

The **LWV** **VOTER**

5:30 PM **TUESDAY**
SEPTEMBER 29, 2015
 @ THE WOMAN'S CLUB
 108 S. JACKSON STREET IN JANESVILLE

KATE FLANAGAN

Rock County Behavior Health Redesign Committee member Kate Flanagan will share information about the committee's work in partnership with the JVL-LWV's continuing work on mental health needs.

Refreshments will be served.

Presented by the League of Women Voters
 of Janesville

The League of Women Voters of Janesville will be hosting a free community discussion Tuesday, September 29 at 5:30 p.m. at the Woman's Club, located at 108 S. Jackson Street in Janesville.



Speaker is Kate Flanagan of the Rock County Behavior Health Redesign Committee. Flanagan will share information about the committee's work regarding mental health issues in

Rock County in partnership with the League of Women Voters of Janesville's study committee. The all-volunteer local League of Women Voters of Janesville is a non-partisan organization which works to register voters, host candidate forums, study local, state, and national issues and to bring informative programs to the citizens of Janesville and northern Rock County.

Thank you!

The Board of the LWV-Janesville would like to thank Jean Randles, Kris Koeffler, and Carol Herzig for their work on the Domestic Violence Committee.

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Sign up today for LWV-WI's State Issues Briefing!



Saturday, October 10, 2015, 9:00 AM – 2 PM
Courtyard Marriott, 2266 Deming Way, Middleton

Featuring:

A Talk About Climate Change: Current Threats & Opportunities

TIA NELSON, Managing Director, Outrider Foundation

Surprising Research Findings on Election Laws & Voter Turnout

BARRY BURDEN, Professor of Political Science, Director of Elections Research Center, UW-Madison

Collaborating for Reform

JAY HECK, Executive Director, Common Cause in Wisconsin



Register by September 30!

Other news:

At the urging of state Leagues in the Lake Michigan region, LWV-US signed a coalition letter calling on the U.S. Office of Management & Budget to assure 2017 budget provides funding for Great Lakes restoration.

The Legislative Audit Bureau finalized its audit of the Government Accountability Board and found the GAB is doing its job in overseeing and investigating alleged violations of Wisconsin's election, campaign finance, lobbying and code of ethics laws. The audit identified one area for improvement.

Correction: Our last e-newsletter said the first LWV forum on Rebuilding America's Infrastructure & Economy was to take place this week. It is not until September 16.



The Janesville League of Women Voters is looking for some graphic design help for a short-term project we're working on. The ideal volunteer(s) would have interest and experience in graphic design, creativity, and excellent communication. This would be a terrific short project for a student or students looking to fulfill their community service hours for graduation or build their design portfolio. E-mail [Sarah Kopp](mailto:Sarah.Kopp@lwvwi.org) for more info.

Wellness Committee Report

At their last meeting, Mental Health Committee members discussed their observations of Rock County's diversion courts. Diversion Courts (also known as Treatment Courts) are a form of sentencing where offenders can be in strict, supervised treatment instead of going to jail. Rock County has three diversion courts - Drug Court, OWI Court, and Veterans Court.

The purpose of diversion courts is to prevent future offenses by giving the offender structure and assistance to help them change the part of their lives that caused them to be involved in criminal justice system in the first place. During court sessions each participant approaches the judge, who asks a series of questions about the participant's current situation. These questions ascertain each individual's current home and family situation, employment and/or school situation, and treatment progress.



The judge also reviews the individual's record and notes each case where the individual did not meet specific terms of court assignments. Depending on the infraction, the

judge then sets assignments as the individual's situation warrants - extra meetings with their caseworker, writing a letter about on an assigned topic, or community service. If the individual has used substances since the last court session they are assigned a 24-hour stint in jail. It quickly becomes apparent to observers that consequences for actions are consistent and predictable. The court also recognizes and acknowledges participant successes. But if the judge determines the individual "is not doing what he or she needs to be doing," he sets a 'jeopardy hearing' and advises the individual to bring lawyer.

When someone approached the bench who is new to the court, the judge reviews three principles: abstain all substances, be honest with yourself and be honest with us, and take responsibility for everything. The judge also verifies the new participant has reviewed the Rules and Handbook, and assures them "We all want you to be successful".

There is a certain formula to each case hearing, but each individual is recognized and heard. The judge and caseworkers make eye contact and give supportive statements, even when issuing consequences for rule violations. The court officers also recognize the good things participants are doing to improve their lives, and acknowledge the hard work it takes to make these changes happen.

The next meeting of the Mental Health Committee will be 6:00 pm Tuesday September 1 in the Hedberg Public Library's Public Meeting Room. If you cannot attend but have questions or information to contribute please contact Mary Buelow or Christy Marsden

Leagues across the nation will study amending the U.S. Constitution

Reprinted from the LWV Beloit In League
Bette Carr

During 2015, a national LWV study committee will lead a study and member agreement process on amending our nation's Constitution. Our League will join Leagues across the nation in responding to a set of questions. Based on the responses, a nationwide position will be formulated for adoption at the next LWVUS convention.

The following set of pages contains the first set of consensus questions and explanatory information. You'll want to print those pages--- and do some thinking about the issue.

Article V of the U.S. Constitution provides two ways

of proposing amendments to the nation's fundamental charter:

Congress, by a two-thirds vote of both chambers, may propose constitutional amendments to the states for ratification.

OR

The legislatures of two-thirds of the states (34 at present) may ask Congress to call a convention to propose amendments to the Constitution; this is commonly called an Article V Convention.

Three-fourths of the states, 38 at present must ratify amendments proposed by either method.

★ Constitution

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The first method has been used by Congress to submit 33 amendments to the states, beginning with the Bill of Rights. Of these, 27 were approved; 26 are currently in effect, while one

– the 18th Amendment (Prohibition) — was ultimately repealed by a second amendment, the 21st. The 21st Amendment was also the only one ratified by conventions in the states, rather than by state legislatures. In June 1920, the Supreme Court ruled unanimously that the U.S. Constitution provided for state legislatures, not citizen referendum campaigns, to ratify amendments.

The second method, an Article V Convention, has never been successfully invoked.

Our League study will explore the process for proposing an Article V Convention to determine whether LWVUS would support such a convention and if so, under what circumstances.

The question for us is: what are the shared values and beliefs within the League

– what consensus do we have – regarding the circumstances that might allow or compel the League to endorse a constitutional amendment or an Article V Convention?

We might support an amendment that was in concert with League positions, but we might not support every amendment that was in concert with League positions. In other words, having a position on the issue is necessary but might not be sufficient for the League to endorse a constitutional amendment.

In determining whether to support or oppose a particular constitutional amendment or the Article V Constitutional Convention process, the first and most important question is whether the League supports or opposes the subject of the amendment based on League public policy positions.

Once League public policy positions are applied, Part 1 of the study asks, “What are the other values that League members share regarding the purpose of the Constitution and its malleability?” Many believe the Constitution to be a near sacred document, only to be amended in the most serious circumstances. Do we agree?

Under what circumstances is it appropriate to amend the Constitution? What makes a sound and well-crafted amendment proposal?

Consensus Question 1.a.

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

a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed. Should? Should not? No consensus

Background (1.a.)

This question is asking if we think restraint is a critical

element in considering whether to amend the Constitution. Is it important to exercise restraint, amending the Constitution only in the most serious circumstances? Matters are “acute” when they present extreme problems with dire consequences; and they are of “abiding importance” when they affect not only this generation but generations to come.

Points of View (1.a.)

Amending the Constitution is one of the most serious and important acts of the people acting through their government. Constitutional amendments are binding for the long-term. The stability that the Constitution provides is one of its key virtues, and that stability will be undermined if the Constitution is amended too often. Hence, restraint is in order; the Constitution is an important unifying document and amendments should address matters of acute and abiding importance, rather than being cluttered with passing concerns. If you agree that these are important considerations, answer “Should.”

The Constitution is a tool provided by the framers for bending government to the will of the people and when popular sentiment is overwhelmingly in favor of change, the people should be able to use Article V. Even matters that don’t currently seem to be acute or of abiding importance can nonetheless be very significant.

The super majority requirements built into Article V are a high enough hurdle to avoid “clutter.” Additional norms for restraint or against change are unnecessary. If you agree with this point of view, answer “Should not.”

Consensus Question 1.b.

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

Should? Should not? No consensus

Background (1.b.)

This question is asking if it is important to consider whether an amendment will work. Can it be readily implemented to achieve its intended policy outcome? Will the courts properly interpret the amendment? If it will not be effective in achieving its policy objective, or may have unintended consequences, then its purpose will not be fulfilled. On the other hand, such an amendment could articulate policy goals that may not be practically attained, but rather that may provide guidance to the courts for deciding future cases or require statutes to bring laws into compliance with the new constitutional principle.

Points of View (1.b.)

It is important to consider whether an amendment will achieve its intended policy objectives or will likely fail to do so. This is crucial in preventing unintended consequences and in giving the courts clear, unambiguous direction. Otherwise, judges and legislators are free to ignore or dilute the intention of the amendment.

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Furthermore, unenforceable amendments, unworkable amendments or amendments that establish unattainable goals can undermine the legitimacy and power of the Constitution – as well as failing to achieve their purpose. If you agree that these are important considerations, answer “should.”

Sometimes it is important just to get started, even if an amendment will need to be interpreted by courts and legislatures over time. Even an amendment that won’t achieve its intended policy objectives can serve an important purpose in affirming and entrenching fundamental principles. Such amendments may not immediately change the rule of law, but they may give the courts and legislatures direction and a place to start building case law or statutes that allow doctrine to develop over time. If you agree with this point of view, answer “should not.”

Consensus Question 1.c

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

Should? Should not? No consensus

Background (1.c.)

This question is asking whether we think the use of the amendment process should be limited to one of two primary goals:

(1) to make the structures of government more responsive to the will of the people

(e.g. extension of the franchise, direct election of senators);

OR

(2) to protect or expand individual rights from government overreach

(e.g. most of the Bill of Rights).

Except for a few housekeeping amendments and those passed under unusual circumstances, nearly all the others have dealt with one or the other of these two fundamentals.

Points of View (1.c.)

The majority of amendments to the Constitution to date fall into one or the other of these two categories. Most ordinary policy matters should be resolved through the political process by elected representatives. (The failed Prohibition Amendment was proposed to entrench a policy preference of the moment, and it had to be repealed by another amendment.) Such amendments limit the range of democratic action for the future and undermine the higher purpose of the Constitution.

The emphasis in the Constitution should be on the bigger questions: equality, representation, and liberty. If you agree that these are important considerations, answer “Should.”

On the other hand, perhaps the fact that the majority of ratified amendments fall into one of these two classes is merely a result of the fact that there have not

been that many amendments or that other important needs have not yet arisen.

What constitutes a mere policy preference of the current majority may not be clear without the long lens of history. Which issues are fundamental, versus which are not, may not be all that clear to proponents or opponents at the time. If you agree with this point of view, answer “Should not.”

Consensus Question (1.d)

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

Should? Should not? No consensus

Background (1.d)

This question is asking whether we think the use of the amendment process should be focused on those circumstances where there is no other course of action or where other courses of action have been exhausted, such as executive action, legislation at the state or federal levels, and traditional politics – electing representatives and appointing judges who are committed to supporting the desired reform.

Points of View (1.d)

The Constitution should be amended sparingly, and an amendment cannot be strictly necessary if other avenues exist for accomplishing the same outcome.

Using the Constitution to embody specific policy proposals makes those policies more difficult to revise or reverse in the future if circumstances change. Moreover, resources are not infinite and it is important to focus political action on those strategies that are most likely to achieve the policy objective. If you agree that these are important considerations, answer “Should.”

On the other hand, a policy objective may be so important that pursuing a number of strategies is the best course of action. When it is unclear what paths are most likely to succeed, we shouldn’t consider which ones would be better, a constitutional amendment should be part of the mix. If an amendment is a general policy statement and leaves details and specifics to the courts, then judicial decisions can also play a role. If you agree with this point of view, answer “Should not.”

Consensus Question 1.e.

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

Should? Should not? No consensus

Background (1.e)

Some topics are best suited to the detailed and specific approach provided by a statute because important issues need to be clearly resolved and ambiguity could allow the courts to misinterpret. Other topics demand a clear values statement and general provisions that may be subject to evolving judicial interpretations. Most amendments that have been adopted have

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broad general provisions, in keeping with the pattern set by the first 10 amendments which we know as the Bill of Rights.

Points of View (1.e)

It is important to consider whether a statutory or a constitutional approach is best suited to achieve particular policy goals. Statutes typically set out how a policy should be accomplished. Statutes have specific detail to resolve important issues and reduce ambiguity, and statutes can be more readily changed to meet evolving conditions over the years. Constitutional amendments, on the other hand, are generally written in broad policy terms and set basic values for American government.

Interpretation is left to the courts. Some would also argue that converting the Constitution from a state-

ment of political ideals into a list of specific public policies erodes the stature of the Constitution. In addition, policy specifics within the Constitution makes those specifics more difficult to revise or reverse in the future if circumstances change. If you agree that these are important considerations, answer “Should.”

In contrast, the more important question may be getting action on the overall policy, rather than the specifics of making the policy work. When Congress or the courts fail to implement an important policy, amending the Constitution may be the only way to make a change. Many state constitutions already have considerable detail. The history behind a constitutional amendment could help guide the courts in correctly interpreting an amendment. If you agree with this point of view, answer “Should not.”

95th Anniversary of Women’s Equality Day

Carrie Chapman Catt called for a League of Women Voters to “finish the fight” in a speech to the Golden Jubilee of the first grant of full voting rights to women. Mrs. Catt noted that every suffragist “will hope for a memorial dedi-



Carrie Chapman Catt

cated to the memory of our brave departed leaders, to the sacrifices they made for our cause, to the scores of victories won...She will not be content with resolutions of self-congratulation; with speeches of tribute; nor will any suffragist propose a monument built of marble which few would see and fewer comprehend.”

As we mark the [95th anniversary of Women’s Equality](#)



[Day](#), the truth of Mrs. Catt’s words is apparent. This day on a calendar, in the dog days of summer, is little noted except by those of us dedicated to finishing the fight that is never finished,

the fight to keep our elections free, fair and accessible to every eligible voter. In 1919, with the fight for woman suffrage yet to be won, Mrs. Catt proposed “no marble, merely the most natural, the most appropriate and the most patriotic memorial that could be suggested — a League of Women Voters...” For members of that League, the truth of her proposal is evident in everything we do.

Today, the League and our voting rights partners are working to protect and expand voting rights across the country. As part of this work, the voting rights community is reaching beyond our traditional base to engage new supporters to rally alongside us as we call for proactive reforms to [modernize and improve our elections systems](#) like [online voter registration](#) and expanded early voting opportunities, while also [advocating against attacks on voting rights](#) like voter photo ID and proof of citizenship requirements. We’ll need our new “reserves” to join us as [we call on Congress to restore the Voting Rights Act of 1965](#) which was gutted of its key provisions by the U.S. Supreme Court two years ago.

Ninety-five years after women won the right to vote, we know that the trajectory of American history has always been to greater, not less, freedom for our citizens. But Making Democracy Work® has never been easy, nor is it ever finished. And as such, the fight Catt charged the League of Women Voters with at our founding continues today. We know that ultimately the movement for women’s right to vote was successful and [we are the living legacy of that success.](#)

In League.

Elisabeth MacNamara
LWVUS President

Calendar

Upcoming Activities 2015-16*

*Additional events may be planned.
Check website: lwvjvl.org/calendar

September

September 8, @ 6:30 p.m. Board meeting
September 29 @ 5:30 p.m. Fall membership gathering at the Woman's club

October

October 13 @ 6:30 p.m. Board meeting

November

November 10 @ 6:30 p.m. Board meeting

December

December 8 @ 6:30 p.m. Board meeting

January

January 12 @ 6:30 p.m. Board meeting
January Winter membership gathering TBD

February

February 9 @ 6:30 p.m. Board meeting
February Susan B. Anthony Birthday Party

March

March 8 @ 6:30 p.m. Board meeting

April

April 12 6:30 p.m. Board meeting

May

May 10 Annual Meeting

Susan B. Anthony Celebration February 6, 2016

"It was we, the people; not we, the white male citizens; not yet we the male citizens, but we, the whole people, who formed this union.....Men, their rights and nothing more; women, their rights and nothing less."

Susan B. Anthony

Save the date of Saturday, February 6th, 2016 to celebrate the life and work of Susan B. Anthony.

Needed, one canopy to borrow infrequently



Do you have a canopy that the League may borrow when we staff a table at the Janesville Farmer's Market? If so, please contact Voter Chairs Debbie Fisher and Christy Marsden. Thank you so much.

A Year of Exciting Programming 2015-2016



The National Susan B. Anthony Museum and House is pleased to present another year of exciting, informative, and inspiring programs related to the life, work, and legacy of Susan B. Anthony!

September kicks off our annual Monday Lecture Series. Now in its 13th season, this series of ten lectures features noted guest speakers covering a wide range of topics. For full details on this year's speakers and topics, please visit our website.



The Anthony Museum will participate in the National Voter Registration Day on September 22. NVRD is a non-partisan, coast-to-coast effort to ensure that no eligible voter is left unheard.

The Anthony Museum continues to provide high-quality programs for Girl Scouts, Cub & Boy Scouts, as well as local school groups. Virtual tours and programs now allow us to reach new audiences outside the Rochester area!

We hope you'll save the date of February 10, 2016 for our annual Susan B. Anthony Birthday Luncheon.

Stay tuned for more information!

Through our tours and programs, visitors of all ages are inspired to become more involved and engaged citizens. Thank you for your ongoing support of the National Susan B. Anthony Museum and House!



Are you reading this newsletter as a 'guest'?

Joining the League of Women Voters is easy simply fill in this form and mail.

Name

Address

E-mail

Phone Number

Individual \$65.00
 Student \$30.00

Household \$95.00

I am unable to join the League at this time but enclosed is a contribution of \$_____.

Please make your check payable to: League of Women Voters -
Janesville, P.O. Box 8064, Janesville, WI 53547-8064

I request consideration for a LWV scholarship.

Celebrate your Birthday with the League!

*Remember you may still
contribute to the State
League with a birthday
donation and half of your
donation will be
returned to our
Janesville League.*

