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AN INDEPENDENT NEWSPAPER

EDITORIALS

Preventing murder

With a bit of congressional support, a simple test can save many lives.

IN 2009, ONE-FOURTH of the District's 144 homicides were linked to abusive relationships. The following year, according to the advocacy group D.C. Safe, the number of domestic-violence homicides fell by half.

In Maryland, there has been a 41 percent drop in the number of homicides linked to domestic violence over the past three years.

The rate of violent crime overall has been declining, but not that fast. The dramatic drop in domestic-violence deaths in Maryland and the District is due largely to a simple but effective tool that helps identify women most at risk of being killed by their husbands or boyfriends. It is a tool that, if used nationwide, could save hundreds of the approximately 1,200 women killed every year by partners or former partners.

According to the Maryland Network Against Domestic Violence, the approach consists of a "user-friendly, 11-question screening tool" used by law enforcement officers and others who come into contact with victims of domestic violence.

Some of the questions are what you might expect: Has your husband or boyfriend ever used or threatened to use a weapon against you? Has he ever tried to choke you? (Although men are also victims of domestic violence, women are the victims in at least 85 percent of the cases.) Other questions, perhaps less obvious, include whether the man is unemployed and whether there is a child in the household who is not the biological offspring of the potential perpetrator.

As important as identifying women at height-

ened risk is offering immediate help, including counseling and emergency housing.

Fourteen states and the District use some form of the lethality assessment. Given the program's success, that's 36 states too few. Congress has a chance to help the program be adopted more widely when it reauthorizes the Violence Against Women Act (VAWA), which was passed in 1994 to raise awareness of and combat domestic violence and to provide federal support to state and local communities to assist victims. Sen. Patrick J. Leahy (D-Vt.), who is shepherding the reauthorization, is considering adding the lethality assessment to the list of programs that state and local entities may fund with VAWA dollars. Extending the life-saving benefits of the program to all of the nation's at-risk women should be a priority.

LETTERS TO THE EDITOR

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Taking care of (doggy) business

In all of The Post's coverage of the battles over dog excreta ["A case of piling on or public nuisance?," front page, Oct. 25], the crux of the issue was ignored: the right of property owners to decide if their lawns will be used as a pet toilet. If you own property, you should be allowed to decide whether someone else's pet gets to evacuate on it.

I had a large German shepherd as a boy and know that it left all of its deposits in our yard, because it was my job to collect them in a pail. Nowadays, it seems that the only place dogs do not do their business is in their owner's yard. There would be no fight over this ridiculous issue if dog owners would keep their pets from making any sort of deposit on other people's property without getting consent.

I pay dearly for my modest castle and grounds, in treasure and toil, and my property rights should be respected.

CRAIG W. CULP, Gaithersburg

I was thrilled to read the headline "A case of piling on or public nuisance?" because I expected the article to highlight the environmental problems associated with pet waste. As I read on, though, I realized The Post missed that opportunity. While some of the regulations regarding picking up pet waste were probably initiated on nuisance grounds, most are now directly related to the environment. Pet waste and the fecal coliform pollutants it adds to streams are a serious water-quality and health concern.

Many Virginia jurisdictions contribute funding for a regional stormwater-education campaign stressing the importance of keeping pollutants out of storm drains that lead to local streams and, eventually, the Chesapeake Bay. This campaign has targeted pet waste, as well as excess fertilizer and the dumping of motor oil, because of the way it gets carried in storm runoff.

By educating the community that storm drains lead directly to streams and rivers, it is our hope that people will see how their actions have a direct impact on the environment.

ADRIAN FREMONT, Fairfax

The writer is an environmental engineer for the City of Fairfax.

I must observe a number of laws as a responsible dog owner, so I am bewildered that the rules about pets do not also apply to owners of cats. At a time when our songbird populations are plummeting, cat owners aren't required to shoulder responsibility for their animals.

The cats in my neighborhood jump my 5-foot fences and wreak havoc in my yard. Not only do they leave behind their waste, but — worse — they prey on the fledglings of the songbirds I try to nurture. The Audubon Society and others have compiled data that corroborate the correlation between free-roaming cats and declining bird populations. City governments should act responsibly and pass ordinances requiring cat owners to keep their pets indoors.

ROSEMARY DONALDSON, Falls Church

It's not all gerrymandering's fault

The Oct. 26 editorial "RIP: Democracy in Virginia" asserted that gerrymandering is the reason there are so few challengers in so many General Assembly races. Redistricting is certainly one cause, but it is not the major cause. The cost of running an effective campaign is a bigger villain.

In many cases, candidates put their lives on hold and sacrifice their privacy to put together a campaign that has essentially no chance of winning unless they can also raise the many thousands of dollars needed to run an effective campaign. For incumbents, it is easier: Their lives already revolve around their office, they have already sacrificed their privacy and they already have a list of contributors.

That's why running against an incumbent is such an uphill battle. Few people are willing to take the chance with the odds so badly stacked against them. Take money out of the equation, and it will be a different game.

JOSEPH MAIO, Round Hill

I agree with the editorial on Virginia redistricting, but the problem runs deeper than noted. Our elected officials take their partisan cues from the general public. Why? We the voters act like mindless drones when it comes to elections. We do not bother to learn anything about the candidates for office; we just assume, depending on our allegiance, that whoever has the R or the D next to his or her name is the best candidate for the job. Then, after elections, we complain that nothing ever gets done.

Why even have elections? Let's just check the voter rolls, and whichever party has more people will be installed in office.

We whine and moan and complain about our representatives, but when it comes time to do something about it, we blindly reelect the status quo. This is why I am an independent. Anyone who wants real change in the political process should be an independent also.

JONATHAN PICK, Woodbridge

Computer-assisted gerrymandering is only a minor cause of uncompetitive legislative races in Virginia. The bigger culprit is Section 5 of the Voting Rights Act, which effectively immunizes African American voters from electoral competition. In Virginia and the other eight states covered by this provision, redistricting begins and ends with this singular goal.

Once minority voting districts are drawn to ensure the election of minority legislators who, nearly always, are Democrats, it's logistically difficult to draw a competitive statewide plan.

EDWARD BLUM, Washington

The writer is a visiting fellow at the American Enterprise Institute.

An appropriate objective for the Occupy Wall Street movement would be to work for nonpartisan congressional redistricting in all 50 states. Many of the protesters' complaints can be summarized as "government is more attuned to special interests than the needs of the people."

Nonresponsive government is caused by two primary factors: gerrymandered noncompetitive voting districts and the influence of money on legislators. Given the Supreme Court's rulings on campaign finance, changing the way districts are drawn might be a more attainable goal.

ROB RUDICK, Takoma Park

Acceptable exceptions

Complex as it may be, the Volcker Rule still has teeth.

FEW RULES COULD be clearer, in theory, than "Thou shalt not kill." Yet even that commandment is subject to interpretation and exceptions (war, self-defense). And so the history of law-making is studded with well-meaning prohibitions — Prohibition itself, to name one — that were straightforward in principle but rather more complicated and occasionally unworkable in practice.

Is the Volcker Rule the latest example? When enacted in 2010 as part of the Dodd-Frank financial reform law, the rule was intended to ban commercial banks from investing their own money in hedge funds and other speculative businesses. The rule's purpose, according to its eponymous advocate, former Federal Reserve chairman Paul Volcker, is to keep banks, whose deposits are federally insured, from taking excessive risks based on the funding advantage that they get from implied government support.

Mr. Volcker argued that this widespread practice was not only unfair but systemically destabilizing. Better, he said, to reestablish a clear line between commercial banks, which do basic financial intermediation — lending savers' deposits to businesses — and the uninsured investment banks, which may take higher risks in pursuit of higher rewards. That line was established under the New Deal but repealed in recent times.

Sounds simple, except that everything about the Volcker Rule, from its rationale to the precise definition of such seemingly obvious terms as "hedge fund," is open to debate. The financial crisis did not begin with the collapse of a commercial bank but with the downfall of Lehman Brothers, an investment bank. Sometimes the commercial banks' trading is best described as necessary risk-mitigation or client service, rather than mere profit-maximization.

Dodd-Frank itself took account of these nuances by allowing exceptions to the Volcker Rule. The federal banking agencies recently published a proposed implementing rule — all 298 pages of it



Paul Volcker, center, with Elizabeth Warren and then-Commerce Secretary Gary Locke at the signing of the Dodd-Frank bill in 2010.

— that elaborates on those exceptions. As the draft candidly notes, putting the Volcker Rule into operation "often involves subtle distinctions that are difficult both to describe comprehensively within regulation and to evaluate in practice." The agencies estimate that 10,000 U.S. banks may eventually spend a combined 1.8 million hours a year complying with the rule. Of course, that could change if the rule evolves between now and the final version, due next year. Evolution seems probable, given that regulators posed 383 issues for public comment by Jan. 13.

No wonder banks and financial-reform activists are unhappy: The former decry the proposed regulation's costs, and the latter claim banks lobbied the Volcker Rule to death. Both have a point: The proposal's complexity is inherent in the rule-making process and a result of the many compromises regulators struck to appease banks and other constituencies.

Still, the rule is hardly unjustified: Though banks' trading losses did not start the financial crisis, they probably intensified it. Nor is the rule toothless. Most of the argument now is over finer points, not the core definition of proprietary trading, which some major banks had already begun to exit in anticipation of the rule. The apparent slump in financial-sector earnings may indeed reflect Dodd-Frank's impact. U.S. commercial banks will soon find it harder to trade on their own accounts, and formerly high-flying proprietary trading desks may migrate abroad.

Let them migrate. Of course, banks will pass the costs of the Volcker Rule on to their customers — in higher fees or reduced services, or both. But financial stability is a public good, not a free lunch. A well-designed Volcker Rule could help prevent or mitigate crises like the one the world lived through in 2008 — and from which it has not fully recovered.

Get Maryland moving

At last, a blueprint for the state's badly underfunded transportation network

NOT LONG AGO, Maryland transportation officials tried to estimate the cost of fulfilling the wish list of transportation projects submitted by the state's 23 counties and the City of Baltimore. They stopped counting at around \$65 billion — a figure roughly equal to two years' worth of total state spending for all purposes: schools, universities, health care, public safety, the Chesapeake Bay, you name it.

The amount was preposterous and wildly beyond the state's means. It was also instructive, for it underlined what has been clear in Maryland for years: The state has fallen into a deep pit when it comes to building critical infrastructure.

It won't be easy to climb out, but a blue-ribbon state commission has provided a proposal for lawmakers that at least puts the question of transportation funding front and center on the legislative agenda in Annapolis.

The commission, chaired by Gus Bauman, a re-

spected Montgomery County land-use lawyer, is recommending increases in taxes, fees and fares that would yield an additional \$870 million in annual transportation revenue, about 50 percent more than is currently available — and still not enough to meet all the needs and wants across the state over the next 20 years.

More than half the new money, nearly \$500 million a year, would come from an increase in Maryland's motor fuel tax (meaning gasoline as well as diesel), the principal source of state transportation funding, which was last raised in 1992. Phased in over three years, the levy would rise to 38.5 cents per gallon from 23.5 cents, making it almost double Virginia's tax and 60 percent higher than the District's. No doubt, some Marylanders will cross state lines to fill up.

Still, there is logic in the proposal. It puts the burden where it belongs — on drivers and commuters who use the roads, rails and bridges. Even with the 15-cent increase, the fuel tax would yield merely the

same amount of revenue it did after it was raised in 1992. And this time, the commission recommended, the state should index the tax to inflation — as it failed to do 20 years ago.

The plan is politically risky, particularly for Gov. Martin O'Malley (D), a term-limited executive with national political ambitions who raised taxes, significantly, less than four years ago.

It's also not perfect. It does not address the issue of increasing fuel efficiency in vehicles, which will whittle away at gasoline use and gas tax revenue over time. And it leaves unanswered the question of how Maryland would pay its share of the cost of its two highest-priority transit proposals: the Purple Line light-rail project connecting Montgomery and Prince George's counties, and the Red Line, an expansion of Baltimore's transit system.

Still, the commission has given lawmakers in Annapolis a road map and a starting point. It's up to them, and to Mr. O'Malley, to act.

TAKING EXCEPTION

The Dodd-Frank law: Better dismantled than defended

Lending remains frozen, the housing market has slumped to Depression-era lows and unemployment has been stuck above 9 percent for 29 straight months, but former Democratic senator Christopher J. Dodd (Conn.) still defends his signature anti-growth law ["Five myths about Dodd-Frank," Outlook, Oct. 23].

Mr. Dodd claimed that Dodd-Frank cannot be deepening the economic slowdown because only 10 percent of its provisions have been implemented. In fact, it is this sheer ambiguity and arbitrariness of the law that hurts businesses most. Dodd-Frank charges unelected federal regulators with drafting about 400 rules — most of which have yet to be written — and the resulting uncertainty makes it nearly impossible for job-creators to plan, take risks, invest and hire more Americans.

Mr. Dodd went on to rebut the charges that his bill is bad for small banks and that it failed to reform Wall Street. In fact, Dodd-Frank

solidifies the very "too big to fail" system it sought to eliminate. By designating a handful of large banks and institutions "systemically important," the federal government implicitly acknowledges that these banks are eligible for more bailouts. This creates two classes of banks: big banks that have a federal guarantee and the resources to comply with the maze of new regulations, and smaller banks that have neither.

Mr. Dodd finally threatened that repealing Dodd-Frank would "invite disaster." The disaster is already here, and we have no choice but to dismantle the law completely. Marginal reforms will not erase the bill's fundamental philosophy: Economic decision-making is best left to bureaucratic regulators in Washington.

NEWT GINGRICH, McLean

The writer, a former speaker of the House of Representatives, is a Republican candidate for president.

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