would be the first statewide law to address the problem. During Hurricane Irma alone, Florida animal control officers rescued 49 dogs and two cats. "We want to give dogs a fighting chance," said Senator Joe Gruters (R), who introduced the bill.

NEW HAMPSHIRE

Marking 200 Years With 13 Toasts

New Hampshire has been preparing since 2015 for the 200th anniversary of its State House in July. Notably, the building's dome has been regilded with \$2 million in gold leaf. Inside, workers have polished brass, restored sconces and refurbished visitors' galleries. When New Hampshireites gathered in 1818 to place the carved eagle atop the dome, they celebrated with the "Toast to the Eagle," a recitation of 13 toasts. "So, we're going to recreate that," said Clerk of the House Paul C. Smith. "We're actually working in partnership with Henninger Brewing Co. for a special 200-year-old recipe of a cream ale that is going to be used for the toast." Henniker's founder, Dave Currier, served in both the state House and Senate.

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NCSL Recognizes Legislative Staff and Their Contributions to Our State Legislatures

A MESSAGE FROM STAFF CHAIR JON HEINING

Congratulations to all my colleagues across the country whose sessions have completed or are about to wrap up.

Some of us are still at it.

As you read this, we in Texas will have about another month to go before we finish, assuming, of course, that we get our work done. Now, as my legislature enters its busiest and most dramatic period, the true value of legislative staff becomes apparent.



Heining

Calendars are simply too long for legislators to be familiar with every piece of legislation they are asked to consider, so staff stay late into the night working to understand those bills and the issues behind them.

When legislators have questions, we policy specialists, auditors, finance experts, lawyers and program analysts are often the only ones who can ensure they have the tools needed to represent their constituents effectively.

Clerks and secretaries are crucial, as they ensure that the appropriate processes are followed. The communications staff and librarians are vital in informing the public about the work of the legislature. And, when emotions run high, our sergeants-at-arms ensure that the public doesn't have *too* much say about what the

Legislative Staff Week May 6-10

We hope you enjoy the staff-oriented stories in this special section. Look for more at ncsl.org, on the NCSL blog and social media pages and on the "Our American States" podcast.

legislature does. Behind it all are the information technology staff, whose primary goal at this time of session is to go unnoticed—because if you see them, then something has gone very, very wrong.

Regardless of your role, the work is often hard, sometimes tedious and usually thankless. But, most of all, it's important. Thank you for doing it.

During Legislative Staff Week, NCSL spotlights you. We celebrate your contributions,

appreciate your hard work and encourage you to get involved in NCSL. This is your organization.

And remember, these NCSL resources are available year-round to all staff:

- A network of policy experts and databases full of research—available 24/7.
- Enriching annual seminars for each of NCSL's professional staff associations where you can connect with colleagues from around the country.
- Engaging webinars filled with innovative ideas and best practices designed specifically for staff.
- State Legislatures magazine, which showcases legislative staff to a national audience like no other publication out there.

We have a lot more in the works for the rest of the year. Get involved and make NCSL work for you!

Jon Heining is general counsel with the Texas Legislative Council.

My Life Before the Legislature

Communications staffers rely on lessons learned in fascinating former jobs.

BY JANE CARROLL ANDRADE

There's nothing like a legislative session to keep a communications staffer in the present moment. The days whoosh by as they write, record, interact, strategize, post and photograph. They are quick, responsive and responsible, using skills honed in prior positions.

Like a lot of legislative staffers, communications staff bring a wealth of experiences to their jobs. We persuaded a few of them to pause for a moment to revisit their pasts. We found a world traveler, a filmmaker, a public relations pro and a bullet-dodging journalist.

Come along as we explore their diverse experiences and lessons learned as they recall their lives before the legislature.

Jane Carroll Andrade is a program director in NCSL's Communications Division and liaison to the Legislative Information and Communications Staff Association. These interviews have been edited for length. To read more about our featured staffers, please visit ncsl.org/magazine.



Guy Bergstrom

Senior communications specialist,
Washington House Democratic Caucus

In current job since: 1996

Former job: Newspaper reporter

What I did: "I covered politics, mayhem and political mayhem. It was never boring." One particularly memorable day, he got a call from a small-town police chief telling him there was a shooter on the loose. "When I got out of my beater car, he shot at me. Not that I was special. He was shooting at everybody."

What I brought to the legislature: First, "speed is fundamental." Writing three stories before 10 a.m. was great training. Second, persuasion and structure, which are the most difficult and interesting parts of the job. "What they teach us in journalism school—the inverted pyramid—is fine for press releases and radio briefs, but what lawmakers are really doing 90 percent of the time is persuasion."

Advice for newbies: In a world where communications is "changing by the week," he recommends learning how to tell stories. "It's still about informing the press and public. Using storytelling or rhetorical tools instead of the inverted pyramid gives people the same information, just in a package that's far easier to digest. And that helps do an important job: making sure people are informed and know how to get involved in their democracy."



Alison Kniker

Video manager, Texas Senate Media Services

In current job since: 2002

Former job: Broadcast manager for Royal Caribbean Cruises, the first woman in the position fleetwide.

What I did: Recorded shows, guest entertainers and activities on board, and did location shoots. She went straight from an airplane to a camel's back on the Spanish island of Lanzarote, and learned to adjust her camera to climates ranging from Iceland and Scandinavia to Egypt and New Zealand.

What I brought to the legislature: The sense that "change is constant, and to do the most I can with what I have." She also brought a sense of history. "In the 1880s my grandfather's grandfather left Sweden for Texas to help build the Capitol. In the 1930s my grandfather took time out from his job as a journalist to serve as the governor's press secretary. My grandmother and my uncle worked here, and I hope I can pass the torch to future generations."

Advice for newbies: It's "easier to try and do everything than specialize." On a practical level, "A good night's sleep goes a long way. Wear the most comfortable shoes you can. Set your cell phone on airplane mode. Still looking for comfortable headphones—suggestions anyone?"



Carolyn Tanaka

Director of communications, Hawaii House Majority Caucus

In current job since: 2013

Former jobs: Television reporter, communications director for a former governor and a U.S. Senate campaign, associate vice president for external affairs at the University of Hawaii, advertising and marketing professional

What I did: A little bit of everything—reporting, writing, strategizing, outreach, management and advocacy

What I brought to the legislature: "My reporting background helps in understanding what makes news and how reporters operate. But my public relations experience allows me to use a variety of communication tools that better assist lawmakers to inform, promote and gather support for their work, ideas and policies."

Advice for newbies: A communications or public relations background, combined with an interest in and knowledge about politics, is key. "I love this environment—the combination of politics and governing." Timing and maturity play a role, too. "When I was a freshman in college, I was an intern here and I was bored out of my mind. Back then I wanted to be in the news, I wanted to be a reporter. I've come full circle. I like this place a helluva lot better and find it way more interesting than I did when I was 18."



Will Tracy

Production assistant, Arkansas House of Representatives

In current job since: 2016

Former job: Ran a production company

What I did: "I did everything from production work on commercials to live events to feature films. I did second unit work on 'Terminator Salvation,' and in college I was the art director for a low-budget horror film."

What I brought to the legislature: Knowing how to work under pressure. "I did a lot of internet and live television work, and I learned to think on my feet. If you don't get the shot, it's not going to happen again." He also looks at his job as an agency, and the legislature as the client. "You're making a product. You want viewers. You can be creative."

What I value: "More people watch my work than ever before. I get about 1,000 hits a day. I get paid to do what my degree's in every day, so I don't complain."

Advice for newbies: Know that creativity and impartiality can—and must—coexist in a nonpartisan shop. "You can't create drama." And as his boss reminds him, don't forget where you work: "Walk up the stairs so you can remember what you're doing and where you're at."

Toolbox

DEFUSING ANGER

A Primer on Peacemaking

BY MEGAN MCCLURE

It's a scene not unfamiliar to many legislators and legislative staff. An angry constituent walks through the door upset with his tax bill. He feels targeted and wants justice. His voice gets louder and louder as he becomes more agitated.

Or a legislative staffer gets fired for menacing behavior that would not stop despite many warnings. As she is escorted out the door, she yells to her colleagues that she wishes they were all dead.

No one goes to work anticipating a violent or negative interaction, whether it be with a member of the public or a co-worker. Jane, a legislative librarian who asked that we not use her real name, sure didn't. But one afternoon encounter changed all that.

"On a warm sunny day in June, not too long after the terrible incident at Columbine High School in Colorado, a very tall, thin man walked into the library wearing an oversized black trench coat," Jane says. "Immediately the two of us in the library sensed that something was dark about this person. He was muttering how

the government had inserted some sort of antenna into his head, and was tracking him, and making him do violent things he didn't want to do. He was angry and agitated and said he was trying to overcome the impulses 'the feds' were forcing on him. I knew we had panic buttons, but I was concerned that the capitol police would come into the library, with guns drawn, and upset him even more.

"So, I tried to stay calm and assist him by showing him resources on our shelves, while assessing my location in relation to him and staying out of arm's reach and making sure I had an escape route. When he finally left the library, I immediately called capitol police."

What would you have done? Jane kept her cool and the story ended safely. With some planning and self-awareness and by following some tried-and-true techniques you probably learned as a child, you might dramatically reduce the chances of an uncomfortable situation escalating into a violent one.

These tips come from a presentation given by Dan



Billings, director of security for the Pennsylvania Senate.

[1]

Be Prepared

For Boy Scouts, this means ensuring you've got the supplies and know-how needed for any adventure. For legislative staffers, it means establishing a workplace violence plan in case your best efforts at deescalation fail. You'll

need to know what to do next, where the emergency button is, what actions to take in various scenarios.

Being prepared also means following the safety regulations and policies of your office and legislature. Get to know your capitol security staff, how best to contact them and how they will respond.

The three biggest barriers to being prepared are believing that nothing will ever happen to you, fearing colleagues will think you are being alarmist and procrastinating.



GET TO KNOW YOUR
CAPITOL SECURITY
STAFF, HOW BEST
TO CONTACT THEM
AND HOW THEY WILL
RESPOND.



“Plan now and hope you will never need your plan, but feel confident that your plan gets you home safely,” Billings said.

[2]

Do Unto Others

Treat others as you would like to be treated if your roles or situations were reversed. Consider how upset you can get when things don’t go as

you planned. Often, people come to the capitol to protest some wrong they feel they’ve suffered. Give them your full attention, don’t be distracted or impatient, and be honest. Most people simply want someone to listen to them, even if you can’t solve their problem. Listen carefully and show some empathy to ease the tension.

Remember those “I” statements? Use them. “I hear what you are saying.” “I understand that you are frustrated.” “I know how trying that can be.”

“Allow people to voice their concerns,” Billings said. “It’s what we all want.”

[3]

Keep Calm, Carry On

Your natural reactions when confronted with a difficult situation are fight, flight or freeze.

Even though your adrenaline will rise, try to defuse the situation early. Be sincere and accurate; don’t mislead or lie to get a difficult person to go away. The longer it takes, the more frustrated the person may become and the more difficult it will be to deescalate.

Calm confidence tends to undermine aggressive behavior. If the person is feeding off a crowd, try to get them to a more private location, but one that can be monitored by colleagues.

And, by all means, Billings said, “Don’t say, ‘Just calm down,’ or ‘Please be quiet.’ That’s the same as saying, ‘I bet I can crank you up even more.’”

Megan McClure is a senior staff assistant in NCSL’s Legislative Staff Services Program and liaison to the Legislative Research Librarians Staff Association and the Leadership Staff Association. Dan Billings’ webinar, “De-escalation Techniques for the Legislature,” is archived at ncsl.org.

Why I Love the Legislature

CONNECTICUT

Steven Hernandez

Executive Director, Commission on Women, Children and Seniors, and Interim Executive Director, Commission on Equity and Opportunity



Hernandez

Steven Hernandez grew up wanting to be an international human rights attorney. After clerking in the court of appeals and working for Human Rights Watch, he began to understand the importance of local policy and practices.

His first job in the Council of the District of Columbia, the legislative branch of the district's local government, taught him to appreciate the burden of carrying the public trust while representing constituents' interests. "Always have an eye out for fraud and public waste," he says, "and promote good government." These experiences eventually led him to his current position in the Connecticut General Assembly.

Why do you love the legislature?

It's a dream job. I get to be inside the "velvet rope" working with elected officials who can have an impact on the issues that I care about. It requires me to look beyond the headlines and into the nuance, and it's helped me understand that behind every great political argument there is a kernel of research and best-practice-based truth. That kernel is usually the right thing to do.

What does your job involve?

My position is unique. I'm the director of a couple of Connecticut's nonpartisan, bicameral commissions that target underserved populations. Representing them might involve opposing legislation that negatively affects those populations or drafting competing legislation. It's human rights at home.

What are you working on now?

I am proud of the work being done by the commissions on a two-generation strategy



Connecticut Capitol, interior.

to offer wraparound services to families in Connecticut and sister states, as well as our efforts to improve school climate and curb bullying through improved interventions. The commissions are also working on improving early literacy programs, with the goal of closing the achievement gap by ensuring that all children, especially those of color, are reading by third grade.

Where do you call home?

Connecticut feels like home because it has a little bit of all the places where I've lived. But I really enjoy working with my friends and colleagues across the country. Learning from initiatives in their states gives me fresh ideas and approaches to bring home to the General Assembly.

Adrienne Fischer, a policy associate in NCSL's Education Program, conducted this interview.

"IT'S A DREAM JOB. I GET TO BE INSIDE THE 'VELVET ROPE' WORKING WITH ELECTED OFFICIALS WHO CAN HAVE AN IMPACT ON THE ISSUES THAT I CARE ABOUT."

MARYLAND

Lori Mathis

Director, Office of Operations and Support Systems



Mathis

Growing up in Annapolis, Lori Mathis didn't appreciate the city's history until she came to work in Maryland's State House. It is the oldest U.S. state capitol in continuous legislative use, dating back to 1772.

When she graduated from high school,

Mathis knew she wanted to work in public service, inspired by her history teacher and basketball coach, Michael Busch, who would become the state's longest-serving House speaker. (Busch died in April.) While working in the legislature, she earned a bachelor's degree, then a master's in management with an emphasis on human resources. She did all this while raising four children. "It was a lot to do, but I was determined to succeed."

Why do you love the legislature?

I love the institution and attribute that to the leadership and, of course, great staff. When I was the HR administrator, I was responsible for developing personnel policy and procedures, advising on personnel issues and overseeing the payroll for over 1,100 employees. I thrive on supporting employees, building relationships and ensuring fairness and uniformity by maintaining a nonpolitical HR environment.

Is that part of your new role?

As director of the Office of Operations and Support Services, I have oversight of human resources, finance, information systems, facilities, graphics and printing. I'm responsible for providing training and initiating policy changes to create a culture that truly reflects the legislature's values. I try to get people to come out from behind their computers and have regular conversations. Interaction is important to a healthy workplace.



The Maryland State House dome, seen from historic Annapolis.

What was your first job at the State House?

I started as a terminal operator and later became the supervisor in the bill-processing unit. It certainly was good to know the culture and business processes and to watch automation and technology grow. In 2000, HR director Cathy Fiddes realized there was an opportunity for succession planning by bringing me into the HR division. After about five years, Cathy retired and I became the director.

When you're not at work, where might we find you?

You can probably find me relaxing near the water. I love to travel and spend time with my husband, four adult children (last one in college) and three grandchildren.

Kae Warnock, a policy specialist in NCSL's Legislative Staff Services Program, conducted this interview.

"I THRIVE ON SUPPORTING EMPLOYEES, BUILDING RELATIONSHIPS AND ENSURING FAIRNESS AND UNIFORMITY BY MAINTAINING A NONPOLITICAL HR ENVIRONMENT."



More online

These interviews have been edited for length. To read more about our featured legislative staffers, visit ncsl.org/magazine.

INTERNET GAMING

JACKPOT IN JEOPARDY

Federal opinion threatens states' rights over online gambling.

BY JACKSON BRAINERD

Gambling contributes a relatively small percentage to state budgets, typically between 2% and 2.5%, but that can amount to hundreds of millions or even billions of dollars, depending on the state. Gambling revenues are often earmarked for important spending categories—education, retirement programs, historic preservation—so states have an interest in ensuring that their gambling revenue streams are robust or at least stable. The reality, however, is that gambling revenues in many states have been relatively flat or even down because of increased competition and shifts in consumer preferences.

To bolster gambling revenue some states are offering casino gaming or lottery

play over the internet. It's a way to increase gambling opportunities and appeal to millennials, who, surveys suggest, are less interested in traditional forms of gambling.

Delaware, Nevada, New Jersey, Pennsylvania and the U.S. Virgin Islands allow internet gambling. Another 11 states allow some form of internet lottery play. That appears to be paying off. New Jersey, for example, has taken in \$178.9 million in tax revenue since internet gambling began in 2013 and brought in \$44.9 million in 2018 alone. After launching an online lottery in 2015, Michigan reaped \$48 million in online sales in fiscal year 2016 and \$77.9 million in fiscal 2017.

Last year, in *Murphy v. NCAA*, the U.S. Supreme Court declared the Professional and Amateur Sports Protection Act—

which prohibited most states from authorizing or licensing sports betting within their borders—unconstitutional. This opened a whole new frontier in which states could legally offer online sports betting. Since the ruling, New Jersey, Pennsylvania, Rhode Island and West Virginia have done just that, including on mobile devices. Nevada accepts online bets anywhere in the state if the bettor has registered in person at a sportsbook.

Uncertainty Ahead

As attractive as the revenue potential of internet gambling is, there's a big caveat: It might soon be illegal again. Internet gambling was initially legalized in 2011, when the U.S. Department of Justice decided that the Wire Act of 1961 outlawed only





THE U.S. JUSTICE DEPARTMENT
THREATENS “TO TRAMPLE OVER
THE LAW AND STATES’ RIGHTS.”

State attorneys general of New Jersey and
Pennsylvania, in a joint statement



sports betting, not online gambling.

NCSL passed a resolution at the time supporting the decision. In January, however, the Justice Department argued the 2011 opinion was a misinterpretation and reversed it, throwing state internet gaming operations into jeopardy. Deputy Attorney General Rod Rosenstein subsequently released a memo asking the department not to enforce the new opinion for 90 days.

Although the ramifications of enforcement are still unclear, it could mean the end of traditional online gaming, multi-state lottery drawings like Powerball and Mega Millions, and online sales of in-state lottery tickets. However, because the Wire Act applies to wagers placed across state lines, intrastate mobile sports betting is likely safe.

The state attorneys general of New Jersey and Pennsylvania issued a joint response to the Justice Department on Feb. 5, requesting that it withdraw the opinion, arguing that the agency did not provide a compelling enough reason “to trample over the law and states’ rights, and to upend the settled expectations on which we have been relying for nearly a decade.” Soon after, New Hampshire and New Jersey filed a lawsuit against the department, seeking an injunction on the new Wire Act opinion.

Stay tuned. All bets are off on how this will end.

Jacksons Brainerd is a policy specialist with NCSL’s Fiscal Affairs Program.

State Internet Gambling Operations



DEATH PENALTY ON TRIAL

Executions are down, while state attention to capital punishment is up.

BY AMBER WIDGERY

New death sentences and executions remain at near historic lows. Nationwide, 25 executions were carried out in 2018, compared with 98 in 1999.

There are myriad reasons for the decline in numbers in recent years, but lengthy litigation of appeals and difficulties carrying out executions certainly have had an impact and have drawn the attention of policymakers. Last-minute stays of execution from the courts and an inability to legally obtain the drugs necessary for lethal injections have caused delays. And, in some states, concerns about the entire process, from investigation through execution, have resulted in gubernatorial moratoriums on all executions, the most recent being in California.

These complications have also forced states to change their laws and protocols and have led several states to move away from executions altogether.

Last year Washington became the 20th state to overturn or abolish capital punishment when the state supreme court found the death penalty “invalid because it is imposed in an arbitrary and racially biased manner,” Chief Justice Mary Fairhurst wrote for the court.

The court left the door open for the Legislature to “enact a ‘carefully drafted statute’ to impose capital punishment.” Instead, Washington Attorney General Bob Ferguson (D) requested that Senator

Reuven Carlyle (D) introduce legislation to remove the statute from the books entirely, a measure Governor Jay Inslee (D)



Stonier

promised to sign. The bill was voted out of the Senate but later stalled in the House. Majority Floor Leader Monica Stonier (D) said that leadership prioritized other measures, including changing life

sentences and three-strikes laws to “have an impact immediately in the next year on people’s lives.” There was no risk in holding off until next year, she said, since capital punishment is currently illegal.

A Narrowing Field

Several U.S. Supreme Court rulings over the past two decades have narrowed the death penalty’s application in the states. Based on the Eighth Amendment’s ban on cruel and unusual punishment, the high court abolished the death penalty for intellectually disabled offenders in 2002, for juvenile offenders in 2005 and, in 2008, for raping a child when death is not the intended or actual result.

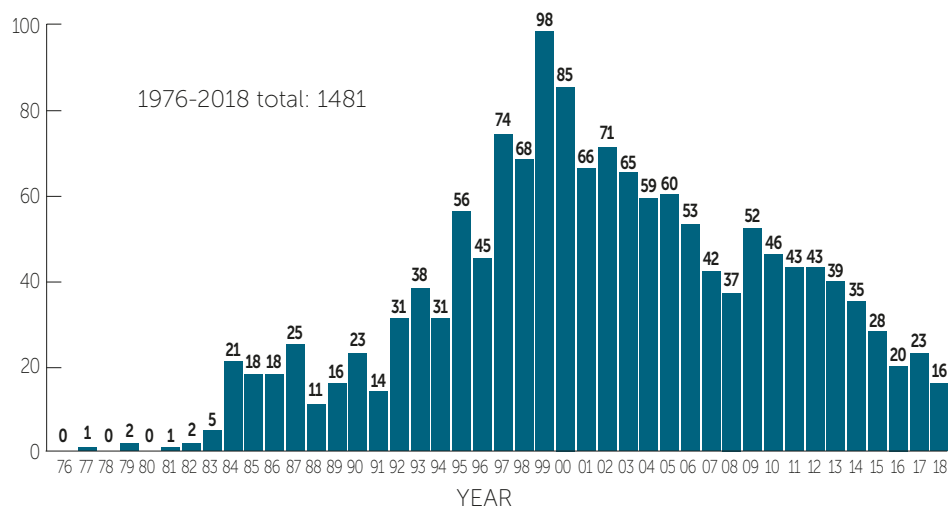
The cases regarding intellectual disabilities have possibly had the most significant impact in the states. The 2002 *Atkins v. Virginia* decision prohibited the execution of “mentally retarded” defendants but





Going Down

The number of executions performed annually has dropped dramatically since 1999.



Source: Death Penalty Information Center, August 2018

left it to the state to determine who that includes. Since that decision, the court has struck down definitions adopted in Florida and Texas.

The court issued a second opinion in the *Moore v. Texas* case this year, taking the rare step of applying the legal standard for intellectual disability itself, instead of the more typical course of ruling on whether a lower court has correctly applied a standard.

In the first *Moore* case, the court observed that at age 13, “Moore lacked basic understanding of the days of the week, the months of the year and the seasons; he could scarcely tell time or comprehend the standards of measure or the basic principle that subtraction is the reverse of addition.”

The court held that, among other errors, the Texas Court of Criminal Appeals relied on factors that “had no grounding in prevailing medical practice,” using lay perceptions and stereotypes of intellectual disability to evaluate the accused. The second opinion concluded that the lower court had made many of the same errors as it had in its first review and found that Moore was in fact intellectually disabled.

It’s interesting to note that the Texas district attorney’s office agreed. Harris

County District Attorney Kim Ogg (D) declined to defend the case in front of the Supreme Court and even filed a brief in opposition, stating that the crime was “brutal” and that the punishment should be “lengthy and constitutional.”

The Supreme Court also prohibited executing individuals who suffer from mental illness subsequent to a sentence of death, holding in 1986 that the Eighth Amendment prohibits the execution of a person who has “lost his sanity” after sentencing. The standard was further defined in 2007, in a case that focused on whether a prisoner can “reach a rational understanding” of why he’s being executed.

Earlier this year, in a case from Alabama, the court affirmed a 2007 ruling that, although the Eighth Amendment does not bar executing criminals who can’t remember their crimes, it does prohibit executing people with dementia who are unable to rationally understand the reasons for their sentence. In that case, the offender had a series of strokes resulting in dementia. The issue of how to define “rational understanding” was sent back to the Alabama court to determine.

Several states have had to update their laws to comply with the *Atkins* decision, and the cases from Florida and Texas have

also certainly affected the states. Florida was forced to change its procedures for determining intellectual disability, and North Carolina had to change the narrow language of its statute.

The Texas Legislature is currently considering bills that would change the procedure for determining intellectual disability in response to *Moore*.

State courts also have had a say on which procedures are constitutional for determining competency. After the Arkansas supreme court ruled that allowing the corrections director to determine a condemned inmate's competency was unconstitutional this year, the General Assembly passed a law requiring that inmates get an evidentiary hearing.

Some states considered going further. Proposed legislation in Arizona, Arkansas, Kentucky, Mississippi, Missouri, North Carolina, Ohio, South Dakota, Tennessee, Texas and Virginia would go beyond current constitutional standards and exclude those with serious mental illness at the time of the crime from execution.

Executions in Limbo

Some states have capital punishment on the books but have been unable to move cases forward. Governors have placed moratoriums on executions in California, Colorado, Oregon and Pennsylvania. Elsewhere, court orders have halted executions. And a few states are under de facto moratoriums because they haven't been able to obtain lethal injection drugs.

California Governor Gavin Newsom (D) is the most recent to impose a moratorium. His March executive order granted reprieves to 737 death row inmates and suspended executions for as long as he is in office. The order also repealed the state's lethal injection protocol and closed the state's execution chamber, which hadn't been used since 2006.

Alternatively, other states have tried to get executions back on track by enacting confidentiality laws that keep various aspects of executions, including sources of drugs and identities of participants a secret. Eighteen states have confidentiality

Expanding Confidentiality

Confidentiality laws keep certain aspects of executions, including sources of drugs and identities of participants, a secret. The 18 states shown below have enacted a confidentiality provision.

State	Year of most recent enactment
Arizona	2010
Arkansas	2019
Florida	2000
Georgia	2013
Indiana	2017
Louisiana	2012
Mississippi	2016
Missouri	2007
Nebraska	2009

State	Year of most recent enactment
North Carolina	2015
Ohio	2015
Oklahoma	2011
South Carolina	2010
South Dakota	2013
Tennessee	2013
Texas	2015
Virginia	2016
Wyoming	2015

Source: NCSL, May 2019



Olsen



Cushing



Carson



Farnsworth

provisions, most of which were enacted in the last decade.

Arkansas is the latest state to expand confidentiality. Legislative findings associated with the new enactment state that, "There is a well-documented guerilla war being waged against the death penalty." The state's existing law was expanded to broadly protect "documents, records or information that could lead to the identification of a person or entity" involved in providing lethal drugs.

Modify or Repeal?

Concerns about the death penalty extend beyond Washington and California. Lawmakers in 18 other states where capital punishment is currently legal intro-

duced bills this year to abolish it. That number is not unusually high, but some of the proposals have gotten a surprising amount of traction.

A bipartisan bill ultimately failed in the Wyoming Senate, but not before it was approved 36-21 by the House. Representative Jared Olsen (R), the sponsor, said the bill was supported by a coalition of "social conservatives and libertarians" in addition to some "heavy hitters," including three-quarters of the House leadership.

The New Hampshire legislature has considered repealing the death penalty annually for the last two decades. Representative Renny Cushing (D), founder of Murder Victims' Families for Human Rights, a group opposed to the death pen-

alty, has sponsored the legislation every year since 1998. This year, for at least the third time in the last two decades, the bill has made it to the governor's desk only to be vetoed.

Governor Chris Sununu (R) voiced his opposition to the bill in a written statement in early April, saying he "continues to stand with crime victims, members of the law enforcement community and advocates for justice in opposing a repeal of the death penalty."

New Hampshire Senator Sharon Carson (R) echoed the governor's remarks. "We're not talking about getting revenge or soothing the families' soul or anything else like that," she said. "This is about justice, nothing more, nothing less."

Sununu signed the veto in early May in a building named for the victim of the

state's only death row inmate, surrounded by law enforcement and members of the victim's family. He expressed his hope that lawmakers would reconsider their positions on the issue, but bill sponsor Cushing and Senate President Donna M. Soucy (D) both thought an override vote would likely be successful.

Cushing said his colleagues in the legislature had given his bill a lot of thought. "I think this is not a policy that's susceptible to political winds of the day," he said. "People made an examination of their conscience ... and I think that conscience will continue to hold."

In Arizona, instead of a repeal, Senate President Pro Tem Eddie Farnsworth (R) sponsored successful legislation to eliminate three of the aggravating factors that could make a murder eligible for capital

punishment. The Maricopa County Attorney's Office supported the move, he said.

"The courts have expressed concerns about constitutionality for all aggravators that exist in death penalty sentencing."

Debate Continues

Taking a different tack, lawmakers in eight states, following a legislative repeal or court action, have introduced measures to reinstate capital punishment.

Strongly held views and opinions on the cost effectiveness, efficacy, morality and fairness of this final form of punishment are sure to persist, perhaps longer than the death penalty itself.

Amber Widgery is a senior policy specialist in NCSL's Criminal Justice Program.

Debating New Execution Methods

Lethal injection is the primary method of execution in all states with the death penalty. But ever since pharmaceutical companies started withholding the drugs used in executions, lawmakers have been forced to look at alternatives. Most companies, for various reasons, don't want to be known for contributing to, or supporting, capital punishment.

So lawmakers are bringing back historical methods of execution and creating new lethal-injection mixtures with previously unused drugs, like fentanyl and midazolam. They've specified that alternative methods be used only if lethal injection is unavailable or has been ruled unconstitutional.

In 2015, Oklahoma became the first state to legalize executions by nitrogen hypoxia (asphyxiation). If it and traditional lethal drugs are unavailable, officials may turn to electrocution or the firing squad, which lawmakers legalized as last resorts. Mississippi did the same in 2017 and Alabama in 2018, though lawmakers there elected to let offenders choose nitrogen hypoxia over lethal injection even when



the latter is available.

Death by nitrogen hypoxia is said to be painless and simple to administer. It hasn't been tested on humans, however, so there's little data on its effectiveness.

Instead of designating backup methods, some states are creating new drug formulas. Nebraska created a new formula using the synthetic opioid fentanyl and became the first state, in August 2018, to use it in an execution. Fentanyl has become notorious for its lethality, driving up overdose

deaths in the opioid epidemic. But, like nitrogen hypoxia, it has been used so seldomly in executions that questions linger.

Nevada was set to carry out the first execution using fentanyl, but a court order halted the proceedings based on the drug's unknown effects. The state had turned to fentanyl after the pharmaceutical company Alvogen blocked its use of the company's sedative midazolam.

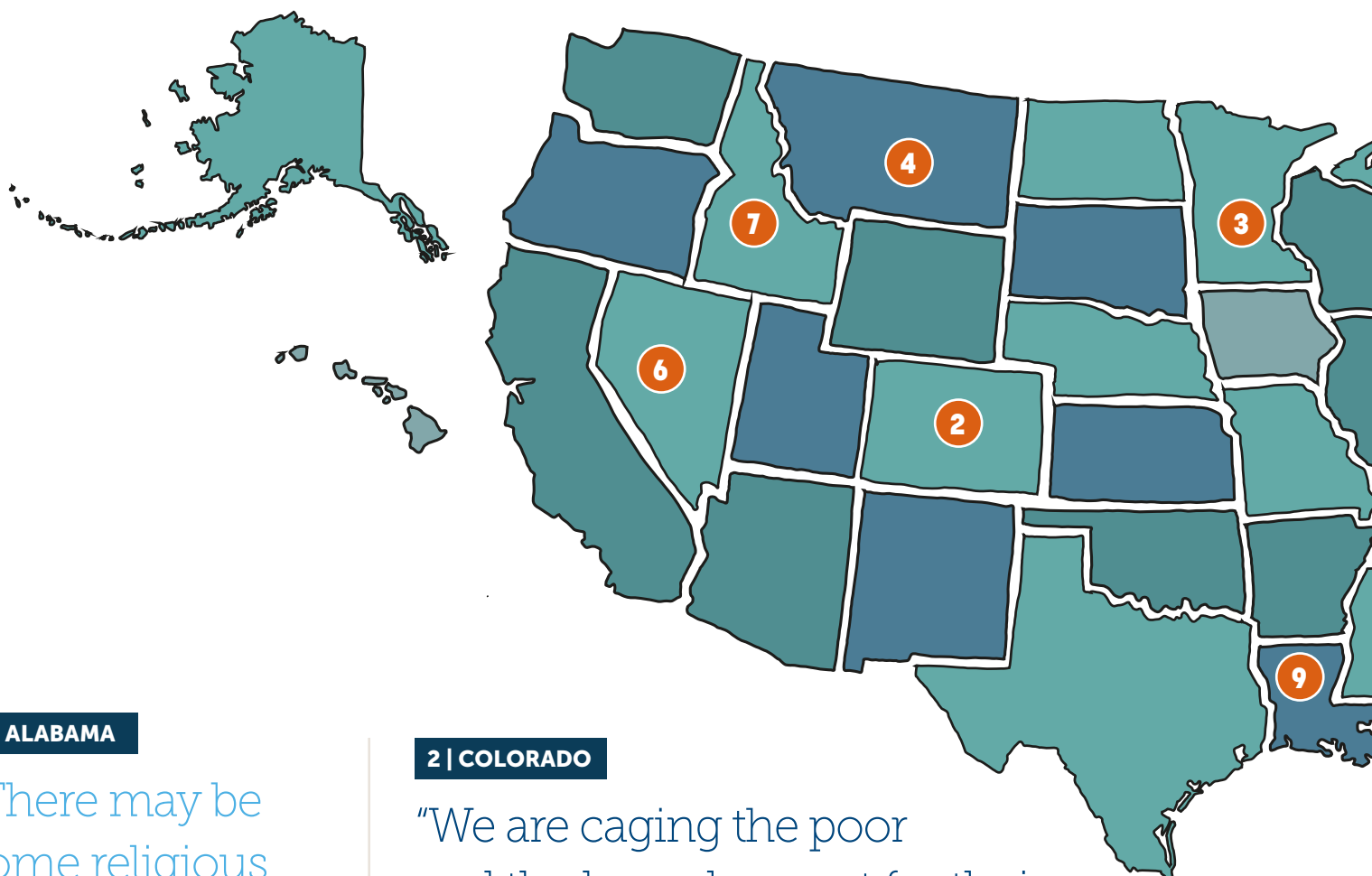
The effectiveness of midazolam, which is intended to make the offender unconscious, was questioned after it apparently did not work during an August 2018 execution in Tennessee. The other drugs used in the lethal mixture allegedly cause pain similar to being burned alive or drowned.

Thirty-three death row inmates joined a lawsuit arguing that Tennessee's lethal mixture violates their Eighth Amendment right to be free from cruel and unusual punishment.

As more states turn to midazolam and fentanyl, more constitutional challenges are likely to follow.

—Caitlin Davis

Newsmakers



1 | ALABAMA

"There may be some religious objections. We certainly don't want anybody made to do it. But it does keep the pledge in our schools."

House Majority Leader Nathaniel Ledbetter (R) on a bill that would require schools to start the day with the Pledge of Allegiance, from AL.com.

2 | COLORADO

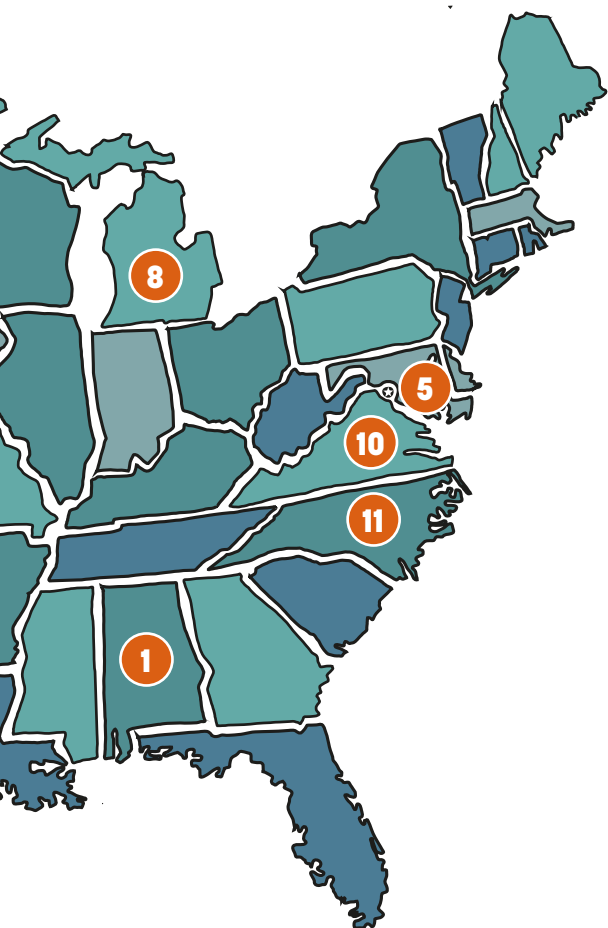
"We are caging the poor and the homeless, not for their crimes, but for their poverty."

Representative Leslie Herod (D) on legislation she sponsored with Representative Matt Soper (R) to eliminate cash bail for minor offenses, including having an open container, trespassing or shoplifting less than \$50 worth of goods.

3 | MINNESOTA

"My life will never be the same as it was before the day Ariel died. I'm so grateful to everyone who has worked on this bill."

Senator Chris Eaton (D), whose daughter died from a heroin overdose, on a bill to increase fees on makers of addictive prescription drugs, in the Minneapolis Star Tribune.



4 | MONTANA

"You will hear this is a hate bill. There is not any hate in it. It is intended to be the opposite. It is to protect Montana citizens."

Representative Kenneth Holmlund (R) on a "sanctuary city" bill to prevent local governments from refusing to enforce federal immigration law, in USA Today.

5 | MARYLAND

Michael E. Busch (D), the longest-serving speaker of the House of Delegates, died in April following several health challenges. He was 72. Busch was first elected in 1986 and became speaker in 2003. "He cared for every corner of the state but never forgot about the people he was elected to represent," Senate President Thomas V. Mike Miller (D) said in a statement. Delegates elected Adrienne Jones (D) to replace Busch. Jones is the 107th speaker and the first African American and the first woman to serve in the role. She has served in the House since 1997 and as speaker pro tem since 2003.

6 | NEVADA

Senator Nicole Cannizzaro (D) was elected unanimously to replace Kelvin Atkinson (D) as majority leader, following Atkinson's resignation. Cannizzaro is the first woman to serve in that role and will lead a female-majority chamber.

7 | IDAHO

Idaho Senate President Pro Tem Brent Hills (R) took a volunteer vacation to Vietnam in April to work at a school for deaf children, help build a home for an elderly widow and teach some English. "The short time I spent away from Idaho, in a country I grew up despising, not only taught me to cherish the people there but also deepened my love for Idaho. I needed to be reminded again how blessed we are and, for a time at least, I will feel more grateful, smile more often, serve more willingly and love more compassionately."

8 | MICHIGAN

At 30 years old, Representative Lee Chatfield (R) is the nation's youngest speaker and one of the youngest in his state's history. He was first elected to the House in 2014 and earlier served as speaker pro tempore.

9 | LOUISIANA

Alfred "Butch" Speer, clerk of the House, plans to retire in January 2020. Speer is a past NCSL staff chair (1995-96) and past president of the American Society of Legislative Clerks and Secretaries. He currently chairs the 2020 Mason's Manual Commission.

10 | VIRGINIA

Jeffrey A. Finch, deputy clerk of the House for more than 25 years, retired in April. Finch was active in the American Society of Legislative Clerks and Secretaries and served on the 2010 Mason's Manual Commission.

11 | NORTH CAROLINA

Carol Shaw, principal program evaluator for the General Assembly, will retire in July after more than 35 years. She served on NCSL's Executive Committee and was active with the National Legislative Program Evaluation Society.

Yes, No, Maybe So

ETHICS

What Does 'Due Process' Really Mean?

BY NICHOLAS BIRDSONG

Abstract legal doctrines rarely get much public attention. I can't tell you the last time I heard "res ipsa" or the "dormant commerce clause" mentioned on my morning news podcasts, for instance.

"Due process," on the other hand, comes up often in a surprisingly wide variety of contexts. The phrase is regularly mentioned in debates over gun rights, immigration, sexual assault, teacher tenure and more. Those who jump to the defense of a beloved popular figure newly accused of some bad behavior rarely fail to mention it.

But like many complicated ideas that enter the public discourse, explanations tend to be absent, oversimplified or off the mark altogether.

Definitions from legal scholars tend to derive from constitutional law, which separates due process into procedural and substantive dimensions. The procedural aspect refers to the limit on government depriving someone of life, liberty or property without sufficient notice and opportunity for a fair hearing. The more controversial substantive meaning limits government interference in certain fundamental liberty interests, such as right to privacy, regardless of process.

Both substantive and procedural limits apply exclusively to government action. Due process does not, for example, limit the ability of a private person or entity to fire an employee, revoke a sponsorship deal or issue a public rebuke, even if the

action is arbitrary, capricious or based on pure speculation. Contract law or other legal principles might limit such actions, but not due process.

Yet, those who decry public shaming often seem to be arguing that that's ex-

Snap judgments are prone to error, and the consequences can be severe. Loss of income, public humiliation and damage to one's reputation may be irreparable, even if the accusations are later proved false.

So is it better to just refrain from expressing any opinions? That might sound tempting, but life sometimes requires us to make decisions with limited information. A refusal to condemn may be perceived as enabling, perpetuating or endorsing undesirable acts. Public servants in particular face an abundance of these hard choices.

The tricky part is in navigating the boundaries between premature and overdue judgment. In other words, how much process should be due before a personal judgment is no longer rash?

Ultimately, it is a highly subjective and fact-dependent question. A legal stan-

dard applied to personal statements of opinion might be too restrictive, but ruining someone's career based on an unsubstantiated and anonymous rumor might be a bit harsh. Sticking to the established facts is always a safe and ethical bet, as is a willingness to apologize or change course in light of new information.

Nicholas Birdsong is a policy associate with NCSL's Center for Ethics in Government. Is an ethical dilemma keeping you up at night? Contact Nicholas at nicholas.birdsong@ncsl.org.



actly how due process works. Message boards and opinion pieces decried private businesses' firing of those involved in the college admissions bribery scandal as punitive action prior to any due process.

Whether incorrect or simply a less-technical alternate meaning, this use of the phrase reflects a common value that one should not condemn others based on mere allegations or rumors. Some ethicists argue that it is unethical to rashly form convictions of someone's guilt of a bad act or character defect based on insufficient justification.

The Final Word

Donna M. Soucy

President, New Hampshire Senate

An attorney serving her fourth term in the Senate, Soucy followed in her parents' footsteps by serving as a state representative, as her mother did, and a Manchester alderman, as her father did. She was the first female chair of the Manchester Fire Commission, worked for the New Hampshire Banking Department and was chief of staff for the Senate. Soucy graduated from Saint Anselm College and the University of New Hampshire School of Law.

Are leaders born or made?

I think leaders are made. There are certain qualities that individuals might be born with that help them be leaders, but really good leaders are made over time. They are made better by the experiences they have. When confronted with leadership challenges, people either rise to the occasion or they don't.

What's your most important legislative priority this session and why?

Reestablishing and increasing New Hampshire's minimum wage. It's something that I have done every year for the last seven years and this year we finally passed it out of the Senate.

How did serving as chief of staff for the Senate influence the way you interact with staff?

When I was first elected to the Senate, I think it was kind of strange for some of the staff to get used to not calling me Donna and instead calling me senator. But it certainly gave me a leg up. I think it helps me work better with the staff. There are times when, as legislators, we make certain demands on staff without understanding how those requests impact them. I said to my chief of staff when I hired him, "The fact that I've been in your role is either going to be your greatest blessing or your worst curse because I know what the job entails."

What advice do you give women considering a run for office?

I tell them there really is a difference in the style between women and men, and that difference plays a key role in helping to advance policy. Women approach things in a



way that makes the process more open and welcoming, and those approaches sometimes help to get through logjams.

What makes the New Hampshire legislature unique?

The fact that we aren't compensated. We are a volunteer legislature, which always surprises people—how hard people work and how much time they spend for \$100 a year is really quite extraordinary.

Were your parents important role models?

Absolutely. They both influence me to this day. My mother was very much a consensus builder and a good listener. She was running for a third term when she was diagnosed with cancer and she passed away a year later. I was appointed to fill the vacancy, and that's how I ended up serving in the House. It was an enormous loss. At the same time, serving in her footsteps was very comforting to me. I was surrounded by a lot of people who had great admiration and respect for her. My dad saw politics as a tool—not to advance your own aspirations and goals, but to help other people through the most difficult challenges in their lives. I think they would both be proud that I was elected by my peers to lead the Senate. I could feel their presence that day.

What would surprise people most to learn about you?

I make a great pork pie for the holidays. It's my father's family recipe. It's a French Canadian delicacy. Every family has its own spice profile for what goes into cooking the meat.

What final words would you like to share?

Some of the best legislators are the ones who open themselves up and are vulnerable in relaying their own personal stories. Human beings telling their individual stories and relating to each other in a more personal way make for a better legislative process and, in the end, better legislation.

Jane Carroll Andrade, a contributing editor, conducted this interview, which has been edited for clarity and length. To read the full conversation, visit ncsl.org/magazine.



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