LUCKY YOU! You’ve picked up the inaugural issue of the Columbia Public Policy Review, a publication dedicated to domestic policy in the United States.

Our mission is to inform our communities—both at Columbia and beyond—and inspire democratic participation. Although our diverse backgrounds are our greatest assets at Columbia SIPA, we believe taking part in local, state, and national discussions while residing in the U.S. is vital to our policy school experience. In this issue, our contributors focused on a wide variety of topics, from policing and polling and LGBTQ rights, to race, elections, and fashion (yes, fashion).

This publication would not have been possible without the work of our founding board: Jen Kim, Caitlin LaCroix, William Colegrove, Thomas Gaffney, John Olderman, and Audrey Yu. We would also like to thank our anonymous donor for their generous gift, and our advisor, SIPA’s Urban and Social Policy Concentration and U.S. Specialization Director Dr. Ester Fuchs, for her guidance.

So give us a read. If you’re so inclined, please drop us a line. Or, better yet, a submission.

Sincerely,
Erin Dostal Kuller, President
Natasha Avanessians, Vice President and Treasurer
Will Jordan, Editor-in-Chief
Joo Hyun Ha, Communications Chair

EMAIL: cppr@gmail.com
@columbiappr
@columbiapublicpolicy

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Obama’s Racial Legacy

IS BARACK OBAMA AMERICA’S FIRST BLACK PRESIDENT—OR ITS FIRST PRESIDENT WHO JUST SO HAPPENS TO BE BLACK?  ▶ BY CHRISTINA GREER

n November 4, 2008, millions of Americans took to the streets to celebrate the election of America’s first Black president. Many could not believe their eyes. Older Black Americans remembered vividly the signs that read: “No Niggers. No Jews. No dogs!” They remembered being beaten trying to register to vote. And they could still taste the billy club as they attempted to integrate restaurants and public spaces.

So on a rainy Chicago night, when Barack Obama emerged with the true promise of the founding fathers’ American Dream on his shoulders, there was a central question on the minds of many: Would Obama be America’s first Black president, or its first president who just so happens to be Black?

Some scholars believe Obama has fulfilled the promise of becoming the first Black president, in both descriptive and substantive representation for Blacks in America. That is, not only has he been a Black leader who represents American policy at home and abroad, he has also implemented policies that directly assisted Black Americans in their pursuit for full equality. One of those policies includes expanding healthcare, which has been known to bankrupt families—but Black American families in particular. He also began substantive conversations with individuals working in policy areas ranging from incarceration, school violence, and groups like Color of Change, who exist to strengthen Black Americans’ political voice. His most racially specific policy to date is his investment in “My Brother’s Keeper,” an initiative that addresses the persistent inequality gaps young men of color experience.

Others believe Obama is a Clintonian Democrat who upheld neoliberal beliefs and policies that were detrimental to poor and Black people. In that, his policies mirror the latter 20th Century.

Democrats across the country who argue that a rising tide lifts all boats, and that class-based policies will ultimately assist Black Americans economically, socially, and politically.

A third group argues the verdict is still out and the true Obama will emerge once he has left office. Then, they say, he will be given the freedom to speak and act on behalf of Black Americans specifically.

So what has been the racial legacy of President Obama? Beginning with candidate Obama’s famous March 2008 “A More Perfect Union” speech in Philadelphia, Obama laid out what many believe was a coherent, yet even-handed understanding of race and racism. The speech foreshadowed his subsequent race policies (or lack thereof). In the speech he called for racial unity and for Americans to see the myriad contributions made by diverse groups of people. But he also condemned the anger of his former pastor and those who believed white racism was endemic in this nation.

However, many Black Americans felt Reverend Jeremiah Wright’s remarks were a very real analysis of racism and race relations in the early 21st Century. Once Obama took office, many lamented the fact that he would often chastise Blacks for not doing enough to better themselves. Quiet frustration ensued due to what some saw

President Obama speaking at the University of Kansas, January 2015.
Recent interactions between Black men and women and the police have shown the country and the world that race relations in the U.S. have not necessarily gotten better as a result of Obama’s presidency. The racial backlash against Obama—which gave rise to the campaigns of Donald Trump and his confederate flag-waving supporters—is an indication that the past eight years under Obama’s leadership have yielded many into a false sense of racial progress. In the country’s haste to become “post-racial,” we now find ourselves glaring at the realization that Black employment, homeownership, feelings of safety and security, and overall economic well-being have not exponentially improved. Much of this negative news is not a direct indictment of Obama himself but possibly a window into the limitations of the presidency as a vehicle for Black advancement. Article II of the Constitution is quite vague about the role of the presidency. As the office of the presidency and the surrounding bureaucracy has expanded under 44 different leaders, the fundamental principles of checks and balances remains to consistently limit the overall power of a president. Therefore, some of the expectations pertaining to progressive racial and economic policies that surrounded Obama’s election were doomed.

First, the limitations of the U.S. presidency do not allow for fast and fundamental change without the cooperation and concessions of Congress. Second, Obama faced an incredibly hostile Republican party in Congress, which refused to compromise with the president, even when he compromised to the point of acquiescence. And third, Obama never promised sweeping racially progressive change on the campaign trail. The effects of an Obama legacy may be felt in subsequent years to come. The question remains whether Black Americans will have actually benefited from policy changes under the first Black president, or the first president who happened to be Black.

Given technological advances, branches and ATMs are not as relevant for making deposits. Online direct deposits bypass brick-and-mortar entities, but are ignored by regulators when determining a bank’s assessment area.

But it’s not so simple. Banks may be unwilling to provide loans to low- and moderate-income individuals in part due to a perceived lack of ability to repay the loans given geographic location or other factors. Banks are first and foremost profit-making entities with a goal to create wealth for their shareholders. As a result, their strategy will focus on making the most money within a defined appetite for risk. Making loans in low- and moderate-income neighborhoods may not be conducive to this strategy.

In order to encourage a bank to meet the credit needs of neighborhoods, banking regulators assess the bank’s compliance with the CRA via a test and rating system, which then affects the regulator’s decisions for approving applications for charters, bank mergers, acquisitions, and branch openings7 from the bank. The rating incorporates three main areas: lending, investment, and servicing tests. The lending test evaluates loans provided across income and geographic classification with credit for community development investments, and the servicing test looks at service delivery, such as the availability of physical branches. A low CRA rating could negatively affect a bank’s ability to operate. This could incentivize a bank to balance the risk of compliance with other profit-making opportunities. In order for banks to reduce the risk on their lending portfolio while maintaining CRA compliance to a degree that ensures a high rating, banks are currently capitalizing on a loophole constructed by antiquated language in the law—the criteria designating an assessment area.

The CRA assessment loophole

The CRA is not without detractors. Critics have reservations about the effectiveness of the law and whether it leads to poorer lending practices, increasing loan default rates. Conversely, others question whether the law goes far enough to provide loans to low- and moderate-income individuals who need access to wealth and opportunity. I raise a question about the assessment areas, in particular the criteria that establishes the extent of a bank’s lending obligation—this may affect both of the aforementioned concerns. I encourage policymakers to consider addressing the unintended assessment area loophole while engaging these issues.

Assessment areas determine a bank’s lending obligation. The criteria for determining an assessment area is based largely on the location of the bank’s headquarters, branches, and deposit-taking ATMs. When the CRA was written these served as a proxy for banking activity, including deposit taking. For decades deposits had been collected via branches or ATMs in the form of cash or checks. Now, given technological advances, branches and ATMs are not as relevant for making deposits. Online direct deposits bypass brick-and-mortar entities but are ignored by regulators when determining a bank’s assessment area. If a mass of low- or moderate-income direct depositors reside in an area where their bank has closed its branches or ATMs, the bank has no regulatory obligation to reinvest in that community despite taking deposits from customers in that area.

Banks understand this and have been taking advantage of the law’s outdated language. Year over year, S&P Global has reported banks closing branches, while deposits in the U.S. continue to increase. Under the auspice of reduced need for branches, banks are winnowing their assessment areas and thus lowering their CRA lending obligation often to the detriment of low- and moderate-income individuals and neighborhoods.

Policy implications

A number of significant regulatory challenges stemming from technological innovations currently exist within the CRA. “The link between mortgage lending and the branch-based deposit gathering on which the CRA was based” has deteriorated. Typically banks used deposits as their primary funding source to provide loans to customers; however, during the past couple of decades there has been a rise in institutions providing loans backed by investors instead of customer deposits. This not only complicates the assessment of mortgage loans, but also draws into question the future dependancy on branches for banks. I would encourage policymakers to consider the criteria for determining assessment areas throughout their discussions to modernize the CRA. A more accurate understanding of depositors and their geographies could renew the spirit of the CRA for the 21st Century. Further work is needed to determine the best way to redefine assessment areas. The use of customers’ home addresses in addition—or opposed—to the location of branches and deposit-taking ATMs when designating assessment areas would be a better policy.

Changing the CRA to address the outdated assessment criteria could help to improve its efficacy and bring banking services into communities that need them the most. In low- and moderate-income neighborhoods with deposit-making customers, banks may no longer have physical branches and thus no longer have a CRA obligation. To legislators I ask, do the current state of these policies align with the spirit of the CRA?8

5 Getter, 2015.
6 Apgar, 2015.
8 Apgar, 2015.
9 Apgar, 2015.
NYC’s Vision Zero
REFRAMING TRAFFIC SAFETY TO SAVE LIVES — BY ELIZABETH JOHNSON

The first two and a half years of Mayor Bill de Blasio’s tenure as New York City’s chief executive were marked by big policy initiatives aimed at closing the gap symbolized by the “tale of two cities” from his 2013 campaign. Several of these policy initiatives, such as Universal Pre-Kindergarten and Housing New York, have garnered widespread attention. Less widely known, Vision Zero seeks to tackle an issue that affects all New Yorkers, regardless of age, socioeconomic status, or neighborhood: traffic fatalities.

Vision Zero is the de Blasio administration’s plan to promote safer streets for pedestrians, cyclists, and motorists. The plan to bring traffic-related fatalities to zero by 2024 was adapted from Sweden’s official road policy, which is built around the premise that there is no acceptable level of death or injury resulting from traffic collisions.1 In this view, traffic fatalities and injuries are not the results of accidents, but of preventable crashes. Additionally, Vision Zero shifts some of the responsibility for crashes to poor street design and a lack of traffic law enforcement, rather than blaming them solely on the users of the system.2 Vision Zero is reframing the problem.

Vision Zero is a multi-agency plan. The Office of the Mayor coordinates with the New York City Police Department (NYPD), the Department of Transportation (DOT), the Department of Health and Mental Hygiene (DOHMH), and the Taxi and Limousine Commission (TLC) to tackle this problem.3 These organizations coordinate their efforts to promote safe streets through four policy streams.

POLICY SUCCESSES

MAYOR DE BLASIO TOUTS Vision Zero as a major success, and indeed, traffic fatalities and injuries fell significantly during the first two years of the initiative (2014 and 2015). In 2015 there were 234 traffic fatalities, the lowest number ever recorded in NYC, and 63 fewer than the 297 deaths in 2013, the year before Vision Zero began. Pedestrian deaths fell 26% from 183 to 136.4 Motorcyclist deaths, as well as the number of people severely injured, also dropped. There is good reason to believe these reductions in serious collisions are driven by Vision Zero’s policies.

EXPANDED PUBLIC DIALOGUE AND OUTREACH

NYC GOVERNMENT IS ATTEMPTING to drive the cultural shift in how the public thinks about traffic-related injuries and deaths through a robust outreach program. The DOT works in more than 500 schools, after-school programs, and senior centers to conduct street safety education courses and hands-on demonstrations.5 DOT has also partnered with the NYPD to send out Street Teams that focus on education and enforcement in high-crash, high-density neighborhoods, while the TLC expanded its professional driver safety train-
between 2013 and 2015, summonses for speeding increased 59% and summonses for failure to yield jumped 160%. This increase in summonses, the result of ticket blizzards in high-crash areas, has proven effective in reducing dangerous driving.

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Columbia Public Policy Review

BETWEEN 2013 AND 2015, SUMMONSES FOR SPEEDING INCREASED 59% AND SUMMONSES FOR FAILURE TO YIELD JUMPED 160%. THIS INCREASE IN SUMMONSES HAS PROVEN EFFECTIVE IN REDUCING DANGEROUS DRIVING.

ing. These initiatives are underlined by a media campaign that seeks to curb reckless driving and transform public perceptions of offenses.9

ENHANCED LAW ENFORCEMENT

The NYPD has stepped up its enforcement of speeding, failure to yield, and distracted driving. Between 2013 and 2015, summonses for speeding increased 59% and summonses for failure to yield jumped 160%. This increase in summonses, the result of ticket blizzards in high-crash areas, has proven effective in reducing dangerous driving.

IMPROVED STREET DESIGN

DURING VISION ZERO’S FIRST TWO YEARS, DOT made improvements to more than 100 city intersections. These changes include new crosswalks with shorter crossing distances and longer lead times for pedestrians, clearer lane markings, separate bicycle and bus lanes to direct the flow of traffic, and neighborhood slow zones. These engineering changes have significantly reduced the number of crashes that result in death or serious injury. In 2014, the city commited $100 million to redesigning Queens Boulevard, nicknamed the “Boulevard of Death” for its frequency of fatal crashes. Between 1990 and 2015, 185 people were killed in traffic-related incidents on Queens Boulevard, with six of these in the five years preceding Vision Zero. Likely thanks to this redesign, the “Boulevard of Death” saw no fatalities in 2015.10

COMPREHENSIVE LEGISLATION

NONE OF THESE POLICIES WOULD HAVE BEEN SUCCESSFUL WITHOUT EFFORTS AT LEGISLATION. IN 2014, THE MAYOR SUCCESSFULLY LOWERED THE CITYWIDE SPEED LIMIT TO 25 MILES PER HOUR.11 THE CITY ALSO RECEIVED THE GO-AHEAD FROM THE NEW YORK STATE to expand its red light and speed camera initiatives. Intersections with red light cameras saw a 31% reduction in pedestrian injuries.12 Finally, city legislation increased the penalty for motorists who leave the scene of a collision. Together, these policies created the safest streets since recordkeeping began in 1910, but the city has a long way to go before it achieves “Vision Zero.”

SHORTCOMINGS AND SETBACKS

DURING THE LAST TWO YEARS, SEVERAL OBSTACLES CHALLENGED VISION ZERO’S SUCCESS. TRAFFIC SAFETY ADVOCATES CRITICIZED THE INITIATIVE.13 WHILE VISION ZERO HAS A TIME-BOUND GOAL OF REDUCING TRAFFIC FATALITIES TO ZERO BY 2024, IT LACKS SPECIFIC SUB-GOALS OR BENCHMARKS TO TRACK PROGRESS OVER THE DECADE-LONG TIME HORIZON, MAKING IT DIFFICULT TO EVALUATE THE INITIATIVE AND IMPLEMENT ONGOING POLICY CHANGES WHERE NEEDED. THIS ALSO ALLOWS DE BLASIO TO MANEUVER IN A POLICITELY PRECARIOUS POSITION, WHERE A DEATH FOR ANY REASON MEANS A FAILURE OF THE ENTIRE INITIATIVE, DESPITE GAINS. CRITICS ALSO HIGHLIGHTED THAT, DESPITE INCREASED SUMMONSES FOR TRAFFIC VIOLATIONS, THE CITY OFTEN FAILS TO PROSECUTE DRIVERS WHO KILL OR INJURE PEDESTRIANS AND CYCLISTS. ONLY 15% OF DRIVERS INVOLVED IN CRASHES RECEIVED ANY VISION ZERO CHARGES IN 2015.14 THE CITY WILL NEED TO REVISE ITS PROGRAM TO ENSURE THAT THE RIGHT LEGAL AND PROGRAMMATIC MECHANISMS ARE IN PLACE TO MEET THE VISION ZERO GOALS ON TIME.

ANOTHER CHALLENGE FACING VISION ZERO IS THE LACK OF INSTITUTIONAL COORDINATION ACROSS DIFFERENT LEVELS OF GOVERNMENT. THE VISION ZERO TASK FORCE DOES NOT INCLUDE SEVERAL CRUCIAL PARTNERS, INCLUDING THE NEW YORK STATE DIVISION OF MOTOR VEHICLES (DMV), THE METROPOLITAN TRANSIT AUTHORITY (MTA), AND THE FIVE BOROUGH DISTRICT ATTORNEYS (DA) OFFICES. THE DMV AND MTA ARE BOTH STATE-RUN ENTITIES THAT PLAY A CRUCIAL ROLE IN PROMOTING TRAFFIC SAFETY. THE CITY MUST APPEAL TO THE STATE GOVERNMENT ANY TIME IT WANTS TO CHANGE MOTOR VEHICLE- OR PUBLIC TRANSIT-RELATED POLICIES. THESE BUREAUCRATIC NEGOTIATIONS ARE FURTHER IMPEDED BY THE ONGOING POWER STRUGGLE BETWEEN MAYOR DE BLASIO AND GOVERNOR ANDREW CUOMO.

LOOKING FORWARD

YEAR THREE OF VISION ZERO IS WELL UNDERWAY. WHILE MOST OF THE POLICIES IMPLEMENTED IN 2016 ARE EXPANSIONS OR EXTENSIONS OF EXISTING POLICIES, THE CITY ALSO RECEIVED THE GO-AHEAD FROM THE NEW YORK STATE TO EXPAND ITS RED LIGHT AND SPEED CAMERA INITIATIVES. INTERSECTIONS WITH RED LIGHT CAMERAS SAW A 31% REDUCTION IN PEDESTRIAN INJURIES.12 FINALLY, CITY LEGISLATION INCREASED THE PENALTY FOR MOTORISTS WHO leaving THE SCENE OF A COLLISION. TOGETHER, THESE POLICIES CREATED THE SAFEST STREETS SINCE RECORDKEEPING BEGAN IN 1910, BUT THE CITY HAS A LONG WAY TO GO BEFORE IT ACHIEVES “VISION ZERO.”

The DOT introduced a pilot program to test safer left-turn designs on 100 intersections across NYC. The DOT hopes that improved left turn design will encourage drivers to be more cautious and will reduce the risk of collisions in one of the most dangerous traffic maneuvers. Although NYC is pushing forward, 2016 is falling short of expectations. During the first six months of 2016, motorists and cyclist fatalities were higher than they were during the same period of 2015. Likewise, injuries across all categories were higher than during the first half of 2015. While Vision Zero has shown promising progress over its first two years, recent data bring into question whether these reductions in deaths and serious injuries can be sustained in the long term. As other issues, such as Housing New York

dot 2016

dot 2016

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2 Center for Action Design. 2014.
6 DOT. "Vision Zero: No more traffic deaths." April 22 January 2016.
8 DOT. 2016.
10 CBS NY. 2016.
11 DOT. 2016.
15 Transportation Alternatives. 2015.
In Fall 2008, the Philadelphia Phillies won the World Series for the first time since 1980, and only the second time in the team’s history. The city was buzzing. Energy was high, and people felt good despite the economic downturn, says then-Mayor Michael Nutter. In January of that year, Nutter had entered his first of what would ultimately be two terms—eight years—as Mayor of Philadelphia after nearly 15 years serving on the City Council.

Even amid the World Series euphoria, the mayor knew he had a big announcement to make that would shake the city—Philadelphia, due to a still-unfolding financial crisis, was in dire straits. In November 2008, he laid out a plan that would save the city $1 Billion during the next five years. And raising taxes isn’t a way to get voters to like you, he says. He’d have a big challenge ahead of him, and so would Philadelphia. This is particularly notable as in 2008, the city suffered from one of the highest crime rates in the United States, while also struggling to keep its young people in public schools and out of trouble.

Nutter’s time as mayor was not without its trials—he will likely be remembered most for his financial stewardship during a difficult time—but under his leadership Philadelphia saw a significant decrease in its violent crime rate and an increase in its high school graduation rate. Homicide in the city hit a 50-year low. Philadelphia’s population grew. A Democrat, Nutter is now a Hillary Clinton supporter, and continues to speak out for finding creative ways to lower crime and looking for solutions to urban problems that bring all parties to the table.

We spoke with the mayor—who was recently named as the inaugural holder of the David N. Dinkins Professorship of Professional Practice in Urban and Public Affairs at Columbia SIPA—about the role of America’s urban leaders during this election year.

During an election year, how do you view the role of the urban mayor?

I’ve watched many of the debates, and you rarely hear the term “cities.” But all the things that [the presidential candidates] want to do, all the things they talk about—income inequality, poverty, racism, sexism, infrastructure, education, public safety, Black Lives Matter, police and community relations—all of these things primarily take place in cities. A majority of Americans live in cities and metro areas; Cities represent 90 percent of the GDP of the United States of America. Cities are the economy of the United States. So, I think it’s incumbent upon mayors to voice their views and their concerns.

Why do you think the candidates so seldom mention cities?

The candidates respond to the questions that are asked. [In a debate] it’s harder to delve into a level of specificity and not have peoples’ eyes glaze over. It
I think to govern a city in the 21st Century, you can assert as mayor coexist?

Can the big thinker and the data-obsessed pragmatist work together? And if I'm generally worried about your tuition debt is too high, and we're going to have to do something about that—

We saved a lot of lives, but still too many people died. Too many people were shot. It may be unrealistic to say you're going to get to zero, but that's always got to be your goal. And while the high school graduation rate went from 53 percent to 66-67 percent, my goal was 80 percent and it really should be, like, 90 percent. Similarly, I'm really proud of what we did, but I didn't pursue something different than what happens at the state or federal level. When you wake up in the morning you have to take whole organizations down.

This interview took place in May 2015 and has been edited for brevity and clarity.
Suits, Stilettos, and Stump Speeches

THE UNDERAPPRECIATED IMPORTANCE OF SARTORIAL POLITICS
BY NATASHA AVANESSIANS

“Whether to call on an insurance client, or speak before the assembly of my school, or address a jury in court, I would always check that my fingernails were clean and my hair tidy; I told him that I found such small details important in presenting the proper appearance, and that I still maintained that habit... The underlying lesson about making one’s ideas acceptable by presenting one’s self as acceptable.”

– FORMER NYC MAYOR DAVID DINKINS


Vogue’s September Issue is probably not at the top of a policy wonk’s must-read list. But fashion does play a subtle, important role in politics. Like other art forms, fashion not only acts as a lens into history, but also has bold political implications of its own. While some will argue that what hangs in a closet is trival, first impressions can be powerful, particularly for an ambitious or unorthodox politico. What some may consider frivolous, I—along with many highly paid image consultants—argue fashion can be truly influential in elections, policy, diplomacy, and social movements.

DEMOCRACY LOOKS GOOD ON YOU!

FOR THE FOUNDING FATHERS, a crucial strand of democracy was freedom of speech and expression. Self-expression through dress is a manifestation of this freedom, and it can actively shape some characteristics of democratic society. Politicians are not ignorant of the fact that what someone looks like makes a big difference; they know long-seated biases toward types of dress are important. Clothing is often a visual statement about the people politicians represent, the type of politician they want to become, or policies they care about. If 2016 Democratic presidential nominee runner-up Senator Bernie Sanders were to rock a $3,000 Armani suit at a rally, his equality-for-all messaging would be seen as inauthentic. But it’s not just cost—brands matter too. When David Cameron became Prime Minister he was criticized for wearing a bespoke £3,500 suit. According to The Telegraph, he vowed thereafter to only wear British-based Marks & Spencer suits averaging £400, stating, “I’m not really interested in clothes; mainly I like wearing clothes that don’t make me stand out. I tend to go for Marks & Spencer and Gap.”

In the United States, appearing approachable to the masses has been a trend since the 1960s when John F. Kennedy became the first President to rarely wear a top hat during public appearances. Kennedy’s successor, Lyndon Johnson, followed suit, becoming the first president not to wear a top hat at his inauguration in 1963. First Lady and fashion icon Jacqueline Kennedy wore a straight simple greige coat, departing from the decadently dressed First Ladies of administrations past. At the 2008 Inaugural Address, Michelle, Malia, and Sasha Obama wove American retailer J. Crew pieces into their outfits—accessories readily available at retail stores. President Obama is often spotted giving speeches without a tie, furthering his down-to-earth image. These visual cues can shape their political identities and brands. It is important to note that these nuances are much more subtle for men in politics, though, whose professional uniform has traditionally been the suit, tie or no tie, not the plethora of options available to their female counterparts.

FROM CLEOPATRA TO MICHELLE OBAMA

THE ADVANTAGE—AND CHALLENGE—of female fashion are the myriad options women have to express themselves in the many personal and political roles they play. When Cleopatra embarked to...
Fashion choices have an impact on people, as well as on the way people perceive them. For most designers’ work, fashion is not just about creating a new outfit; it is about making a statement. The visual cues found in fashion are very important to the political theatre of the 20th century. It was an important aspect of diplomacy and can be a statement of change or association with an ideal or movement. Freedom of expression through fashion plays a central role in our American democracy and it cannot be taken for granted or written off lightly. Visual cues are paramount to the political theatre we see in the media. It is an important aspect of diplomacy and can be a statement of change or association with an ideal or movement. Freedom of expression through fashion plays a central role in our American democracy and it cannot be taken for granted or written off lightly.

Mrs. Kennedy at a Foreign Ministry Reception, Mexico City.

The Origins

FOR MOST DESIGNERS’ WORK, political culture is unavoidable. The clean-cut suits and dresses of the idealized 1950s suburban couple symbolized American prosperity amid the ideological surge of communism abroad during the Cold War years. During the Civil Rights movement of the 1960s, many Black men and women embraced their heritage, no longer straightening their hair and at times incorporating kente cloths into their wardrobes. The beginning of the women’s suffrage movement of the mid-to-late 19th Century also saw the invention of the brassiere: the revolutionary alternative to the restrictive Victorian corset. And while it did not gain traction until much later, women like Susan B. Anthony and Elizabeth Cady Stanton adopted bloomers, the then-scandalous ankle-length trousers of the suffragist movement. These wardrobe choices, while moving fashion forward, also made statements about empowerment, breaking from the patriarchal past. Freedom of expression through fashion plays a central role in our American democracy and it cannot be taken for granted or written off lightly. Visual cues are paramount to the political theatre we see in the media. It is an important aspect of diplomacy and can be a statement of change or association with an ideal or movement. Freedom of expression through fashion plays a central role in our American democracy and it cannot be taken for granted or written off lightly. Visual cues are paramount to the political theatre we see in the media. It is an important aspect of diplomacy and can be a statement of change or association with an ideal or movement. Freedom of expression through fashion plays a central role in our American democracy and it cannot be taken for granted or written off lightly.
tics and news media. People who are more politically aware are not only more likely to absorb more information, but they are more likely to filter considerations consistent with their ideology. There’s still an element of chance as to which considerations are made salient at the moment a pollster asks a question, but because the mix of considerations is more likely to lean “liberal” or “conservative,” responses by an individual over time—or a group of similar-minded individuals—will also take on a certain bent. Politically unaware people, on the other hand, are more indiscriminate in the considerations they accept or reject; as a result, their responses to surveys show less regularity over time and are more susceptible to swinging one way or the other based on seemingly subtle changes in question wording.

What does all of this have to do with free trade? The “political awareness” dimension of Zaller’s theory can be transposed from individuals to the issues themselves: some issues are more familiar to more people, in general, than others. And this familiarity breeds stability in responses. Free trade, it appears, is not one of these issues. Let’s look again at the headlines above. It’s important to recognize that, while the headlines suggest a connection between trade and jobs before a pollster does, it’s not clear they are prepared to draw the connection between trade and jobs for them. Some evidence of this comes from a YouGov poll conducted in August 2016. Voters were asked how important a range of issues were to their vote for president in 2016, including “free-trade agreements” and “job creation.”

What do you think foreign trade means for America? Do you see foreign trade more as an opportunity for economic growth through increased U.S. exports or a threat to the economy from foreign imports?

Given the information in the table, it’s clear that free trade is low on the list of priorities for voters: only 56% say free trade agreements will be “very important” to their vote, putting it lower than 14 of the 20 issues listed. In addition, if we look only at the people who say job creation is very important to them, free trade doesn’t rank any higher on the list. The same goes for those who cite economic inequality or the economy in general as highly important issues. If voters saw a strong connection between jobs and trade (before being asked about the two together) we would expect people especially concerned about one to be especially concerned about the other.

Of course, there is no need to throw out the baby just because the bathwater isn’t as clean as advertised. There are many areas where Americans have a more consistent set of preconceptions that are resistant to sudden change, such as presidential approval or immigration; free trade agreements could, even someday soon, join these ranks. But for now polling on trade is a reminder that, even when people are willing to answer, not every question needs to be asked. Next time you read about a shocking poll on a subject you hadn’t given much thought, consider the possibility the rest of the country hasn’t either.

WHAT DO YOU THINK FOREIGN TRADE MEANS FOR AMERICA? Do you see foreign trade more as an opportunity for economic growth through increased U.S. exports or a threat to the economy from foreign imports?

### Chart: % Opportunity for growth vs % Threat to the economy

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<td>2008</td>
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</tr>
<tr>
<td>2010</td>
<td>48</td>
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</tr>
<tr>
<td>2012</td>
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</tr>
<tr>
<td>2014</td>
<td>44</td>
<td>44</td>
</tr>
<tr>
<td>2016</td>
<td>42</td>
<td>42</td>
</tr>
</tbody>
</table>

SOURCE: GALLUP

### Table: The issues voters say are “very important” in their vote for president in 2016

<table>
<thead>
<tr>
<th>Issue</th>
<th>All Registered Voters (%)</th>
<th>Only Voters Who Say Job Creation is “very important” (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>National security</td>
<td>75</td>
<td>100</td>
</tr>
<tr>
<td>Fighting terrorism</td>
<td>72</td>
<td>86</td>
</tr>
<tr>
<td>Health care</td>
<td>68</td>
<td>83</td>
</tr>
<tr>
<td>JOB CREATION</td>
<td>67</td>
<td>78</td>
</tr>
<tr>
<td>Social Security</td>
<td>67</td>
<td>78</td>
</tr>
<tr>
<td>Taxes</td>
<td>60</td>
<td>75</td>
</tr>
<tr>
<td>Immigration reform</td>
<td>56</td>
<td>70</td>
</tr>
<tr>
<td>Law and order</td>
<td>55</td>
<td>65</td>
</tr>
<tr>
<td>Gun control</td>
<td>51</td>
<td>57</td>
</tr>
<tr>
<td>Money in politics</td>
<td>46</td>
<td>56</td>
</tr>
<tr>
<td>Religious liberty</td>
<td>45</td>
<td>53</td>
</tr>
<tr>
<td>Police brutality</td>
<td>41</td>
<td>49</td>
</tr>
<tr>
<td>Income inequality</td>
<td>40</td>
<td>49</td>
</tr>
<tr>
<td>The minimum wage</td>
<td>37</td>
<td>48</td>
</tr>
<tr>
<td>Climate change</td>
<td>36</td>
<td>FREE TRADE AGREEMENTS (46)</td>
</tr>
</tbody>
</table>

SOURCE: YOUGOV

3 This appears in a separate question, so is absent from the table.
When will Chinese Americans get “woke”?

THE PETER LIANG CASE AND WHAT IT REVEALS ABOUT OUR COMMUNITY

BY CHUN-FAI CHAN

A few months have passed since the conviction of New York City Police Officer Peter Liang in connection with the death of Akai Gurley. Officer Liang was one of very few police officers to have been held accountable for the shooting death of an unarmed Black man. There are many examples of young people of color being killed by law enforcement during the past few years, a fact that led to the creation of the Black Lives Matter movement.

It’s important to examine what Peter Liang’s case means for Chinese Americans like myself. Did this case, specifically, result in a “woke” moment in the Chinese American community? This moment opens up the question of whether or not there is an argument for Chinese Americans to use this moment to stand in solidarity with Black Lives Matter.

For those unfamiliar with the term “woke,” the Urban Dictionary defines it as being aware, or “knowing what’s going on in the community,” specifically relating to racism and social injustice. At first, I thought the Peter Liang case might open the eyes of Chinese Americans to some of the challenging truths about race in America. Attending a protest in Brooklyn in February 2016 made me think twice.

At the time of the incident, part of me was happy that many Chinese Americans had finally become more fully aware of the realities of police violence. They gathered in their communities throughout the country in protest and solidarity. The moment had arrived for them to engage with other people of color to push for policy reforms that would benefit everybody.

Then, I started seeing the words “scapegoat” and “victim” used on protest signs to describe Liang. It was painfully obvious and disheartening to me that they were protesting to protect Liang from conviction because he was Chinese. They “woke” only to serve the interests of the Chinese American community and not of a broader Asian-Pacific American community or a coalition of people of color like the one that mobilized behind President Barack Obama in 2008 and 2012. Their collective words said: “We will be quiet, disengage, and leave everyone alone while living within our communities of Flushing or Chinatown. However, if you attack one of us—regardless of circumstances or culpability—we will come after you.” And the protests actually worked: the late Brooklyn District Attorney Ken Thompson subsequently downgraded Liang’s sentence of up to 15 years in prison for manslaughter to a mere five years probation with six months of community service.

So are Chinese Americans finally able to contextualize their reaction to Liang and understand the larger issues of police brutality in the United States? Yes, in their own way, they are. However, in terms of their broader civic engagement with movements like Black Lives Matter—collectively working toward major changes in social policy—Chinese Americans have not made an impact.

If Chinese Americans now only look at the issue of race relations from a superficial standpoint of Liang’s Chinese heritage, then they need to become “woke” to the history of other racial and ethnic groups in the U.S. One does not have to go very far to look at shared history of discrimination toward Black Americans with Jim Crow laws and Chinese Americans with the Chinese Exclusion Act, which prohibited all Chinese immigration into the U.S. With this historical knowledge and the establishment of a broader coalition, communities of color can cooperatively encourage social policies that would lead to the betterment of race relations.

Through the critical analysis of this shared history, it may be possible to inspire Chinese Americans to become more civically engaged in broader social policy issues affecting the U.S. and prevent a repeat of the Peter Liang case.
Aging, Low-Income, and LGBT in NYC: Who is looking out for them?

THE NON-PROFIT AGENCY SAGE AIMS TO DELIVER ESSENTIAL SERVICES TO AN UNDERSERVED COMMUNITY  ■ BY JOO HYUN HA

In June 2016, Services and Advocacy for LGBT Elders (SAGE), an organization dedicated to improving the lives of aging lesbian, gay, bisexual, and transgender (LGBT) people, announced it would be a project partner for New York City’s first senior housing projects providing services specifically to LGBT adults. The $45 million 145-unit apartment complex in Brooklyn, Ingersoll Senior Residences, is the result of a partnership between the NYC Housing Authority (NYCHA) and SAGE Preservation and Development (HPD). Crotona Senior Residences, HPD, HELP USA, NY State Homes and Community Renewal, and SAGE have partnered to deliver a $38 million 82-unit building for similar use.

These new affordable senior housing projects will comply with fair housing regulations and will be open to all adults of age 65 and older through a lottery process, regardless of their sexual orientation. Nevertheless, developers expect that the on-site LGBT service provision will attract a higher percentage of LGBT senior citizens than other groups—serving the overall intent of the development. These LGBT-specific services will include cultural activities such as creative writing and art classes, as well as programs focused on health and wellness, like nutrition and meditation. People who meet the income eligibility requirements will be able to enter the lottery process for the developments. Expected completion is 2019.

The LGBT component of the projects is due to a successful application from SAGE to run service provisions in these buildings. In both locations, the organization will set up what is known as SAGE Innovative Senior Centers—facilities that offer participants a wide variety of programming, designed to cater the need and interests of older LGBT people. This is modeled after the success of other SAGE centers in New York City and will help expand the geographic reach of service provisions to a wider audience.

Finding affordable, appropriate housing can be a struggle for many elderly Americans. LGBT status can make finding and securing that housing even harder.
AGING IN THE 21ST CENTURY UNITED STATES

IN ORDER TO FULLY GRASP the difficulties faced by older adults, it is paramount to frame this issue within the context of the aging process in the 21st Century. According to a study carried out by the Joint Center for Housing Studies of Harvard University, by 2030, the American population aged 65+ will have more than doubled, reaching 98 million people by 2060 and representing 24% of the total population. Currently, about 15% of elderly Americans live below the official poverty line measurement ($11,354 for age 65 or over in 2014).1 The share is close to 45% when considering the supplemental poverty measurement (SPM), a poverty measure adjusted to consider variations in cost of living.

Homeownership can provide financial stability. Lower housing costs mean more money for food and health-related expenditures. In 2014, close to 80% of citizens aged 60+ were home owners, but these numbers are lower for younger age brackets. Senior homeowners also tend to hold higher mortgage debt, which can offset the financial benefits of low monthly housing expenses. This trend shows a larger cohort of older adults with less economic security at a moment of higher vulnerability and less economic opportunities or alternatives.

Not only do limited income sources contribute to the problem, but there are also fewer housing options available, as senior citizens need accessibility features in the building itself, as well as proximity to transportation options that are not readily available in all housing offers. Although there are some government housing programs for older adults, in 2011, only 36% of the people entitled to such aid (low-income renter households aged 62+) were able to secure it.

In addition to the challenges of growing old with limited financial resources, LGBT older adults face an additional layer of complexity, as they also may also face discrimination, causing many of them to “go back to the closet,” in their later years. Although numbers for aging LGBT population are hard to calculate, the National Gay and Lesbian Task Force estimates that there will be 6 million Americans of 65+ who identify as LGBT by 2030, double the size of the current population. The growing trend of LGBT population among senior citizens stresses the need to address the housing challenge. A solution will require an integrated strategy that ties government, private sector and civil society for the cause.

The lack of research on aging LGBT adults inevitably leaves this community underserved by public policy, as their needs and conditions are non-existent on government records and data. The now older generation of LGBT people were the pioneers, whose efforts and sacrifices have made possible great strides in equality and human rights for LGBT community and the ones who, once again, suffer the costs of not being a group who is traditionally accounted for. They still find themselves facing adversity, as they struggle to find adequate opportunities for housing and economic security.

In 2012, the U.S. Department of Housing and Urban Development (HUD) issued the LGBT Equal Access Rule, prohibiting discrimination on the basis of sexual orientation, gender identity or marital status, in public housing and HUD’s housing programs. However, in 2014, the Equal Rights Centers developed a matched-pair test to investigate discrimination against senior same-sex couples when seeking housing. According to the study, more than 48% of LGBT testers have claimed to have suffered adversity or discrimination. Worse housing options, higher rental prices, and different application processes were offered to LGBT than to heterosexual testers with similar profiles.

Despite efforts to improve the lives of LGBT people, the federal government still has a long way to go in developing an integrated vision to ensure dignified living conditions for the aging LGBT community. Through the activism of advocacy groups such as SAGE, some incremental strides have been made but they are unlikely to fully address the needs of this community without a leading role from all levels of government.2

1) United States Census Bureau

CONCLUSION

This uncertain terrain was further exposed in Apple’s dispute with the FBI, which stemmed from an alleged act of domestic terrorism in San Bernardino, California, in December 2015. On that day Syed Rizwan Farook returned to a holiday party at his job with his wife. He shot and killed 14 people and injured 22 others. Farook was killed during the attack and the subsequent investigation found a locked iPhone used by Farook that neither the FBI nor Apple could unlock. The FBI had a right to access the contents of the phone for a number of reasons, including the crime that had been committed, the phone was actually owned by Farook’s employer, and an individual’s privacy rights are generally thought to expire at death. Because the FBI could not unlock the phone, the FBI sought help from Apple. However, neither Apple’s obligation to help the FBI nor Apple’s ability to rebuff the agency’s request was clear because Congress had yet to enact laws that were in line with modern technology.

On February 16, 2016, the FBI received an order from a federal district magistrate judge that required Apple to help the FBI unlock the iPhone used by Farook. According to reports, the judge’s order required Apple to develop a customized iOS operating system to be downloaded onto the shooter’s phone that would allow for unlimited login attempts. This change would have allowed the FBI to systematically guess the password without the risk of erasing the contents of the iPhone (typically, only 10 tries are allowed). The FBI persuaded the court to issue the request pursuant to the All Writs Act, 28 U.S.C. § 1651, which was originally enacted in 1789. In this case, although persuasive to the district court, using the All Writs Act was viewed as an inappropriate by Apple and many legal commentators. Use of this ambiguous Act underscores the failure of government to fully grasp the problems posed by these situations.
The (also outdated) Electronic Communications Privacy Act of 1986 (“ECPA”) similarly gives the government the right to obtain digital communications transmitted via computers. These laws govern domestic communications; new laws governing foreign communications surveillance were enacted after the 9/11 terrorist attacks. The (also outdated) Electronic Communication Privacy Act providers to tap the phones of its customers. The (also outdated) Electronic Communications Privacy Act permits, pursuant to a court order, to require telecommunications carriers to enable "the government, pursuant to a court order, to intercept, to the exclusion of any other communications, all wire and electronic communications carried by the carrier." CALEA allows the government, pursuant to a court order, to require telecommunications providers to tap the phones of its customers. The (also outdated) Electronic Communications Privacy Act of 1986 (“ECPA”) similarly gives the government the right to obtain digital communications transmitted via computers. These laws govern domestic communications; new laws governing foreign communications surveillance were enacted after the 9/11 terrorist attacks.

Apple’s well-crafted response to the FBI’s court order shaped the public narrative about its dispute with the FBI by bringing privacy to the forefront of the debate. In the first few days after the federal court order, a Pew Research Center survey found that 51% of the American public supported the FBI’s efforts to unlock the phone. In subsequent Congressional testimony in April 2016, the FBI discussed the challenges of investigating crime and terrorism and argued, “In order to better protect this nation and its people from harm, we need to be able to access electronic information.” Despite the merits of this appeal, and the savagery of the attack in San Bernardino, within hours of receiving the federal judicial order to create a customized operating platform, Apple CEO Tim Cook unleashed a powerful public response that sidestepped the FBI’s argument and provoked increased public interest in the company’s dispute with the FBI.

Apple’s website published “A Letter to our Customers” in which Cook wrote, “The United States government has demanded that Apple take an unprecedented step which threatens the security of our customers.” This message expanded the scope of the San Bernardino proceeding by framing all Apple customers as stakeholders in the dispute. The letter argued for a “need for encryption” to protect the sensitive data related to health, finances, music choice, contacts, and conversations that consumers store on their smartphones. Consequently, the letter argued that the data and, potentially, the personal safety of all iPhone users would be compromised if Apple complied with the court order used in the San Bernardino attack.

Evaluating the merits of Tim Cook’s assertion is challenging. However, cyber conflict expert and Columbia University School of International and Public Affairs Senior Research Scholar Jason Healey said: “theoretically the code [Apple created for the FBI] could have gotten out, but it would have been under Apple’s control.” “If [Apple] does this for the U.S. government, [Apple] will have to do this for all governments,” he said. This concern expands the scope of the Apple-FBI dispute to recognize that although this is a domestic terrorism case, the ramifications are global and possibly extends to Apple’s worldwide customer base.

After Tim Cook’s statement was released, the hashtag #standwithapple began to trend on Twitter. Moreover, during the next few weeks Apple began to fight the court order in both the court and in the press. To appeal the court order, Apple amassed an array of legal experts to support the company’s position and even went so far as to obtain a letter of support from the family member of an injured victim in the San Bernardino attacks. Salihin Kondozek, whose wife survived being shot three times in the attack, wrote: “When I first heard Apple was opposing the order I was frustrated that it would be yet another roadblock. But as I read more about their case, I have come to understand their fight is for something much bigger than one phone. They are worried that this software the government wants to use will be used against millions of other innocent people. I share their fear.”

This letter is an unusual court submission because it contains no legal arguments. In addition, an array of security experts and newspaper editorial writers weighed in on Apple’s dispute with the FBI. According to Fortune magazine, newspaper editorialists supported Apple by an 8-1 margin.1 Accordingly, Apple successfully leveraged the public’s concerns about privacy and the press and to rally public support in its dispute with the FBI.

CONGRESS SHOULD LEAD GLOBAL EFFORTS TO DEVELOP LAWS THAT RESPECT CIVIL LIBERTIES AND ENSURE PUBLIC SAFETY AND NATIONAL SECURITY.

Ultimately, the FBI found a way to hack into the iPhone in question without the need for Apple’s assistance. Thus, the court order was withdrawn and Apple was not forced to help the FBI. However, answers to the questions that arose during the dispute—such as what right government has to force a tech manufacturer to assist with investigations and what privacy rights consumers expect on their smartphones—remain open. According to Healey, “the laws in place are not giving ‘privacy or law enforcement what they need’ and ‘neither side is happy’ with the current legal landscape. Healey clarifies there is a need to determine the scope of “authorized law enforcement access to information technology and data.” Governments around the world are increasingly trying to figure out how to adapt their wiretapping and surveillance laws in the era of smart phones and encrypted communications. Accordingly, Congress should lead this global debate by evaluating the shortcomings of the country’s current communications laws and encouraging a balanced solution that appropriately balances security with civil liberties and privacy, ensuring public safety and national security. CPPR

5. Fortune. “Newspaper editors back Apple over FBI’s 8 to 1.” February 2016.
NATASHA AVANESSIANS is the Vice President and Treasurer for the Columbia Public Policy Review and an MPA candidate at Columbia SIPA. A native New Yorker, Natasha has experience working in New York City and State politics in both the private and public sector.

CHUN-FAI CHAN is an MPA student at Columbia SIPA with a focus in Urban Policy. He is also a former educator in the Boston Public Schools.

ERIN DOSTAL KULLER is the President of the Columbia Public Policy Review and an MPA candidate at Columbia SIPA. Prior to graduate school, she worked as a journalist at the Las Vegas Sun, VEGAS INC, and Nation’s Restaurant News. She currently works in youth justice reform and communications at the Vera Institute of Justice.

CAMILLE GRAY is an MPA candidate at Columbia SIPA where she concentrates in Urban Policy. She earned a Juris Doctor at the George Washington University Law School where she served as an editor of the International Law in Domestic Courts Journal. Camille completed her undergraduate studies at Princeton University.

CHRISTINA GREER is an Associate Professor of Political Science at Fordham University and teaches a class on race policy at Columbia SIPA. Prof. Greer’s book Black Ethnics: Race, Immigration, and the Pursuit of the American Dream (Oxford University Press) investigates the increasingly ethnically diverse black populations in the U.S. from Africa and the Caribbean.

THOMAS C. GUERRA is a first-generation higher education student pursuing an MPA with a concentration in Urban and Social Policy. His life’s goal is poverty alleviation on the systems level with a focus on perspectives and effects from the ground-up.

JOO HYUN HA is the Communications Chair for the Columbia Public Policy Review. She is also earning her MPA at Columbia SIPA, where she is a Lemann Fellow. With over 5 years of professional experience at the International Relations Department of the Sao Paulo City Hall in Brazil, she is interested in studying innovative approaches to urban policies.

ELIZABETH JOHNSON is an MPA candidate in Urban and Social Policy at Columbia SIPA. She currently interns with the NYC Department of Housing Preservation and Development and is interested in how local governments can help build progressive, equitable cities.

WILL JORDAN is the Editor-in-Chief of the Columbia Public Policy Review and an MPA candidate at Columbia SIPA. He has worked for YouGov, a polling firm, since 2012.

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