

THE ROSE REVIEW

VOLUME XIX | ISSUE 2 | SPRING 2015



Photo credit: Wes Edwards

DIRECTOR'S REPORT

ANDREW E. BUSCH, PHD

The Rose Institute is nearing the end of another school year at Claremont McKenna College, and we continued working hard. In mid-March, Student Manager Ian O'Grady '15 and Associate Student Manager David Tse '15 completed their successful terms of office. Thanks to Ian and David for their hard work. Congratulations to our new student management team, Manager Manav Kohli '16 and Associate Manager Nina Kamath '16. I also want to tip a hat to our other graduating seniors: Elise Hansell, Elena Lopez, and Andrew Nam.

Since my last report in October 2014, the Rose Institute has:

- Published white papers on state budgeting structures in California and around the country and on write-in voting rules in California.
- Completed the 2014 Kosmont-Rose Institute Cost of Doing Business Survey.
- Completed a national review of the "crime funnel," and began the second stage in which we will examine the crime funnel in California and the next nine largest states.
- Neared completion of a research project on

operation of the Three Strikes law in California.

- Rose students presented crime funnel and three strikes research at a Southern California conference in November and a statewide conference in March and won prizes on both occasions.

- For the third time since 2011, conducted an election-night ballot tracking exercise for the City of Glendale in its municipal elections.

- Completed an economic impact analysis of March Air Reserve Base for Riverside County.

- Released an infographic entitled "Show Me the Money: How City Budgets Operate in Southern California" which was subsequently widely shared.

- Updated the online Southern California Almanac and the Miller-Rose Initiative Database to reflect results of the November 2014 elections.

- Continued work on a number of other long-term projects, including analysis of the American Communities Survey and a survey of contract cities in Southern California.

- Brought to campus nationally-noted political analyst Michael Barone to discuss the current

state of American politics (co-sponsored with the Salvatori Center) and George Mason Law Professor and federalism expert Michael Greve to discuss his book *The Upside-Down Constitution*.

- Sponsored a panel discussion entitled “Who Draws the Lines? Will the Supreme Court Strike Down Independent Redistricting Commissions?” Participants included Mary O’Grady, counsel to the Arizona Redistricting Commission, Peter Gentala, counsel to the Arizona House of Representatives, and Rose alum Christopher Skinnell ’99 as the moderator.

- Worked with the Lowe Institute and UCLA-Anderson School to put on two economic forecasting conferences under the auspices of the Inland Empire Center, one in Ontario and one in Indian Wells.



Andrew E. Busch, PhD

- Also as part of the IEC, published two more editions of the *Inland Empire Outlook* with well-researched stories written by Rose students.

- Hosted former student manager and now chief data officer for the City of Los Angeles Abhi Nemani ’10 for a student workshop.

We are looking forward to completing some unfinished projects before school lets out for the summer, and will remain active in the summer months. Students will be working on a fresh round of *Inland Empire Outlook* stories and some new infographics; and the Rose will be offering both its summer internship program and another week-long summer boot camp on fiscal analysis led by former student manager Ian Rudge

’03. In the meantime, on to final exams!

INCOMING MANAGEMENT

MANAV KOHLI ’16
NINA KAMATH ’16

Since last fall the Rose Institute has accomplished a tremendous amount. As we do each year, our new hires played an integral role in publishing the *Kosmont Cost of Doing Business Survey*, our current students impressed judges at the Association for Criminal Justice Research Conference, and our graduating seniors helped provide the backbone for our institutional teams. Our success has been driven by our current students, Senior Staff, and by the exemplary leadership of our former Student Managers, Ian O’Grady and David Tse. With the help of their hard-work and dedication to the Institute, we have enjoyed a very successful year. Most importantly, all our graduating seniors – Elise Hansell, Elena Lopez, Andrew Nam, along with Ian and David – have provided inspiration and mentorship to all of us. These students have continued the legacy of previous projects, and have led new ones such

as the Write-In Candidate Paper, Crime Funnel, and Three Strikes research. Our graduating seniors have helped shape the Institute over the past four years, and we wish them the best of luck in all their future endeavors.

Through training and exposure to a wide array of projects, the Rose has offered us the unique opportunity to gain analytical skills and complete rigorous research as undergraduates. We are indebted to the Senior Staff, our peers, and mentors for imparting their knowledge and guiding us thus far, and are thrilled to lead the Institute in our final year. With the completion of past projects and the advent of new, we cannot wait to see what our students and staff accomplish in the coming year.

The 2015-16 year will undoubtedly be one of our busiest. This semester alone our 28 research assistants have worked on over 15 different

projects, and while some, such as the Medicaid research and Publius reports, have come to a close, others, such as the *Kosmont Cost of Doing Business Survey* and the Southern California Almanac, will remain a significant part of what we do. With the generous donation of national polling data from Western View-Point Research, we have been able to dive into California's political history and uncover an exciting new narrative of how the state transitioned from red to blue. Furthermore, the success of our crime funnel research has led to a second phase of the project, constructing funnels for the ten largest states.

While we say goodbye to our graduating seniors with great sadness, we also keenly look forward to welcoming a new batch of students to the Rose in the fall. We are confident that Jessica Jin '16 will ably lead the new-hire training program to help prepare the new batch of Rosies for a wide array of projects, and provide them with erudite guidance through their first year.

In the coming year we hope to extend the reach of our research and build a solid technical foundation to help the institute adapt to new tools in the future. Our Communications Team has been very successful in reaching the members of the CMC community, and as we move forward we hope to engage public figures at the policy level. Through sending Rose Reports, *Inland Empire Outlook* articles, and other publications to public officials and integrating search engine optimization into our sites, our research can have a powerful impact on the community. To provide a strong technical backbone, we plan to integrate a new data portal to make past and current research more accessible, implement a stronger security measures on our sites, and incorporate technical training into our new-hire curriculum.

We also aim to create an

integrated Communications Team that will manage the blog, Rose Report, and speaker coverage alongside any and all social media. By consolidating the roles, we will ensure a streamlined process for publishing material and subsequently engaging the community through newsletters, Facebook, and Twitter. Our infographics have been especially successful in reaching wider audiences, and we plan on expanding their role within the Rose Reports and newsletters.

Undergraduate students rarely have the opportunity to work with such talented professionals, and we owe the Senior Staff a tremendous amount for their mentorship and patience. We would like to thank Mrs. Nadon, Dr. Miller, and Dr. Busch for their support throughout and dedication to helping students pursue meaningful research. Marionette Moore, our Administrative Assistant, has always helped us maintain a strong student community, professional atmosphere, and ensured that the institute runs smoothly, and we are indebted for the patience and help she has offered. We are thankful for the opportunity to work alongside such talented peers and with the guidance of an amazing staff, and cannot wait to see what the next year has in store.

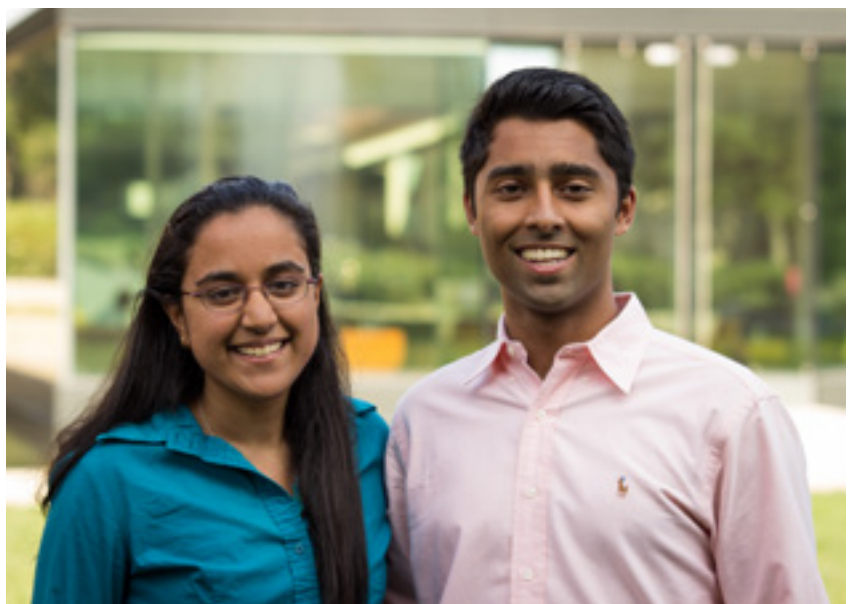




Photo courtesy of Katie Hill

PROJECT UPDATES

GLENDALE ELECTION

TYLER FINN '17

On Tuesday, March 8 five Rose Institute students and Fellow Doug Johnson traveled to Glendale to live-map their election results. The students first tracked the closing of polling places and transport of ballot boxes, then the results as the votes were counted. Using ArcGIS software, the students updated a live map on GlendaleVotes.org, providing the citizens of Glendale and members of the campaigns with the resource to track the election in real time. Tyler Finn '17 said, "The project was a great opportunity to hone my ArcGIS mapping skills." "Getting to observe the election up close was a neat experience, I feel as though I understand the behind the scenes of a vote count now," said Wes Edwards '18. The election ran late, with the final vote tallies coming in a little after 1 AM. "Although it was a late night," Katie Hill '18 said, "it was worth it for the experience of helping ensure Glendale citizens and candidates were informed about their election."

POLLING PROJECT

HARRY ARNOLD '17

Thanks to a recent gift from Jon Bentley, the Rose Institute has received 184 public opinion polling data booklets from Western View-Point Research. The Rose has started a new research project using this data.

The first phase of the project involved organizing all of the data books by subject matter. Once the books were categorized, the team archived the data that would be most useful to research. The team highlighted the list of questions from 23 data books that polled the state of California as well as other Western states.

One of the team's longer term goals is to archive all 184 data books and create an on-line database that will make the data easier to use. Creating this online database will benefit the Rose in two ways: it will allow the data to be used in future projects and it will be a useful online tool for the public to consider interesting historical trends in public opinion.

There are two main features of the data. First, the

First, the timeframe of the data is almost exclusively limited to the 1980s, with most of the data being from the mid to late 1980s. Second, while the content of the data ranges from state assembly districts to gubernatorial races, a considerable portion focuses on the Republican Party in California.

Crafting a project proposal that utilized data mainly from the 1980s and was heavily bent towards California Republican Party politics was relatively easy. 1988 is the last year that the state of California voted Republican in a presidential election year. Although California did have a Republican governor throughout most of the 1990s, 1988 is still in many ways a symbolic inflection point of the state's political transformation to a Democratic stronghold.

The Polling Project team is currently in the process of writing an 8-12 page research paper. The purpose of the report is to illuminate the underlying attitudes and trends in public opinion that eventually manifested themselves fully in the late 1990s. In addition to providing a history of the demographic changes that have shaped the state's political history, the report will seek to raise questions regarding the future of California politics.

THREE STRIKES WRAP-UP

ANDREW NAM '15

The Three Strikes Law, originally titled Three Strikes and You're Out, was passed by California voters in 1994 with an overwhelming majority. The law attempted to isolate career criminals by imposing lifetime sentences for conviction of their second or third offenses. By isolating and incapacitating repeat offenders through long prison sentences, law makers hoped to lower the crime rate in California. When the crime rate fell, many attributed it to Three Strikes. However, there has been much criticism about the effectiveness of the law. Opponents argue the laws are unfair because they can result in sentences that are

disproportionately severe when compared to the triggering offense.

Since its enactment in 1994, California's Three Strikes sentencing law has undergone several adaptations that have had serious implications for how the legislation is enforced within the state. Although Three Strikes always offered some level of prosecutorial discretion—namely the ability to dismiss a prior strike conviction—the 1996 case *People v. Superior Court (Romero)* extended this authority to judges as well. While this discretionary authority provides for the “furtherance of justice,” it also opens the door for a degree of variability in the manner in which different counties approach Three Strikes enforcement.

In order to study the impact and implementation of Three Strikes, we compiled data from the California Department of Corrections and Rehabilitation (CDCR) to create the Three Strikes Database. It contains quarterly inmate population data on Second and Third Strikers in California from 2001 to 2013. With more than 420,000 data points, it is the first of its kind. The database will be made available to the public. With this completed database, we aimed to answer the following questions:

- Which county is responsible for the most two- and three-strikers (per capita) for each offense category?
- How do rural counties differ from urban counties with regard to two and three strike sentences for each offense category (crimes against persons, property crimes, and drug crimes)?
- What is the racial/ethnic breakdown of two- and three-strike offenders? How has this changed over time? How does this compare to the rest of the state's demographics vis-a-vis other inmates and the state prison population? To what extent are racial/ethnic minorities overrepresented?

We found that Los Angeles County is responsible for the highest number of Third Strikers per capita across all crime categories. For Crimes Against Persons and Property Crimes, Sacramento County held the highest

percentage of Second Strikers, and for Drug Crimes and Other Crimes, Riverside had the highest percentage for Second Strikers. In terms of proportion of the striker population, urban counties consistently recorded higher incidences (percentages) of striker populations relative to the urban county population when compared to rural striker populations relative to the rural county population. Overall, the higher incidence of urban strikers may suggest either that the rate of crime is higher in urban counties compared to rural counties or that Three Strikes sentencing is more strictly enforced in urban counties.

In terms of racial/ethnic group proportion of the striker population, blacks made up a notably high percentage of number of inmates. Even in comparison to the general prison population and the state's racial/ethnic demographics, the representation of blacks in the striker population is still markedly above what would be expected.

For Hispanics, the trends in the striker population were less noteworthy. On average, Hispanics composed a smaller percentage of the striker population than the percentage of general prison population. These trends suggest that blacks (and not Hispanics) composed a potentially disproportionately high percentage of the striker inmate population.

Crime Conference Honors

In October last year, a Rose Three Strikes project poster received the second place honor for student research at the southern California conference hosted by Association for Criminal Justice Research. This April, the two Three Strikes projects took first and second place at the statewide conference in Sacramento (hosted by the same organization).

The Three Strikes projects have been supervised by Professor Jennifer Walsh of Azusa Pacific University. We are grateful for her guidance.

SENIOR FAREWELLS

Andrew Nam

I simply cannot imagine CMC without the Rose.

I have thoroughly enjoyed my time here. Working with high-caliber peers on quality research projects has taught me important lessons. I learned so much from working with each and every one of you. Now, I fully understand what it means to work with different personalities and how to use different strengths to make the sum greater than individuals.

This would not be a farewell without imparting some wisdom.

College is the first time you are introduced to independence and the last time before you go into the real world. It is the perfect - perhaps the only - time you can try new things and find yourself. I don't mean this in a lame, kum-ba-yah way. What I mean is that this is the last time you can really test yourself and see what you are made of. Is there something you always wanted to try? Something you always meant to fix? Something you've been afraid to do? This is your opportunity. Obviously, do everything within reason. But if you do not take this chance to see how far you can go, how much you can handle, or what your abilities are, you will regret it in the future. If you never take the risk, you will always remain in the same place; status-quo can always be improved.



Photo credit: Trica Wang

So if you see something missing, go fill the gap. You guys are clearly bright, competent people. That's why you were selected by CMC and why you work at the Rose. You can be satisfied with what you have now, but you can always push yourself further to see how much more you can do. Remember that time, just like anything else, is a resource. And it will be used up fast. Make the best out of it so that you hold no regrets.

At the same time, don't forget to enjoy the little things. Life moves pretty fast. If you don't stop and look around once in a while, you could miss it. Thank you all for this wonderful experience. I will always have a soft spot for you. I really hope that we keep in touch and please feel free to reach out. Farewell!

Elise Hansell

As a graduating senior reflecting on the past four years of college, it's strange to remember all of the different experiences I've had during my time at CMC, and how much I have learned about myself in the process. Despite all of this change and growth, one experience ties all the rest together—my involvement with the Rose Institute. As a freshman, my relationships with senior Rose students were formative, Dave Meyer stood out as a quirky, yet brilliant, role model. As a sophomore, I gained more responsibility with the IEO and the Rose Review, working with Mrs. Nadon to edit these publications was a truly rewarding experience. Before leaving to study in Germany, I was fortunate enough to receive a summer grant to work at a public defender's office in Brooklyn. Returning to Rose, I was inspired to translate this experience into criminal justice research. Working with Professor Bessette on the Crime Funnel Project has been an extremely educational experience, and even inspired the topic of my senior thesis. As my time at the Rose comes to a close, I would like to thank all of the senior staff, as well as the Board of Governors, for their tireless commitment to providing these opportunities to me and the rest of the student staff. Thank you!

Ian O’Grady

As I near graduation, I am increasingly aware of the impact the Rose has had on my college experience. The Rose was monumental in my growth both a student and as an individual. I learned not just about state and local government, but also teamwork, leadership, and, most of all, myself. I want to thank senior staff for dedicating so much of their time to simply helping me and other Rose students; they are our strongest advocates and greatest allies at CMC. I want to thank my fellow Rose students for teaching me so much—as an underclassman, upperclassman, and then Student Manager. The most important lesson I learned at CMC is that every opportunity is what you make of it. The Rose offers students a wonderful opportunity to learn and grow, unmatched by any other campus activity.

David Tse

At the Rose, I experienced my first all-nighter, croquet game, pirate adventure, and Diplomacy tournament. I also did some research and management. The Rose has been a home to many of my fondest memories at CMC, and I am grateful for the chance to have contributed even slightly to its continued success and development.

I would like to thank past and current Rosies for making my time so joyful. They are some of the most dedicated and driven people I have encountered, and it was a privilege to learn from and work alongside them. While all students have been helpful, I would like to thank Ian O’Grady for his exceptional management and friendship, Andrew Nam for his dedication and intelligence, and Elise Hansell for her strategic guidance during Diplomacy. My time at the Rose would have been far less enjoyable, and far more difficult, without their presence.

None of my research and work would have been possible without the continued support of senior staff. I worked mostly closely with Mrs. Nadon, who provided thorough edits and good humor during a challenging redistricting process. Additionally, I would like to thank the unsung heroine of the Rose, Marionette Moore, for her organization and birthday texts. All of senior staff, however, should be commended for their thoughtful consideration of student input and expert knowledge. I cannot thank them enough for hiring me freshman year, and for helping me be hireable senior year.

Every student management team agrees that hiring exceptional students is what makes the Rose successful. In that, I must say: Ian and I did an amazing job. After a grueling hiring process, I’m happy to say that our new hires are quick to learn, dedicated, and fun to be around. They are all great individuals who will lead the Rose to even greater heights in the future. I am happy to leave the Rose in the capable hands of the current students, led by Manav Kohli and Nina Kamath. They rose to the occasion for BOG, and will continue to put the pedal to the metal in the future.



OFF-CAMPUS STUDY

Jessica Jin '16

During my time studying abroad in Europe, I was fortunate enough to visit eleven different countries: Austria, Belgium, Croatia, Czech Republic, Denmark, England, Germany, Hungary, Italy, Poland, and Spain. In spite of my many travels, however, my heart remained in Prague, where I studied photography and art history for the semester. Over the course of those five months, I discovered the powerful and rewarding experience that is traveling alone. Highlights of my adventures include: sailing on a boat constructed by some Slovenian university students, learning about Gaelic football, and, thanks to a trip to Brussels with Hannah Oh, finally understanding the difference between lager and ale.



Photo Credit: Jessica Jin.

Charlotte Bailey '16

I spent the fall 2014 semester on CMC's Washington DC Program as a full-time intern at the American Bar Association's Section of Individual Rights and Responsibilities. My day-to-day responsibilities primarily consisted of research on the need for transparency in the death penalty process and unanimous jury verdicts in Florida. In addition to my internship, I took two policy classes and wrote a research paper discussing the conservative case for criminal justice reform and its implications for the movement going forward. Lastly, I realized my dream of seeing Antonin Scalia in person.



Photo Credit: Charlotte Bailey.

WELCOME TO OUR NEWEST BOARD MEMBERS

William (Bill) Fujioka

William (Bill) Fujioka recently retired as Chief Executive Officer of the County of Los Angeles. As CEO he was responsible for the overall management of 30 of the county's 37 departments, overseeing a \$26 billion budget, and managing over 100,000 employees. Mr. Fujioka was LA County CEO for seven years, capping a career spanning four decades.

He began working for LA County in 1978 and over the next 20 years held positions in the departments of Personnel, County Administrative Officer, Health Services, Public Health, and Human Resources. In 1997, he became the Director of Personnel for the City of Los Angeles. Mayor Richard Riordan then appointed him to the position of City Administrative Officer in 1999, where he worked until retiring in February 2007. His retirement, however, was brief as he assumed LA County CEO duties in July of that year. Mr. Fujioka earned a Bachelor of Arts in Sociology from the University of California, Santa Cruz, in 1974.



Photo courtesy of Bill Fujioka

Hon. Rex Heeseman '64

Rex Heeseman serves as an arbitrator, mediator, and special master for JAMS, the largest private provider of mediation and arbitration services worldwide. Judge Heeseman retired last year from the Los Angeles Superior Court. As a judge, he presided over 93 jury trials and adjudicated more than 100 bench trials over the course of a decade. He has also conducted hundreds of Mandatory Settlement Conferences, chaired the court's Alternative Dispute Resolution operations and has a long history of resolving disputes, either by settlement or ruling. Prior to his time on the bench, Judge Heeseman spent more than 30 years representing a wide variety of clients while in civil law practice. Prior to entering private practice, he was an assistant and special assistant U.S. Attorney, from 1971 to 1975. Judge Heeseman also served in the



Photo courtesy of Rex Heeseman

U.S. Army, obtaining the rank of captain. He has taught insurance law at Loyola Law School and UCLA. He received his BA from Claremont McKenna College and his JD from Stanford Law School.

INSTITUTE HOSTS REDISTRICTING PANEL

On Monday, April 6, 2015, the Rose Institute of State and Local Government hosted a panel on a major redistricting case, *Arizona State Legislature v. Arizona Independent Redistricting Commission*, currently before the Supreme Court. The panel included Mary O’Grady P’15, who represented the redistricting commission, Peter Gentala, who represented the Arizona House of Representatives, and Christopher Skinnel ’99, the panel’s moderator, who practices law relating to elections, state and local initiative and referenda, redistricting and voting rights.

After introductions by Mr. Skinner, Ms. O’Grady and Mr. Gentala gave a presentation detailing the background of the case, including the history of redistricting in Arizona. This case arises from a challenge brought by the Arizona legislature to a citizen initiative which created an independent redistricting commission, thus transferring the authority for redistricting from the legislature. The constitutional questions before the Court are whether the legislature has standing to bring the case and the meaning of the word “legislature” in the Elections Clause of the US Constitution. Does it refer to the brick and mortar building, or more broadly to the legislative power which may be exercised by voter initiatives?

The issues of standing and legislative power are intertwined. As Ms. O’Grady noted, lack of a political power is not in itself a cognizable injury,

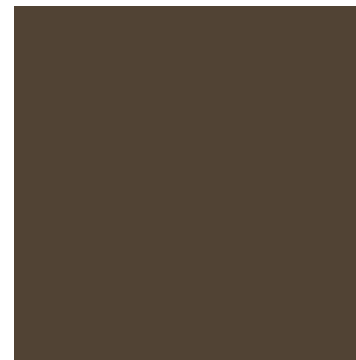
and the courts frequently avoid that issue. As Mr. Gentala noted, however, the problem seems to revolve around a notion of whether the legislature has been divested of a power granted to it in the Elections Clause. Even though the legislature can do other things, and has influence in the process, which Ms. O’Grady mentioned often, the complete removal of the legislature’s power may not meet constitutional muster.

The panel repeatedly returned to the implications for the initiative process. Ms. O’Grady argued that a ruling in favor of the legislature would prohibit initiatives that affect all federal elections, including issues such as voter identification laws passed by voters. In response, Mr. Gentala drew a distinction between an absolute ban, Ms. O’Grady’s argument, and a more middle ground predicated on the word “prescribe” in the Elections Clause. These arguments exist as part of a broader debate over the role of the people and to what extent their expressed will is limited by the constitutional provision.

Both Ms. O’Grady and Mr. Gentala commented on the closeness of the case. While the media reports following oral arguments seemed to imply a win for the legislature, Mr. Gentala emphasized that he felt a 5-4 decision was most likely, going either direction. Unfortunately, both sides will have to wait a while longer to know that outcome. The Court’s decision is expected sometime this summer.



Photo Credit: Wes Edwards



RESEARCH WINS AWARDS AT CRIME CONFERENCE

Rose Institute of State and Local Government research assistants Jessica Jinn '16 and Francesca Hidalgo-Wohlleben '17 attended the Association for Criminal Justice Research (California)'s conference "Criminal Justice in a Community Perspective" on March 26-27. The conference was held at the Lion's Gate Hotel in Sacramento. Each day consisted of a keynote speaker and various panels, all of which focused on criminal justice issues. Jessica and Francesca also took part in the conference's Student Poster Contest, which allowed undergraduate and graduate students to present research on criminal justice topics.

Jessica and Francesca presented two research questions, both of which are part of a larger Rose Institute research project on California's Three Strikes law. The project utilizes data provided by California's Department of Corrections and Rehabilitation (CDCR) about the striker inmate population in California. The project team worked for a year to collect all of the data, and is now assessing trends. Specifically, Jessica examined the differences between rural and urban county inmate populations, while Francesca

focused on the racial/ethnic breakdown of the striker population to assess whether the statute may disproportionately affect those belonging to racial/ethnic minority groups. Francesca's poster was awarded first place among student research submissions and Jessica's second.

Professor Jennifer Walsh of Azusa Pacific University and Rose Institute faculty fellow supervised this research. Francesca and Jessica are grateful for her guidance as well as to their project teammates Andrew Nam '15 and Katie Hill '18.



Photo credit: Francesca Hidalgo

STUDENT STAFF

Rose Review Editors

Katie Hill '18
Francesca Hidalgo '17

Rose Review Staff

Harry Arnold '17
Tyler Finn '17
Andrew Nam '17
Tim Plummer '17

Student Manager

Manav Kohli '16

Associate Student Manager

Nina Kamath '16



ROSE INSTITUTE
OF STATE AND LOCAL GOVERNMENT
CLAREMONT MCKENNA COLLEGE

The Rose Institute pursues the complementary missions of conducting and publishing research on state and local government and providing academic opportunities for Claremont McKenna College students.

www.roseinstitute.org

INSTITUTE STAFF

Director

Andrew E. Busch, PhD

Associate Director

Ken Miller, JD, PhD

Assistant Director

Bipasa Nadon, JD

Administrative Assistant

Marionette Moore

Fellow

Douglas Johnson, MBA