

# The Nashville Voter

Volume 71, No 3 -- August 2017

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Welcome to this issue of the *LWVN Voter*. You'll notice that the Emma page design allows you to access the LWVN Calendar by pressing a button at the top of the page!

Please note, you can increase your screen size within your personal information manager (i.e., Microsoft Outlook). In the Microsoft Outlook Message Bar at the top of the e-mail page, choose "Other Actions" and then in the dropdown menu choose "Zoom." The Zoom window allows you to increase the file size; try 140% for easier onscreen reading.



## **PRESIDENT'S MESSAGE**

The strength of LWVN is the energy of our membership. Please complete the brief membership survey that you recently received in the mail so that we can do a better job of matching you up with the volunteer activities that best meets your interests and your availability. If you did not receive one, please contact [lwnash@gmail.com](mailto:lwnash@gmail.com) so that we can correct your mailing address.

We already have two voter registration events scheduled for September and are making plans for a major outreach initiative to local high schools later this year. However, these activities are only possible through the energetic efforts of our volunteers.

Our recently expanded First Friday Hot Topics series has expanded into an encore program that is scheduled in the Community Room at the Green Hills Library on the second Wednesday night of the month at 6 p.m. We are looking for volunteers to be greeters/hosts for Wednesday nights. Please let Melissa Holden, [Melissa.holden@cat.com](mailto:Melissa.holden@cat.com), know if you are available to help.

Women's Equality Day is Saturday, August 26th. LWVN will be participating in a brief commemorative program hosted by the Women's Suffrage Monument Committee at the site of the monument in Centennial Park (located between the Parthenon and the lake). It will begin at 10 a.m. and is open to the public. This will be an outdoor ceremony, so be sure to wear your hat. Suffrage attire is optional!

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## EVENT SPOTLIGHT

By Melissa Holden, 1st Vice President

### “For Richer, For Poorer”: The Money Bail System in America

Surely all among us are familiar with the phrase, “Innocent until proven guilty.” It is the foundation of our criminal-justice system and can be heard on nearly every television police drama. But did you know that every year approximately \$14 billion is spent on incarcerating people across the U.S. who have not been convicted of a crime? The reason: they were not able to afford bail.

On any given day, a full fifth of the U.S. jail population - 450,000 people - are awaiting trial. Hundreds of thousands of Americans go to jail without being convicted of a crime because jurisdictions across the country rely on money to determine who goes free before trial.

Research shows that the assignment of bail makes defendants 12% more likely to be convicted; this may be attributed to being given the choice of remaining in jail (because they can’t make bail) or pleading guilty in exchange for immediate release, many defendants opt for the latter option. In this way, pretrial incarceration could be seen as a method to coerce guilty pleas.

At the August Hot Topic meeting, Dawn Deaner, Metropolitan Public Defender for Nashville-Davidson County, shared the costs and toll the money bail system places on citizens, and the revenue that bail bonds generate for private business interests. Many in the audience were unfamiliar with how the bail system works, and I admit, my limited understanding prior to this meeting was based on fictionalized depictions on TV, so I’ll summarize for our readers the basic practices (and use a misdemeanor offense as the example):

When a person is accused of a misdemeanor crime, a citation or a summons to appear in court may be issued. Depending on the circumstances, the alleged offense may result in physical arrest and police custody. The person in the latter category goes to a “night court” hearing to

establish probable cause for the arrest and a bail hearing is conducted. By the way, night court operates 24/7/365. This is where it gets tricky. The ultimate outcome of the bail hearing (whether the person goes to jail or goes home) is most often determined by the economic status of the person, who we shouldn't forget, is still presumed innocent until proven guilty.

The reality of the bail hearing is that the arresting office is often the only participant because the accused is rarely able to be present. This one-way conversation between the police officer and judge is attributable to space constraints at the facility. Right now, due to construction, the court operates out of portable building about the size of a mobile home. There is simply no room for defendants to wait and be present when their case is heard and the video conferencing service is rarely used. Given that, the accused has no way to provide explanation or attest to their circumstances, information which could be used by the commissioner while weighing the decision to issue a pre-trial release (or release on recognizance) where no money is required. Davidson County court data for 2016 shows that only 1% of accused citizens are released on their own recognizance; 20,883 people were brought up on charges. As Alexis de Tocqueville stated over a century ago, "Bail is hostile to the poor and favorable only to the rich."

The accused does have the option of posting the full bail amount themselves which is returned minus any court fees after their appearance. Approximately 2% of arrestees' were able to do this (172 people). Another option for bail is a property bond – the property must be worth 3 times the amount of the bail but the bond is restricted to a maximum of 15% of the property's value.

Further compounding the issue is that bail amounts in Davidson County are among the highest in the country. The average bail amount is set at \$5244.28, while the percentage of people who were able to post that bail (41%) posted an average bond of \$4688.61 (2016 report). This adds up to huge profits for private enterprise while the county picks up the bill for incarceration of people who might potentially have their charges dropped at trial!

In Davidson County, bail bond companies charge a fee of 10% of the assigned bail which translated to about \$12.6 million in private revenue in 2016. The bail bond company posts the full amount of the bail, which is returned after the defendant appears in court, while the accused forfeits their fee to the bail bond company no matter the outcome of their case.

Not surprisingly, the average daily jail census (April 2017 data) also shows that half of all inmates are being held for non-felony offenses, because they couldn't make bail. Annually, 12,300 people who couldn't make bail spent an average of 6 days in jail before their case was heard at a cost to tax payers of approximately \$110/day per prisoner. Six days is only an average - it could be longer. And remember, these people are being held pre-trial and are still presumed innocent under the law. Being jailed due to lack of funds will likely also jeopardize their employment, their housing, and potentially custody of their children.

Arguments about the need for bail to ensure court appearance are not statistically supported, and public and political sentiment is tied to fears of releasing dangerous criminals back onto the street who might commit more crimes while awaiting trial. This is also not factually supported but often exploited as a reason to set high bails.

Perhaps the most compelling reason for reform however is that innocent people may plead guilty to charges simply to be released from jail because the specter of losing their job, home or family



## **BUDGET REPORT**

By Treasurer Winnie Forrester

We're one month into our new fiscal year and off to a good start. We've received a good number of membership renewals and sponsorships for our upcoming Annual Fall Event at the Hermitage Hotel. Keep them coming! We also appreciate donations to our Operating Fund. They are not tax-deductible, but that money is the life blood of our organization and keeps us running. We welcome all donations- small and large. Many thanks to all of our supporters!

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## **VOTER SERVICES REPORT**

By Hazel Thornton, Voter Services Co-Director

We are delighted to announce that the online voter registration feature is up and running on the Secretary of State website! Check it out at <http://sos.tn.gov/elections>.

The following is our list of upcoming voter registrations:

1. September 14, 10am-2pm

Nashville State Community College

Thank you Ethel Detch and Lisa Mingrone for volunteering!

2. September 30, 10am-3pm

Elizabeth Park

I need two or three volunteers for this one. If interested, please contact me at [hazethorn@gmail.com](mailto:hazethorn@gmail.com).

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## **THE AFFORDABLE HEALTH CARE ACT STANDS, FOR NOW**

By Rashonda Lewis

Tennesseans can breathe a sigh of relief for now. The U.S. Senate tried mightily last month, but failed to pass legislation that repealed or replaced the Affordable Care Act. They just did not have the votes. So now what? The President continues to pressure Congress to get a repeal on the books, however Congress appears ready to move on to other policy issues, such as tax reform. The American people appear ready for a common sense bi-partisan effort to tweak the existing law and make it better. According to a national poll released Friday by the Kaiser Family Foundation this month, 78% of people polled think the Trump administration should take steps to make the Affordable Care Act work, rather than repeal it outright. The people want coverage – coverage that is affordable and coverage that works.

So for now, the Affordable Care Act stands. But despite all the repeal and replace drama that occurred in Washington over the past few months, individual market consumers still face very real problems – rising premiums, too few insurers participating in the market and uncertainty about the future of their coverage. Let's not forget about the importance of Medicaid, which was also under fire. Our state Medicaid program covers the lives of thousands of children, people who are elderly and people who are disabled. So as we breathe sigh of relief, let's remember that this fight is not yet finished. We'll need to keep a careful eye on future reform proposals coming from the State and Congress and fingers ready to make calls again, send texts again and write emails again that protect healthcare for Tennesseans.

**Senator Lamar Alexander**  
Nashville Office  
615-736-5129

**Senator Bob Corker**  
Nashville Office  
615-279-8125

## **SINGLE PAYER HEALTH CARE?**

By Constance Caldwell

Our Nation's lack of progress in identifying and acting on a practical health care plan that would provide coverage for its citizens has given rise to multiple proposals and scenarios that are not only complicated but confusing. These are not only the reactions from learned people but also from the average consumer. We have heard terms such as “Single Payer Health Coverage”, “Universal Health Care”, and “National Health Coverage”. It is obvious that our system needs overhauling but which of these would be the best for the masses? The “Repeal and Replace” strategy for the Affordable Care Act has failed so where do we go from here?

Let's take a look at the proposal for Single Payer Health Care. Single Payer Health Care, which has also been termed ‘Medicare for All’, is a system wherein a single public or semi-public agency organizes the health care financing but leaves the delivery of care to the private sector. Usually, but not always, the agency sets the prices for medical procedures. Under this proposal, all citizens would be covered for all 'medically necessary' services. This includes doctor, hospital, preventive, mental health, long-term care, reproductive health care, dental, vision, prescription drugs and medical supplies.

Single Payer Care would be funded by capturing the savings from and replacing multiple insurance payers with a more streamlined, non-profit, public payer such as the federal or state government. These monies would be supplemented with the incorporation of a small new tax based on the ability to pay. There would be no premiums, co-pays or deductibles required of the patient and the choice to select your doctor/hospital would be in place. Physicians would regain control of their patient's care vs. dictates from insurance companies.

There are some 'cons' which are being associated with this proposal:

- 1) It would reduce Provider compensation
- 2) It would reduce insurance company profits
- 3) It would not reduce administrative costs
- 4) It will not eliminate currently documented waste, fraud and abuse
- 5) Specialty services will be limited
- 6) Research and Development will be limited

What will be the answer as the nation struggles to find a health care plan and delivery system?

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## Stay Informed about Upcoming Calendar Events!

If you get the **electronic** version of the Voter, we want you to know that the upcoming calendar events are available on our wonderful, new website – [www.lwvnashville.org](http://www.lwvnashville.org). On the right side of the home page the calendar scrolls on the events of the current and upcoming events thanks to **Tracy Depp**, who keeps the calendar current. If you haven't looked, do so to make sure you mark your calendar so you won't miss a thing!

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