

QTMUN 2023



United States Senate

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Equity Disclaimers

Throughout this committee, delegates will be engaging in complex debates and discussions covering a wide array of topics. As UTMUN seeks to provide an enriching educational experience that facilitates understanding of the implications of real-world issues, the content of our committees may involve sensitive or controversial subject matter for the purposes of academia and accuracy. We ask that delegates be respectful, professional, tactful, and diplomatic when engaging with all committee content, representing their assigned country's or character's position in an equitable manner, communicating with staff and other delegates, and responding to opposing viewpoints.

This Background Guide presents topics that may be distressing to some Delegates, including but not limited to: COVID-19, COVID-19 related deaths, incarceration, death, general distress. Great care will be taken by staff in handling any/all of these topics should they arise.

UTMUN recognizes the sensitivity associated with many of our topics, and we encourage you to be aware of and set healthy boundaries that work for you. This may include: refraining from reading certain parts of the background guide, preparing yourself before reading this background guide, doing some self-care or seeking support after reading the background guide, or anything that can help make you feel more comfortable. We ask that all Delegates remain considerate of the boundaries that other Delegates set.

UTMUN expects that all discussions amongst delegates will remain productive and respectful of one another. If you have any equity concerns or need assistance in setting boundaries or navigating sensitive subject matter, please do not hesitate to reach out to me or our Equity Director, Aidan Thompson, at equity@utmun.org. We want you to feel safe and comfortable at UTMUN!

If you wish to switch committees after having read the content warnings for this committee, please:

- Contact your Faculty Advisor/Head Delegate with your request if you are a part of a group delegation
- Email our Director of Academics, Elaine Wang, with a brief explanation of why you would like to switch committees if you are NOT a part of a group delegation.

Model United Nations at U of T Code of Conduct

The below code of conduct applies to the behaviour of all attendees of UTMUN for the entire duration of the conference, while engaging in any conference-related activities, including but not limited to committee sessions, conference socials, committee breaks, and the opening and closing ceremonies.

1. Harrassment and bullying in any form will not be tolerated, the nature of which includes, but is not limited to, discrimination on the basis of race, national origin, ethnicity, colour, religion, sex, age, mental and physical disabilities, socioeconomic status, sexual orientation, gender identity, and gender expression,
 - a. Harassment and bullying include, but are not limited to, insulting and/or degrading language or remarks; threats and intimidation; and intentional (direct or indirect) discrimination and/or marginalization of a group and/or individual;
 - i. The above prohibition on harassment, bullying, and inappropriate behaviour extends to any and all behaviour as well as written and verbal communication during the conference, including notes, conversation both during and outside committees, and general demeanour at all conference events;
 - ii. UTMUN reserves the right to determine what constitutes bullying and/or inappropriate behaviour toward any individual and/or group;
 - b. Attendees must not engage in any behaviour that constitutes physical violence or the threat of violence against any groups and/or individuals, including sexual violence and harassment, such as, but not limited to,
 - i. Unwelcome suggestive or indecent comments about one's appearance;
 - ii. Nonconsensual sexual contact and/or behaviour between any individuals and/or groups of individuals;
 - iii. Sexual contact or behaviour between delegates and staff members is strictly forbidden;
2. UTMUN expects all attendees to conduct themselves in a professional and respectful manner at all times during the conference. Specific expectations, include, but are not limited to,
 - a. Attendees must, if able, contribute to the general provision of an inclusive conference and refrain from acting in a manner that restricts other attendees' capacity to learn and thrive in an intellectually stimulating environment;
 - b. Attendees must adhere to the dress code, which is Western business attire;
 - i. Exceptions may be made on a case-by-case basis depending on the attendees' ability to adhere to the previous sub-clause;
 - ii. Attendees are encouraged to contact Director of Equity, Aidan Thompson, with questions or concerns about the dress code or conference accessibility;
 - c. Attendees must refrain from the use of cultural appropriation to represent their character

- and/or country, including the use of cultural dress, false accent, and any behaviour that perpetuates a national or personal stereotype;
- d. Delegates must not use music, audio recordings, graphics, or any other media at any time unless approved and requested to be shared by the Dais and/or the Director of Equity, Aidan Thompson;
- e. Attendees must abide by instructions and/or orders given by conference staff members;
 - i. Attendees are exempt from this above sub-clause only if the instructions and/or orders given are unreasonable or inappropriate;
- 3. Delegates, staff, and all other conference participants are expected to abide by Ontario and Canadian laws and Toronto by-laws, as well as rules and regulations specific to the University of Toronto. This includes, but is not limited to,
 - a. Attendees, regardless of their age, are strictly prohibited from being under the influence and/or engaging in the consumption of illicit substances, such as alcohol or illicit substances for the duration of the conference;
 - b. Attendees are prohibited from smoking (cigarettes or e-cigarettes, including vapes) on University of Toronto property;
 - c. Attendees must refrain from engaging in vandalism and the intentional and/or reckless destruction of any public or private property, including conference spaces, venues, furniture, resources, equipment, and university buildings;
 - i. Neither UTMUN nor any representatives of UTMUN is responsible for damage inflicted by attendees to property on or off University of Toronto campus;
 - ii. Individuals will be held responsible for any damages.
- 4. The Secretariat reserves the right to discipline delegates and/or attendees for not adhering to/violating any of the above stipulations. Disciplinary measures include, but are not limited to,
 - a. Suspension from committee, in its entirety or for a specific period of time;
 - b. Removal from the conference and/or conference venue(s);
 - c. Disqualification from awards;
 - d. Disqualification from participation in future conference-related events.
- 5. If online, additional rules apply to delegate and staff conduct, including but not limited to Zoom background usage. Delegates must use either conference-provided Zoom backgrounds, the blurred background, solid colours, or no background.
- 6. UTMUN reserves the right to the final interpretation of this document.

For further clarification on University of Toronto Model United Nations' policies regarding equity, questions, concerns, or for any equity violations that attendees would like to raise, please contact equity@utmun.org, or fill out this [anonymous form](#).

Letter from the Director

Dear Delegates,

It is my honour to welcome you to the Specialized Committee of the United States Senate at UTMUN 2023. During the committee this year, we will indulge in impassioned debate over how we can reform the highly impaired criminal justice system of the United States, discuss pandemic response, and formulate policy aimed towards reviving the economy from historic inflation. This committee is your chance to seize the opportunity and pave the way for the country's economic recovery and criminal justice reform. Your job will be to rise above the partisan politics and cater to people's welfare by working sincerely and efficiently.

You will be joined on this committee by brilliant and determined staff members who will help enhance the level of debate and ensure an equitable experience for all the delegates.

Isabella Perdigon is a second year majoring in philosophy and minoring in Spanish and political science. This is her second year at MUN, and is excited to spend it as your moderator!

Our vice director is Victoria Pergola, a first year life science student. Model UN has been a great passion of hers since joining about 4 years ago. From participating in conferences as a delegate as well as more recently being able to chair a committee, Model UN has allowed her to grow as an individual and create lasting relationships. She hopes to help give all of you the same great experiences and facilitate a committee where everyone feels welcome!

My name is Jasraj Singh Sethi, and I will be serving as your director for the US Senate committee. I am a first-year international student from Mumbai, India, and hope to pursue a double major in International Relations and Public Policy. I've been involved in Model United Nations for 4 years now, not only as a delegate but also as a member of the dais several times. Together with my devoted crew, I hope to give you a wonderful and unforgettable MUN experience.

Jasraj Singh Sethi
jasraj.sethi@mail.utoronto.ca

Committee Introduction

There is a new set of challenges facing the United States every day. In such unprecedented times, the United States Senate has a uniquely powerful role. Delegates will discuss some of the most significant questions about the future of the US. This committee will tackle two topics: reforming the criminal justice system, and pandemic response and recovery.

In recent years, increasing concern about the US criminal justice system has been raised. In particular, its failure to prevent recidivism (committing a crime after having been in conflict with the criminal justice system already) and mass incarceration disproportionately impacting marginalized communities has prompted calls for reform. According to the National Institute of Justice, 44% of convicted criminals in the United States return to prison in their first year of being released. Additionally, discrimination in the criminal justice system is pervasive and unacceptable. These problems call into question the notion of justice, and as such, reform is necessary.

The COVID-19 pandemic has also created and exacerbated obstacles in US society. With supply chain disruptions, inflation, questions about healthcare funding, and preparation for another pandemic, the US Senate needs to address pandemic response and recovery to mitigate the impacts of COVID-19. Representing their respective states, delegates will conquer these challenges head-on.

About the US Senate

The House of Representatives and the Senate, which together make up the United States Congress, comprise the Legislative Branch, which was established by Article I of the Constitution.

Two senators represent each state in the Senate, which has 100 members. Senators were not elected by the general public; rather, state legislatures chose them until the 17th Amendment was ratified in 1913. Since then, the citizens of each state have chosen them to serve terms of six years. A third of the Senate is up for reelection every two years due to the staggered tenure of senators. Senators must be 30 years old, inhabitants of the state they represent, and have been citizens of the United States for at least nine years.

In the event of a tie in the Senate, the vice president of the United States, who also acts as the Senate's president, may cast the deciding vote.

The same law must receive a majority vote in both the House and the Senate in order to be approved and sent to the President for signature. If a law is vetoed by the president, it can be overridden by passing it again in each chamber with at least two-thirds of the members voting in favour.¹

¹ "The Legislative Branch," The White House (The United States Government, January 15, 2021), <https://www.whitehouse.gov/about-the-white-house/our-government/the-legislative-branch/>.

US Senate: How it works?

There are two senators from each state serving in Congress. Small and large states alike each have two Senators, so there is no differentiation in representation based on population, unlike the House, and there are fewer senators (100) compared to representatives in the House (435).

Motion to Proceed: The Senate must first pass a motion to advance, which needs 60 votes, in order to begin debating a piece of legislation. The Senate majority leader tries to get all senators to vote in favour of the bill he wants to be discussed by obtaining their unanimous agreement. Senators are implicitly threatening a protracted debate on the issue of the bill's consideration if they withhold their consent. Senators may act in this way if they are against the bill or if they want to postpone consideration of one of its provisions in the hopes of influencing the outcome of another, potentially unrelated provision. Senators may also request that their party's floor leader object on their behalf to any request for unanimous consent to consider a bill by placing a hold on it, at least until they have had a chance to speak with them.²

Voting: The Senate casts votes in a number of different ways on bills, resolutions, motions, amendments, appointments, and treaties. The Senate will conduct a roll-call vote upon the request of one-fifth of the quorum of senators. Each senator casts a "yes" or "nay" vote in a roll-call vote as their name is called by the clerk, who writes the results on a tally sheet. A simple majority is typically necessary for a measure to pass. The vice president may vote to break a tie if there is one. The Constitution specifies a few situations in which the Senate must pass with a two-thirds majority, including: the removal of a senator; overriding a presidential veto; proposing a constitutional amendment for ratification by the states; convicting an official who has been impeached; and agreeing to the ratification of a treaty. To call cloture and conclude debate on a piece of legislation in the Senate, three-fifths of those validly elected and sworn are required. Invoking cloture on a measure that would change the Senate's rules also requires a two-thirds majority vote in the Senate, even though the measure itself only needs a simple majority to pass.

Voice votes are also used in the Senate. The presiding officer reads the question, asks those in favour to say "yes" in unison, and those against to respond "nay" in a voice vote. Using his or her best judgement, the presiding officer declares the results. The senators' names and the number of votes cast are not recorded during a voice vote.

If a senator is unsure of the outcome of a voice vote, he or she may request a division, in which case the presiding officer counts the senators who voted yea and those who voted nay to confirm the voice vote. Votes on treaties frequently utilise division votes as well.

A measure is approved if no senator disagrees, which is how the majority of Senate business is performed.³

² "U.S. Senate - What Does the Senate Do?," The Policy Circle, May 4, 2022, <https://www.thepolicycircle.org/brief/makes-america-exceptional-u-s-senate-explained/>.

³ "About Voting," U.S. Senate: About Voting, June 22, 2022, <https://www.senate.gov/about/powers-procedures/voting.htm>.

Special Orders: Any subject may, by a vote of two-thirds of the Senators present, be made a special order of business for consideration and when the time so fixed for its consideration arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business in which case it takes its place on the Calendar of Special Orders in the order of time at which it was made special, to be considered in that order when there is no unfinished business.⁴

Topics for the Committee

I] Reforming the Criminal Justice System

The criminal justice system in the United States is set up to uphold the law, promote public safety, and provide those who have committed crimes with justice. It is made up of general policies, government bureaus, and private organisations that all collaborate to uphold order in our communities.

However, it has been decades since the criminal justice system last underwent change. The system needs to be quickly and effectively changed in order to address problems like overcrowding in jails, mandatory minimum sentence, recidivism, disproportionate arrests of minorities, and many other critical issues.

With over 7 million people under correctional supervision, the US leads the world in incarceration.⁵ More than 2 million people are incarcerated, while 4.6 million are on probation or parole and under community watch.⁶ A felony conviction affects at least 19 million people, and an estimated 100 million people have a criminal record.⁷ The country's high incarceration rate is sustained not by rising crime rates but rather by the continued use of harsh sentencing laws and policies. To end mass imprisonment, sentencing laws and practises must be fundamentally altered in a way that challenges racial inequities in the criminal justice system and reduces collateral repercussions of conviction. The majority of states have recently passed changes meant to scale back incarceration and the severity of collateral repercussions.⁸

⁴ "Rules of the Senate: U.S. Senate Committee on Rules & Administration," Rules of the Senate | U.S. Senate Committee on Rules & Administration, accessed September 1, 2022, <https://www.rules.senate.gov/rules-of-the-senate>.

⁵ Meagan Denny, "Norway's Prison System: Investigating Recidivism and Reintegration," 2016, <https://digitalcommons.coastal.edu/cgi/viewcontent.cgi?article=1032&context=bridges>.

⁶ Jason Brennan and Chris W. Suprenant, "Perverse Incentives Created Our Terrible Criminal Justice System," Cato Unbound, July 14, 2020, <https://www.cato-unbound.org/2020/07/14/jason-brennan-chris-w-surprenant/perverse-incentives-created-our-terrible-criminal/>.

⁷ Matthew Friedman, "Just Facts: As Many Americans Have Criminal Records as College Diplomas," Brennan Center for Justice, 2015, <https://www.brennancenter.org/our-work/analysis-opinion/just-facts-many-americans-have-criminal-records-college-diplomas>.

⁸ Nicole D. Porter and Richard Mendel, "Top Trends in State Criminal Justice Reform, 2020," The Sentencing Project, February 22, 2021, <https://www.sentencingproject.org/publications/top-trends-in-state-criminal-justice-reform-2020/>.

★ WHAT YOU NEED TO KNOW		
790%	3.73	3,278
The federal prison population has increased by almost 790 percent since 1980.	In the United States, a black person is 3.73 times more likely to be arrested for marijuana possession than a white person is, despite approximately equal rates of use.	At least 3,278 people were serving life sentences without parole for drug, property, and other nonviolent crimes in 2012.

A few statistics highlighting the plight of the Criminal Justice System of the US⁹

In our committee we'll be addressing few of these issues and work towards legislating laws that'll

help improve the current state of affairs.

Some subtopics that we'll be discussing in committee are:

A] Recidivism: Recidivism is measured by criminal acts that resulted in rearrest, reconviction or return to prison with or without a new sentence during a three-year period following the person's release.

Recidivism is an important feature when considering the core criminal justice topics of incapacitation, specific deterrence and rehabilitation.

Incapacitation refers to the effect of a sanction to stop people from committing crime by removing them from the community.

Specific deterrence is the terminology used to denote whether a sanction stops people from committing further crime, once the sanction has been imposed or completed.

Rehabilitation refers to the extent to which a program is implicated in the reduction of crime by "repairing" the individual in some way by addressing his or her needs or deficits.

There is a significant relationship between the concept of recidivism and the expanding body of study on criminal resistance. Desistance is the process by which a person attains a permanent state of non-criminality. A person freed from prison will either reoffend or cease criminal activity. The research overlaps to the extent that interventions and sanctions influence the desistance process.

Assessing prisons. Recidivism has also been linked to jail performance and has been utilised to compare the efficacy of privately and publicly operated facilities.

Studies by the Bureau of Justice Statistics have uncovered high rates of recidivism among formerly incarcerated individuals. Examines the recidivism trends of previously jailed individuals over a nine-year follow-up period. The researchers found that:

The 401,288 individuals incarcerated in state facilities released in 2005 had 1,994,000 arrests during the 9-year period, an average of 5 arrests per individual released from incarceration.

⁹ "Criminal Law Reform," American Civil Liberties Union, February 15, 2022, <https://www.aclu.org/issues/criminal-law-reform>.

Sixty percent of these arrests occurred during years 4 through 9.

An estimated 68% of released person released from prison were arrested within 3 years, 79% within 6 years, and 83% within 9 years.

Eighty-two percent of those arrested during the 9-year period were arrested within the first 3 years.

Almost half (47%) of incarcerated individuals who did not have an arrest within 3 years of release were arrested during years 4 through 9.

Forty-four percent of persons released from prison were arrested during the first year following release, while 24% were arrested during year-9.¹⁰

Case Study of Norway: Norway has one of the lowest recidivism rates among Western nations, at approximately 20 percent.¹¹ It also has, along with other Scandinavian countries, a unique approach to its prison system. Norway's open prison system is built upon the principle of normalcy, one that aims to keep life in prison as similar to outside living conditions as possible. This allows inmates to keep a semblance of normal life while serving their time. Finding employment and being able to support themselves, along with being able to readjust to life after prison, are key to the reintegration process. Norway's prison system also offers many opportunities for inmates to get better educations, sometimes at no cost. These opportunities to gain skills and degrees have a normalization techniques and the educational programs allow inmates to reintegrate more easily back into society post-incarceration, which can then be considered a deterrent to re-offending.¹²

B] Disproportionate Incarceration Rate by Race: When former Minneapolis police officer Derek Chauvin killed George Floyd by kneeling on his neck in 2020, the world witnessed the most racist elements of the U.S. criminal legal system on broad display. The uprisings that followed Floyd's death articulated a vision for transforming public safety practices and investments. Almost one year later, Chauvin was convicted for Floyd's death, a rare outcome among law enforcement officers who kill unarmed citizens. The fight for racial justice within the criminal legal system continues, however. The data findings featured in this report epitomize the enormity of the task.

Truly meaningful reforms to the criminal justice system cannot be accomplished without acknowledgement of its racist underpinnings. Immediate and focused attention on the causes and consequences of racial disparities is required in order to eliminate them. True progress towards a racially just system requires an understanding of the variation in racial and ethnic inequities in imprisonment across states and the policies and day-to-day practices that drive these inequities.

A few stats to further shed light upon the gravity of the issue:

Black Americans are incarcerated in state prisons at nearly 5 times the rate of white Americans.

¹⁰ NIJ (see reuse policy), "Recidivism," National Institute of Justice, accessed September 1, 2022, <https://nij.ojp.gov/topics/corrections/recidivism>.

¹¹ Meagan Denny, "Bridges: A Journal of Student Research - Digitalcommons.coastal.edu," 2016, <https://digitalcommons.coastal.edu/cgi/viewcontent.cgi?article=1002&context=bridges>.

¹² *ibid*

Nationally, one in 81 Black adults in the U.S. is serving time in state prison. Wisconsin leads the nation in Black imprisonment rates; one of every 36 Black Wisconsinites is in prison.

In 12 states, more than half the prison population is Black: Alabama, Delaware, Georgia, Illinois, Louisiana, Maryland, Michigan, Mississippi, New Jersey, North Carolina, South Carolina, and Virginia.

Seven states maintain a Black/white disparity larger than 9 to 1: California, Connecticut, Iowa, Maine, Minnesota, New Jersey, and Wisconsin.

Latinx individuals are incarcerated in state prisons at a rate that is 1.3 times the incarceration rate of whites. Ethnic disparities are highest in Massachusetts, which reports an ethnic differential of 4.1:1.¹³

There are a few effective solutions to tackle this issue as well:

Require prospective and retroactive racial impact statements for all criminal statutes: The Sentencing Project urges states to adopt forecasting estimates that will calculate the impact of proposed crime legislation on different populations in order to minimize or eliminate the racially disparate impacts of certain laws and policies. Several states have passed “racial impact statement” laws. To undo the racial and ethnic disparity resulting from decades of tough-on-crime policies, however, states should also repeal existing racially biased laws and policies. The impact of racial impact laws will be modest at best if they remain only forward looking.

Decriminalize low-level drug offenses: Discontinue arrest and prosecutions for low-level drug offenses which often lead to the accumulation of prior convictions which accumulate disproportionately in communities of colour. These convictions generally drive further and deeper involvement in the criminal legal system.¹⁴

Case Study of Denmark: Denmark’s citizens have a complex relationship with their governing powers with more people distrusting their Parliament but most of them trusting their judiciary system. Since the 50s, Denmark’s legal system has undergone many reforms with the major makeover coming from the absolute independence of its judicial system from the country’s legislative branches.

Since the major overhaul of its judicial system, Denmark continues to innovate by adding more courts to its judicial structure to better meet its citizens’ needs. The Danes opted to remove the dependence of its courts from the Ministry of Defense, the government body that oversaw its operations prior. Thus, it is safe to assume that amongst the Scandinavian countries, Denmark has the most free-standing legal system.

There are other complex facets of the Danish legal system, namely because of the existence of Review Boards and the Special Courts. Their judges are heavily scrutinized and all

¹³ Ph.D. Ashley Nellis, “The Color of Justice: Racial and Ethnic Disparity in State Prisons,” The Sentencing Project, November 1, 2022, <https://www.sentencingproject.org/reports/the-color-of-justice-racial-and-ethnic-disparity-in-state-prisons-the-sentencing-project/>.

¹⁴ Ashley Nellis and Richard Mendel, “The Color of Justice: Racial and Ethnic Disparity in State Prisons,” The Sentencing Project, November 1, 2021, <https://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>.

of their records are made available to the public to ensure absolute transparency in all matters.¹⁵

C] Mandatory Minimum Sentencing: For certain federal and state offences, judges are required under mandatory minimum sentencing legislation to impose jail terms of a specific length. The majority of mandatory minimum penalties at the federal level are to drug charges, but Congress has also adopted them for other crimes, such as certain firearms and economic offences.

Mandatory minimums weaken the nation's commitment to justice and fairness by barring judges from considering a defendant's past and the circumstances surrounding his or her conduct when determining a sentence. These policies disproportionately affect persons of colour, have contributed to soaring jail populations, overcrowding, and expensive expenditures for taxpayers.

In the last several decades, the U.S. jail population has exploded due to the increasing quantity and lengths of federal mandatory minimum terms. The number of federal mandatory sentences has doubled in the last 20 years.¹⁶

14,138 people were convicted of an offense carrying a mandatory minimum penalty in the fiscal year of 2015. Of these people, 8,602 (13.5 percent) remained subject to a mandatory minimum penalty at sentencing. Drug trafficking offenses accounted for over two-thirds (66.2 percent) of the offenses carrying a mandatory minimum penalty.

In 2010, 39.4 percent of individuals in Federal Bureau of Prisons custody were subject to a mandatory minimum penalty.

Between 1980 and 2013, the federal imprisonment rate increased 518 percent. At its peak, the Federal Bureau of Prisons (BOP) was operating at 36 percent over capacity.

Over the last three years, the BOP population has dropped by almost 30,000, primarily due to administrative reforms like the Attorney General's Smart on Crime Initiative. As a result, the BOP is currently operating at 16 percent over its intended capacity.

Mandatory minimum reform is crucial to slowing the overwhelming growth of our prison population and reducing its staggering economic costs.

Cutting 10-year mandatory minimums alone would affect 7,300 defendants every year.

Between 1980 and 2013, spending on the federal prison system increased from \$970 million to more than \$6.7 billion, and it costs approximately \$ 31,977 per year to incarcerate an individual.¹⁷

Given that Department of Justice reform initiatives would at most provide a temporary cure, congressional action is required to shift the paradigm and mitigate racial inequality. Congress must eliminate federal mandatory minimums, make the repeal retroactive for those now serving mandatory minimum sentences, and encourage states to follow suit. The House has just passed

¹⁵ Nomad Research Team, "The 5 Best Countries for Judicial Independence and Rule of Law," Nomad Capitalist, August 21, 2021, <https://nomadcapitalist.com/global-citizen/best-countries-rule-of-law/>.

¹⁶ Marc Mauer, "Long Sentences: Time to Reconsider the Scale of Punishment," The Sentencing Project, November 2, 2022, <https://www.sentencingproject.org/reports/long-term-sentences-time-to-reconsider-the-scale-of-punishment/>.

¹⁷ "Fact Sheet: Sentencing and Mandatory Minimums," accessed September 1, 2022, <http://civilrightsdocs.info/pdf/criminal-justice/Sentencing-Fact-Sheet.pdf>.

the EQUAL Act by a bipartisan majority, with the support of the Biden administration. This law would eliminate the disparity between crack and powder that results in harsher mandatory minimum sentences for African-Americans, but it would not eliminate mandatory minimum sentences. In recent years, the most comprehensive solution proposed was the Mandatory Minimum Sentence Reform Act of 2017, which would have removed all mandatory minimums for federal drug crimes. The bipartisan Smarter Sentencing Act of 2021 would enact a smaller change, reducing mandatory minimums for certain non-violent drug offences and retroactively applying other improvements.¹⁸

D] Inhumane Prison Conditions: As prison populations surged nationwide in the 1990s and conditions began to deteriorate, lawmakers made it harder for incarcerated people to file and win civil rights lawsuits in federal court and largely eliminated court oversight of prisons and jails.

Today, prisons and jails in America are in crisis. Incarcerated people are beaten, stabbed, raped, and killed in facilities run by corrupt officials who abuse their power with impunity. People who need medical care, help managing their disabilities, mental health and addiction treatment, and suicide prevention are denied care, ignored, punished, and placed in solitary confinement. And despite growing bipartisan support for criminal justice reform, the private prison industry continues to block meaningful proposals.

Today, nearly 2 million people are incarcerated, warehoused in cramped spaces that lack fresh air, healthy food, natural light, proper health care, and connection to loved ones. Prisons run with little to no public oversight, leading to abuse.

Unfortunately, incarcerated people endure humiliating treatment inhumane conditions, and abusive interactions—which lead to significant trauma and harm people’s efforts to thrive once they leave prison. Tens of thousands of people are forced into solitary confinement or restrictive housing, and extensive research highlights the long-lasting negative effects – without evidence of improved safety – for such practices. Additionally, the brunt of these depressing conditions falls overwhelmingly on Black and Latino people.¹⁹

The prisons are so violent that they have a significant negative influence on rehabilitation efforts. The threat of violence is ever-present in our gladiator-style prisons, where inmates have little protection from it. Incarcerated individuals who frequently witness violence and feel powerless to stop it may experience post-traumatic stress symptoms, such as anxiety, depression, paranoia, and difficulty with emotional regulation, for years after their release from custody. Because escalating conflict is the norm for individuals doing time in American prisons (sometimes provoking violence as a self-defense mechanism), they are ill-equipped to handle conflict effectively following their release. Even if a small number of people were affected by jail violence, this situation would be unjust and inhumane. When more than 113 million Americans

¹⁸ Michele Deitch, Alia Nahra, and Ram Subramanian, “End Mandatory Minimums,” Brennan Center for Justice, November 3, 2021, <https://www.brennancenter.org/our-work/analysis-opinion/end-mandatory-minimums>.

¹⁹ “Prison Conditions,” Equal Justice Initiative, March 10, 2021, <https://eji.org/issues/prison-conditions/>.

have a close relative in jail or prison, however, the societal consequences can be catastrophic.²⁰

II] COVID-19 Pandemic Response

When the World Health Organization first called COVID-19 a pandemic on March 11, 2020, few people had any idea what the world was in for. The progression was swift: borders clamped shut, authorities issued stay-at-home orders, and public life ground to a near halt. Most of the world had no experience dealing with an infectious disease outbreak of this scale. The previously unknown virus, now called SARS-CoV-2, could spread through the air, often before (or, in some cases, possibly without ever) causing any symptoms. COVID—though mild for many people—struck down elderly and more vulnerable individuals (and occasionally very healthy ones) with a vengeance, launching a wave of fear, suffering and death unlike any in recent memory.

Among the biggest shocks was that the U.S. fared worse than most other countries. As the country raced to react to this new and terrifying scourge, mistakes were made that together cost hundreds of thousands of lives. Yet the tireless efforts of health care workers, along with an unprecedented vaccine push, have saved countless others. *Scientific American* interviewed scientists and public health experts about the biggest mistakes in the U.S.'s response, some of the key successes and the lingering questions that still need to be answered.²¹

Here are few of the things that went wrong:

i] Downplaying the danger and side-lining experts: During the pandemic's crucial early days and weeks, then president Donald Trump and other authority figures actively minimized the virus's threat. Trump dismissed it as no worse than the flu and said the pandemic would be over by Easter.²²

The U.S. Centers for Disease Control and Prevention initially told the media that the threat to the American public was low. When a CDC spokesperson acknowledged in late February that disruptions to daily life could be "severe,"²³ the agency was quickly side-lined and Trump himself became the government's main conduit for COVID updates through his daily briefings. This muzzling of the CDC and top government health experts made it hard for them to communicate accurate and lifesaving scientific information to the public.

Under President Joe Biden's administration, government science agencies and health officials have been given renewed respect and independence. But rebuilding public trust in these authorities will still take time.

ii] Slow and flawed testing: The CDC developed its own test for the virus rather than employing a German-developed one used by the World Health Organization. But the CDC test

²⁰ Paul Butler, Blake Strobe, and Asia Johnson, "How Atrocious Prisons Conditions Make Us All Less Safe," Brennan Center for Justice, August 23, 2021, <https://www.brennancenter.org/our-work/analysis-opinion/how-atrocious-prisons-conditions-make-us-all-less-safe>.

²¹ Tanya Lewis, "How the U.S. Pandemic Response Went Wrong-and What Went Right-during a Year of COVID," *Scientific American* (Scientific American, March 11, 2021), <https://www.scientificamerican.com/article/how-the-u-s-pandemic-response-went-wrong-and-what-went-right-during-a-year-of-covid/>.

²² *ibid*

²³ *ibid*

was flawed, causing a deadly delay while scientists worked out the problem. The agency was not designed to produce tests at the scale needed to spot the infections as they silently spread through the population. Meanwhile the Food and Drug Administration was slow to approve tests made by private companies, says Caitlin Rivers, an epidemiologist at the Johns Hopkins Center for Health Security. She also says the earliest criteria for getting a test were too stringent—one often had to have been hospitalized with severe symptoms and have recently travelled to a “high-risk” area. As a result of these hurdles, the virus spread undetected for weeks.

iii] Inadequate tracing, isolating and quarantines: The timeworn methods of combatting an infectious disease—testing people who may be sick, tracing their contacts, and isolating or quarantining those who are positive or exposed—worked for COVID as well. The WHO repeatedly stressed the importance of these measures, and countries that followed this advice closely (such as Vietnam, Thailand, New Zealand and South Korea) succeeded in controlling their outbreaks. In addition to its test problems, the U.S. did not do an adequate job of isolating those who were known or suspected to be infected (or had recently travelled to a high-risk area), tracing their contacts or requiring quarantines for those who were exposed. China imposed extremely strict, city-wide quarantines. Other countries required those who may have been exposed to stay at a government-approved hotel or other facility for a quarantine ranging from a few days to a couple of weeks. Such policies would likely have been harder to implement in the U.S., a nation that prides itself on personal freedoms. But not doing so came at the expense of keeping the virus in check.

iv] Confusing mask guidance. Although face masks are now widely considered a crucial part of stopping transmission, U.S. and global health authorities were slow to recommend them for public use. Many countries in East and Southeast Asia, including China and Japan, had normalized mask wearing well before the pandemic—in part because of the SARS outbreak in 2002–2003. Unlike the SARS virus, however, scientists now know that SARS-CoV-2 often spreads before a carrier develops symptoms (and possibly even if they never do). In the early weeks and months of the COVID outbreak, the CDC and WHO stated that face masks were not necessary for the general public unless a person was experiencing symptoms or caring for someone who was.

v] Airborne spread and “hygiene theatre.” Early in the pandemic, U.S. health authorities believed the virus spread primarily by direct contact or relatively large droplets from a nearby cough or sneeze—not by far smaller droplets, called aerosols, that linger in the air. As a result, officials placed a huge emphasis on washing one’s hands and cleaning surfaces. Scientists now believe transmission from surfaces is not the main way the virus spreads and that aerosols play a much larger role. Ensuring proper ventilation and wearing well-fitted, high-quality masks are much more effective ways to reduce transmission than deep cleaning surfaces.

vi] Structural racism fuelled health inequities. The pandemic exposed and exacerbated deep-rooted racial and economic inequities in health and health care. Black and Hispanic individuals and other people of colour were sickened with, and died of, COVID at disproportionately high rates. Many people in Black and brown communities had already long suffered from high rates of underlying conditions such as obesity and diabetes as a result of inadequate health care,

lack of access to nutritious foods and outdoor space, and higher exposure to pollution. They also comprise a large percentage of essential workers in frontline industries with an inherently high risk of COVID exposure, such as nursing homes, meatpacking plants and restaurant kitchens.

vii] Decentralized response. The U.S. government's structure meant that much of the pandemic response was left up to state and local leaders. In the absence of a strong national strategy, states implemented a patchwork of largely uncoordinated policies that did not effectively suppress the spread of the virus. This caused sudden, massive spikes of infections in many local outbreaks, placing enormous strain on health care systems and leaving no region untouched by the disease.²⁴

A] Economic Consequences of the Pandemic: The COVID-19 crisis has also had differential impacts among various racial and ethnic groups. Inequities in the social determinants of health—income and wealth, health-care access and utilization, education, occupation, discrimination, and housing—are interrelated and put some racial and ethnic minority groups at increased risk of contracting and dying from COVID-19. Inequities in infectious disease outcomes are the by-product of decades of government policies that have systematically disadvantaged Black, Hispanic, and Native American communities. For example, as a result of policies that have helped to determine the location, quality, and residential density for people of colour, Black and Hispanic people are clustered in the same high-density, urban locations that were most affected in the first months of the pandemic. In addition, Black people and Native American people disproportionately use public transit, which has been associated with higher COVID-19 contraction rates.

In addition, these demographic groups had a greater prevalence of pre-existing comorbidities, such as hypertension, diabetes, and heart disease, which enhance the risk of getting and dying from COVID-19. Compared to white, non-Hispanic Americans, Black Americans are 2.6 times more likely to catch COVID-19, 4.7 times more likely to be hospitalised due to contracting the virus, and 2.1 times more likely to die from COVID-19-related health complications.²⁵

Although voluntary social separation and lockdowns that went into force in March 2020 were initially effective in isolating and reducing diseases, they triggered a catastrophic economic depression. The demand shock caused by quarantine, unemployment, and business closings was detrimental to consumer services. The potential of the economy to create products and services was diminished by lockdown measures and social isolation.

The National Bureau of Economic Research (NBER) assessed that the U.S. economy reached its monthly economic activity peak in February 2020, marking the end of the longest expansion in U.S. history, which began in June 2009.²⁶

B] Supply Chain Disruptions: Supply has been constrained by disruptions to global

²⁴ ibid

²⁵ <https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html>

²⁶ Lauren Bauer et al., "Ten Facts about Covid-19 and the U.S. Economy," Brookings (Brookings, March 9, 2022), <https://www.brookings.edu/research/ten-facts-about-covid-19-and-the-u-s-economy/>.

supply chains, labour shortages, temporary business disruptions linked to COVID-19 outbreaks, and commodity shortages linked to the 2022 Russian invasion of Ukraine. Pandemic-related shutdowns and production delays worldwide have caused a chain reaction of delays in the availability of products across a wide range of industries. Product availability has been disrupted for both final products sought by consumers and inputs used by American producers. Earlier shutdowns created backlogs that have taken months to unwind.

The labour force participation rate has been unusually low throughout the pandemic, which has resulted in companies being unable to fill job openings. Periodic surges in COVID-19 cases have also caused labour shortages at times that have hobbled production. For example, the Omicron surge led to employee absences that caused new supply disruptions in the winter of 2021-2022, including to flights and passenger rail. The U.S. Bureau of Labour Statistics reported that 3.6 million employed individuals were unable to work at some point in January 2022 (when Omicron peaked) because of illness—more than twice as high as the pre-pandemic high.²⁷ In the same month, 6 million individuals were unable to work because their employers closed or lost business due to COVID-19. Absences and loss of business because of illness have been consistently above average throughout the pandemic.

Supply chains are global, and a product can pass through several countries before reaching the United States. A delay or disruption in any one of those countries can therefore cause supply problems for the United States. Different countries have experienced different kinds of production disruptions, including lockdowns and other work restrictions, and at different times compared to the United States. The Federal Reserve Bank of New York publishes an index measuring how much pressure there is in global supply chains. For much of the pandemic, supply chains have faced significantly higher pressures than at any time in recent decades.²⁸

C] Policy Considerations: Supply constraints have caused a mismatch between supply and demand. Consumers desire more goods and services than can be produced, and price rises are the principal means of addressing the imbalance. To reduce inflation without reducing demand, it is likely that supply disruptions must be remedied. However, policy solutions to ease supply disruptions may not be successful in reducing inflation in the short term since they are time-consuming to deploy and, depending on how they are financed, may even exacerbate inflation by increasing aggregate demand.

Typically, capacity limits that cause bottlenecks can be alleviated by investing in new infrastructure. However, by their very nature, these investments are long-term initiatives that cannot rapidly increase capacity. At the same time, increased infrastructure investment could exacerbate labour and supply shortages in the short run, as the infrastructure projects themselves require labour, commodities, and other inputs. The Infrastructure Investment and Jobs Act (P.L. 117-58) was passed in 2021 to promote public infrastructure spending, and the Administration has established goals to expand port and waterway infrastructure investment.²⁹

Companies with production and distribution delays due to labour shortages suffer the

²⁷ Eli Rosenberg, "Workers Are out Sick in Record Numbers, Exacerbating Labor Shortage Woes," The Washington Post (WP Company, January 20, 2022), <https://www.washingtonpost.com/business/2022/01/20/workers-out-sick-omicron-census/>.

²⁸ *ibid*

²⁹ "Supply Disruptions and the U.S. Economy - Congress," accessed September 2, 2022, <https://crsreports.congress.gov/product/pdf/IN/IN11926>.

same hiring and retention issues as other companies. Reversing the historically low labour force participation rates in the United States has been a difficult policy challenge. Earlier in the pandemic, COVID-related participation restrictions may have accounted for a significant portion of the decline; but, at this point, the majority of the decline in participation is attributable to retirements that have historically been difficult to reverse.

The global nature of supply chain issues makes it difficult for U.S. policy to solve them. Lockdowns in China and the invasion of Ukraine illustrate that foreign supply interruptions caused by the pandemic, the policies of foreign governments, or both, are largely beyond the United States' control. The administration has announced the release of one million barrels of oil per day from the Strategic Petroleum Reserve for the next six months to provide short-term relief, despite the longer-term nature of the policy alternatives for addressing these problems. Unfortunately, interruptions brought on by the invasion could impede GDP without restraining inflation.³⁰

D] Rising Inflation: The inflation rate is on the rise, and a global cost of living problem looms for many individuals. CPI (consumer price index) rose 8.3% in April, and US inflation has remained at a 40-year high.³¹

Inflation has been worsened by the Russian invasion of Ukraine due to the impact of the COVID-19 epidemic on food and energy prices.

The monthly food price index of the Food and Agriculture Organization (FAO) of the United Nations, which analyses the prices of globally traded food commodities, increased by 12.6% between February and March to reach its highest level since its creation in 1990.³²

The FAO's cereal price index increased by an even bigger proportion – 17.9% – over the time, reflecting a rise in worldwide prices of wheat and coarse grains, which was mostly attributable to export disruptions from Ukraine, one of the world's top wheat exporters.

Many Western countries slapped devastating sanctions on Russia in reaction for Vladimir Putin's invasion of Ukraine, causing oil prices, which were already high due to pent-up consumer demand following COVID, to rise above \$110 per barrel.³³

E] IMF Case Study of Inflation in the US:

The US economy has recovered quickly from the pandemic but the bounce back in demand has stressed supply chains and caused inflation to rise sharply. The economy is expected to slow, as the Federal Reserve (the Fed) continues to tighten monetary policy and COVID economic relief programs come to an end, bringing core Personal Consumption Expenditure (PCE) inflation down to the Fed's 2 percent medium-term target by late 2023.³⁴ However, if inflation is more persistent than expected, the Fed will need to tighten more, which will further slow the economy.

The IMF's annual review of the US economy focuses on the policies needed to return inflation to the Fed's medium-term target. Most workers' wages have failed to keep up with

³⁰ ibid

³¹ "Inflation Is Rising across the World. Here's Why," World Economic Forum, accessed September 2, 2022, <https://www.weforum.org/agenda/2022/05/inflation-rising-economist-explains/>.

³² ibid

³³ ibid

³⁴ Andrew Hodge, "The US Economy's Inflation Challenge," IMF, July 12, 2022, <https://www.imf.org/en/News/Articles/2022/07/11/CF-US-Economy-Inflation-Challenge>.

inflation, eroding the purchasing power of households and causing significant hardship. Although increases in gasoline and food prices have been affected by global events, the prices of a broader range of items have also risen strongly, including housing and transportation. If left unchecked, these price increases could become long lasting.³⁵

Policy action: The Fed has boosted its policy rates by 1.5 percentage points so far this year and is anticipated to increase them by 2 or 2.5 percentage points in the coming months. Additionally, it is selling its Treasury bonds and mortgage-backed securities.³⁶ As a result, the cost of borrowing has climbed dramatically. Since the beginning of this year, the average fixed rate on a 30-year mortgage has increased from 3 percent to between 5 and 6 percent. Concurrently, the government is reducing funding as a variety of support programmes from the epidemic era expire.³⁷

It is anticipated that these policy initiatives will decelerate the increase of consumer spending to about zero by the beginning of next year, thereby reducing the strain on supply chains. In addition, rising mortgage rates will decrease home prices, which have risen significantly during the pandemic. Lastly, sluggish demand will boost unemployment to almost 5 percent by the end of 2023, causing wages to fall.³⁸

Overall, the anticipation is that core PCE inflation will return to 2 percent by the end of 2023, and that economic activity would decelerate from 3.5 percent in the first quarter of this year to 0.6 percent by the end of 2023.³⁹

Risks ahead: US economic developments will be impacted by global factors, such as the Russian war with Ukraine, the ongoing pandemic, and possible recurrence of shutdowns in China. Also, the longer inflation stays high, the bigger the risk that inflation expectations move up, which then feeds back into wages and prices. In that case, the Fed would need to take stronger action to bring inflation down, raising interest rates and keeping them higher for a longer period. This would lower growth further and lead to higher unemployment.

An inclusive recovery: The initiatives required by the Federal Reserve to reduce inflation may have short-term consequences for people and businesses, but they will help restore price stability and lay the groundwork for robust economic development and low unemployment. The US government can use fiscal measures to invest in reforms to increase the size of the labour force, boost productivity, and stimulate innovation and investment in order to support growth over the medium to long term. These could include expanded government assistance for paid parental leave, daycare, pre-school, and access to higher education; tax credits to assist women, minorities, and low-income employees in entering the workforce; and immigration reform aimed at growing the labour force and enhancing skills.⁴⁰

³⁵ ibid

³⁶ ibid

³⁷ ibid

³⁸ ibid

³⁹ ibid

⁴⁰ ibid

F] Preparedness for the next Pandemic: COVID-19 has proven the vulnerabilities in the United States and around the world that have been frequently indicated in high-level reports, commissions, and intelligence assessments on pandemic threats for nearly two decades prior to the outbreak of this pandemic. COVID-19 has highlighted key facts concerning pandemics and showed significant gaps in global and national capacities to identify, prepare for, and respond to them. This is not the last epidemic that the United States or the globe will confront. To better prepare for the next crisis and subsequent waves of the current one, the United States will need to allocate substantial political capital and economic resources to decreasing the domestic and global vulnerabilities that threaten individual, national, and global health security. The Task Force deems the domestic response of the United States to COVID-19 to be fundamentally defective.⁴¹ Despite declaring the threat of pandemics a national security priority for more than two decades, the United States was unprepared for COVID-19, having failed to integrate and implement the lessons of earlier epidemics and multiple training exercises, to designate a strong focal point for interagency coordination, to allocate resources commensurate with the severity of the threat, or to maintain an adequate Strategic National Stockpile (SNS) and an adequate public information campaign. The federal government and many U.S. states exacerbated these weaknesses by acting too slowly to mobilise an effective response and by adopting ill-conceived and haphazard approaches to balancing public health and economic concerns, resulting in suboptimal health outcomes and devastating economic consequences. Too many federal, state, and local officials failed to communicate a clear, science-based, consistent message to the U.S. population; to develop a robust nationwide system for testing, tracing, isolation, and quarantine; and to clarify the roles of the national, state, and local governments in pandemic response.⁴²

US Surgeon general- 4 ways to prepare for the next pandemic:

“We can’t let this happen again—what we went through with COVID-19,” Vice Adm. Vivek Murthy, MD, U.S. Surgeon General, spoke with James L. Madara, MD, AMA Executive Vice President and CEO, at the most recent American Conference on Physician Health, which took place in Scottsdale, Arizona in October 2021.

“We know other pathogens will come. We just have to be better equipped to address them without sustaining this loss of life and the other costs we’ve incurred,”⁴³ said Dr. Murthy.

i] Invest more in public health: “When the great recession struck in 2008–2009, funding for public health departments was dramatically slashed,”⁴⁴ said Dr. Murthy. “And when the economy recovered, many of those public health departments didn’t recover—they stayed in the low levels they had.”⁴⁵

As a result, “you have far too many public health departments that are working on the

⁴¹ “Findings | Pandemic Preparedness: Lessons from Covid-19,” Council on Foreign Relations (Council on Foreign Relations), accessed September 2, 2022, <https://www.cfr.org/report/pandemic-preparedness-lessons-COVID-19/findings/>.

⁴² *ibid*

⁴³ Sara Berg, “Surgeon General: 4 Ways to Prepare for the next Pandemic,” American Medical Association, January 19, 2022, <https://www.ama-assn.org/delivering-care/public-health/surgeon-general-4-ways-prepare-next-pandemic>.

⁴⁴ *ibid*

⁴⁵ *ibid*

front lines of a pandemic without the equipment, the staffing and the training those staff deserve,” he said. “Yet we rely on these departments of public health for everything from contact tracing to help with testing and public education on vaccines at a local level.”⁴⁶

“America cannot afford to fund itself one crisis at a time. Public health doesn’t work that way,”⁴⁷ said Dr. Murthy.

ii] **Add manufacturing capacity:** The science of creating vaccinations and treatments is crucial, “but there’s also then the manufacturing and distribution,”⁴⁸ said Dr. Murthy. “And one of the things that we’ve seen is that we really need more manufacturing capacity to be able to rapidly increase our production in vaccines and therapeutics when they’re needed—not just for the United States, but for the world.

“And COVID has just been an incredibly poignant example of how our fate is deeply linked to what happens in other countries,” he added. “Which is why we have to lead and accelerate our work when it comes to helping vaccinate the world.”⁴⁹

iii] **Recognize that partnerships matter:** “The federal government can’t solve this on its own. You can’t leave it up to states entirely to manage on their own,”⁵⁰ said Dr. Murthy. “We have to have a really tight network between local, state and federal government, but also with health care institutions, with doctors, nurses and health professionals across the country.”⁵¹

“The people who are most trusted are actually people’s doctors and nurses and health care professionals,”⁵² he said. “Yet without a strong partnership between government and practitioners on the ground, it’s hard to bring clinicians into that process to the extent that they need to be brought in in order to support them to the fullest extent that they need.”⁵³

“To battle the next pandemic, we will need our front-line clinicians not just to deliver care but to help communicate to the public,”⁵⁴ Dr. Murthy said.

iv] **Fight misinformation:** “Social media companies have a moral obligation to make sure that their sites are not causing harm to people’s health,”⁵⁵ said Dr. Murthy. “And one of the clearest ways we’re seeing that happen is through the rampant unchecked spread of health misinformation on these sites. That has got to change.”⁵⁶

Last summer, Dr. Murthy noted, his office issued an advisory “on the health risks of health misinformation, calling on not only technology companies, but other sectors to account for recognizing that companies have an extraordinarily important role to be able to step up and fight.”⁵⁷

⁴⁶ ibid

⁴⁷ ibid

⁴⁸ ibid

⁴⁹ ibid

⁵⁰ ibid

⁵¹ ibid

⁵² ibid

⁵³ ibid

⁵⁴ ibid

⁵⁵ ibid

⁵⁶ ibid

⁵⁷ ibid

Bloc Positions

A] Criminal Justice Reform:

I] Republican Stance: With good cause, the topic of how to combat crime—that is, how to best apprehend and punish offenders, as well as how to actively prevent future crime—has been a source of intense debate for decades. One out of every hundred adults in the United States is incarcerated, making it one of the highest per-capita incarceration rates in the world and more than six times higher than the average of other industrialised countries. Nearly 1 in 33 persons, including those on probation or parole, are subject to the criminal justice system's enforcement. These kinds of figures are expensive. At the federal, state, and municipal levels, the US spends more than \$80 billion annually on corrections.⁵⁸ This number has increased by over 4 times over the past 20 years. Senator Paul has stated, "If we're for families with a mother and father around, we need to be for fixing the criminal-justice system."⁵⁹

The death penalty and objectives for prison reform have both been brought up in regard to this topic. Even if there are many viewpoints that cover a wide range, they may be boiled down to two major concepts that are partisan in nature. Generally speaking, Republican views on crime are far stricter than Democratic ones. Republicans are in favour of tighter sentencing guidelines for felons, a database of people who have been found guilty of murdering children, the authority of judges to impose the death sentence, stronger victim rights, and harsher penalties for some crimes, particularly heinous ones. They believe that harsher punishment, which discourages future criminal behaviour, is the most efficient strategy to deal with crime and criminals in contemporary society. They favour jail reforms as well that adhere to this ideology. They reject measures proposed by the Democratic Party that would improve higher education opportunities and prison conditions.

Republicans typically support harsher punishments for significant crimes. According to them, the court should have the option of imposing the death penalty for some offences and eliminating parole eligibility for others. Parties have been at odds on these issues for a long time. The 2012 Republican Party platform declared, "Liberals do not comprehend this simple axiom: incarcerated criminals cannot cause harm to the wider public. We favour obligatory prison terms for gang crimes, violent or sexual offences against children, serial drug traffickers, rape, robbery, and murder. We favour the creation of a nationwide registry of convicted child killers. We are opposed to parole for violent or repeat offenders. In capital murder cases, courts should have the option of imposing the death penalty."⁶⁰ In addition, Republicans feel that there should be "minimalist prisons that serve as a deterrent to crime...and a Constitutional amendment to protect the rights of victims." Republicans do not necessarily agree that all offenders should be imprisoned without exception, despite what this implies. For first-time, nonviolent offenders, they advocate for quality rehabilitation programmes and community-based diversion programmes.

58 RepublicanViews.org, "Republican Views on Crime: Republican Views," |, February 3, 2018, <https://www.republicanviews.org/republican-views-on-crime/>.

59 ibid

60 ibid

However, they have traditionally supported strict enforcement and harsh penalties for violent or repeated offences.

There has been a shift between the 2012 and 2016 elections despite the Republican Party having long held these stances. The greatest developing voting demographic, the millennials, are passionate about improving prison conditions and inmate care. Numerous candidates have changed their minds and now support legislation that would shorten prison terms, allow some criminals seal or erase their records, and even alter federal drug laws. Republicans including Ted Cruz, Rick Perry, Chris Christie, and Jeb Bush have all expressed support for this new Party position on crime. This trend, meanwhile, is not pervasive inside the party and seems to be creating internal turbulence. Some, like Marco Rubio and Scott Walker, continue to support tougher prison regulations and harsher punishments for dangerous offenders in keeping with the past party values.⁶¹

II] Democratic Stance: Democrats are dedicated to ensuring public safety and support a criminal justice system that treats everyone fairly and equally. Evidence-based programmes and financial support for alternatives to incarceration must be the main priorities in crime prevention and rehabilitation.

Democrats are dedicated to addressing mass imprisonment in California prisons and jails as well as racial and economic imbalances within the criminal justice system.

Criminal justice reform must take into account every aspect of the criminal justice system, including what we decide to criminalise, how law enforcement officers behave, how we charge, sentence, and set bail, how we treat those who are imprisoned, how we divert and rehabilitate people, and how we reintegrate people who have been incarcerated back into society.

The Democrats support:

Oppose criminalization of persons who commit low-level offenses due to homelessness or mental illness by directing them to public health and housing services, rather than resorting to arrest;

Oppose homeless encampment sweeps and destruction of tents, shelters, and possessions absent a public health necessity;

Oppose homeless encampment sweeps and destruction of tents, shelters, and possessions unless adequate health and transitional housing services are available;

Support equal enforcement of laws and policies that protect both women and men from sexual assault and rape;

Support the ongoing regulation and taxation of cannabis, while prioritizing health, education, and safety over revenue or profits;

Support balanced funding for public defender and district attorney agencies so that the promise of a constitutionally adequate defence is realized; and,

Support reforms to the sex-offender registry that would remove those crimes that pose no public safety risk and remove the names of those convicted of crimes that pose no public safety risk;

Support state-wide reforms to the criminal grand jury selection process to ensure that

⁶¹ ibid

those empanelled represent the demographics of the county in which they sit so as to reduce race, age, and gender biases, and to promote the equal application and administration of justice.

Support investment in proven strategies to prevent crime, including providing structured preschool and afterschool programs for youth, as well as programs and policies to promote school retention and graduation to effectively end the school-to-prison pipeline; and,

Support implementing community policing strategies where the officers and the community work together as partners.

Support the implementation of de-escalation policies and practices rather than resorting to physical restraint – particularly aggressive restraints such as canine deployment; Tasers; chemical sprays; violence; arrest; or, threat of such actions in the face of anger, disagreement, or resistance;

Support the recruitment and retention of law enforcement officers who are trained to work effectively in cross-cultural situations;

Support law enforcement officers with excellent pay and benefits and resources to work in a safe environment;

Encourage local governments to hold peace officers personally liable for damage awards in cases of excessive force and wrongful death where a violation of policy is found;

Support training programs for law enforcement officers that include de-escalation; implicit, unconscious, and explicit bias; cultural competency; interacting with people with disabilities, including individuals with mental or behavioural health challenges; and, dealing with individuals under the influence of alcohol or drugs;

Support the creation of local civilian oversight for all law enforcement agencies and insist on independent investigators in cases of police use of deadly force or in-custody death.⁶²

B] COVID-19 Pandemic Response

I] Republican Stance: The Republican viewpoint changed on a number of COVID-19-related issues. They became generally less interested in coverage, more sceptical of the media, and more inclined to think the pandemic was exaggerated. They also seemed to have unfavourable views of the Centers for Disease Control and Prevention (CDC) and other public health professionals.

First, over time, Republicans' interest in COVID-19 news waned.

Republicans' interest in the COVID-19 pandemic news waned during the course of the year. Republicans were slightly less likely to be paying close attention to this news from mid-March to late April, dropping from 48% to 42%. The number of those paying close attention decreased even more in early June, falling to 35%. Even fewer Republicans (26%) were paying careful attention to the outbreak news when asked again at the start of September. Despite a considerable increase in new cases, the proportion remained essentially unchanged, with 27% of Republicans paying close attention in early October and 28% doing so in late November.⁶³

Republicans' perceptions of the pandemic media coverage deteriorated considerably

⁶² "Criminal Justice," California Democratic Party, March 11, 2022, <https://cadem.org/issues/criminal-justice/>.

⁶³ Amy Mitchell et al., "5. Republicans' Views on Covid-19 Shifted over Course of 2020; Democrats' Hardly Budged," Pew Research Center's Journalism Project (Pew Research Center, February 22, 2021), <https://www.pewresearch.org/journalism/2021/02/22/republicans-views-on-covid-19-shifted-over-course-of-2020-democrats-hardly-budged/>.

during a six-month period.

Republicans are generally reported to be more critical of the media and journalistic practises than Democrats, according to a number of surveys. The same can be said about how people would view pandemic coverage in 2020, but Republicans' viewpoints have changed more more than Democrats' over time.

In March 2020, 59% of all Republicans (including independents who lean Republican) thought the media were covering the epidemic "very well" (25%) or "fairly well" (34%), and these numbers remained consistent through June. However, in September, fewer than half of Republicans (45%) said the media were doing their jobs properly (10%) or properly (35%). In the spring of 2020, Republicans became increasingly convinced that the outbreak was overstated.⁶⁴

Multiple times in 2020, it was questioned whether the COVID-19 pandemic was portrayed as "a bigger concern than it really is," "a smaller deal than it really is," or "approached about right."

When this topic was posed for the first time in late April, Republicans were more likely to believe the epidemic was exaggerated (47%) than to provide any other response. However, as the year progressed, the percentage of Republicans who believed the outbreak was overblown rose to 63% in June and 66% in September. In November, when coronavirus cases increased, the proportion of Republicans who believed the pandemic was exaggerated decreased, although the majority (58%) still held this view.

Over time, Republicans' scepticism of public health officials increased.

There is also evidence that Republicans' opinions of the public health professionals' response to the coronavirus deteriorated over time.

Midway through March 2020, 26% of Republicans said that CDC public health officials had "greatly" or "somewhat" exaggerated the dangers of the coronavirus outbreak. When queried again in late April, the proportion had increased to 38%.⁶⁵

In March, 16% of Democrats believed that public health professionals had inflated the hazards, while in April, just 11% of Democrats held this view.⁶⁶

Similarly, in March, 87 percent of Republicans said they were "extremely" or "somewhat" satisfied that CDC public health authorities were reacting to the pandemic effectively. Even greater than the proportion of Democrats who agreed (80%), 48% of Republicans were extremely sure, compared to 33% of Democrats. Within the Republican Party, confidence in the CDC was comparable to confidence in Donald Trump's response to the outbreak (82% were at least somewhat confident).⁶⁷

II] Democratic Stance: After months of discussion about addressing the flaws and holes revealed during the coronavirus pandemic, the Biden administration is boosting the Health and Human Services Department's pandemic and disaster response division, according to three people familiar with the internal discussions.

The Office of the Assistant Secretary for Preparedness and Response would become its own operating division as a result of the decision, which was disclosed in an internal HHS memo, elevating Assistant Secretary Dawn O'Connell to the level of directors of other

⁶⁴ ibid

⁶⁵ ibid

⁶⁶ ibid

⁶⁷ ibid

comprehensive agencies like the Centers for Disease Control and Prevention and the Food and Drug Administration.⁶⁸

“This change allows ASPR to mobilize a coordinated national response more quickly and stably during future disasters and emergencies while equipping us with greater hiring and contracting capabilities,”⁶⁹O’Connell wrote in the memo. “This change is an important next step for our organization which has continued to grow and evolve since its creation in 2006 – the pace of which has quickened over the past year.”⁷⁰

The Washington Post first the news of the shift, which comes more than two years after the CDC’s initial missteps with Covid-19 testing and as difficulties with collecting case and treatment data continue. “Even early in the pandemic, there were issues around CDC’s coordination across the [Health and Human Services] Department,” said the office’s former director, Robert Kadlec, explaining why the reorganization is desirable. “They felt like they were the guys in charge.”⁷¹

Kadlec held the position during the Trump administration, when the CDC was on a collision path with the White House due to early disagreements and grave pandemic forecasts from then-CDC officials like Nancy Messonnier.

O’Connell addressed HHS Secretary Xavier Becerra about the reorganisation many months ago, according to a person familiar with the internal conversations who spoke to POLITICO. The person argued that greater staffing of the ASPR was the problem, not deficiencies at the CDC.

Others, however, denounced the restructure as a misguided initiative that would harm the CDC and its initiatives to fortify its response network.

“This is unfortunate. It presupposes ASPR performed well through the pandemic, and it has not,” Trump-era FDA Commissioner Scott Gottlieb wrote on Twitter. “The right - but harder approach - is reform CDC; which has to be [the] tip of the spear in pandemic response.”⁷²

Kadlec claims that the change will improve O’Connell’s ability to staff crucial positions and create the National Disaster Medical System, a network between the departments of HHS and Veterans Affairs for dispatching trained professionals in times of catastrophes like the coronavirus epidemic. He claimed that when the organisation was established in 2006 as a response to Hurricane Katrina, government officials thought about making it an independent functioning division.

According to Kadlec, the creation of Operation Warp Speed by the Trump administration — a collaboration between the Departments of Health and Human Services (HHS) and Defense (DoD) — was in part prompted by the assistant secretary for preparedness and response’s inability to swiftly staff up and expedite funding decisions through BARDA.⁷³

⁶⁸ “Biden Administration Plans to Elevate Pandemic Response Office,” POLITICO, accessed December 4, 2022, <https://www.politico.com/news/2022/07/20/health-officials-pandemic-response-office-00047050>.

⁶⁹ibid

⁷⁰ ibid

⁷¹ ibid

⁷² ibid

⁷³ ibid

Committee Mechanics

Writing Bills

In this committee, delegates will aim to write bills and pass them into laws creating resolutions to the topics debated within the Senate. Members of congress may form blocs to collaborate in writing a bill. Senators who are the main contributors introducing the bill are known as Sponsors while other Senators who would like to express strong support for the bill are known as Cosponsors. Once the Sponsors of a bill are finished writing and would like to present their bill to the Senate, they must submit the bill to the chairs for review. An example template of a bill with proper formatting can be found on the next page.

Presenting Bills and Voting Procedure

Once you have a Bill properly formulated and the Chairs have approved of it, it is time to present it to the Senate, your committee.

It is now time for your bill to reach the committee floor. This step is crucial to reach a compromise with your peers, and necessary to appropriately express your ideas in a concise manner. Sponsors of the Bill will be able to present their bill highlighting important policies. This step, debating in Committee, is where all Senate members express their opinion. They are able to have time to review and debate bills, ask sponsors any questions, or provide and recommend amendments. If there are no further motions to discuss the Bill, you can motion to enter voting procedure. In order to pass a bill into law, there must be two thirds majority of votes supporting the bill. Any other motions require only a simple majority.

Rules of Procedure

The committee will be divided equally into Republican and Democratic delegates in order to improve the quality of debate and further enhance the equitable nature of the committee. Delegates are reminded that they will not be representing real senators, they will be representing states and not the personal views of individuals. There will be no debate over whether or not the topics selected for debate in the committee are issues or not. Instead, discussion will be focused on resolving the issues at hand and reducing their magnitude. Resolutions are in the form of Senate bills. Delegates should review this format before the committee. Delegates will debate on each of the topics and propose their bills.

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