

Chapter 1 : Immigration and State Immigration Laws | Information and Summaries

POLICY REFORM LESSONS LEARNED: A REVIEW OF ECONOMIC GROWTH RELATED POLICY REFORM ACTIVITIES IN DEVELOPING COUNTRIES JUNE This publication was produced by EPIQ II, United States Agency for International Development.

Here are five critical risk management steps psychiatrists, psychologists, counselors and social workers should take now to mitigate liability exposure. According to statistics compiled by the CDC in , nearly 8 percent of students had been in a physical fight on school property within the previous year, and 21 percent reported being bullied. Six percent said they skipped at least one school day because they did not feel safe. Schools are increasingly battling violence, and when injured parties seek to hold someone accountable, behavioral health specialists often find themselves on the front lines. In order to provide the best care or guidance while also protecting themselves from liability, behavioral health specialists should follow these five steps: Obtain informed consent for adolescent clients from the right authorities. Before they share such information, it is important to obtain informed consent from the person who has the legal authority for the child. This may inhibit any effort to prevent a violent act from taking place and increases liability exposure for the behavioral provider. The first step is identifying who has legal authority to provide consent. The type of record kept depends on the setting and scope of care provided. A psychiatrist working for a hospital system may use an electronic health record, for instance, while an outpatient social worker may use more informal means. Determine your duty to warn about potential violence. Some states absolutely mandate that providers warn law enforcement if a patient indicates they will commit a violent crime, while others say they may provide warning, but are not required to. New Jersey, for example, recently strengthened its duty to warn standard as part of a new law limiting gun access to any person posing a threat to themselves or others. Consult a legal professional about making predictive statements. Schools may occasionally ask mental or behavioral health practitioners if a student presents a future risk of harm. If the student has been expelled, for example, the school may want a letter from the provider stating whether it is safe for them to return to school. Court systems may also ask for letters of support regarding youth who are in state custody. Develop an incident response plan. Reporters may reach out. Depending on the severity of the act, there may be a full investigation. Providers should contact an attorney and their insurance company to avoid exposing themselves to unnecessary professional liability risk. Because of the many legal and ethical nuances of treating youth at risk for violence, turning to an experienced consultant can help make critical decisions easier. Lambert herself began her career as a clinical social worker working in both hospitals and outpatient clinics before obtaining a law degree, practicing as a lawyer and a risk manager. Our goal is to provide the services and coverages necessary to allow behavioral health providers to focus on practicing and spend less time worrying about their exposures. Such subsidiaries currently carry an A. Coverage is offered only through licensed agents and brokers. Actual coverage may vary and is subject to policy language as issued. Coverage may not be available in all jurisdictions. Allied World is a global provider of innovative property, casualty and specialty insurance and reinsurance solutions.

Chapter 2 : Western Water Program | Environmental Law Institute

Promising policy reforms Improving policy can be a very effective way to influence the world. Looking for particularly important or neglected reforms can therefore be a very promising focus area.

An Introduction to the Program, by Adam Schempp Crafting Policies and Programs with a Better Chance of Success Water policies and programs that are outstanding in theory do not always live up to their potential; and even those that work in one location do not always work elsewhere. While the end result will only be as good as the strategy being implemented, the fate of any policy or program rests as much or more in the circumstances in which it is applied as in the nature of its content. The guidebook explains five overarching considerations: Each of these considerations is broken down into specific factors, ranging from local hydrology, to the amount of civic engagement, to the number and abilities of agency staff. ELI intends this guidebook to aid in the development of more water policies and programs that effectively navigate obstacles to success. Bridging the Gap between Water Quantity and Quality Management in the West Water quality and quantity are naturally intertwined, yet the two are managed separately in the Western U. The federal Clean Water Act CWA is the foundation for surface water quality regulation while water quantity is regulated primarily by state law. Although state agencies are critical to the implementation of both water quantity and quality laws, most western states separate these authorities. The degree of compartmentalization appears to have so divided management of this resource that damage has been done to both sides. In At the Confluence of the Clean Water Act and Prior Appropriation , ELI details the impact that water quantity law and practice has had on water quality and vice versa, explains the relative strength of surface water quality and quantity authorities in the Western U. The report analyzes the legal authorities of western states and the federal government over water quantity and quality, respectively, and briefly recaps the current state of takings law relevant to appropriative rights and the CWA, revealing that many of the justifications for the divide between water quality and quantity management are not the great obstacles many believe them to be. The report then identifies examples of laws, administrative structures, policies, and practices that can advance relationships between, and ultimately the outcomes for, water quality and quantity management. The project involved analyses of the water laws of each of the seven basin states for their conduciveness to protecting conserved water used for instream purposes and case studies of innovative and successful models from within and outside the basin, culminating in an identification of promising opportunities based on instream flow needs and economic, social, political, and legal circumstances. For more information, see the project webpage. Examining Progressive Reforms of Prior Appropriation Burgeoning populations require more waterâ€”not only for drinking, personal hygiene, and landscaping, but also for groceries, energy, processed materials, services, and recreation. And as uncertainty in supply due to climate change continues to mount, the prognosis for the future appears bleaker. A number of legal and non-legal factors affect how we use our water and why, but the prior appropriation system, the predominant legal foundation for water allocation in the West, is a central influence. Prior appropriation is rule-bound, founded on the historical order of rights and quantity of usage, which often makes adapting the status quo to meet new challenges both slow and arduous. Although the Western system is founded on prior appropriation, each state has its own specific laws and regulations concerning water allocation. Particularly in recent years, states have amended these to reduce the disincentives to sustainable water usage and allow incentives for stretching supplies, to more easily influence the decision-making of right holders. These legal reforms have varied significantly from state to state in objective, form, and success. In Western Water in the 21st Century: The Handbook also addresses the circumstances under which the policies and programs arose and their results in the view of those familiar with their application. Obstacles and Opportunities in Wastewater Reclamation With support from the Puget Sound Partnership and in cooperation with the Washington Department of Ecology, ELI developed four reports on separate aspects of the legal and financial challenges to promoting water reclamation in the State of

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Washington: Each report also identifies how other Western states have addressed these issues and concludes with recommendations tailored for Washington. Links to those reports are provided below.

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Chapter 3 : Social Policy and Welfare Reform in the United States – An Introduction | American Studies .

Examples of public policy are minimum wage laws, public assistance programs and the Affordable Care Act. The definition of public policy is the laws, priorities and governmental actions that reflect the attitudes and rules for the public. A public policy is not simply a law or regulation passed by.

Actual state spending levels may differ. States Are Underinvesting in Educating Children in Low-Income Neighborhoods State economies – and, in particular, the economies of many low-income neighborhoods – would be stronger over time if states spent less in maintaining extremely high prison populations and more to educate children and young adults. In recent years, though, states have cut education funding, in some cases by large amounts. At least 30 states are providing less general funding per student this year for K schools than in state fiscal year , before the Great Recession hit, after adjusting for inflation. The three states with the deepest funding cuts since the recession hit - Alabama, Arizona, and Oklahoma - are among the ten states with the highest incarceration rates. Cuts in state funding for colleges and universities have been even deeper. The average state has cut higher education funding per student by 23 percent since the recession hit, after adjusting for inflation. The two states with the deepest cuts - ver 40 percent - are Arizona and Louisiana, both in the top ten for incarceration rates. Of the 40 states that help fund preschools, 28 now have lower per-child funding than before the recession hit. Six of the ten states with the highest incarceration rates - Arizona, Florida, Georgia, Missouri, Oklahoma, and Texas - cut preschool funding per child by more than 15 percent between and They could, for example: Expand access to high-quality preschool. A substantial body of research indicates that children from low-income families who attend a high-quality preschool program improve their cognitive skills and tend to earn more as adults. While some high-incarcerating states perform comparatively well on this measure, others do not. Mississippi enrolls nearly half of its low-income 3- and 4-year-olds in preschool, for example, but Arizona enrolls only about 27 percent. Reduce class sizes in high-poverty schools. Evidence suggests that reducing class sizes can boost achievement, especially in the early grades and for low-income students. Four of the states with this backward arrangement - Alabama, Arizona, Florida, and Texas - are among the ten highest-incarceration states. Revise state funding formulas to invest more in high-poverty neighborhoods. Schools receive most of their funding from a combination of state and local sources. The primary local source is the property tax, which tends to generate more revenue for schools in wealthier areas than in poorer ones because it is based on property values. State funding can help counteract that inequity. As of , only 14 states provided at least 5 percent more funding per student for high-poverty districts than low-poverty districts. Further, many states provide inadequate funding for schools overall. While some interstate differences in funding levels are to be expected, given variations in wage rates, poverty levels, population density, and other factors, a number of states have low per-student funding levels even after controlling for these factors. Based on one study that accounted for these factors, none of the states with the ten highest incarceration rates ranked in the top half of states for school funding per student in Increase college enrollment and graduation rates for students from low-income families. Students from low-income families are much less likely to enroll in college than students from wealthier households. In addition, low-income students who enroll in college are much less likely to graduate than their higher-income counterparts. States should consider four basic kinds of reforms: Decriminalize certain activities and reclassify certain low-level felonies. The increased use of prison – and longer prison sentences – to punish crimes such as the possession of certain drugs, like marijuana, has contributed heavily to the growth in mass incarceration. Lawmakers should look to reduce or eliminate criminal penalties for such crimes when doing so would not affect public safety. Expand the use of alternatives to prison for non-violent crimes and divert people with mental health or substance abuse issues away from the criminal justice system altogether. Policymakers should assess the range of sentencing alternatives available in their state, such as drug and mental health courts and related treatment, community correction centers, community service, sex offender

treatment, and fines and victim restitution. Whenever possible, people whose crimes stem from addiction or mental illness should be diverted into treatment programs rather than sent to prison. These treatment programs should be high-quality and adequately funded. States also should expand programs that enable inmates meeting certain requirements to receive favorable decisions in parole hearings, especially in states where parole grant rates remain low. Funding for programs to help inmates meet these requirements, in areas such as substance abuse, anger management, literacy, or higher education, has not kept pace with the growth in state prison populations. The share of individuals entering prison due to a parole violation grew rapidly between the late s and the late s. While it has fallen more recently, parole revocations accounted for more than a quarter of admissions to state prisons in . States should heavily restrict the use of prison for technical parole violators and implement graduated sanctions for more serious parole violations. States can also adopt more effective probation policies. For example, Hawaii has sharply reduced probation revocations with a program that punishes infractions more quickly and with more certainty, but with much shorter periods of incarceration. States wishing to use savings from criminal justice reforms for more productive purposes would do well to adopt planning and budgeting mechanisms that can help them shift priorities, including the following. In about half of the states where a fiscal note was produced, the notes projected fiscal impacts no more than two years into the future. Moreover, some states had little or no process to ensure that the fiscal notes were credible, such as a review by independent analysts. Fiscal Note Best Practices

When drafting fiscal notes, states should strive to make them:

- Fiscal notes should be produced in a consistent format by trusted, non-partisan staff.
- All major bills that have reached a certain stage in the legislative process should be analyzed for their fiscal impact.
- Fiscal notes should estimate savings and potential costs and include a detailed explanation in instances where an estimate cannot be calculated.
- At a minimum, they should seek to forecast five years into the future.
- Fiscal notes should also attempt to estimate impacts on local as well as state finances and on the size of prison and jail populations.
- Fiscal notes should be clearly written and available online and should include contact information for the analyst or staff responsible.

Accepted Process to Estimate Annual Savings Once Reforms Are Enacted

To capture the savings from criminal justice reforms for more productive human capital investments including education , states need to estimate how much specific reforms save following enactment. These estimates need to be produced each time a state writes its budget - annually in most states - so that lawmakers can incorporate the savings into the budget. Estimates need to be produced in a manner that is accepted as credible by legislators, other policymakers, and the public, so that the process does not bog down in arguments over the numbers. Alternatively, states can choose to allocate savings based on estimates produced during the initial fiscal note process. For this to occur, it is important that fiscal notes be properly researched, consistent, and provide detailed estimates of savings far enough into the future. Such a process would be similar to what occurs at the federal level when the Congressional Budget Office estimates the potential costs or savings of proposed legislation and these estimates are then used to determine the savings that can be spent in subsequent years. Establish a mechanism to automatically estimate the savings and divert them into a special fund. As the state reports each year the estimated savings from the reforms, an equal amount is automatically deposited into the fund. The legislation establishing the fund would specify how the money is to be spent. Appropriate savings through state budget processes. Through the annual budget process, policymakers can estimate the savings from criminal justice reforms and determine how much of those savings to reinvest and in what programs. This option gives policymakers greater flexibility and control. On the other hand, it can place reinvestments in future years in jeopardy as political priorities change or fiscal and economic conditions shift. Reallocate spending at the department or agency level. Within departments or agencies, states can shift dollars away from incarceration and into human capital investments. To accomplish this, Proposition 47 would: Make targeted sentencing reductions by reclassifying certain offenses from felonies to misdemeanors, for both current and future offenders. Proposition 47 would reclassify seven types of non-violent drug and property crimes such as shoplifting, drug possession, and petty theft from felonies to misdemeanors, thereby shortening the maximum penalty from a multi-year prison sentence to one year in

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jail. Since the change would be retroactive, qualifying prisoners could apply for resentencing and see their sentences reduced. Require the state to calculate the savings from the reforms each year and deposit them in a dedicated fund. Earmark the savings for specific investments. Savings deposited in the fund could only be used for three explicit purposes and in specified proportions: This change would not apply to individuals with prior convictions for violent offenses or registerable sex offences. Independent Commission to Monitor Implementation and Enforce Compliance States adopting significant criminal justice reforms can create an oversight commission to craft and recommend further reforms, propose legislation, assist in implementation, and evaluate the results. The commission should include experts and individuals rooted in communities most affected by high incarceration rates. South Carolina, for instance, created a bipartisan sentencing reform commission in to recommend changes to state law. The commission proposed a set of reforms in that, among other things, required fiscal impact statements for future criminal justice legislation, eliminated mandatory minimum sentences for drug possession, and expanded parole eligibility for certain offenses. Projections indicated that these reforms, enacted in , would slow the growth of the prison population over the next five years by 7.

Chapter 4 : Health Innovations State Law Database

Politics - defined classically as who gets what, when and how by Lasswell - affects the origins, formulation, and implementation of public policy in the health sector. Politics dictates, for.

Critics of European systems of social provision frequently implore us to look to the U. Defenders of European-style social provision argue that the very existence of social safety nets allows people to be flexible and innovative without fear of falling through the cracks. The American welfare state also has many distinctive features that contrast with European systems of social provision. First of all, it is marked by a rigid distinction between public assistance and social insurance. Another main feature of the American welfare state is its decentralized nature. While Social Security is administered by the federal government, most assistance programs are controlled by the states, counties, and cities. In the same vein, there are many state-level programs that either go beyond or lag behind federal standards. A third important aspect is that the American social system relies greatly on charitable and philanthropic institutions. In the current drive for privatizing social services, both non-profit and for-profit providers vie for government contracts. Some scholars have even argued that the extensive network of private social agencies has spun a social safety net that is comparable to the European welfare states. While this thesis is controversial, many charitable agencies have expanded from single-purpose to multi-purpose operations. They combine, for example, providing shelter with job training, community development with self-help credit unions, and health services with legal support. Moreover, government funding for third-sector social services has increased dramatically since the s. Although many scholars would not even think of talking about an American welfare state prior to the New Deal in the s, a distinct tradition of governmental social responsibilities had emerged by the late nineteenth century. On the federal level, the Civil War pension program had by developed into a quasi-universal system, which gobbled up a large percentage of the federal budget and was more generous and less discriminatory than comparable European systems. Nineteenth-century state governments did not confine their activities to the proper sphere envisaged by advocates of laissez faire, either, as railroad subsidies, the building of roads and canals, and inspection and licensing laws indicated. Likewise, city governments controlled by urban party machines offered jobs and a measure of social security to a working-class clientele in exchange for votes and loyalty. Nonetheless, this legacy did not develop into a full-fledged system of social insurance. One reason was that the social reformers of the Progressive Era, who spearheaded the first concerted effort to expand the social responsibilities of the state, resented the patronage, inefficiency and corruption of nineteenth-century American government. They preferred regulation over redistributionist social insurance programs designed to address the injustices of the market. Today, regulatory agencies, such as the Food and Drug Administration, the Equal Employment Opportunities Commission, and the Environmental Protection Agency, are among the most powerful institutions of American government. Twentieth-century warfare had a tremendous impact on the development of state systems of social security. During World War I, the United States set up numerous agencies to control production, regulate business, standardize products, and fix prices. In addition, war-time government mediated in labor conflicts, experimented with federal housing projects, and expanded federal insurance programs. Yet, federal intervention during the war was premised upon serving limited interest groups, not upon creating a system of broad-based social benefits. The expansion of governmental power during the war failed to create a lasting administrative legacy in the public sector. Nonetheless, war-time policies established a precedent of intervention and legitimized the use of the state as a restrictive police power. In the s, this legacy was apparent in the moral reformism of prohibition and the cultural restrictiveness of immigration control. Reeling under the impact of a prolonged economic downturn that affected not only the poor, but also large parts of the working and lower-middle classes, federal social policy went significantly beyond strengthening traditional regulatory mechanisms. In the mids, Franklin D. These became the basic elements of a moderately redistributionist American welfare state designed under the conditions of economic

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decline. Again, it was warfare that both redefined and fine-tuned social policy. War production, rather than the New Deal, ended the Depression, and in contrast to most predictions economic growth continued after the war. Although some expected the new fiscal benefits to translate into more money for social programs, post-war policy makers defined the role of government differently. Generous support programs for returning soldiers, reliance on company benefits negotiated by labor unions, and policies to stimulate economic growth became the staple elements of the post-war welfare state. The most ambitious attempt to establish an American welfare state took place in the s during a time of uninterrupted economic growth. It was President Lyndon B. While Medicaid and Medicare established a rudimentary public health insurance system, and Food Stamps and AFDC laid the foundation for a right to welfare, the hopeful beginnings of the Great Society soon gave way to gloomier realities. The Vietnam war undercut funding for social programs, average Americans resented the rising tax levels, and the programs failed to establish a political coalition between the poor and the middle classes. In the s, the anti-welfare coalition that eventually forced the reforms of gradually emerged. Blue-collar workers, hit hard by inflation, social unrest, and deindustrialization, resented rising welfare costs. Christian fundamentalists and economic conservatives attacked moral permissiveness and big government. The result was a complete change in the way welfare was viewed. Rather than seeing welfare benefits as a way of helping those who would otherwise lose their social bearings, public assistance was blamed for sustaining socially destructive and morally reprehensible lifestyles. Many regarded welfare recipients, primarily single mothers, as promiscuous, lazy, and irresponsible. Four main developments have dominated social policy since the s. First, the raucous debate about welfare reform has questioned the underlying premise of decades of public assistance – that women should be able to stay at home with their children. Welfare programs, which were originally designed to enable poor mothers to raise their children at home, now stigmatized women for not being part of the work force. Second, while assistance programs were being dismantled, the basic social security system in the United States has remained unscathed. In the s, for example, the Reagan administration pushed for severe cuts in federal spending on assistance programs. Social insurance programs, however, which had a better organized lobby and enjoyed popular support, largely escaped retrenchment. Third, federal waivers have allowed states to experiment with their own social policies, ranging from health insurance to welfare-to-work programs. The most innovative impulses, but also some of the most disparaging results of two decades of welfare reform can be witnessed on the state level. Fourth, charitable and philanthropic agencies have grown on an unprecedented scale. Although the Reagan administration significantly cut federal funding, the precedent set by the Great Society remained a stable element of posts relations between government and the non-profit sector. Articles in Issue no.

Chapter 5 : UNDOCUMENTED CHILDREN: Promising policies and practices from governments | CRIN

Another promising development from the Obama administration includes the DOJ announcement that it "has enlisted a team of criminal justice researchers to study racial bias in law enforcement in.

Chapter 6 : Impact of NY Reforms Looks Promising - Risk & Insurance : Risk & Insurance

Reforms seem to be impacting New York's workers' comp system, according to a new calendrierdela science.com its seventh annual assessment since reforms were adopted, the Workers Compensation Research Institute notes recent developments.

Chapter 7 : Reunifying Families - Child Welfare Information Gateway

education policy reforms. For example, one might contemplate a con-ceptual division between compensatory schemes or targeted policies that aim to increase educational.

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Chapter 8 : Protecting undocumented children: Promising policies and practices from governments

A combination of rapid-response research on promising policies and an astute lobbying campaign, sensitive to the evolving politics and science of obesity, could transform what appears to be a presently consolidating issue regime into a force for meaningful policy change.