

Progressive Agenda

for States & Localities 2015

PUBLIC
LEADERSHIP
INSTITUTE



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The Public Leadership Institute is a nonprofit educational group that helps turn grassroots activists into progressive champions. Our goal is to transform American politics from the grassroots up, to promote equity and justice, and to restore the American Dream.



December 2014

Dear Friends:

For progressives, the 2014 elections may have seemed like a dead end. Over at least the next two years, progressives will find it hard to achieve anything in the U.S. House or Senate. But that doesn't mean we can't win.

It does mean that state and local lawmakers are at the vanguard of the progressive movement. They are proposing the nation's most far-reaching, proactive measures. They are turning states and cities into proving grounds for the newest policy ideas. And they are winning scores of progressive victories, year after year.

While Congress has been gridlocked, states and cities: raised the minimum wage, provided sick leave and bargaining rights to workers, implemented a living wage, legalized same-sex marriage, protected immigrants from harassment, prohibited racial profiling, protected privacy rights, addressed climate change, encouraged solar energy, discouraged smoking, promoted reproductive health, cut tax giveaways to the rich, and enacted a wide variety of election reforms.

Progressive elected officials can do so much more. We offer this *Progressive Agenda* as a resource to help you take the offensive with values-based policies that address our nation's most pressing problems.

The right wing understands the paramount importance of empowering state and local lawmakers. The American Legislative Exchange Council (ALEC) has fought over the years for regressive state policies, and too often they have won. Earlier this year, ALEC created a new organization, the American City County Exchange (ACCE), to spread their "free market" policies across the nation at the local level. We cannot let that happen.

Working with our national and state allies, the Public Leadership Institute will promote the *Progressive Agenda* to its nationwide network of more than 13,000 progressive state legislators, city council members, county commissioners, and other influential officeholders. We look forward to working with all of you in the coming year, helping you and your allies move ideas to action.

Your courage, sacrifice and hard work inspires all of us at the Public Leadership Institute. We dedicate this *Progressive Agenda* to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Gloria Totten".

Gloria Totten
President

Civil Rights & Liberties

Our progressive vision: Our nation was founded and built upon the self-evident truth that all men and women are created equal. That ideal calls us to defend liberty and justice for all people, with no exceptions. In the 21st century, three policies are of foremost importance: (1) forbid discrimination based on race, gender, age, ethnicity, sexual orientation or gender identity; (2) guarantee fundamental fairness for immigrants, whether or not they are authorized; and (3) protect the personal privacy of individual Americans from intrusion by governments or businesses, including the collection, use and sale of data without individuals' active consent.

Forbid discrimination

It has been more than half a century since the civil rights movement, aided by the Warren Supreme Court, started a revolution against discrimination. That cause endures. Women and people of color continue to be underrepresented in government and other places of power, so some jurisdictions consider **affirmative action** while others promote more **aggressive enforcement** of anti-discrimination laws, especially in claims for **fair** and **equal pay**. Most states currently do not protect LGBT people from **employment or housing discrimination**, and there are many ongoing efforts to correct that. In states without **same-sex marriage**, jurisdictions can adopt **domestic partnership** laws to prevent some types of differential treatment. States must watch out for efforts to legalize discrimination, like the Mississippi “religious freedom act” which invites businesses to discriminate against gay and lesbian Americans in the name of religious liberty.

Fairness for immigrants

More than 40 million American residents are foreign-born. About three-fourths of these are authorized residents, and yet, whether authorized or not, they often face discrimination. Tens of millions more Americans were born in the U.S. but face discrimination because they *look* foreign. Progressive states and cities are responding by limiting government inquiries into immigration status, refusing some federal **immigration detainer requests**, authorizing **driver's licenses** regardless of immigration status, making government **ID cards** available to all, and providing information about government requirements, programs and services in **various languages**.

Protect privacy

Technology is advancing at a phenomenal rate, and it is causing new problems for individuals who want to protect their privacy. Businesses are creating and often selling data profiles about millions of Americans—including where we go on the Internet, what we buy, what we're interested in, and even where we physically are or have been. Progressives are starting to push back by **requiring warrants** for law enforcement to access the most sensitive of this data and limiting **how long some data can be kept** by police. In some cases, governments are limiting the **collection, sale or use of certain data**, especially information **about children**.



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Racial profiling

Thirty-two million Americans have been the victims of racial profiling, according to an Amnesty International report. Racial profiling and racially motivated policing result in a breakdown of communication between police and the public, undermining law enforcement's ability to ensure public safety. Cities, counties and states can combat these practices by **prohibiting the selection of individuals** for interrogations, searches and frisks based on race or other factors. Law enforcement should be required to **train officers** to recognize the difference between good policing and misguided stereotyping.

LGBT fairness

Over one-third of lesbian and gay people have experienced workplace discrimination and about one-sixth have lost a job because of their sexual orientation. Sadly, over half of states and most cities do not ban discrimination against LGBT individuals. The **LGBT Fairness Act** prohibits such discrimination.

'Don't ask' immigration status

When immigrants believe that state or local law enforcement agents are involved in the enforcement of federal immigration law, immigrants—fearing harassment or deportation—simply decline to report crimes or suspicious activity. The result is twofold: criminals see immigrants as easy prey, and offenders who could have been caught remain on the streets, putting everyone at risk of becoming the next victim. Assigning the role of immigration law enforcer to local police both overburdens law enforcement and increases the risk of racial profiling. And local police usually lack the training needed to enforce our nation's complex web of immigration laws. States and localities should adopt policies **prohibiting government inquiry into immigration status** unless otherwise required by superseding law.

Student data privacy

School districts very commonly outsource the management of student records covering attendance, grades, discipline, health, eligibility for free- or reduced-price lunch, and standardized test scores as well as parent and student contact information and sometimes even cafeteria selections. Federal law protecting students' privacy does not necessarily apply to companies that control such data. California enacted a **comprehensive law protecting student data** which should be a model for states and localities.

Limits on license plate databases

All over the nation, police agencies are using license plate readers that tell them exactly which vehicle was at a certain location at a certain date and time. Several states have enacted a version of the **License Plate Privacy Act** to limit the amount of time government agencies can hold on to those records.

Warrants for cellphone location tracking

Our cellphones tell the phone company where they are, which allows an individual to be tracked in real time without his or her knowledge. In 2014, a number of states enacted laws requiring police to show probable cause and **obtain a warrant** before tracking an individual's location in this manner.



Consumer Protection

Our progressive vision: We need a marketplace that is fair to everyone. That requires fundamental rules to ensure consumer products are safe and the terms of sales and investments are open and honest. In four ways, we need to ensure that everyone plays by the same fair rules, by: (1) ensuring that food is safe, drugs are pure, and products are free from dangerous defects; (2) insisting that financial institutions not only don't cheat customers but also that their services provide a legitimate benefit to society; (3) requiring all businesses to follow basic rules of economic decency; and (4) guaranteeing justice in civil litigation to average Americans and small businesses.

Consumer product safety

The federal government created consumer product safety law piecemeal, beginning with minimum standards for flammable fabrics in the 1950s. The Consumer Product Safety Commission, authorized in 1972, does the most. But states also provide a layer of protection, e.g. [California's Safe Cosmetics Act](#), [Washington's Children's Safe Products Act](#), bans on toxic chemicals in children's products, restrictions on [genetically engineered foods](#), and numerous state laws regulating the [handling and preparation of food](#).

Financial system

The Great Recession of 2007-09 reminded Americans that our financial system is unsafe, unfair, and often provides no real benefit to society. Both states and localities have responded with a variety of protections: limiting predatory mortgage lending and [payday lending](#); stopping unnecessary property [foreclosures](#) and unfair [debt collection practices](#); and controlling the [marketing of credit cards](#), debit cards, and [pre-paid cards](#).

Fair and open business practices

Markets benefit society only when the same fair rules apply to everyone and those rules are vigorously enforced on everyone. States, cities and counties play a big role in that, prohibiting false advertising and often providing an agency to investigate and mediate complaints. States enforce contracts, of course, but they also may add special protections against [identity theft](#) and [violations of privacy](#).

Civil justice

There has been a decades-long attack on the rights of average Americans to sue businesses for wrongdoing. Called "tort reform," this effort isn't "reform" at all; it is a cruel shifting of costs from rich companies that caused injuries to the unfortunate people who were injured. States can push back and make their courts fairer by prohibiting contract clauses that limit forced arbitration or waive injunctive relief, punitive damages and class action relief through legislation that creates [minimum standards of contract fairness](#).



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GMO foods

Crops that are genetically modified (GMOs) to tolerate herbicides are likely to encourage herbicide-intensive farming—and that’s bad for the environment. Currently, genetically engineered foods must be labeled across the European Union and in many other countries, including Australia, Iceland, Russia and Turkey. Over the past two years, Connecticut, Maine and Vermont have passed [GMO labeling laws](#).

Zombie debt

The debt collection business is booming, but many collection company practices are questionable. “Zombie debt” is when agencies buy expired debt from the original vendor or credit card company for pennies on the dollar. Then they try to trick consumers who do not understand the debt is expired into paying or “acknowledging” the debt, thereby restarting the statute of limitations that had barred the original vendor from collecting. Some jurisdictions, like Washington, have passed laws against [zombie debt collection](#) practices.

Prepaid debit cards

Every year, Americans spend more than \$100 billion on prepaid gift cards for retail stores, restaurants and “universal” cards like Visa. The federal Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act) provides a number of important consumer protections. But many states have adopted [prepaid card protections](#) that go beyond the federal law to: ban expiration dates, prohibit service fees, and/or require that customers can get cash when a card’s value falls to less than \$5 or \$10.

Notario fraud

In many Latin American and European countries, a “notario publico” refers to a person who has the equivalent of a law license and who represents others before government agencies. Of course, in the U.S., a notary public has no such power. But because of the similar names, some notaries are misrepresenting their qualifications to immigrants and acting as if they were lawyers. Virginia recently enacted [legislation to crack down on notario fraud](#).

Limiting waivers in form contracts

Hidden in the fine print of many form contracts are provisions that unfairly benefit the vendor when the customer has a valid complaint about the product or service bought. For example, many such contracts force individuals to mandatory arbitration, a system that is stacked in favor of the defendant. States can ban the waiver of rights in certain cases or adopt a sunshine law like [California’s disclosure of arbitration outcomes](#).



Education

Our progressive vision: Our public schools must provide each and every child the opportunity to achieve his or her fullest potential in life. Children are not standardized; each one requires personalized instruction. That requires both fully qualified professional teachers and opportunities to learn outside of school. Every jurisdiction needs to: (1) provide adequate funding for public schools; (2) deliver instruction in a way that recognizes the differences in both the interests and needs of specific children (3) provide opportunities to learn outside of class time including afterschool, arts and recreational programs, and libraries; and (4) make schools both safe and fair.

Adequate school funding

K-12 school funding was substantially cut due to the recession and most states are still providing less per student than they did in 2008. Alabama, Arizona, Idaho, Oklahoma, South Carolina and Wisconsin each cut school spending by more than 15 percent. (State funding of higher education has been plummeting for decades.) In addition, most states allow substantial disparities in per-pupil school funding from one jurisdiction to another. States and school systems should ensure that school spending is **transparent** (e.g., charter schools), that **money is not wasted** on consultants and standardized tests, and that **universal pre-K** is fully funded.

Personalized not standardized instruction

We must recognize that there are no standardized children; every child has different strengths and weaknesses. That's why all schools must offer a complete curriculum provided by professional teachers who have the training to give the individualized attention every child needs. School systems need to **deemphasize standardized tests** and pre-packaged lessons, and instead hire and stand behind **fully trained teachers** who give each and every student the opportunity to achieve their fullest potential in life.

Opportunities outside of class

A great deal of children's learning happens outside of the classroom. Kids learn from art, music and dance programs, from athletics, nature and the outdoors, from games and hobbies, from afterschool clubs of all kinds, and from independent reading for pleasure. States and localities need to fully fund libraries, and help **support nonprofits** that provide afterschool and summer school programs for disadvantaged youth.

Safe schools, fair discipline

In order to learn, children need schools that are safe and welcoming. On one hand, harassment, intimidation and bullying are well-known to impede students' ability to learn. Students who are bullied are far more likely to skip school and earn poor grades. Many states and individual school systems have implemented **safe school policies** to address the problem. On the other hand, some school systems overuse their discipline processes, often in a discriminatory manner. The U.S. Attorney General and the Secretary of Education jointly announced **national guidelines on school discipline** that should be implemented at the state and local levels.



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Transparency in school spending

With the rise of standardized testing, pre-packaged lessons and charter schools, there has been a real decline in public awareness of how education funds are spent. School systems should **disclose exactly what they pay** for tests, pre-tests and test preparation programs, as well as consultants and pre-packaged lessons. Similarly, states and school boards should insist that charter schools, especially for-profit management companies, are held to the same **transparency requirements** as traditional schools. Tax dollars should be invested in classrooms, not in padding corporate profits.

Pre-K for all

Children in poverty often begin school already one or two years behind more affluent students. One clear part of the solution is universal, high-quality pre-Kindergarten. Experts in early education overwhelmingly agree that children who have two years of a strong pre-K program start kindergarten with much better academic and social skills and that this improvement helps those children succeed later on in school and in life. Studies have shown that pre-K programs return benefits to the community of seven dollars for every dollar invested. Yet, only about 40 percent of America's four-year-olds and less than 10 percent of three-year-olds, are enrolled in public pre-K programs. The best **Pre-K for All legislation** serves all three- and four-year olds, requires licensing and accreditation by state officials for both private and public pre-K programs, and uses nationally recognized benchmarks to develop curricula that balance direct instructional and play-based approaches to ensure that children develop the cognitive, physical and social-emotional skills they need to succeed in school and later in life.

Grow your own teacher

In high-poverty schools, teachers who are from the community have a better chance of successfully reaching students. There is a successful program called **"Grow Your Own Teacher,"** which provides scholarships to worthy college students who, in exchange, promise to teach in their neighborhood schools.

Limits on standardized testing

In the more heavily tested grades, students routinely lose more than a month of instructional time to standardized testing and test prep. Across the country, parents are rising up against the over-testing. States and school boards should **commission an audit** to see how much testing is done and determine the educational and financial cost. They should also limit standardized testing to the minimum required by federal law—and **children younger than third grade should not be subjected** to them.

Ban kindergarten and pre-K suspensions

In some jurisdictions, kindergarten and even pre-K students are suspended or expelled at an alarming rate. But putting a 4 or 5-year-old child out of educational programs is counter-productive. States and localities **can enact legislation** to curtail this practice.



Environment & Smart Growth

Our progressive vision: We have a responsibility to protect the quality of life in our communities, not just for ourselves, but for our children and grandchildren. To do that we need to both stop the degradation of our environment now and pursue policies that build a better future. Those fit into three categories, laws that: (1) reduce the pollution of our air, water and land—including gases that accelerate climate change; (2) conserve energy and quickly develop clean and renewable sources of energy; and (3) pursue policies that build infrastructure to create environmentally friendly cities and towns for the future.

Air, water and soil pollution

Pollution is waste material that adversely affects air, water or soil and governments have tried to control it for hundreds of years. Our major federal anti-pollution laws—the Clean Air Act, Clean Water Act, and National Environmental Policy Act—were passed in the early 1970s. In recent years, states and localities have gone beyond federal prohibitions to clean up emissions from power plants, require disclosure of the **chemicals used in fracking** or **ban fracking outright**, discourage or ban the use of single-use **plastic bags**, and encourage **recycling** of paper, metals, glass, paint, motor oil, pharmaceuticals and electronics. Minority and low-income communities bear a disproportionate share of the health risks caused by pollution and governments need to provide those communities with a measure of **environmental justice**.

Conservation and clean energy

With climate change legislation stalled at the federal level, states and municipalities are leading the way to encourage energy conservation and promote clean energy. Conservation is accomplished by using more **energy-efficient devices**, improving insulation and design of **government buildings** (e.g., schools), and encouraging energy efficiency in both **commercial buildings** and **private homes**. Clean energy is promoted by using solar or wind power as much as possible on **government** and **private properties**, and by incentivizing local energy companies to employ or expand wind and solar power generation.

Smart growth

Smart growth is an urban planning strategy that concentrates development in compact urban centers to avoid sprawl. Smart growth produces a more efficient use of resources while preserving more of the natural environment. Smart growth policies include: making communities **pedestrian-friendly**, building bicycle lanes and **encouraging biking**, developing around **mass transit** and encouraging its use, encouraging mixed-use development with affordable housing set-asides, and maintaining greenbelts and wildlife corridors.



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Plastic bag fee or ban

Every year, millions of plastic shopping bags end up as litter and they can take centuries to decompose. These bags are among the most common types of litter on land and one of the most troublesome when they get in rivers or seas. Dozens of cities and counties have imposed a 5 or 10 cent **disposable bag fee**; some target plastic and others apply to paper bags as well. California, Hawaii and many cities simply **ban “single-use” plastic bags**.

Climate change impact assessment

Climate change is real, of course. The ten warmest years on record have all occurred since 1998, and nine of them have occurred since 2002. Simultaneously, we have seen increasingly severe weather cause billions of dollars in damage. Some of the effects of climate change can be predicted and some of its damage can be mitigated with planning. States and localities should create **commissions to study** the local effects of climate change (e.g., flooding) and what policy changes could address them.

Residential solar energy

America needs to encourage the production and use of renewable energy wherever it is economically feasible. In many places, it has become practical for a single house to provide much of its own power through environmentally friendly sources like solar electric cells. Unfortunately, many families that might benefit cannot afford the upfront cost. Increasingly, private firms are willing to install renewable energy systems at no or low cost in exchange for leasing agreements that provide the firms with the right to sell the energy to the property owner. These leases can dramatically increase use of renewable energy. However, state or local laws often make these leases impossible. **Legislation can fix the problem** by allowing third-party firms to install and operate solar energy systems, utilize state or local bonding facilities, and take advantage of renewable energy tax credits.

Green buildings

In order to get energy use and pollution under control, cities and states need to encourage better design and construction of buildings. The Leadership in Energy and Environmental Design (LEED) Green Building Rating System is a flexible, non-bureaucratic standard for construction and maintenance of new or existing buildings. **LEED standards** emphasize energy and water savings, use of recycled materials, and indoor air quality. Many jurisdictions have already enacted laws to encourage new buildings and major renovations to meet LEED standards.

Building rehabilitation codes

Building codes were generally written with an eye toward new construction. As a result, it is often much harder to comply with building codes when rehabilitating older buildings. Inflexible building codes tend to encourage sprawl projects on undeveloped land instead of revitalization projects in cities and towns—the opposite of smart growth. States and localities can reverse this trend by adopting **rehabilitation building codes** that provide greater flexibility to safely renovate existing structures as California, Maryland, New Jersey, Rhode Island and a host of cities have done.



Government Performance

Our progressive vision: State and local governments play a powerful role in regional economies as employers and contractors. They can make or destroy jobs. They can also encourage the creation of stable, good-paying positions—or positions that leave workers’ families in poverty. A progressive government will: (1) ensure that the workers of both the government and its contractors are paid wages and benefits that support a decent standard of living; (2) guarantee that economic development subsidies are used sparingly and only to create middle-class jobs; and (3) operate with openness and the highest ethical standards.

Government as employer

Most state and local governments encourage a “race to the bottom” system of hiring—paying their employees and the employees of government contractors as little as possible. But that makes no economic sense. Low-wage, low-benefit jobs don’t build the tax base; they drain it by forcing workers to rely upon taxpayer-funded programs, such as subsidized housing, health care, child care and school lunches. Public dollars should be spent to promote the public good. A progressive government accomplishes this by **avoiding the privatization** of government services unless there is a clear showing of substantial savings, paying a **living wage**, guaranteeing basic benefits like health insurance and **earned sick leave**, not accepting bids from **contractors with a history of fraud**, waste, abuse or illegal practices, and ensuring that contractors deliver what they’ve promised.

Progressive economic development

States and localities desperate for economic growth have typically allowed any company promising jobs to access economic development subsidies or other benefits, no matter how few or how poor the jobs. All too often, development subsidies constitute little more than welfare for the rich. A progressive government reserves subsidies for development that fits a narrow and long-term strategy (e.g., a bio-tech cluster), requires the jobs to **pay middle-class wages and benefits**, and ensures that companies that receive subsidies and then fail to deliver on their promises **must refund** to the government some or all of the monies received.

Open and ethical government

A democracy cannot function properly unless the people know what is being considered by government, hear the arguments being made from all sides, and have the opportunity for timely input. Similarly, a democracy does not function when decisions are based on any type of corruption or undue influence. Even the appearance of secrecy or impropriety will poison the public goodwill that is necessary for self-government. A good government, therefore, will have a vigorous **open meetings** law, a broad **freedom of information act**, as much **online disclosure** as possible, and tight restrictions on both direct and indirect **gifts to public officials**.



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Restrictions on privatization

Since the Reagan era, state and local governments have been handing over a myriad of public functions to private corporations. The main argument for privatization is that it reduces costs. But this argument is rarely true, either because the contractor simply charges more than civil servants would cost or because the contractor pays such low wages that the employees and their families have to be supported by food stamps, Medicaid, Earned Income Tax Credits, and other programs. State and local governments should create a truly **competitive bid process** that does not assume outsourcing is always best.

Raising standards for firms receiving government support

Economic development subsidies, by definition, give special preference to one business over others. So when such subsidies are granted, they should meet a high standard for creating good jobs that will provide long-term benefits to the community. The **Job Creation and Job Quality Standards Act** lays out minimum requirements for any kind of subsidy program. The **Taxpayer Protection Act** provides citizens with a money-back guarantee if a company, after receiving subsidies, fails to meet its promised economic development goals.

Banning contingency fees for economic development awards

Because there can be so much money involved in an economic development subsidy, there is a great deal of potential for actual corruption, or the appearance of it. The state of California recently enacted a law that **prohibits contingency fees** for lobbyists who win economic development awards for their clients. Numerous jurisdictions already prohibit contingency fees for legislative lobbying or contract awards.

Job piracy cease-fire

It is not unusual for states, cities or counties to use economic development subsidies to lure businesses from neighboring jurisdictions, and this can degenerate into tit-for-tat job piracy. These government-against-government disputes just hurt taxpayers—and they are unnecessary. The state of Missouri recently **passed a law offering to stop subsidies** to Kansas businesses along the border if Kansas does the same. This is a terrific model that could apply to either state or local governments.

Online disclosure

Both state and local governments are realizing that online disclosure has become cheaper than ever and, once posted, it obviates the need for government workers to spend a lot of time satisfying document requests. Governments can and should **disclose online**: information about proposed laws and regulations; RFPs; contracts or subsidies granted; real estate, zoning and property-tax records; licenses and permits; and which government services are available and how to access them.



Health

Our progressive vision: Every American should be able to get the health care they need, when they need it, at a price they can afford. But for years, insurance companies charged too much, their policies were full of holes, and coverage was easily denied or revoked. The Affordable Care Act changed that, providing families with a measure of health security. But there is still much to be done: (1) provide coverage to every American as a matter of right; (2) encourage healthy behavior and protect others from unhealthy behaviors; and (3) allow people to make their own health care choices.

Health care for all

Even though the Affordable Care Act has substantially lowered the number of uninsured Americans, at least 35 million remain without health coverage. A progressive state or local government will do everything possible to assist and encourage people to take advantage of the ACA. Obviously, the first problem is the nearly two dozen states that have refused the ACA's Medicaid expansion and thereby denied free health coverage to about 5 million people. But **every jurisdiction can** publicize ACA open enrollment, hold enrollment events, make information available through schools, libraries, and other government agencies, make sure that “navigators” and assisters are easily accessible to all, involve traditional insurance agents, and correct the misstatements that are keeping some from even considering enrollment. In addition, states and cities can expand their own programs to address chronic disease prevention and management, make available oral health services, and support community health centers. “**Healthy San Francisco**” is a program that covers residents whether or not they are eligible for the ACA, e.g., it covers unauthorized immigrants.

Encouraging healthy behavior

Preventable behaviors such as tobacco use, poor diet and physical inactivity, and alcohol or other drug use are the underlying cause of half of deaths in the United States, according to a recent study. A progressive government encourages healthy behaviors while leaving ultimate decisions to the individual. The biggest preventable killer remains tobacco, which claims more than 440,000 victims every year. Jurisdictions can discourage smoking by raising the **tobacco tax**, implementing **workplace smoking bans**, and offering smoking cessation programs. States, localities and school boards can improve nutrition and physical fitness programs in schools and also increase opportunities for athletics, walking and biking in communities. States and localities can raise alcohol taxes, crack down on sales to minors, and rethink whether their drug laws and enforcement systems are an efficient way to discourage the use of dangerous drugs.

Helping people make their own health care choices

Too often, people who are sick or dying are not given choices that really should be theirs to make. If a doctor thinks that a patient with glaucoma, multiple sclerosis, nausea from chemotherapy or chronic pain would benefit from **medical marijuana**, the patient should have that choice. If patients would benefit from **palliative care**, they should be told. And if a terminally ill person wants to have some control over the time of his or her **own death**, that should be their decision, not ours.



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Public option

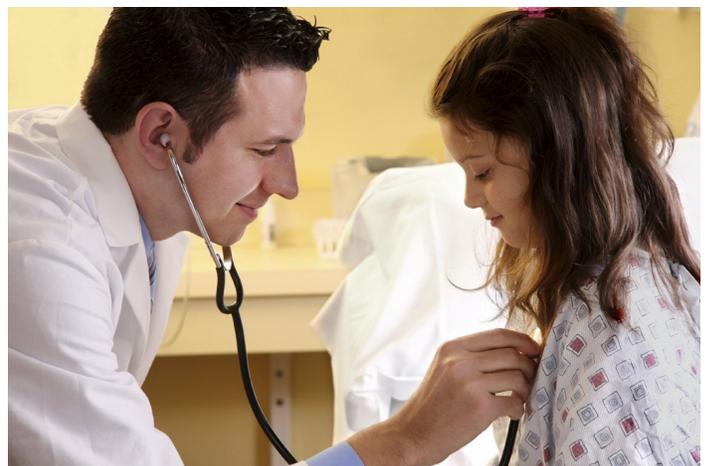
When Congress was debating the Affordable Care Act, many health advocates called for the creation of a “public option,” that is, a government-run health insurance program that Americans could voluntarily join if they wanted to. For example, Americans might have paid a monthly fee to get the same coverage as Medicare recipients. Although a public option was not included in the ACA, nothing prevents a state from creating its own **public option** plan and inviting residents to join. The state of Vermont is going further. Green Mountain Care is a state funded and managed insurance pool to provide **near-universal coverage** to residents. Other states could do the same.

Restrict e-cigarettes

E-cigarettes are battery-powered devices that mimic cigarettes. A heating element vaporizes a nicotine liquid, which is inhaled by the user. Both the benefits and risks of e-cigarettes are rather uncertain, but nicotine is certainly an addictive substance and some teenagers who were otherwise nonsmokers are using e-cigarettes. There are two major policy issues at the state and local levels: whether **workplace smoking bans** should apply to e-cigarettes and whether marketing toward and **sale to minors** should be prohibited. Three states and more than 200 localities have specifically forbidden e-cigarettes where smoking is already banned, in part because their safety is not established and because their use causes public confusion as to where smoking is allowed. Forty-one states outlaw the sale of e-cigarettes to minors.

End-of-life palliative care

All too often, terminally ill people are not provided adequate information about their physical condition or counseling about palliative care and end-of-life options. Too often they feel abandoned by the healthcare system and suffer unnecessary physical or psychological pain. This happens because most doctors are trained to cure, not to care for patients they cannot cure. People have a right to know when treatments offer only a tiny chance of prolonging their lives for a few weeks or months. And they have a right to know palliative therapies could make them feel a lot better for their remaining time. Five states now require healthcare providers to address the needs of the terminally ill. In New York, for example, when a disease is terminal and patients are unlikely to survive six months, doctors must inform them of this, and advise them of available medicines and treatments that comfort rather than cure. **Palliative treatment** can ease anxiety and pain, and can be administered at home, a hospice, or a specialized hospital unit. A good law also encourages the creation of interdisciplinary palliative care teams to provide medical, spiritual, psychological and practical support to patients and their families. And just incidentally, by eliminating medical procedures that patients don’t want, it also saves many millions of dollars.



Public Safety

Our progressive vision: The most fundamental job of government is to protect residents from crime. Progressive government focuses on strategies that make us safer. Serious felonies deserve serious punishment. But there is a great deal that can be done to prevent crime and ensure justice: (1) reform police procedures, including interrogations and use of force, that lead authorities toward the wrong suspects; (2) reform judicial procedures that hurt the innocent, thereby helping the guilty; (3) reform prison procedures that increase recidivism; and (4) reform criminal laws to prevent the commission of crimes.

Police reform

With the advent of DNA evidence, it has become clear that many innocent people have been prosecuted and imprisoned. Part of the problem is old-fashioned police procedures—an overconfidence in unreliable eyewitnesses and an emphasis on profiling and random-but-targeted stops. Progressive states and localities adopt fairer and more accurate procedures. The most common element in convictions overturned by DNA evidence has been eyewitness misidentification. That’s why police need to reform procedures for lineup identifications. In addition, they should require electronic recording of all interrogations and attach cameras to police cars and uniforms. Law enforcement should have clear rules against racial profiling and military weaponry, and limiting the use of force.

Judicial reform

Tough court procedures don’t necessarily make law-abiding citizens any safer, and they can have the opposite effect. A progressive government pursues bail reform, sentencing reform and juvenile justice reform to make it less likely that minor offenders turn into hardened criminals. Similarly, expungement of minor arrest or conviction records can help prevent recidivism.

Prison reform

The U.S. prison population has exploded since 1980, from about 300,000 prisoners then to more than 1.5 million today. Another 750,000 are in local jails or juvenile detention. Thirty-one states employ private prisons, presumably on the theory that they’re cheaper, but there is no legitimate evidence to prove that. At the same time, private prisons seek healthier, less-expensive-to-house prisoners, and shy away from providing education and training programs in order to maximize profits. Prison privatization should be banned, or, if that’s not possible, more strictly regulated.

Smarter criminal laws

The 1980s and 1990s “war on drugs” took much discretion away from judges and increased sentences enormously. Yet, a growing body of research proves that treatment, rather than incarceration, is the most effective tactic to fight drug abuse. Diverting nonviolent drug offenders to treatment programs reduces recidivism and saves money. Similarly, mandatory minimum sentences should be relaxed so that judges can deliver real justice based on the actual circumstances of each case. While these “get tough” measures have been ineffective, real danger has come from the nearly unchecked proliferation of guns. Every single day, dozens of Americans are murdered, hundreds are shot, and nearly one thousand are robbed or assaulted with a gun. It’s just common sense that every state should require a background check for all gun sales, preferably including fingerprinting and safety training.



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Electronic recording of interrogations

Every year, hundreds of innocent Americans are convicted of crimes because of false confessions. Many more are arrested because of false confessions and later the charges are dropped. There are many reasons why innocent people “confess,” ranging from exhaustion to mental illness. Psychologists report that standard police interrogation tactics regularly elicit false confessions from the mentally retarded, mentally ill, juveniles and others who suffer from alcohol or drug problems, or simply don’t understand the legal system. **Electronic recording of interrogations** helps to protect the innocent and convict the guilty. Aside from its investigative value, the recording can also verify that officers treated suspects fairly. Ten states and many cities and counties now require electronic recording of interrogations. In fact, then-State Senator Barack Obama sponsored the first state law requiring electronic recording of interrogations in 2003.

Cameras on police cars or uniforms

The fatal police shooting of an unarmed black teenager in Ferguson, Missouri, is prompting new calls for police to monitor themselves with video cameras. Police **cruiser-mounted cameras** are becoming widespread, and there are also “**body cameras**” which attach to officers’ uniform lapels. The idea is that both police officers and criminal suspects are less likely to misbehave if they know they’re being recorded. In a study by Cambridge University, the Rialto, California, police saw an 89 percent decline in the number of complaints against officers during a yearlong test use of body cameras. The number of times police used force against suspects also declined. States and cities should require the use of one or both of these types of mobile video cameras.

Ban stun cuffs

A stun cuff is a small box strapped to a prisoner (usually at the ankle) which, when police press a remote controlled trigger, emits a 50,000 volt shock that immobilizes. This device is good for little more than torture; prisoners can already be fully controlled with handcuffs and leg irons. **Stun cuffs** should be banned.

Demilitarize the police

More than 8,000 local police forces, including at least 117 college police agencies, have received more than \$5 billion in military equipment from the federal government under the “1033 Program.” It is the militarization of policing; local police now routinely have automatic weapons and heavily armored military vehicles, camouflage combat fatigues, flash-bang grenades and night-vision rifle scopes. State and local governments should curtail this. First, every official should ask their own law enforcement agencies whether they own or have ordered military equipment. If so, they should find out how much the storage and maintenance costs are, what police do with the equipment, and whether there is a training program to make sure those military weapons and accessories are not misused. Second, they should **ban such weaponry or at least set up strict procedures** to ensure proper oversight for the acquisition and possession of military equipment.



Reproductive Rights

Our progressive vision: People need to make their own important life decisions for themselves and their families. These include decisions about whether and when to become a parent. To make these decisions responsibly, individuals need access to: (1) complete and medically accurate information; (2) birth control; (3) constitutionally protected abortion services; and (4) reasonable accommodations on the job to avoid discrimination based on a woman’s pregnancy, termination of pregnancy, or childbirth. In sum, all Americans should have the freedom and opportunity to make the best decisions for themselves and their families.

Medically accurate information

Americans deserve medically accurate information about reproductive health so they can make responsible decisions. But anti-choice advocates rely on falsehoods. Emergency contraception does *not* cause an abortion. Abortion does *not* cause cervical cancer. Women’s ability to conceive does *not* shut down as the result of rape. Anti-choice advocates go so far as to lie to pregnant women at their phony “[crisis pregnancy centers](#).” That’s why it’s so important to provide [comprehensive sex education](#) to schoolchildren—they may not have access to accurate information anywhere else.

Birth control

In recent years it has become clear that the anti-choice agenda is as hostile to birth control as it is to abortion. But Americans overwhelmingly support access to birth control. States can and should require health insurance to cover contraceptives ([contraceptive equity](#)), guarantee [emergency contraceptives](#) to survivors of sexual assault, require pharmacies to stock emergency contraception, and [prohibit health care workers from refusing](#) to issue or fill prescriptions for contraceptives.

Access to abortion

The U.S. Constitution guarantees women the right to safe, legal abortion services without interference from politicians. And yet there has been an onslaught of political efforts to erase this constitutional right. States should [protect access to clinics](#) that provide abortion services, create no special restrictions on Mifeprex (the “abortion pill”) and enact clear [freedom of choice](#) legislation.

No discrimination

Whether a woman carries a baby to term, miscarries, or has an abortion, she should not be subject to any type of discrimination. Pregnant workers have been denied reasonable accommodations from their employers and forced to leave their jobs. Nursing mothers who need to express breast milk during the work day have been denied accommodations and been forced to choose between breast feeding and employment. None of this should be permitted and that’s why states and localities should adopt the [Pregnant Workers Fairness Act](#).



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Sex education

Only 19 states require that sex education in schools must be medically, factually and technically accurate. This is important because, according to the Centers for Disease Control and Prevention, more than 47 percent of high school students say they have had sex. The U.S. has the highest teen birth rate in the industrialized world, with 3 in 10 girls becoming pregnant at least once before their 20th birthday. Despite the obvious need for full and accurate information, much of sex education in schools is incomplete, biased or limited to abstinence-only education. **Comprehensive sexuality education** is overwhelmingly favored by American parents and the entire public health community—including the American Medical Association, the American Academy of Pediatrics, and the American Public Health Association.

Contraceptive justice

In the case of *Burwell v. Hobby Lobby*, the U.S. Supreme Court ruled that closely held corporations can refuse contraceptive coverage to employees despite the requirements of the Affordable Care Act. However, *Hobby Lobby* is not a constitutional ruling, it is based on a reading of the federal Religious Freedom Restoration Act, which only applies to federal laws. In other words, *Hobby Lobby* does not obstruct “**contraceptive equity**” laws in 26 states which already require all health insurance plans to cover contraceptives. These apply to any company that buys insurance, but not to those that self-insure. States can also enact statutes that prohibit discrimination in “compensation, terms, conditions, or privileges of employment ... on the basis of ... reproductive health” decisions or based on an employer’s personal beliefs about the use of particular drugs or services related to reproductive health. The New York State Assembly has already passed such a **nondiscrimination bill**.

Contraceptive refusals

Inspired by the *Hobby Lobby* ruling, there are renewed efforts by anti-choice advocates to enact health provider refusal clauses, including a refusal to dispense contraceptives. Yet nearly all American women have used contraception and the type most disfavored by social conservatives—emergency contraception—is available over-the-counter in drug stores everywhere. A few states explicitly **prohibit pharmacies from refusing to fill contraceptive prescriptions**, and every other state should.

Pregnant workers fairness act

Federal law is supposed to prevent discrimination by employers against pregnant employees. But loopholes and adverse court decisions mean that pregnancy discrimination continues. That’s why several states and localities have recently enacted the **Pregnant Workers Fairness Act**, commonsense legislation to keep pregnant women working with limited accommodations, if warranted, as long as they don’t pose undue hardship on businesses. Accommodations may mean a different chair, more frequent breaks, assistance with manual labor, temporary transfers to less hazardous work, time off to recover from childbirth, or break time and appropriate facilities for expressing breast milk.



Social Services

Our progressive vision: As a society we have a responsibility to assist people in our communities who are vulnerable and can't meet their basic needs. Whether they may be children, the elderly, disabled, or victims of illness, crime, natural disaster or something else, we cannot deny our fellow citizens the basic necessities of life. Three policies are crucial: (1) expand basic services to cover all the vulnerable people who need them; (2) stop the war on drug users that has cut them off from assistance; and (3) help charities that provide social services, including food, housing, clothing, job training, and legal representation.

Serve the vulnerable

State and local governments fund and deliver many of our most important social services—feeding the hungry, housing the homeless, providing health care to the uninsured, caring for the elderly, helping the unemployed find jobs, and much more. But these services were drastically cut after the Great Recession of 2008-09 and even as the economy strengthened, the outlook for funding social services remains bleak. And yet, we as a society have an obligation to protect vulnerable people, the sick and disabled, and especially our children. It's hackneyed but true—the children are our future. Our country will be much better off when we ensure that every child is provided such services as high-quality [early childhood care](#), [good nutrition](#), health insurance, [recreational opportunities](#), afterschool and summertime programs—the basics they need to have a fair chance to succeed in life.

Stop the war on drug users

About 24 million Americans have used illegal drugs and only a few are punished for it. Those who are prosecuted tend to be treated harshly—in fact, more harshly than makes sense from a medical or law-enforcement perspective. Because of the “war on drugs”-era criminal penalties, some 300,000 people are currently imprisoned for drug crimes, at great expense to taxpayers. There's also been a trend toward drug testing of those who seek social services like food stamps and TANF. And federal law assumes there should be a complete denial of social services to people who have been convicted of a drug offense. It's time to [stop the war on the victims of drug addiction](#) and replace it with policies that are more likely to protect public health and safety.

Support nongovernmental programs

There are nearly one million charities in the U.S.; they provide a very large portion of the social services received by low-income Americans. Human services nonprofits hold about 200,000 government contracts totaling about \$100 billion. Most of these charities were hit hard by the Great Recession and are still struggling. And yet, donors keep wanting nonprofits to “do more with less.” Governments need to [increase the amount spent](#) on grants and contracts, standardize reporting requirements, pay contracts on time, and ensure that contracts cover the actual costs of delivering services, including administrative costs.



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Prenatal nursing care

Prenatal care has a tremendous impact on a child's wellbeing and potential in life. Babies born with fetal alcohol syndrome or low birth weight, for example, may be permanently disadvantaged. That's why it is so important to provide vigorous prenatal care to women who live in poverty. **Colorado's Prenatal Plus**, which is a part of the state's Medicaid program, provides nurse-midwives to support and educate expectant mothers, case managers to provide referrals for financial help, parenting classes, medical benefits and housing information, and dieticians to help with weight gain goals and nutrition during pregnancy and breastfeeding. Studies show that Prenatal Plus makes a substantial difference.

Serve ex-drug offenders

The Welfare Reform Act in 1996 included a little-noticed but devastating provision: as part of the political drumbeat about a "war on drugs," the Act imposed a lifetime denial of federal TANF and SNAP benefits on people convicted of felony drug offenses. No other felony is penalized this way; bank robbers receive benefits, marijuana possessors don't. States are allowed to reject this policy and a handful of states have **opted out of the federal ban on TANF and SNAP services**. About half the states have partially opted out and the rest retain the full ban on drug offenders. Outside of the "war on drugs" hysteria, these bans on services make no sense. There is no evidence that they act as a deterrent to drug involvement and they tend to make it more likely that ex-offenders will have to commit further crimes just to survive. States should opt out of these denials of fundamental services.

Agency to support nonprofits

Governments now rely on nonprofit organizations to provide a great deal of social services, from food, health care and housing to criminal justice supports, consumer advocacy, and assistance in public education. State and local governments need to increase funding to nonprofits that have a record of success. But in addition to that, most charities want to focus on serving the needy and hate the paperwork involved, no matter how important. So governments should create agencies or ombudsmen that focus on making nonprofits' **interactions with government easier**, e.g., simpler RFPs, easier reporting, and streamlined licensing systems. They should also find other ways to assist charities, such as allowing them to use government purchasing procedures to get discounts, making empty government office space available for little or no cost, and other in-kind contributions that would only marginally burden government agencies.



Taxation

Our progressive vision: On the federal, state and local levels, our tax policies must be fair to everyone. The fact is, our tax system is thoroughly unfair; it is rigged with loopholes and giveaways that benefit a few, usually rich, individuals and big corporations, at the expense of all the rest of us. Everyone should pay their fair share, and to accomplish that, we must: (1) require disclosure of tax giveaways; (2) eliminate those giveaways that unfairly benefit the rich and powerful; (3) raise tax rates on the rich and where otherwise needed; and (4) cut taxes for people who cannot reasonably afford them.

Require disclosure of tax giveaways

Americans believe, by overwhelming margins, that our tax system is unfair and that rich individuals and large corporations are not paying their fair share. In order to fix the system, we need information. Governments should list all tax expenditures and provide that each must sunset unless regularly renewed. In addition, topline information from the tax returns of large companies should be publicly disclosed. Individuals and big corporations are getting wealthier while simultaneously paying less in taxes. To address the problem, we need to know that they're doing it and how they're doing it.

Eliminate unfair tax giveaways

Almost every government's tax code is riddled with giveaways to the rich and powerful. Citizens want to make these systems fairer. This requires information, analysis, and the political will to put average taxpayers first. But some "loopholes," if pursued, are actually tax evasion. State and local governments should hire more auditors, investigators and attorneys to collect from big corporate scofflaws and empower whistleblowers to challenge tax giveaways.

Raise rates on the rich

Conservatives tend to focus their complaints on the federal income tax because nearly every other type of tax, especially on the state and local levels, is regressive. States with income taxes should make their brackets more progressive and add a surtax on extra-high incomes. States should raise inheritance taxes on the very richest estates. At the same time, there are a few "sin" taxes which could be raised not for the revenue but to discourage dangerous behaviors—like smoking, drinking and gambling—and the extra monies used to treat people who are addicted to nicotine, alcohol and gambling.

Cut taxes on those who can't afford them

Just as some high-income individuals and businesses are paying too little in taxes, there are some low-income people who are paying too much. States should raise the Earned Income Tax Credit and the dependent care tax credit. States and localities should ensure that there is a property tax circuit breaker and a tax deferral system that prevents low-and moderate-income Americans from losing their homes.



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Disclosure of corporate taxes

Americans believe that large corporations are not paying their fair share of taxes, and they're right. The situation in Illinois is typical: two-thirds of corporations pay no state income tax at all, only eight percent of state revenue comes from corporate income taxes, and the corporate share of taxes has been declining over the years. The first step to fix our broken system is transparency. We don't know enough details about how corporations manage to evade taxes. We need **public disclosure**. To be specific, all publicly traded companies should disclose a summary of the amount they pay in state income taxes, including their tax rate and basis (income, credits and deductions). It is true that we don't and shouldn't require such disclosure of individuals, but corporations are not people. Corporations are legal structures, created by state law, and they do not need or deserve the privacy rights of individuals.

Sunset tax expenditures

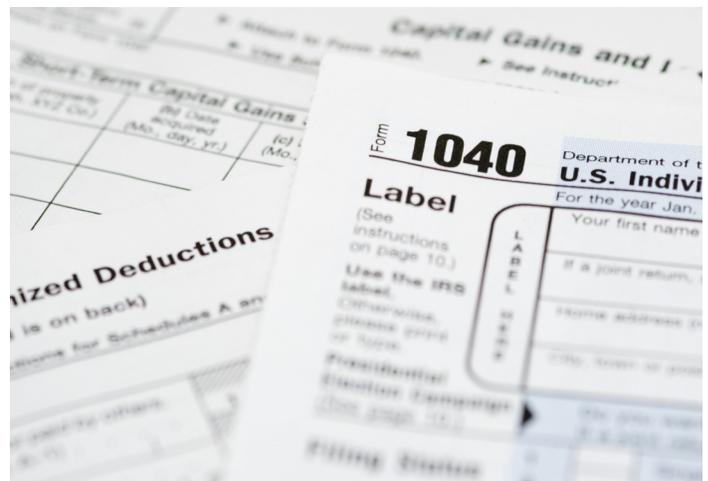
A "tax expenditure" is a form of stealth government spending. Giving exemptions, deductions or credits to certain groups or for certain activities has the same effect as handing them money, and governments divert billions of dollars this way. Tax expenditures never receive the same scrutiny that budget expenditures do. While budget line items are reviewed and adjusted every year, few governments have any mechanism for reviewing tax expenditures. The fact is, many tax expenditures are unjustified giveaways to the rich, many were not properly targeted to achieve their stated objective, and others were justified when enacted but no longer make economic sense. So each tax exemption, deduction and credit should be examined periodically to weigh its costs, benefits and relevance to community goals. The only effective way to bring fairness to the tax expenditure system is to require each to undergo a thorough review and be re-approved through the legislative process. This is accomplished by making all **tax expenditures** "**sunset**" every few years.

Hire tax investigators

Americans believe many wealthy individuals and corporations evade taxes. And they're right. One study indicated that people who make between \$500,000 and \$1 million per year underreport their incomes by more than 20 percent. That means states and localities lose billions of dollars each year to tax evasion. The fact is, most government tax collection agencies don't have enough auditors and enforcers to get the job done. The solution is to **hire more enforcers**; their work will pay for itself.

Raise the inheritance tax

Over the past several years, progressives have been completely outmaneuvered on the inheritance tax. Many believe the federal estate tax applies to them, even though 99.5 percent of Americans are exempt. Nevertheless, the richest one percent in America own over one-third of all the combined wealth in our country—stocks, bonds, businesses, real estate, cars, jewelry. The richest five percent own nearly two-thirds of all wealth. We cannot make a dent in the problem of economic inequality without a vigorous **inheritance tax** and the effort will never have momentum until states lead the way.



Voting & Elections

Our progressive vision: In America, the right to vote is a fundamental freedom. And because we are the leading democracy in the world, our election system ought to be completely free, fair and accessible. The way we conduct elections today is obsolete. We can eliminate long lines, cut costs, make it more convenient for eligible citizens to vote, maintain the integrity of the voting system, and stop the rich and powerful from exercising undue influence on the process. In short, we must: (1) guarantee that every citizen can register; (2) ensure that every citizen can vote; and (3) crack down on the way campaign financing corrupts governments.

Ensure every citizen can register

In a democracy, every citizen ought to vote and the first step is universal registration. A progressive system **registers voters automatically**, for example, when anyone who is eligible to vote gets a driver's license or receives a public service. Registration should also be offered at state and local **government offices, online through the Internet**, and at polling places on **Election Day**. And **no one outside of prison should be disenfranchised** because of a criminal conviction.

Ensure every citizen can vote

There should be no barriers to prevent eligible citizens from voting. Governments should permit both **early voting** and no-excuse-needed **absentee ballots**. Election materials should be available in **other languages** where needed. **Voting machines** should be absolutely reliable, counting every vote. Governments should crack down on any **voter intimidation** or use of fraud for **voter suppression**. Americans should have the **freedom to vote**, which should be made clear in state constitutions. And to ensure that every vote counts equally in presidential elections, states should adopt the **National Popular Vote**.

Reform campaign financing

Money has an outsized influence on our current electoral system, endangering our representative democracy. Poll after poll shows that voters think the political system is controlled by big companies, political action committees, and rich individuals. And they are right. Candidates in most gubernatorial and state legislative races receive the bulk of their campaign funds from large donations or from non-party entities like PACs. Because of the Supreme Court's *Citizens United* ruling and the activism of ultra-right billionaires, the amount of money pouring into political campaigns through independent expenditure committees has grown exponentially. The growing cost associated with running for office makes campaigns prohibitively expensive for most Americans, thus restricting the freedom to run for office to a small minority of the population. In addition, with the rising cost of running for office, candidates need to spend more time fundraising, which restricts their ability to meet with and listen to their constituents. The system is broken and the only real solution is public financing of election campaigns. **New York City's law**, for example, requires participating candidates to limit campaign spending; in exchange, a public fund will match small donations. **Connecticut** provides a good public financing model as well.



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Online registration

Every election cycle, millions of Americans find that they cannot exercise their right to vote because of inefficient or outdated registration systems. Because of human or system error—misplacing a form or a data-entry error—paper-based voter registration systems bar many citizens access to the ballot box. At the same time, the systems of paper registration forms that most jurisdictions continue to use simply cost too much; they require millions of person-hours by government employees or contractors to maintain and use. Fortunately, states can curb these costs while producing fewer errors by adopting automated **online voter registration systems**. By converting to an automated online system, states can eliminate the need for almost all physical forms related to registration and minimize the need for employee form-processing. The registration system should include a secure and accessible online portal for individuals to register to vote, update their voter registration information, and check necessary voting information such as polling location. So far, 24 states have authorized online registration.

Protection from intimidation

Too many Americans are prevented from exercising their right to vote because of voter intimidation or suppression, or mistakes by election officials. Although voter intimidation is illegal under the federal Voting Rights Act, most violators are never punished. In addition, federal law does not prohibit willfully fraudulent voter suppression tactics and it does nothing to prevent mistakes. States can adopt a **Voter Protection Act**, which employs three avenues to ensure that every eligible voter can vote: First, impose heavy penalties for both voter intimidation and fraudulent suppression. Second, require every polling place to post a Voter's Bill of Rights (as some states do). Third, reduce mistakes by creating an Election Day Manual of Procedures that sets out election rules, and make it available to both voters and officials at the polls.

Clean elections

Americans are disgusted by the way massive campaign contributions corrupt the democratic process and give unfair advantages to the wealthy and well-connected. The Supreme Court's *Citizens United* ruling and the activism of ultra-right billionaires makes the situation even worse. Americans want and expect us to do something about it. **Public funding of state and local elections** works. New York City's law, for example, requires participating candidates to limit campaign spending; in exchange, a public fund will match each dollar a city resident contributes to the candidate up to \$175 with six dollars in public funds for a maximum of \$1,050 in public funds per donor. This kind of system increases the value of small donations and encourages more people at varying income levels to participate in the electoral process. In addition, government contractors are forbidden from contributing to municipal campaigns.



Wages & Benefits

Our progressive vision: Our economy remains in crisis because government policies are rigged to favor the rich and powerful over the middle class and working families. All levels of government need to encourage or require that the lowest-level jobs provide at least a living wage and that middle-class jobs support a middle-class standard of living. Four policies are fundamental, laws that: (1) set a floor on wages for different types of work; (2) guarantee a minimum set of job benefits; (3) ensure that hiring and retention processes are fair; and (4) protect the right to collective bargaining in order to secure for employees a fair share of the profits.

Fair wages

Between the end of World War II and the beginning of the Reagan Administration, the wages of average American workers rose at the same rate as nationwide productivity. But since then, wages have stagnated and nearly all new wealth has been captured by the rich. Recently over a dozen states and localities have responded by raising the minimum wage. Seven states have the same minimum wage for tipped workers as everyone else, and that's a matter of simple justice. State and local jurisdictions have also implemented a living wage for government employees and contractors. Although it's not been tried, it is entirely possible to dissuade employers from paying a poverty-level wage through a surtax on large businesses like Walmart that pay workers so little that they have to rely on public-assistance programs.

Fair benefits

American workers used to take for granted that their jobs would include fair benefits like health insurance, sick days and paid vacation. Today, progressives have to fight for every benefit. Recently, states and cities have mandated paid sick leave, while others have set up family leave systems or required overtime pay. California created a program that helps workers set up retirement accounts.

Fair rules for hiring and retention

Because of the bad economy and the lack of union representation, employers are using more and more arbitrary and unfair tactics against both job applicants and existing employees. Where employers have demanded that job applicants or employees give them their social network usernames and passwords, or “friend” the employer, or submit to credit checks, or disclose arrest or criminal histories when those are irrelevant to the job, progressive governments have stepped in to stop it.

Collective bargaining

Although public policy can require a series of minimum wages and benefits, that is no substitute for collective bargaining. Only labor unions can insist that workers receive a fair share of a company's profits that their hard work creates. While this is mostly a federal issue, states and localities can ensure that their own employees have the right to bargain collectively, expand collective bargaining rights for specific types of jobs, and prohibit public funds from being used to influence union organizing.



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Wage theft

Wage theft is an epidemic among low-wage workers. One study found that more than two-thirds experienced at least one pay-related violation in their previous work week, including some workers who were paid less than the minimum wage and others who were not paid overtime wages owed to them. Wage theft leads to poverty and homelessness for both workers and their families. Although it's usually already illegal, low-wage workers are the least able to enforce their rights. They don't have the knowledge or resources to obtain legal help, and they fear retaliation if they try. The victims need **new legislation with tougher penalties and realistic enforcement mechanisms** so workers will have both the incentive to report wage theft and the confidence that the system will protect them.

Ban credit checks by employers

Nearly half of employers now require job applicants to consent to a credit check. Sometimes current employees are asked to do the same. And yet, credit checks are not designed as an employment screening tool and there is no research that suggests people with poor credit reports become poor employees. There are many reasons why Americans might have bad credit scores. Often it's because of an injury or illness that caused a lot of bills. In recent years, many small business owners racked up bad credit scores because of the effects of the financial downturn. And sometimes bad credit was caused by identity theft or simple reporting mistakes that remain in the records of one of the credit bureaus. In addition, the practice discriminates against individuals who don't have affluent families who can bail them out of debt. That's why several states and cities have **enacted laws to forbid employers from conducting credit checks** on workers or job applicants.

Ban the Box

After the terrorist attacks of September 11, 2001, an increasing number of federal, state and local governments required employees and contractors to submit to criminal background checks. In recent years, private employers have also demanded criminal history checks of both job applicants and existing employees. The National Employment Law Project (NELP) has estimated that 65 million Americans—or one in four adults—have a criminal record that may show up on a routine background check. Because people of color are disproportionately affected, the U.S. Equal Employment Opportunity Commission (EEOC) issued an Enforcement Guidance on the use of arrest and conviction records in employment which recommends as a “best practice . . . that employers not ask about convictions on job applications and that, if and when they make such inquiries, the inquiries be limited to convictions for which exclusion would be job related for the position in question and consistent with business necessity.” A number of jurisdictions have passed legislation to remove conviction history questions from job applications—a measure **commonly known as “ban the box.”** Generally, “ban the box” laws allow employers to inquire about an applicant's criminal history some time after the job application or initial interview.





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