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11th Constitution Day Joint Event A Success



"The Fourth Amendment and Electronic Surveillance" was the topic of the 11th **Annual Constitution Day Program** co-sponsored by the League of Women Voters of Maryland (LWVMD), the Francis King Carey School of Law, and the University of Maryland, Baltimore. The law school's elegant Ceremonial Courtroom, as always, was the site of the 2017 event on Monday, September 18 from 12:00-1:30 p.m.

Professor Max Stearns officiated and charmingly welcomed the audience of Leaguers, law school students and professors, and undergraduate pre-law students bussed up from UMD-College Park. LWVMD Co-President Elaine Apter gave a cordial welcome to the audience. Fifty-three Leaguers from across the state RSVP'd to attend, which is the 2nd largest in the eleven year history of this joint event. Moderator Danielle Citron, a Carey School of Law professor internationally recognized as an information privacy expert, introduced the panelists: Dr. David C. Gray, University of Maryland Carey School of Law professor; Rachel Levinson-Waldman, Senior Counsel, Brennan Center's Liberty and National Security Program, New York University; and Judge Andrea Leahy, At Large,

(Continued on page 2, Constitution)

Civic Education: One of the Basics for a Strong Democracy

Civic Education, or the lack of it, has been on the minds of many League of Women Voters' members for a long time. This year the League has begun a two year study of the status of civic education across the state. To kick off this study, participants at the Fall Workshop heard Dr. Marci Taylor-Toma, whose latest position was as Associate Director

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Court of Special Appeals.

Professor David C. Gray, a specialist in Criminal Law with a JD plus a PhD in Philosophy, referred to his newest book, *The Fourth Amendment in the Age of Surveillance* published by Cambridge University Press in April, 2017. With colorful articulation he recounted hallmark criminal cases in US history that define some parameters of search and seizure law—Carpenter vs. US (around 2000), Roy Olmstead vs. United States (1928), the United States vs. Katz (1967); Medford vs. Maryland; Wilkes vs. Wood (1763); and Johnson vs. United States (1948). The right of the public to be secure against too permeating police surveillance when there is probable cause for a search should assure the search will be effective, enforceable, and parsimonious.

Senior Counsel Rachel Levinson-Waldman of the New York University School of Law, Brennan Center's Liberty and National Security Program, specializes in policing and surveillance technology. She compared Maryland Law's Article 26—"Warrants" and the US Constitution's 4th Amendment. She noted that Maryland Law's Article 22 forbids self-incrimination in criminal cases. Cell phone capacities were discussed: how many cell phones, and location of cell phone towers. She warned "privacy" doesn't mean "secrecy." Access to social media and predictive policing, body cameras, license plate readers are her turf. She spoke of 3rd party sharing doctrine, voluntary sharing and the 1st and 4th Amendments.

Judge Andrea Leahy is "At Large" in the Court of Special Appeals and has a long history of leadership positions in a wide variety of legal and cultural organizations. She recognized colleague Dan Friedman in the audience as the author of an

important new book on Maryland state law referencing 4th Amendment search and seizure issues. Judge Leahy compared Federal procedures with Maryland's Article 26 saying our version is more focused on the public. She cited the importance of Maryland's Article 22—"Self-incrimination."

During the Q&A session six audience members, including a General Assembly Senator and a General Assembly Delegate, asked a variety of questions.

The Reception in the law school's Atrium featured a large sheet cake decorated atop with the Preamble to the US Constitution, a gift of the University of Maryland, Baltimore. The law school donated the pizza and beverages and the table set ups. LWVMD members brought cookies, brownies, and party sandwiches.

Eleven Leaguers volunteered their services for the event. Volunteers were Barbara Crain, Jennifer Haire, Alicia Jones, Thea Jones, Ashley Oleson, Alyce Ortuzar, John Perryman, Barbara Schnackenberg, Carmen Skarlupka, Ralph Watkins, and Joyce Woodford. Many thanks go to each them. A special thank you goes to Ralph Watkins, who has been Head Usher all eleven years of this event's history.

Andrea Gruhl

LWVMD Constitution Day Coordinator

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Focus on a Local League

Harford County League of Women Voters: Small yet Successful



The Harford County LWV has a mere 30 members but we accomplish a lot! Last year we registered over 130 high school seniors to vote. We go into all 9 high schools during lunch periods, around rehearsal for graduation, or during senior picture day to accomplish

this task. It is great getting out to meet and talk to our future generation. They are a lot like us, believe it or not.

We also joined with Delta Sigma Theda on a Legislative Send Off in December and a Legislative Wrap Up in May. Both events were hugely successful and attended by many.

The League also co-sponsored a Fracking Forum and helped promote Forums on the ACA (Affordable Care Act), Fake News, and Hosting Bel Air's Sister City, Estonia. We worked with many different groups, and met the Mayor of Estonia who explained the concerns of living on the border with Russia.

At our Annual Dinner in May, we heard from Melynda Valez of LASOS, an organization that helps new immigrants adapt to American life. Later a group of us visited the building where education, arts, and socializing are done. LASOS works with children and adults helping them to learn English, American customs, pass GED tests, understand our banking and governmental systems. It was an eye-opener.

This year we started off on September 26th with a Voter Forum. Ralph Watkins and Barbara Sanders were the speakers. The information presented was excellent, and the presentation was followed by several insightful questions.

We are again partnering with the Deltas on the Legislative Send Off in early November, as well as the Legislative Wrap-Up in May.

We are continuing with our film series, this year focusing on Redistricting, Safe Water for All, Death with Dignity and The Bail System in America. We will also continue to visit all the high schools in Harford County and register as many young people as we can.

Theresa Freligh
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at Maryland Council for Civic and History



Education. Dr. Thoma felt that Maryland was doing a comparatively decent job in civic education, however there was a lot of room

for improvement.

One of the points Dr. Toma stressed was the lack of qualified civic education teachers. Most social science teachers are generalists, whereas, for example science teachers usually specialize in one area such as chemistry or physics or biology. Therefore, many civic education don't have the expertise that that would create the best experience for students. Two solutions for this problem would be more inservice training and requirement for a specialization in the area.

Dr. Toma mentioned a good example of a civic education project is where students look at a local problem and work on a campaign to educate local officials and try to come up with some solutions.

As an aside, I have been attending a Smithsonian lecture series on the media and so far, two of the three speakers have mentioned the lack of good civic education in the schools as a major concern for the future of a strong democracy. How timely that our Maryland League of Women Voters is currently involved in a study of the subject.

Elaine Apter,
LWVMD Co-President
pres@lwvmd.org

Membership FAQs Answered

Membership

As local Leagues transition to using NationBuilder (NB) for their membership rosters and email communications, there are several common questions. One of these FAQs is addressed below.

NB FAQ #1

(Continued on page 4)

Q. One of our League members shows up in NB as having “opted out” of email, and consequently is not receiving any of our communications. He/she is an active participant and the email address is correct. How did this happen and what can I do?

A. This is usually the result of a member unsubscribing from one of the LWVMD publications, such as the *Report from State Circle* or *The Voter*. The best approach is to contact the member and explain that as long as they are “opted out” they will not receive any communications about upcoming local League programs or actions. Often this was an unintended consequence of unsubscribing and the member will want to reactivate their email.

To opt back into email, the member must follow these steps:

- 1) Go online to lwvmd.org/get_newsletters.
- 2) If the member has signed into the website, he/she will see the image below; if not signed in, he/she will see the image on the next column and will need to provide an email address.

- 3) **To receive email communications again, the member must check the box at the bottom of the page and click the blue box to save the signup setting.**

Please email nchambers@lwvmd.org if you have any questions.

Niecy Chambers,
LWVMD – Vice President
VP2@lwvmd.org

Speaker Available: Maryland's Election Primary System

Many unaffiliated voters, especially those coming from out of state are frustrated because they cannot vote in Maryland's Primaries. The League has just completed a Maryland Primary Elections study and the possible alternatives to the present system. We would be glad to share our information with your group.

Are Maryland's primary elections ripe for changes to address some of these issues?

Could the ballot have a broader range of candidates—a range that reflects the interests of more communities and encourages candidates to be more civil, a range that helps bring the focus on issues rather than personalities?

Is there a way to encourage more registered

voters to participate—whether they are members of the major parties, the minor parties, or those who chose to remain unaffiliated?

Could procedural changes result in better representation of our diverse population—both for the choice of candidates on the ballot and among those elected whether by gender, race, ethnicity, or economic status?

Might a change in Maryland's current primary system result in a wider breadth of policy opinions among those elected and could it affect party control over the legislative agenda? Or, might it increase the possibility of bipartisanship and could it result in a greater turnover from election to election?



These are difficult questions and the work that has gone into studying them has been thorough and timely. If you need a speaker who can answer these questions (and others) to come to your upcoming meeting to jump-start this discussion, get in touch with us. For more information contact primary_speaker@lwvmd.org.

Elaine Apter,
LWVMD Co-President
pres@lwvmd.org

Progress to Curb Carbon Emissions in Maryland

Regional Greenhouse Gas Initiative (RGGI)

Maryland made progress this summer through the program review of the Regional Greenhouse Gas Initiative ([RGGI](#)). RGGI is a cooperative effort by nine Northeast and Mid-Atlantic states to develop a



regional power plant emissions cap-and-trade program. Revenues from the program help support the EmPOWER Maryland program for energy conservation and efficiency.

Over an 18-month period ending in August 2017, the nine states (Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont and Maryland) conducted a major program review and met to discuss changes to the program. RGGI held public hearings and received public input to the process. LWVMD testified to the Maryland Public Service Commission in support of strengthening the program by lowering the cap on allowable emissions. LWVMD also sent out an Action Alert to members during the RGGI discussions.

The nine states in RGGI were able to [agree to reduce](#) the program's carbon pollution cap by 30 percent from 2020 to 2030. This represents a total reduction of 22.7 million tons of carbon emissions or 30 percent of the 2020 cap.

Raising the Renewable Portfolio Standard (RPS) to 50% by 2030

Maryland Climate Coalition Partners and key Maryland Faith Leaders launched the Clean Energy Jobs Initiative with a press conference on Wed., Sept. 13, 2017 at 10 a.m. in Baltimore at the Episcopal Diocese of Maryland. Nearly 400 organizations, businesses and faith communities have signed a resolution for the campaign.

The Renewable Portfolio Standard ([RPS](#)) law is a major tool designed to incentivize development of new and clean sources of renewable energy like wind and solar to reduce greenhouse gases and other hazardous air and water pollution that comes from the use of fossil fuels. In 2004, Maryland adopted the first RPS law with a goal of ten percent of the energy coming from clean, renewable sources by the year

2019. After overcoming a veto of legislation to increase the RPS during the 2017 General Assembly session, the current law requires that Maryland utilities now get 25 percent of the energy portfolio from clean sources by 2020.

The purpose of potential [RPS legislation](#) in the 2018 General Assembly is to:

- Increase the Renewable Portfolio Standard (RPS) from 25% by 2020 to 50% by 2030;
- Remove trash incineration from the clean energy portfolio;
- Invest in clean-energy workforce development;
- Make more funding available for investment capital and loans to help minority and woman-owned businesses.

For more information, see the [mid-August](#) State Board Letter.

Background

The Maryland RPS and RGGI are important components of Maryland's effort to meet the overall goal of reducing greenhouse gas emissions by 40 per cent by 2030. This ambitious goal was established through passage of an updated 2016 Greenhouse Gas Emissions Act ([GGRA](#)), which LWVMD supported, and establishing the Maryland Climate Commission (MCC) in law. Achieving this ambitious goal relies on the work of The Maryland Commission on Climate Change, whose membership is charged with developing and maintaining a comprehensive action plan to achieve science-based reductions in emissions.

Electricity is the largest single category of GHG emission in Maryland, and most of our electricity still comes from coal and nuclear. In 2015, the Maryland Department of the Environment released

an Update report that analyzed 150 programs. The report found that ten programs were the most effective in producing the major reductions in GHG emissions and sequestration by 2020:

- Regional Greenhouse Gas Initiative (RGGI)
- Maryland Renewable Energy Portfolio Standard Program (RPS)
- EmPOWER Maryland – energy efficiency and conservation
- Maryland Clean Cars Program
- Corporate Average Fuel Economy (CAFÉ) Standards
- Building and Trade Codes in Maryland
- Public Transportation Initiatives
- Managing Forests to Capture Carbon
- Planting Forests in Maryland
- Zero Waste

In an [open letter](#) to Governor Hogan and the Maryland General Assembly, the Maryland Climate Coalition pointed out the urgency of action now to curb global warming:

“Maryland is especially vulnerable to the increasingly violent storms, sea level rise, flooding, heat emergencies and other environmental effects of climate change. In this moment when our nation’s partnership with the global community in addressing this threat has been called into question, Maryland urgently needs to re-affirm our commitment to doing our part. The Maryland Climate Coalition urges the executive and legislative branches of our state government to work together so that Maryland can serve as a national example....the most important reflections of Maryland’s commitment will be the actions that you, our elected leaders, take in the coming months and years.”

Betsy Singer,
LWVMD Director
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Redistricting Reform's in the Spotlight in 2018

Across the nation redistricting reform has won the spotlight this year among good government advocates, editorial teams, many important political figures, and [even SCOTUS has gotten in on the action](#). LWVMD has been harnessing this energy to push for reform of the Maryland redistricting process in 2018 -

LWVMD Position

1. A state redistricting process and standards that promote fair and effective representation in the state legislature and House of Representatives with maximum opportunity for public scrutiny.
2. An independent commission as the preferred redistricting body. The membership of the redistricting commission should be multi-partisan, include unaffiliated voters, be geographically representative and not include any current state elected official.
3. Standards on which the redistricting plan is based should include: substantially equal population, geographic contiguity and geographic compactness.
4. Final approval by the General Assembly for the legislative and Congressional redistricting plans. An amendment to the Maryland Constitution affirming that the redistricting process for the House of Representatives should occur only once each ten years after the census.
5. An amendment to the Maryland Constitution affirming that the redistricting process for the House of Representatives should occur only once every ten years after the census.

regardless of what the rest of the nation may do. LWVMD believes in, and has been working for, a government that best represents ALL Marylanders, and that can only be achieved when election districts are drawn with the interests of the people as the primary consideration.

However, [as it stands, Maryland's redistricting process allows](#), and has employed for many years, tactics to favor or disfavor political parties and political incumbents - a.k.a. [Gerrymandering](#).

LWVMD is joined in this effort by other good government advocates that form the coalition [Tame the Gerrymander](#). The coalition work we've done this past year has been focused on dramatically increasing the awareness of the need to end practice of partisan gerrymandering in Maryland THIS YEAR.



Why is it so Important for the MD General Assembly to Act in 2018?

Well, we only have **2 general elections** before the next [redistricting process](#) starts in **2021**.

Since **REAL REFORM** can only be achieved through a **constitutional**

amendment, we have to get
redistricting reform on the ballot in 2018
- *2020 simply won't give us enough time.*

A constitutional amendment **MUST** be
voted on by the **PEOPLE**, meaning that
the Maryland General Assembly has to
pass legislation **THIS NEXT** session to
get reform in motion that will make a
difference when the next census triggers
the redistricting process.

The 2020 census data is what informs
the process of redistricting for the
subsequent **DECADE**

If nothing changes in the next 2
sessions, we'll be stuck with the same
old broken redistricting process we've
had in Maryland for the prior 10 years!

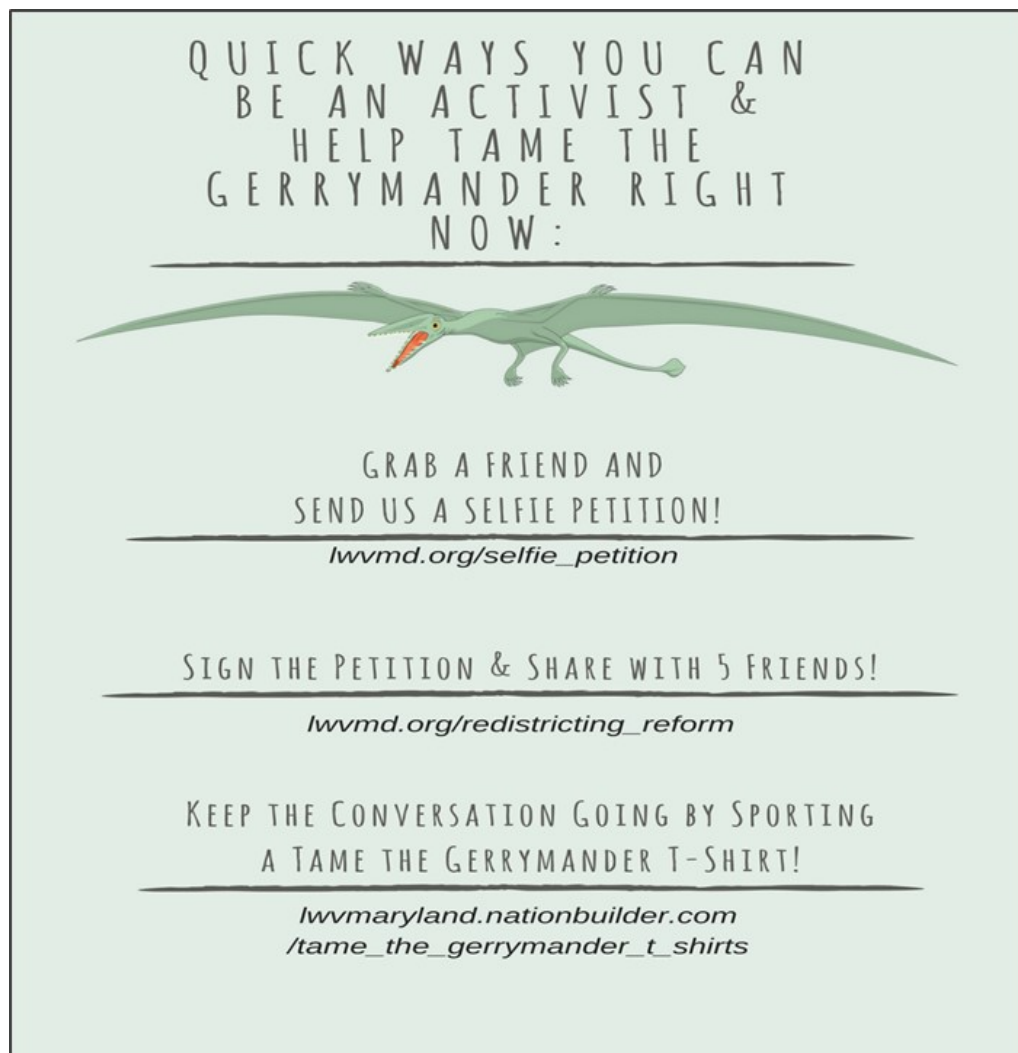
This is the process that has given us a
district that's been compared to blood
spatter and a broken-winged pterodactyl.

And let's not forget how the state's
legislative districts were drawn, with
wandering fingers, and **community**
slicing lines.

To ensure that we get a **FAIR** districting
process in **2018**, we have to act **NOW**

**WE NEED TO PUT THE PRESSURE ON
OUR LEGISLATORS DURING THE 2018
ELECTION YEAR AND LET THEM KNOW
THAT REDISTRICTING REFORM IS A
CRITICAL ISSUE**

Ashley Oleson
RSC Reporter & Advocate
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LWVMD MAKING DEMOCRACY WORK



Are you thankful for the work LWVMD does and want to help support our efforts?

Go to http://www.lwvmd.org/make_donation to learn about our Funds and Donate

Or Mail the form below with your Donation to

LWVMD 111 Cathedral Street, Suite 201, Annapolis, MD 21401

**YES, I want to help the League to continue to provide
education, voter service and advocacy!**

Name _____ E-mail _____

Enclosed is my **non-deductible** donation to The League of Women Voters of Maryland (**Payable to LWVMD**) in the amount of _____

Enclosed is my **tax-deductible** donation to The League of Women Voters of Maryland Education Fund (**Payable to LWVMD-EF**) in the amount of _____

I wish to support the **Lois Stoner Scholarship Fund** which provides scholarships for members who need financial assistance to attend League events (**payable to LWVMD-EF**). _____ (please **write LSSF** on your check)