

Decision 2020: Electing Indiana's Future

Governance Issues for the Next Administration

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INDIANA UNIVERSITY
PUBLIC POLICY INSTITUTE
Center for Civic Literacy

INTRODUCTION

When citizens go to the polls to vote for those who will govern their states, they tend to think of that state governance as free-standing. That is, they think the people they elected will make most, if not all, of the decisions affecting them. They don't generally recognize the considerable constraints imposed by the federal government under our federalist system, and the extent to which state laws must conform to those constraints. Similarly, few citizens who live in a city or town recognize the extent to which the lack of home rule—the limited ability of city officials to make decisions tailored to the needs of their area without first obtaining the permission of the state legislature—distorts local governance. In addition, residents of Indiana are only beginning to appreciate the ways in which a growing rural/urban divide, exacerbated by extreme gerrymandering, deprives all Hoosiers of proportional representation and further distorts the policymaking process, especially those in urban areas.

These relationships and systemic realities have an enormous effect on state and local governance, and on Indiana citizens' participation in that governance. In this issue brief, we will consider how these political realities affect four important policy areas: Indiana's Civic Health; the physical health and access to health care of the population; transportation issues; and economic development.

CIVIC HEALTH

Civic engagement is essential to economic, social, and political well-being. Through expressing their voice and engaging in political activities, citizens contribute to the political functioning of their society and the effectiveness of public policy. An active citizenry can ensure the accountability of policymakers and public institutions, resulting in better governance and policy. Voter turnout is the best available indicator for measuring individual political participation. This indicator captures citizens' opportunities for expressing their preferences and affecting the actions of government in ways that are meaningful to them.

In the 2016 presidential election, Indiana ranked 41st in voter turnout among eligible citizens (U.S. citizens aged 18 and over) with a rate of 58 percent (Figure 1). The national turnout rate was 61 percent that year. When asked about the main reason for not voting in the 2016 presidential election, 22 percent of Hoosiers indicated that they "didn't like the candidates or campaign issues." This was also the primary reason at the national level with nearly one-quarter of eligible voters conveying this as a reason for not voting. Indiana's performance improved slightly in the 2018 midterm elections. The state ranked 43rd in the nation with nearly 50 percent of the voting-eligible population participating. The national turnout rate in 2018 was 53 percent.



CHALLENGES TO GOVERNANCE

Federalism

Federalism is the name given to America's division of authority among local, state, and federal levels of government. That division recognizes realities of governance: state and federal governments have no interest in handing out zoning permits or policing domestic violence disputes, to cite just two examples.

Increasingly, however, many original assignments of responsibility are no longer workable. State-level management of elections, for example, was necessary in the age of snail-mail registration and index cards identifying voters; in the computer age, it's an invitation to chaos and misconduct.

Federalism also facilitates assertions of state sovereignty where there really is none. Federal highway dollars are conditioned on state compliance with federally mandated speed limits, and similar strings are attached to almost all of the federal funding that cities and states rely upon. There are also an increasing number of issues, including climate change and pandemics, that must be addressed globally.

Businesses need uniformity in state laws in order to operate efficiently across state lines. Problems with acid rain can't be solved by municipal ordinance. The internet cannot be controlled by a state legislature—or even by Congress. Even in law enforcement, generally considered the most local of issues, multistate criminal enterprises justify an increased federal presence.

The world has changed since the Constitution was drafted. Today, where should authority for governmental responsibilities reside? What should federalism mean in the age of technological connectivity and globalism?

Home rule

Despite the existence of an Indiana statute labeled "Home Rule" (IC 36-1-3) efforts at self-government by Indiana local governments are routinely pre-empted by the Indiana Legislature. Just in the past few years, lawmakers have prevented local governments from restricting the use of disposable plastic bags and dictated what modes of public transit cities are permitted to use and tax themselves for. In a particularly ironic ruling, a judge found that the state's Home Rule statute itself blocked Ft. Wayne's enforcement of a "good government" ordinance intended to restrict pay for play politics. The ordinance would have limited the amount of money owners of a company could give elected officials and still bid on city contracts.

In Indiana, the absence of genuine home rule means that decisions affecting residents of urban areas are routinely made by representatives of suburban and rural populations (see gerrymandering), whose grasp of the challenges and realities faced by elected officials in metropolitan areas is limited, at best.

Indiana is not unique. The Brookings Institution has described the extent to which state laws preempt local control over public health, economic, environmental, and social justice policy solutions. In 2019, state lawmakers made it illegal for locally elected officials to enact a plastic bag ban in Tennessee, raise revenues in Oregon, regulate e-cigarettes in Arkansas, establish minimum wages in North Dakota, protect county residents from water and air pollution produced by animal feedlots in Missouri, or protect immigrants from unjust incarceration in Florida.

Clearly there are policy issues that should be decided principally at the state or federal level (see federalism). For these issues, policy debates should be conducted there. State lawmakers should allow local governments to make the decisions that are properly local. Right now, they often can't.

Gerrymandering

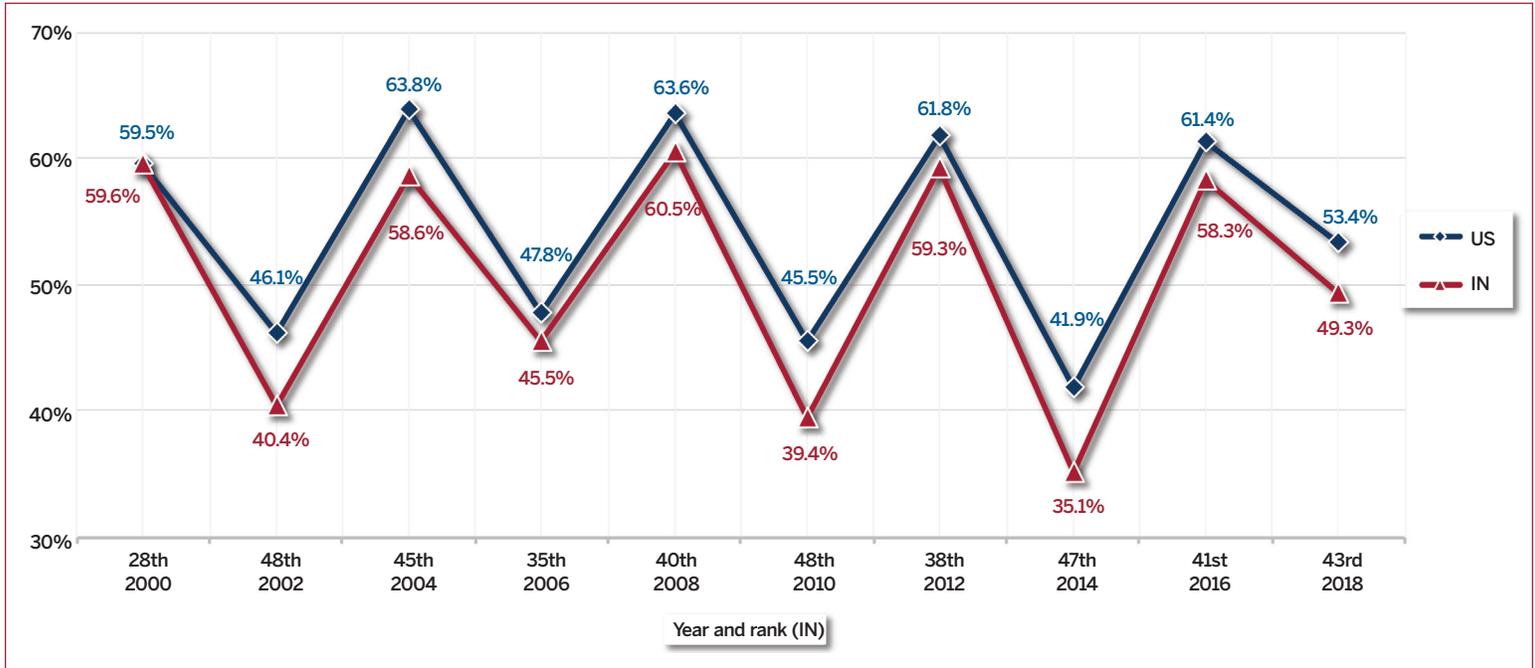
Every 10 years, the Constitution requires that a census be taken and the results be used to draw congressional districts in the succeeding year.

In our federalist system, redistricting is the responsibility of state legislatures. Gerrymandering, or partisan redistricting, occurs when the party that controls a statehouse manipulates district lines to be as favorable as possible to its own electoral prospects. Partisan redistricting takes its name from then-governor of Massachusetts Elbridge Gerry. "Packing" creates districts with supermajorities of the opposing party; "cracking" distributes members of the opposing party among several districts to ensure that it doesn't have a majority in any of them; and "tacking" expands the boundaries of a district to include a desirable group from a neighboring district.

Studies have tied gerrymandering to the advantages of incumbency and to partisan rigidity, but by far its most pernicious effect has been the creation of hundreds of congressional seats that are safe for one party. The resulting lack of competitiveness reduces the incentive to vote or otherwise participate in the political process, because the winner of the district's dominant party primary is guaranteed to win the general election. Primary voters tend to be more ideologically rigid, and as a result, candidates in safe districts are significantly more likely to run toward the extremes of their respective parties. Gerrymandering is thus a major contributor to partisan polarization.

Thanks to the way gerrymandered districts have been drawn in Indiana, a majority of policymakers in the legislature represent predominantly rural areas. As a consequence, state distribution formulas that allocate funding for roads and education significantly favor rural areas over urban ones, and members of Indiana's General Assembly are more responsive to rural than urban concerns.

Figure 1. U.S. and Indiana voter turnout, 2000–2018



Source: U.S. Census Bureau, Current Population Survey, 2000–2018.

Among suburban voters, 63 percent participated in the 2016 elections while 57 percent of rural voters and 55 percent of urban voters came to the polls. Hoosiers in suburban communities also registered to vote at the highest rates (73 percent) as compared to urban residents (65 percent) and rural residents (72 percent). Rates of eligible voter participation increase with age, educational attainment, and household income levels. In Indiana, 68 percent of 65- to 74-year-olds voted in the 2016 presidential election compared to 43 percent of 18- to 24-year-olds (Table 1). However, among the 18-24 age cohort, the rate of voter turnout rose roughly 7 percent from 37 percent in the 2012 presidential election. Voter registration and participation increases considerably with educational attainment. In Indiana, 80 percent of eligible voters with a bachelor's degree or higher turned out in the 2016 presidential election, compared to 23 percent of voters with less than a high school diploma.

Recommendations from the 2019 Indiana Civic Health Index report outlined strategies for expanding and improving civic education programs and opportunities, as well as improving voting rates in Indiana. The two primary recommendations include the following:

- 1) Convene a civic education task force to study methods of instruction, programs, and educational outcomes to improve civic education opportunities for all ages and prepare specific policy recommendations to improve civic education opportunities and programs in Indiana.
- 2) Indiana should aspire to increase voting turnout substantially, with the goal of moving from the bottom 10 to the top 10 of states.

The Indiana Citizen is a newly formed nonpartisan, nonprofit platform dedicated to increasing the number of informed, engaged Hoosier voters.

Table 1. Indiana voting and registration, by age group, 2012 and 2016

	Age group						
	18–24	25–34	35–44	45–54	55–64	65–74	75+
Voting (2012)	36.4%	44.5%	52.4%	68.2%	71.6%	76.2%	69.6%
Voting (2016)	43.0%	50.2%	59.7%	60.2%	63.7%	68.4%	66.6%
Registration (2012)	48.2%	57.7%	68.6%	74.7%	78.6%	79.9%	78.7%
Registration (2016)	57.6%	62.5%	69.0%	68.2%	73.3%	77.0%	79.0%

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Sources: U.S. Census Bureau, Current Population Survey, 2000–2018; U.S. Census Bureau, Current Population Survey, November Voting and Registration Supplement, 2012 and 2016

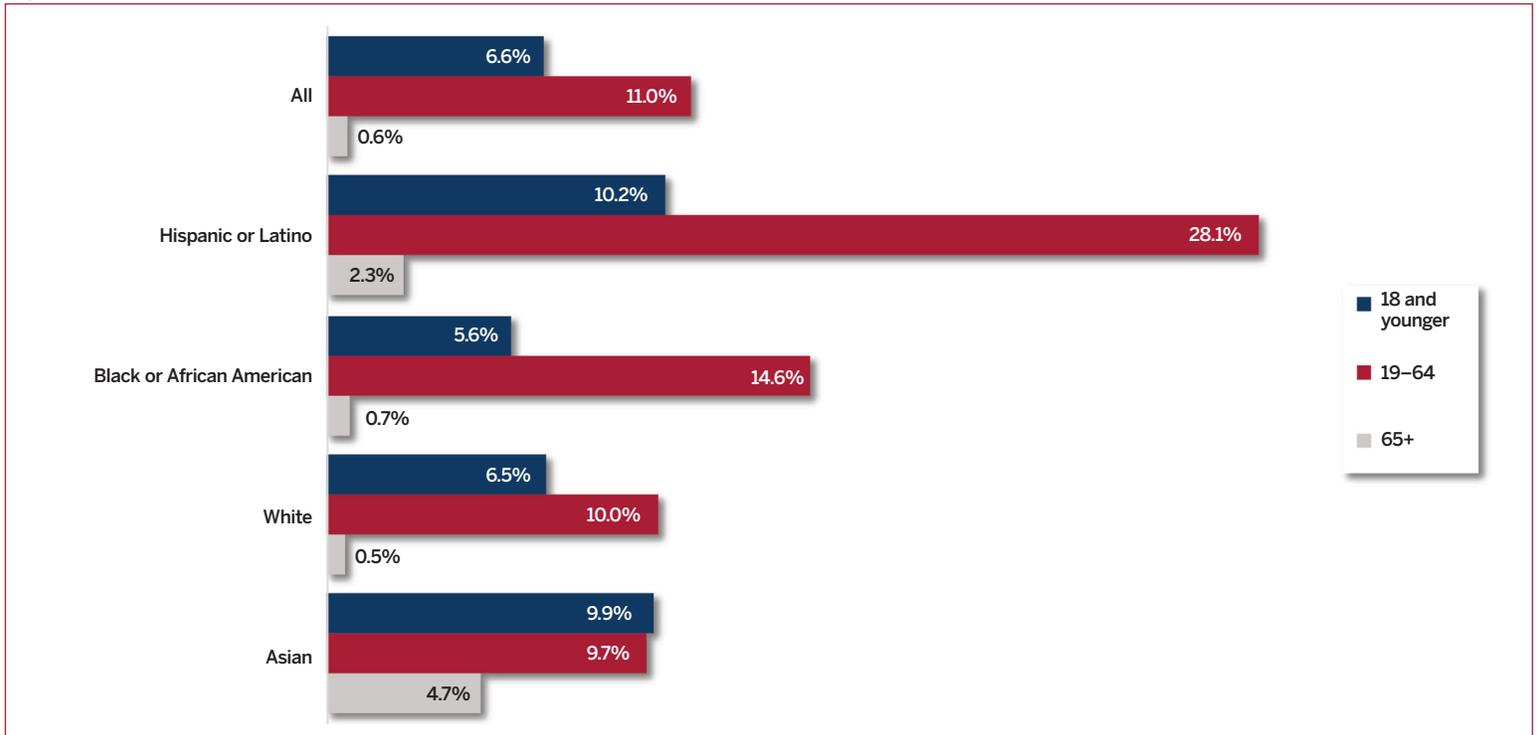
WELL-BEING

Hoosiers face significant health challenges. The state has been ranked 40th overall in health care and 42nd in public health. In 2018, approximately 8 percent (more than 500,000) of Hoosiers did not have health insurance (Figure 2).¹ According to the Centers for Disease Control, in 2017, Indiana ranked 13th in the rate of deaths by heart disease, 11th in respiratory deaths, 15th in death from strokes, 6th in deaths from diabetes, 7th from kidney disease, and 6th from septicemia. Indiana's infant mortality rate is 7.3 deaths per thousand live births, in contrast to the national incidence of 5.8. The state's obesity rate is the 12th highest in the United States—in Marion County alone, 39 percent of adults are obese. More than 1 million adults in Indiana still smoke cigarettes; the rate of Indiana's adult smoking prevalence, at 17 percent, exceeded that of the United States at 22 percent.

The COVID-19 pandemic has highlighted a significant lack of clarity in the allocation of public health responsibilities between the state and federal

government. According to Indiana officials, the state response to the pandemic requires a timely and coordinated response in order to be effective. There are significant areas of ambiguity about authority across levels of government that have made the response more difficult. Problems caused by this confusion have been exacerbated by a long-term lack of investment in public health by both the state and federal governments, a lack that has hindered the ability of local government entities to respond effectively to state mandates. As Indiana has struggled to address the pandemic, areas of conflict have highlighted conflicts between the state's power to regulate in matters of public health and respond to outbreaks of disease, and the federal government's assertion of similar powers, despite the lack of similarly clear legal authority to do so. Another area of ambiguity is whether the state government's police power extends to so-called "positive" decrees. The state has clear legal authority to impose shutdowns, but the authority to overrule a local government shutdown and order a reopening has never been litigated or otherwise tested and remains unknown.

Figure 2. Proportion of Indiana population uninsured (health insurance), by age group and race and ethnicity, 2018



Source: U.S. Census Bureau, 2018 American Community Survey (ACS) 1-year estimates

¹U.S. News & World Report, 2019, Health care rankings (<https://www.usnews.com/news/best-states/rankings/health-care>); U.S. News & World Report, 2019, Public health rankings <https://www.usnews.com/news/best-states/rankings/health-care/public-health>

TRANSPORTATION

There is probably no area that more clearly highlights the issues arising from federalism and the lack of home rule than transportation. The Indiana Department of Transportation (INDOT) is responsible for constructing and maintaining interstate highways, U.S. routes, and state roads in Indiana; that includes the adjacent overpasses, ramps, and traffic control devices on these roadways. Local governments—cities, counties, and towns—have responsibility for Indiana roads that are not interstate highways, U.S. routes, or state roads; however, INDOT also administers federal highway funds that are earmarked for cities, towns, and counties, and supports and provides financial assistance to public transit systems, freight and passenger rail, and port facilities. According to its website, INDOT also encourages and assists in the development of airports, landing fields, and other aviation navigation facilities.

As a result of this funding flow, INDOT maintains significant control over the disbursement of funds to fiscally strapped local governments to maintain infrastructure, a reality that gives the agency significant leverage over municipal governments and makes good working relationships with INDOT a high priority for local governments. The political reality is that cities such as Indianapolis are at a disadvantage when disagreements arise about the impact of INDOT's plans on city neighborhoods. An excellent example is the recent disagreement over the planned reconstruction of interstate highways bisecting Indianapolis' historic neighborhoods.

Fifty years ago, when interstates were first constructed, two were built through an Indianapolis downtown that had been largely abandoned for the suburbs—a downtown dramatically different from today's vibrant city center. The routing decisions made at that time divided neighborhoods, exacerbated public safety problems, and delayed the ensuing commercial and residential redevelopment of the downtown area.

Fifty years later, those interstates and their bridges are deteriorated and require repair. INDOT proposed making those repairs, and in the process widening and adding interstate lanes and bridges and buttressing them with enormous concrete walls. City officials and residents objected, viewing the need for extensive reconstruction as an opportunity to dramatically improve traffic flow and restore community connectivity and walkability. It is rare that a city gets such an opportunity. The decisions made now will be in place for at least 50 to 60 years, and city activists argued they should be consistent with the city's quality of life and transportation goals. Although the mayor made these points in a letter to INDOT, the city administration was clearly restrained by the need to maintain a good working relationship with its most important funder.

A group of planners, architects, landscape architects, and residents with significant investments in the city center came together to form Rethink 65/70 and proposed two alternatives to the initial approach. The proposed alternatives would have freed up land for development, generating additional property taxes, and enhanced walkability of the historic districts. Rethink 65/70 pointed out that when the current interstate routes were chosen, Indianapolis had no historic districts; today, the interstates disrupt five such districts. In Indianapolis, as elsewhere, historic district designations have generated an enormous amount of investment.

Property values have continued to rise due to the attractiveness, walkability, and residential character of those districts.

Over several months, the city group and INDOT negotiated an agreement that eliminated some of the most objectionable elements of the reconstruction, but maintained the configuration of the interstates—a configuration suited to the rural parts of the largely rural state INDOT serves, but that fails to address important issues of city planning in more densely populated metropolitan areas.

Lack of home rule also delayed Indianapolis' effort to provide improved mass transit. Years of study by the Indy Chamber and others had identified social and economic problems posed by the lack of frequent, reliable transit service. However, the city needed the approval of the state legislature in order to hold a referendum on whether to tax itself to provide adequate transit—Indiana law does not authorize referenda generally, and efforts to hold such elections must be individually authorized by the state. It took three legislative sessions before such approval was forthcoming from lawmakers, who overwhelmingly represented rural areas of the state, and the permission that was ultimately granted constrained the nature of the transit that could be supported; light rail, for example, was expressly forbidden. When the referendum was finally held, it passed by a wide margin (58 percent to 42 percent), demonstrating the desire of Indianapolis residents for transit improvement.

ECONOMIC DEVELOPMENT

The current pandemic and economic downturn is quite literally a game-changer for governments at all levels. First, governments' focus on economic recovery while responding to attack from an unseen enemy that disregards borders has been especially difficult. COVID-19 is not only changing our social and economic landscape now, it is having enough impact to change economies at all levels—from local to global—permanently. Civic leaders must find a way to focus on economic recovery and long-term sustainability planning if their communities are to bounce back from this viral threat. That's hard to do when there aren't any models to draw upon.

If most government resources are focused on responding to the pandemic, what will be left for recovery? What is being called federal stimulus funding is really not about stimulating the economy, it's trying to keep our economy from sinking completely. We must build plans that generate the urgency required to fund implementation effectively.

We don't know how this crisis will add to the reshaping of our economy. We can only be sure that economic recovery and sustainability will require a level of intergovernmental cooperation that really has no historic models because our economy is in the middle of significant transformation to begin with. For example, globalization and production supply chains have come into broader public recognition because of challenges in obtaining medical supplies and equipment for our health care workers. For Indiana, migration from rural areas to cities is a major challenge. The Indiana University Public Policy Institute estimates that by 2040 only 14 of Indiana's 92 counties will have growth in their workforce, with most adjacent to metropolitan centers.

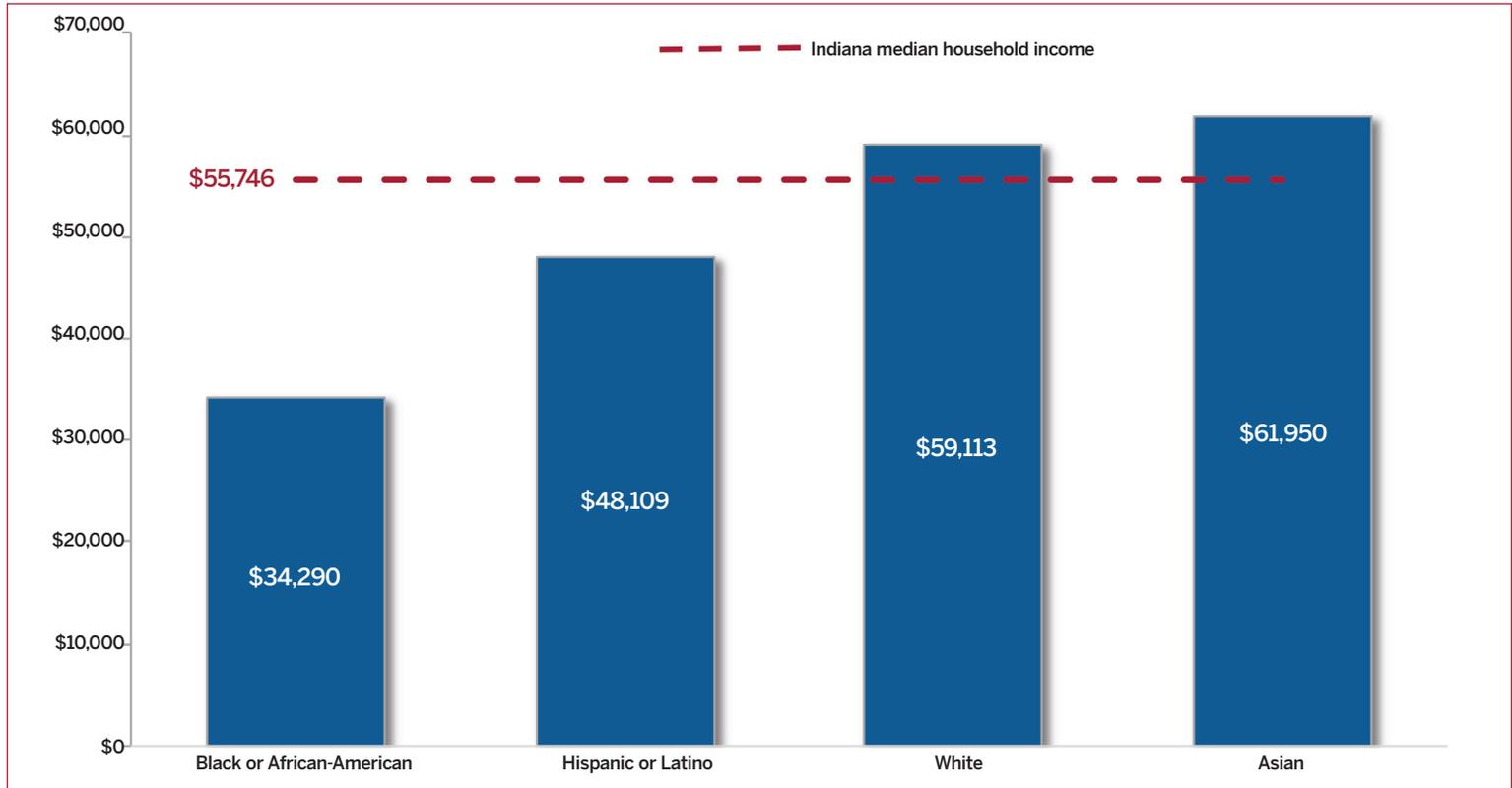
Table 2. Monthly unemployment claims compared with same period one year earlier, 2019 and 2020

Industry sector	2019						2020					
	Feb	Mar	Apr	May	Jun	Jul	Feb	Mar	Apr	May	Jun	Jul
Manufacturing	3,055	3,222	4,114	2,692	2,767	3,380	3,871	3,534	83,371	75,768	41,220	32,551
Accommodation and food services	482	445	399	409	460	468	528	610	36,876	39,276	36,229	30,606
Retail trade	1,259	1,201	1,104	1,140	1,108	1,090	1,276	1,270	21,356	23,108	18,204	16,223
Health care and social assistance	1,025	1,091	1,118	1,139	1,230	1,352	1,103	1,149	25,660	18,130	14,463	13,286
Administrative and support and waste management	2,226	1,776	1,366	1,329	1,262	1,248	2,394	2,119	12,796	16,373	17,108	17,542
Construction	7,578	5,911	2,931	1,876	1,717	1,517	7,080	6,064	13,281	11,938	10,006	9,342
Other services (except public administration)	390	367	361	353	345	368	428	397	12,132	10,289	7,702	6,756
Arts, entertainment, and recreation	240	179	125	87	88	95	226	214	6,328	9,137	9,026	5,044
Wholesale trade	645	626	596	627	590	607	702	733	6,883	7,842	6,853	6,312
Transportation and warehousing	1,187	1,035	589	514	492	495	1,344	1,302	6,189	7,517	6,725	5,740
Professional, scientific, and technical services	667	638	581	646	634	629	723	760	5,201	5,725	5,533	5,221
Educational services	358	335	297	278	381	435	296	325	1738	2314	2908	3375
Real estate, rental, and leasing	257	238	188	184	184	194	269	292	2,227	2,680	2,410	2,221
Management of companies and enterprises	203	194	161	175	157	164	125	120	1987	2267	2339	1951
Finance and insurance	450	434	438	411	421	397	393	403	1178	1500	1765	1863
Information	179	184	215	208	195	200	215	252	1236	1629	1804	1782
Public administration	171	151	129	134	133	136	222	194	702	877	875	804
All sectors	22,077	19,694	16,037	13,344	13,348	13,940	23,049	20,987	254,166	253,984	201,594	179,803

Low < < > > High

Source: U.S. Department of Labor, Office of Unemployment Insurance; data provided by Indiana Business Research Center
 Note: All sector totals include industry sectors not listed in table.

Figure 3. Median household income in the past 12 months (in 2018 inflation-adjusted dollars), by race and ethnicity, 2018



Source: U.S. Census Bureau, 2018 American Community Survey (ACS) 1-year estimates

Issues of wealth gaps, economic inclusion, and equity for communities of color have only gotten worse in the current crisis.² According to the American Community Survey, median household income in Indiana for 2018 was \$55,746. Median household income by race and ethnicity is shown in Figure 3. Estimating when businesses may resume normal operations is guesswork right now. It won't be like flipping a switch and we can all go back to work. Localized outbreaks of the COVID-19 virus are likely until a cure and immunization is found and deployed.

Recovery and sustainability plans will have to be highly customized, meaning effective solutions for small businesses and large businesses need to be different. Although small businesses are credited with the majority of net new job creation, large scale employment gains and losses in economic expansion and contraction are driven by very large businesses (1,000+ employees) which have the highest percentage gains and losses among all employer groups during expansion and contraction.³ Because of these differences in scale, resources for helping small business reestablish, grow, and hire new employees are likely to be different than resources needed by large corporations, which generally may be more financially resilient, but may need other forms of assistance to focus on long-term planning and adapting to new global economic realities.

Some key questions to answer in developing a recovery strategy include:

- What will the new economy look like? Will the Fourth Industrial Revolution (i.e., AI and other technology-enabled manufacturing) be accelerated? If so, how can we adapt?
- How can we ensure that communities of color—who largely have been excluded from the benefits of sustained growth over the past decade, and are disproportionately affected by the current economic downturn—will be included not just in economic recovery, but provided with an equitable opportunity to participate in future economic growth?
- How will supply chains be affected? If you have a large local employer will supply chain vulnerabilities uncovered from this event force reconfiguration that benefits or hurts regional businesses and their suppliers? How will supply chains become more resilient for products deemed essential to national security, but currently are largely produced overseas, such as pharmaceuticals, medical devices and equipment, defense-related materials and products, etc.?
- Research and development investment and innovation support for start-ups was already lagging in the United States. Where are the funds for long-term growth through innovation and local startups going to come from? Currently, the federal government has turned on the cash spigot to drive down interest rates and make more money available for lending, but that does not guarantee money will flow to

entrepreneurs who are creating the next generation products and services.

Localized recovery planning, which may require both state and federal resources, will have to be multi-dimensional in identifying not just current survival needs, but long-term growth and competitiveness needs such as, business process and management; commercialization assistance; market and supply chain intelligence; workforce readiness and training needs—including new work-from-home employment models; technical and design assistance; and so on. These needs should be identified now so that the solutions to them become part of the permanent landscape of any community that wants to thrive coming out this recession.

CONCLUSION: WHAT'S A GOVERNOR TO DO?

The issues discussed above highlight the challenges of leading an effective system of governance to address the needs of Indiana's residents during the next four years. Effective governance at the state level requires strong cooperation with the federal government and greater trust in local government to customize public services to the needs of individual communities.

The challenge of effective governance has been substantially raised by a global pandemic that has caused the most sudden and severe decline in economic activity since the great depression, plus widespread social unrest caused by long-term systemic and unjustified fatal use of force by police officers against Black residents.

Resources have been significantly constrained, with only a small amount of federal assistance provided to states that are and will continue to be fiscally vulnerable for the next several years. State legislatures will debate and vote on priorities put forth by the next governor to address health, well-being, racism, public safety reforms, and economic recovery. State government also will have to reassess its role in supporting (or hindering) the ability of local governments to provide the services needed in metropolitan, mid-size, and rural communities that are also challenged by today's current events.

Mostly, government will need to demonstrate its ability to govern effectively. Not since, perhaps, the Civil War, has our nation been more divided, nor has residents' trust in government been lower. The next governor will be faced with solving some of the most difficult problems in modern times in an era when the majority of residents doubt government's ability to govern and express their doubt through lack of participation in the electoral process. Therefore, the first step in improving governance may be for gubernatorial candidates to reach out and build bridges with disparate communities that have been disconnected from government, listen to their needs, and propose solutions that get these communities involved in shaping their own future.

²Montenovo, L., Xuan, J., Rojas, F.L., Schmutte, I.M., Simon, K.I., Weinberg, B.A., & Wing, C., May 2020, Determinants of disparities in COVID-19 job losses (Working Paper No. 27132), National Bureau of Economic Research

³Helfand, J., Sadeghi, A., & Ian, D., March 2007, Employment dynamics: Small and large firms over the business cycle, Monthly Labor Review, U.S. Bureau of Labor Statistics

Indiana University Center for Civic Literacy

The Center for Civic Literacy is a multi-disciplinary center. It was first established with support from an IUPUI Signature Center grant. It was created in response to recognition of Americans' troublingly low levels of civic knowledge, and to investigate both the causes and consequences of widespread civic illiteracy—the lack of basic knowledge needed to make informed public judgments. Our mission is to increase public understanding of our civic deficit and its effect on democratic decision-making, and to identify and promote the use of effective tools to help educators and others correct the problem. The Center for Civic Literacy fulfills its mission through scholarly research and publication, public teaching, and community-based partnerships.

Indiana University Public Policy Institute

The Indiana University Public Policy Institute produces unbiased, high-quality research, analyses and policy guidance to promote positive change and improve the quality of life in communities across Indiana and the nation. Our clients use our research to enhance their programs and services, to develop strategies and policies, to evaluate the impact of their decisions—and ultimately to help the people they serve. Established in 1992, PPI is part of the IU O'Neill School of Public and Environmental Affairs.



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Every four years, in conjunction with Indiana's gubernatorial election, the IU Public Policy Institute (PPI) sponsors a Gubernatorial Candidates Forum. This year's event will be broadcast by WFYI and other Indiana Public Broadcasting Stations, as well as available for viewing at go.iu.edu/Decision2020. The event is intended to further the mission of PPI and its Center for Civic Literacy (CCL) to produce unbiased, high-quality research, analyses, and policy guidance to promote positive change and improve the quality of life in communities across Indiana and the nation.

Cities and states today face significant issues and their elected officials have considerable latitude in addressing those issues.

In Indiana, the 2020 gubernatorial and legislative elections will determine how the state pursues policies in education, infrastructure, taxation, health care, environmental policy, and much more. These policies affect us in meaningful and sustained ways on a daily basis. In order to cast an informed vote, citizens must understand what the issues are, the candidates' approaches to those issues, and the legal and political systems within which they must make their preferred policies work.

CCL faculty and staff identified key policy areas facing Indiana in 2020, and enlisted experts in each of those areas. The resulting issue briefs provide policymakers and citizens with important context, background, and identify critical policy issues. Each brief is based upon research and analysis of available data about the state of Indiana, and includes comparisons with other states as well as national trends. Each guide also points readers to local and state level resources offering additional information on the topic.

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