Google Endorses AAG Resolution; Congressional Staffers Attend New York AAG

It was great to see so many good friends at the AAG Annual Meeting in New York and we certainly appreciate the support of our members and attendees in helping to again make the meeting such a success.

One of the highlights of the meeting for me was the opportunity to convene a session on K-12 geography education policy featuring three terrific speakers: Minna Elias, New York Chief of Staff to Congresswoman Carolyn Maloney (D-NY); Wendy Gellman, Senior Counsel and Senior Advisor for Outreach and Community Affairs to U.S. Senator Kirsten Gillibrand (D-NY); and Danny Edelson, Vice President for Education at the National Geographic Society (NGS).

I offered some brief introductory remarks on the political context and noted that geography is the only one of the ten core academic subjects named in the federal Elementary and Secondary Education Act (ESEA – which is currently known as No Child Left Behind or NCLB) that does not have a dedicated implementation program or funding authorization in the law.

I also discussed the work we have been doing in support of the “AAG Resolution Supporting K-12 Geography Education” – and I was delighted to be able to announce that Google has formally endorsed the resolution, joining four former U.S. Secretaries of State, more than a dozen incumbent governors, other key officials, and several leading environmental organizations and private sector entities.

Edelson discussed the need for support of K-12 geography, pointing to National Assessment of Educational Progress (NAEP) scores that demonstrate that America is failing in geography education. He also noted that policy requirements are critical to geography education and good education in general and asserted that we must focus on the inclusion of geographic concepts in courses that aren’t specifically labeled “geography.”

Elias indicated that geoliteracy is critical to economic competitiveness and she encouraged the geographic community to stress this point. She also indicated that there is real interest in reauthorizing the ESEA on Capitol Hill because of the NCLB waivers that have been granted to several states by Education Secretary Arne Duncan (see July-August 2011 Washington Monitor for additional details), but that it may be difficult to produce a final product because of entrenched political differences.

Gellman agreed with Elias that there is desire in both parties on the Hill to reauthorize the ESEA but that politics will make it difficult, if not impossible, to accomplish this in a presidential election year. She also pointed to a “well-rounded education” amendment by Sen. Robert Casey (D-PA) in the bipartisan Senate bill that would allow for grant funding for geography and several other subjects (see November 2011 Washington Monitor for more on the Casey amendment) as a sign that the geographic community’s efforts are having some impact.

We are grateful to each of the panelists for their participation.

U.S. Supreme Court Issues Key Ruling on GPS Surveillance

On January 23, in United States v. Jones, the U.S. Supreme Court ruled that “the government’s attachment of (a) GPS (global positioning system) device to (a) vehicle, and its use of that device to monitor the vehicle’s movements, constitutes a search under the Fourth Amendment.”

While there was unanimity on this overall holding of the case, the Justices did split 5-4 as to why the government’s use of GPS in this way amounted to a Fourth Amendment violation. Justice Scalia (joined by Roberts, Kennedy, Thomas, and Sotomayor) indicated in the majority opinion that this usage of GPS constituted a trespass on private property. Justice Alito (joined by Breyer, Ginsburg, and Kagan) went further in a partial dissent and argued that attachment of the GPS was in fact a governmental violation of a private citizen’s reasonable expectation of privacy.

The case originated in Washington, D.C., where Antoine Jones was co-owner of a night club just less than a decade ago. As part of a narcotics investigation against Jones and his partner by the Metropolitan Police Department and the FBI, a GPS device was placed on Jones’ personal vehicle that tracked his movements at all times. The authorities had not obtained a warrant before attaching the GPS. Once Jones was arrested, his lawyer filed a motion to suppress the evidence obtained through use of GPS.

The motion was denied by the trial judge and Jones was eventually convicted of a conspiracy charge and sentenced to life in prison. Jones’ lawyer appealed the conviction on the grounds that the use of the GPS device constituted an illegal search under the Fourth Amendment. The U.S. Court of Appeals for the District of Columbia overturned Jones’ conviction in August 2010 and the Supreme Court agreed to hear the case in June 2011.

The case produced a landmark decision related to new and emerging uses of geographic technologies for surveillance and it is expected by many to impact future court decisions related to other surveillance methods – including through usage of social media – and Justice Alito asserted as much in his dissent.

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