

FCL NEWSLETTER



VOL. 57, NO. 3 FRIENDS COMMITTEE ON LEGISLATION May/June 2008

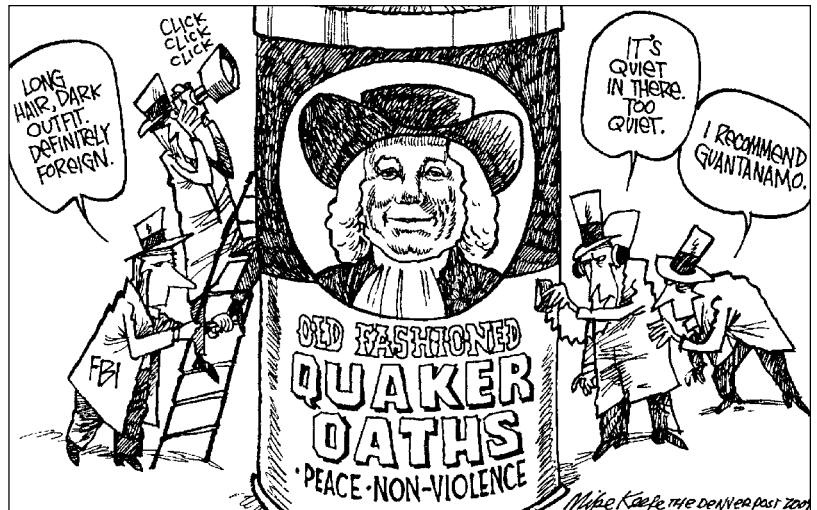
Loyalty oath and student privacy bills advance

As we go to press, California’s grim fiscal condition and a lack of progress on the state budget dominate the news from Sacramento. However, while budget negotiations are underway between party leaders (minus one governor), two bills of unique interest to FCL are moving forward and are likely to reach the governor’s desk.

Senate Bill 1322, by Alan Lowenthal, D., Long Beach, creates a religious exemption to the loyalty oath required of public employees upon accepting employment. Article 20, Section 3 of the California Constitution requires members of the Legislature and employees of all three branches of state government to swear that they will “support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic,” and that they are not a member of any party supporting the forceful or violent overthrow of the state or federal governments.

Long-time FCL supporters will recall that FCL was first organized in 1952 in opposition to the loyalty oath during the Red Scare era of witch hunts that devastated lives and ruined careers.

The first issue of the *FCL Newsletter* (then titled the *California Newsletter: Friends Committee on Legislation of Northern California*), describes an “epidemic of fear” (see sidebar on page 2), which leads to intoler-



Used with permission. Mike Keefe. Originally published in the *Denver Post*.

ance towards those “whose views differ radically from our own” and an assault on civil liberties. During this period of “creeping oathism,” California voters amended the state constitution to include the loyalty oath, which has remained on the books ever since.

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“The Friends Committee on Legislation (FCL), guided by Quaker values, advocates for California state laws that are just, compassionate and respectful of the inherent worth of every person.”

Loyalty oath and student privacy bills advance (Continued from page 1)

Loyalty cannot be mandated legislatively, but can only come from the consent of free people. Obviously, anyone who is serious about violent overthrow of the government would not be deterred by the loyalty oath requirement. Instead of rooting out terrorists and violent "subversives," those who have been impacted by the oath are people who take the oath seriously *and* whose religious and/or personal convictions prevent them from taking up arms in order to "defend" the Constitution. They pose no threat to society and should not be excluded from making valuable contributions to public service on account of their convictions.

Earlier this year, Wendy Gonaver, a Quaker, lost her job as a lecturer at California State University, Fullerton (CSUF) because the university refused to allow her to attach a personal statement to her oath indicating that she is a pacifist. Gonaver was reinstated only after People for the American Way, a civil liberties organization, negotiated a settlement with CSUF. In March, Marianne Kearney-Brown, also a Quaker, was terminated from her position as a teaching assistant at California State University, East Bay (CSUEB) because she inserted the word "nonviolently" in front of "support and defend." Kearney-Brown was reinstated after the state Attorney General's office drafted a statement indicating that the loyalty oath does not require employees to take up arms in defense of the nation. CSUEB allowed her to attach the statement to her oath.

The resistance of Gonaver and Kearney-Brown kindled newfound interest in the loyalty oath among Friends, like-minded persons, and the media. Eliminating the loyalty oath entirely would require a constitutional amendment, meaning it would either have to pass by a two-thirds vote of the Legislature and be submitted to the voters as an initiative, or be submitted to the voters after a costly signature-gathering drive. However, Article 20, Section 3 of the state constitution allows the Legislature by a majority vote to make exceptions for "inferior

California Newsletter Friends Committee on Legislation of Northern California Vol. 1 No. 1, October 9, 1952

From page 1:

This is the first issue of the California Legislative Newsletter. It is patterned after the Washington Newsletter of the Friends Committee on National Legislation which for eight years has presented regular information about the doings of the National Congress.

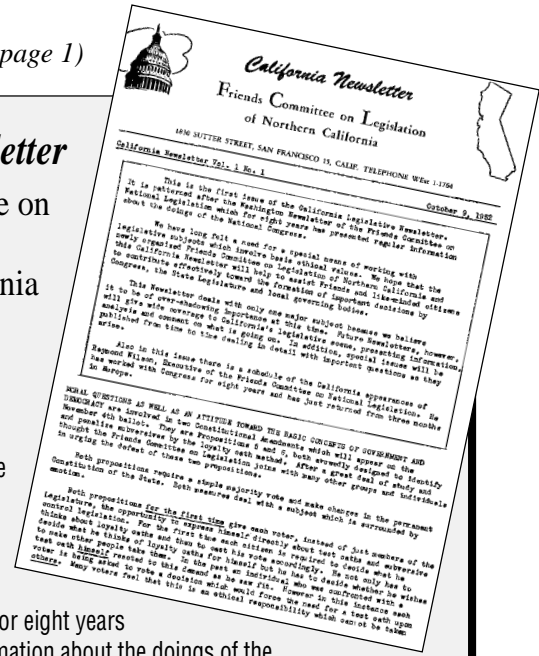
This Newsletter deals with only one major subject because we believe it to be of over-shadowing importance at this time.

MORAL QUESTIONS AS WELL AS AN ATTITUDE TOWARD THE BASIC CONCEPTS OF GOVERNMENT AND DEMOCRACY are involved in two Constitutional Amendments which will appear on the November 4th ballot. They are Propositions 5 and 6, both avowedly designed to identify and penalize subversives by the loyalty oath method. After great deal of study and thought the Friends Committee on Legislation joins with many other groups and individuals in urging the defeat of these two propositions.

Both propositions require a simple majority vote and make changes in the permanent Constitution of the State. Both measures deal with a subject which is surrounded by emotion.

From pages 2 and 3:

AN EXAMINATION OF THE SETTING OF OUR TIMES will help many voters to study this question. Since the end of World War II the nation has witnessed an epidemic of fear. It has for the most part been a nameless fear of the unknown and the causes of the fear have been many. The threat of worldwide Communist movements, uncertainty as to our new position of world leadership, fear that our traditional economic system might not meet contemporary problems, the tempo of nationalist revolutions in many countries of the world, fear of the atomic bomb, the apprehension of another war, the possibility of another major economic depression - all have contributed to the growth of the fear psychology. People who fear become people who hate, and hatred demands an object. Gradually the fear has been projected against anyone whose views differ radically from our own. The result has been intolerance of experiment, change and diversity, because tolerance of these very virtues increases the fear of the unknown. The result has also been a series of repressive laws, government investigations, private and governmental searching for persons to be blamed, with the consequent destruction of civil liberties and a disastrous decline in tolerance of new or different ideas. Propositions 5 and 6 must be evaluated within this unpleasant framework for they are an intimate part of it.



officers and employees as may be by law exempted.”

In its original version, **SB 1322** prohibited public employees from being terminated from employment for membership in the Communist Party (the U.S. Supreme Court has ruled that public employees cannot be terminated for membership in a political party; therefore, this bill was merely conforming state law to the U.S. Constitution). SB 1322 was winding its way through the legislative process when FCL joined with the American Civil Liberties Union and the California Faculty Association to persuade Senator Lowenthal to amend SB 1322 to include a religious exemption to the loyalty oath requirement for public employees. After leaving the Senate, the amended bill passed the Assembly Education and Appropriations Committees and moves to the Assembly Floor. Should it pass the full Assembly, the bill will go back to the Senate Floor for concurrence on the amendment and then to Governor Schwarzenegger for approval. FCL will be sending Action Alerts to request support for SB 1322 as the bill advances.

Student privacy legislation

Consent without knowledge of the full range of choices available is not consent.

The federal No Child Left Behind Act linked federal school funding to allowing military recruiters access to public schools. The act also gives parents and students the right to opt out from having students' contact information provided to recruiters and requires schools to notify them of this right. Because the notification is often buried in the numerous pages of documents that schools send home with students, few parents, students, teachers and school employees are aware of the right to opt out. As a result, student contact information is routinely provided to military recruiters without the informed consent of parents or students.

In early 2006, FCL took an “oppose unless amended” position on **Assembly Bill 1778** by Sally Lieber, D., Mountain View, which would have required school districts to inform parents and students of their right to opt out on the emergency information cards sent home with every student at the beginning of the school year. While we supported the goals of the legislation,

we concurred with those working closely with parents, students and local schools that the bill actually could have made it easier for recruiters to obtain information on students without parental or student consent.

Our objection was based on AB 1778's failure to address the Armed Services Vocational Aptitude Battery test, commonly known as the “ASVAB”. The ASVAB is frequently administered in public schools at no cost to schools without the disclosure that test results – information of a highly personal nature – are routinely used for recruiting purposes. This is done by default, even though the Department of Defense provides an option (“Option 8”) to administer the test without having the test results provided to recruiters. Few parents, students, or school employers are aware of Option 8. According to the Department of Defense, in the 2006-2007 school year, 573,504 students nationwide took the ASVAB test, and only 32,474 (5.7 percent) did so under Option 8. Limiting recruiters' access to student contact information subject to consent *without* subjecting the ASVAB to consent would create an incentive for the military to make greater use of the ASVAB for recruiting purposes.

Kudos to Assembly Member Lieber for reintroducing the legislation this year and for including the ASVAB provision. The new bill, **AB 2994**, creates a process that informs parents and students of rights already guaranteed them under current law and provides an opportunity for them to exercise their discretion. The ASVAB test would be administered on public school facilities only on the condition that test results are not released to recruiters unless parents and/or students agree to the release.

AB 2994 affirms the rights of parents and student who do not want their information provided to recruiters without their consent. It does so without restricting the rights of those parents and students who do and without placing an undue burden on schools. The legislation passed the full Assembly and Senate Education and Appropriations committees and now moves to the Senate Floor before going to Governor Schwarzenegger. FCL will be calling on supporters to keep the bill moving forward. ☺

– Jim Lindburg <JimL@fclca.org>

Giving Online: For your convenience, donations to FCL may be made online. Please complete our **secure online donation form** located on our website, www.fclca.org. You can mail your donation to 717 K Street, Suite 500B, Sacramento, CA 95814-3408.

Families of prisoners to see reduced phone rates

FCL has advocated extensively on behalf of families of the incarcerated to address the importance of maintaining family ties through regular family contact. Whether through expanded visiting days at prisons or via the telephone, maintaining family bonds reduces recidivism. As the cost of gasoline soars, the importance of telephone communication cannot be emphasized enough, as most California prisons are located far away from the state's urban population centers. After years of exorbitant rates, families of prisoners will finally see their telephone rates reduced by as much as 60 percent over a four-year period.

Working with the California Catholic Conference and the Statewide Family Council, FCL advocated eliminating a substantial concession fee to the state's General Fund from telephone vendors that was paid for by setting the rates for collect calls made inside prison walls at double and triple the normal amount. (Prisoners are not allowed to receive telephone calls; they are only allowed to make collect calls). Since 2001, the concession fee has been capped at \$26 million per year, still a significant burden, in what amounts to an unfair tax on families of the incarcerated, many of whom are of limited economic means.

SB 81, a budget trailer bill, contained a provision to phase out the telephone concession fee over a four-year

period, a reduction of \$6.5 million dollars per year until its complete elimination in 2011. SB 81 was signed into law by Governor Schwarzenegger on August 24th 2007. Consequently, rates for collect phone calls from prisoners are required to be adjusted downward to reflect the reduced concession fee to the General Fund.

The new rate schedule took effect September 1, 2007. Families continued to pay the higher rates through May 5, 2008, while the California Department of Corrections and Rehabilitation (CDCR) and Global Tel Link worked to amend the existing contract and adjust the rates downward. Families who received collect phone calls prior to the rate reduction will receive rebates in July and August of this year. Information regarding the rebates can be obtained from the CDCR's web page at <http://www.cdcr.ca.gov/Visitors/Receiving Calls From Inmates and Wards.html>

The first year reduction in rates amounts to a 17 percent savings for a 15 minute collect phone call. At the end of the four-year phase out, collect call rates will have been reduced by 60 percent overall. The adjusted rates over the next four years are shown in the tables below.

Many thanks to Senator Mike Machado and his staff for their hard work on behalf of families of the incarcerated.©

– Dale Richter <Dale@fclca.org>

Domestic Collect Call Rates by Service Level and Fiscal Year Based on a 15 minute call

SERVICE LEVEL 1 – YOUTH FACILITIES					
	4/1/05 -8/31/07	9/1/07- 6/30/08	7/1/08 -6/30/09	7/1/09 -6/30/10	7/1/10 -1/31/11
Local	\$1.25	\$1.025	\$0.785	\$0.675	\$0.475
Intralata	\$1.25	\$1.025	\$0.785	\$0.675	\$0.475
Interlata	\$1.25	\$1.025	\$0.785	\$0.675	\$0.475
Interstate	\$17.30	\$14.330	\$11.360	\$9.305	\$6.650
SERVICE LEVEL 2 – ADULT PRISONS, CONSERVATION CAMPS, COMMUNITY CORRECTIONAL FACILITIES, YOUTH CONSERVATION CAMPS					
	4/1/05 -8/31/07	9/1/07- 6/30/08	7/1/08 -6/30/09	7/1/09 -6/30/10	7/1/10 -1/31/11
Local	\$3.75	\$3.105	\$2.445	\$2.025	\$1.450
Intralata	\$3.75	\$3.105	\$2.445	\$2.025	\$1.450
Interlata	\$5.30	\$4.385	\$3.500	\$2.850	\$2.030
Interstate	\$17.30	\$14.450	\$11.585	\$9.305	\$6.650

*Does not include applicable taxes and fees

The above rates include the surcharge (connect fee) and per minute fee for collect calls.

Source: CDCR Telecommunications Branch

For a breakdown of the surcharge and per minute rate, see <http://www.dts.ca.gov/stdn/calnet-inmate-ward.asp>

Forced in-cell integration coming to California prisons

The Senate Public Safety Committee, chaired by Senator Gloria Romero, D-Los Angeles, recently held a hearing on the California Department of Corrections and Rehabilitation's (CDCR) plans to implement "in-cell integration" at all California male institutions.

In-cell integration is CDCR's response to the U.S. Supreme Court's ruling in *Johnson v. California* (2005) that the Department's unwritten policy of deliberately segregating prisoners by race in double cells for up to 60 days in reception centers and each time they are assigned to a new prison, is unconstitutional.

CDCR justified the practice as necessary in order to alleviate gang violence. The Supreme Court's majority opinion, by Justice Sandra Day O'Connor, faulted the Ninth Circuit Court of Appeals for not applying the standard of "strict scrutiny" when upholding CDCR's practice of segregating by race. Applying "strict scrutiny" requires the government to prove that racial classifications "are narrowly tailored measures that further compelling governmental interests."

Indeed, mandating that prisoners be segregated by race is deplorable and may in fact aggravate racial tensions behind the walls. To our knowledge, no other state penal system does this and neither does the federal government. However, the solution being employed by CDCR is also cause for consternation.

It appears that the Department's proposed remedy goes far beyond what the Supreme Court's ruling requires. CDCR has created a new ranking system to determine a prisoner's suitability for in-cell integration. The rankings range from Racially Eligible (RE), meaning a prisoner can live with members of any race, to Restricted by Refusal (RR), which designates prisoners who are eligible for integrated housing but refuse to participate (see sidebar on page 6). Prisoners who refuse to share a cell with a person of a different race will be subjected to disciplinary actions, including being housed in isolation in Administrative Segregation and/or Security Housing Units.

While it is one thing to stop segregating prisoners by race, it is quite another to force in-cell integration.

In that prisons reflect the values and norms of the larger society, they are microcosms of society, a society that, unfortunately, still self-segregates by race to a significant extent. But prison life is also very different from the social environs most of us take for granted. To the extent that prisoners are allowed to choose their cellmates, choosing with whom to share a 6' x 9' cell, is one of the few choices remaining for a prisoner.

While it is time for California prisons to come out of the Dark Ages, the method employed by CDCR

(Continued on next page)

ANNUAL PRISONER HOLIDAY CARD CONTEST

Design holiday cards for FCL. If your artwork is selected, you will receive \$100. Your artwork will be featured as part of FCL's Holiday Card mailing and to raise funds to pay for prisoner subscriptions to the FCL Newsletter for 2008. You will be identified as the artist.



- Artwork should express universal themes such as peace, joy, unity and hope. No depictions of sectarian themes such as Santa Clauses, etc.
- Only artwork from prisoners will be accepted. Entries must be postmarked from a California Prison.
- Submit artwork in black and white only (suggestions for color schemes are welcomed).
- **The deadline for submissions is September 30, 2008.** (No limit on the number of submissions.) Send to: FCL Holiday Card Contest, 717 K St., Suite 500-B, Sacramento, CA 95814.

FCL is proud of its prisoner art collection.

In-cell integration (Continued from page 5)

hardly seems enlightened. Dr. Elaina Jannel, a psychologist at California State Prison-Solano, summed up our concerns when she deplored CDCR's reflexive reliance on punishment as the way to teach good behavior. Jannel also testified that the best way to integrate California prisons is to engage prisoners of all races in exercises that require them to trust and rely on each other to solve a problem. Programs like the Alternatives to Violence Project, the virtually defunct Arts in Corrections program (a victim of budget cuts), Alcoholics Anonymous and Narcotics Anonymous all emphasize trust and mutual respect.

Perhaps what is most disturbing is the characterization of CDCR's in-cell integration program by Senator Romero and CDCR Secretary Matthew Cate as a "cultural revolution" taking place behind the walls. Telling prisoners, "you must do this – or be sent to the hole," is hardly revolutionary; rather, it is excessively punitive, and yet another example of the failure of the modern penitentiary. Both the Legislature and CDCR would be wise to heed Jannel's advice and seek solutions which cooperatively involve prisoners. ☺

– Jim Lindburg <JimL@fclca.org>

CDCR's Integrated Housing Codes (IHC) (Reprinted from the CDCR Department Operations Manual)

Racially Eligible (RE)

Inmates that are racially eligible to house with any race will be coded as RE in the DDPS. It is the expectation of the CDCR that all inmates will be coded RE, unless specific case factors dictate otherwise. Those inmates that have been victims or perpetrators of racially motivated crimes shall be evaluated on their case factors in totality before being determined racially eligible or ineligible for an integrated housing assignment.

Restricted Partially (RP)

Inmates considered ineligible to house with inmates of a particular race shall be coded RP for Restricted Partially. For example, a Black inmate may be determined to be ineligible to house with Hispanic inmates, but eligible to house with White or Other inmates. This inmate would be coded RP. His ineligibility to house with another race/ethnicity shall be based on individual case factors. The individual case factors shall be considered by custody and classification staff in assigning this code. Assignment of this code will require staff to identify the races/ethnic groups with whom the inmate is determined ineligible to house.

Restricted to Own (Race) (RO)

Inmates who are determined eligible to be housed with only their own race or ethnic group based on individual case factors will be coded RO for Restricted to Own. During the intake process or classification process, when available information and case factors indicate the inmate cannot successfully house with inmates of other races, the IHC of RO will be applied. Inmates who are deemed restricted to their own race will not necessarily be precluded from integration in other aspects of institutional operations such as integrated cellblock, dormitory settings, or program assignments.

Temporarily Restricted by Custody (RT)

Inmates with insufficient information or documentation for the Receiving and Release supervisor to make an objective determination shall be coded RT for Temporarily Restricted by Custody. This code may be used when conflicting information arrives with the inmate or when questionable statements or behavior by the inmate are observed that are not consistent with the inmate's claim of eligibility. This code may also be used during the inmate's incarceration when his observed behavior is not consistent with his assigned eligibility code and it is therefore appropriate to have the assigned code reviewed by classification committee. The IHC or RT is temporary and shall be changed when additional information and documentation are obtained and evaluated.

Restricted by Refusal (RR)

Inmates who are determined eligible to house with inmates of other races, but who simply refuse to be housed with a race other than their own, will be coded RR for Restricted by Refusal. This code will be used when an otherwise eligible inmate refuses to accept a housing assignment consistent with his IHC, and his case factors and all available information and documentation do not preclude such placement. Refusal to accept an integrated housing assignment, when all available documentation and information does not preclude such, shall result in a disciplinary action. Additionally, the inmate will be deemed a threat to the safety and security of the institution, and will be considered for alternative and more restrictive housing such as an Administrative Segregation Unit (ASU), or a Security Housing Unit (SHU).

FCL Community Corner – *latest happenings*

FCL Fundraiser

On June 22, the Southern Regional Committee held a Garden Party fundraiser at the Orange Grove Meeting House in Pasadena. The event featured a keynote address by Stephen Rohde, Vice President of Programs, Death Penalty Focus. Although it was a hot day in Pasadena, attendees enjoyed the great food, music and atmosphere. Rohde was introduced by Claire Gorfinkel and gave an honest and upbeat assessment on death penalty abolition. Rohde told participants that we have reached the tipping point, a teachable moment in history as support for the death penalty is “a mile wide and an inch thick,” and that capital punishment will soon come to an end. Gary Wolff was honored for his commitment and work with the Alternatives to Violence Project. Gary has long been an ardent supporter of prison reform and devotes much of his time and energy to volunteering in prisons.



Recent Activities

FCL participated in the California Interfaith Coalition’s annual Legislative Issues Briefing Day, on May 13. The theme of this year’s advocacy: *Opening Our Hands to the Poor and Needy* focused on the governor’s proposed budget cuts that would seriously undercut our state’s safety net when the declining economy demands more government services. The program included several social services areas – CalWORKS, Medi-Cal, and foster care – that would be severely impacted by the governor’s cuts. Legislative visits to the capitol were scheduled in advance to address these concerns with key legislators and staff.



FCL On-line

Consult the Action Alerts section of the FCL’s webpage (www.fclca.org) in order to contact your state representatives to urge them to resist the governor’s budget cuts. Included are links to documents prepared by the California Budget Project which describe the

impact of budget cuts by legislative district and county, information which is of particular interest to your state representatives.

Several new features have been added to the FCL website. With so many issues, it is easy to forget who your state representative is. A new “Find My State Representatives” link takes users to a website maintained by the California State Assembly that enables one to type in their address in order to see who their State Assembly and State Senator are. It also provides the Capitol and District Office address and phone numbers. An updated legislative roster is also available on the FCL website that includes California’s congressional delegation.



FCL Interns

Amanda Rogerson completed her second internship with FCL this spring. Amanda plans to study abroad to obtain a masters degree after she finishes her summer job with the National Parks Service. Amanda has a bright future ahead of her. We appreciate her fine contributions.

Sarsh Levine, a junior at UC Santa Cruz majoring in political science, is interning with FCL this summer. An avid sports fan and amateur athlete, he is helping the FCL Policy Committee analyze ballot propositions. So far, 11 ballot initiatives have qualified for the November 2008 ballot, and there could be as many as 14. Sarsh accompanies staff on legislative visits and will do some writing for the newsletter. Welcome, Sarsh!



Meeting Contributions

Thanks to the following meetings for their recent contributions: Berkeley Religious Society of Friends, La Jolla Monthly Meeting, Fresno Friends Meeting and to the Palo Alto Friends Meeting for their recent fund raising efforts on behalf of FCL. ☺

– Dale Richter <Dale@fclca.org>

Whatever Happened To...

This is a summary of some of the significant bills that FCL is following in the current legislative session. Bill status is shown as of July 9, 2008. The full list of bills, text and history of each bill may be found by consulting the FCL website or by contacting the author's staff. To express your views on legislation, please write to the governor, your state senator and your assembly member, with a copy to the bill's author at "State Capitol, Sacramento, CA 95814." You may find out who your legislators are by consulting the FCL website <www.fclca.org> or the State Government pages of your local telephone directory.

Budget and Revenue

AB 2897 (Loni Hancock, D., Berkeley) raises the top personal income tax rate of 9.3 percent to 10 percent on incomes over \$136,115 and 11 percent on incomes over \$272,230. FCL SUPPORTS. Assembly Revenue and Tax Committee.

Capital Punishment

AB 2228 (Paul Cook, R., Yucaipa) would allow videotaped testimony of witnesses in death penalty cases. FCL OPPOSES. Senate Public Safety Committee.

AB 2745 (Tom Berryhill, R., Modesto) creates new rights for survivors of homicide victims in appellate hearings. FCL OPPOSES. Assembly Public Safety Committee.

SB 315 (Tom Harman, R., Costa Mesa) as amended, requires appellate counsel to be appointed for defendants sentenced to death in capital cases within one year and requires all attorneys who handle indigent appeals to be willing to handle death penalty appeals. FCL OPPOSES. Assembly Public Safety Committee.

SB 1305 (Jim Battin, R., Palm Desert) creates a new death-eligible special circumstance when a homicide victim is under age 14. FCL OPPOSES. Senate Public Safety Committee.

SB 1320 (Bob Dutton, R., Inland Empire) requires trial attorneys to review and notify the court of errors in transcripts and requires the trial record to be certified within 90 days of the imposition of a death sentence. FCL OPPOSES. Senate Public Safety Committee.

Children and Youth

AB 2061 (Nicole Parra, D., Hanford) implements mandatory minimum fines for parents and guardians of truant children in order to fund School Attendance Review Boards. FCL OPPOSES. Assembly Public Safety Committee.

SB 1199 (Leland Yee, D., San Francisco) as amended, requires the Department of Corrections and Rehabilitation to conduct a study relating to juveniles sentenced to life-with-

out-parole and report findings to the Legislature by 2010. FCL SUPPORTS. Senate Appropriations Committee.

SB 1250 (Leland Yee, D., San Francisco) removes bureaucratic and financial barriers to family communication for youth incarcerated in Division of Juvenile Justice facilities. FCL SUPPORTS. Assembly Appropriations Committee.

Criminal Justice/ Imprisonment

AB 160 (Sally Lieber, D., Mountain View) and **SB 110** (Gloria Romero, D., Los Angeles) establishes the California Sentencing Commission to review and devise sentencing guidelines. FCL SUPPORTS. Senate Inactive File and Assembly Floor, respectively.

AB 1965 (Sandre Swanson, D., Oakland) requires the Department of Corrections and Rehabilitation to establish a program for prisoners age 55 and older who have been diagnosed with chronic illness and serving sentences for nonviolent offenses, to be released on summary parole. FCL SUPPORTS. Assembly Appropriations Committee.

AB 2099 (Loni Hancock, D., Berkeley) requires the Department of Corrections and Rehabilitation to create a pilot program at three facilities to ensure that prisoners released on parole possess a valid California identification card. FCL SUPPORTS. Senate Appropriations Committee.

AB 2108 (Todd Spitzer, R., Orange) prohibits persons on parole with outstanding restitution orders from being discharged from parole without approval from the Board of Parole Hearings. FCL OPPOSES. Assembly Public Safety Committee.

AB 2109 (Todd Spitzer, R., Orange) prohibits a district administrator from overturning a parole agent's decision to not discharge a person from parole without approval from the Board of Parole Hearings. FCL OPPOSES. Assembly Public Safety Committee.

AB2562 (Jean Fuller, R., Bakersfield) creates a new felony enhancement for parolees required to register with local law enforcement as a result of a conviction for a gang-related offense who fail to register. FCL Opposes. Assembly Public Safety Committee.

AB 2614 (Guy Houston, R., San Ramon and Darrell Steinberg, D., Sacramento) removes financial liability for patients, their family or their estate if the person was committed to a state hospital for the mentally disordered as the result of a not guilty by reason of insanity verdict. FCL SUPPORTS. Assembly Appropriations Committee.

AB 2681 (Cameron Smyth, R., Santa Clarita) provides that a parolee who used a computer in the commission of a sex offense and who fails to notify their parole agent within five days of receiving a device with internet capability is subject to a parole violation or misdemeanor prosecution. FCL OPPOSES. Assembly Public Safety Committee.

AB 2929 (Loni Hancock, D., Berkeley) requires the California Department of Corrections and Rehabilitation to develop a comprehensive re-entry program for parolees and to provide local law enforcement agencies with a copy of the parolee's re-entry plan. FCL SUPPORTS. Assembly Appropriations Committee.

AB 3032 (Sally Lieber, D., Mountain View) creates the Innocence Protection Grants Program to investigate claims of innocence and overturn wrongful convictions. FCL SUPPORTS. Assembly Appropriations Committee.

SB 1342 (Dave Cogdill, R., Fresno) allows trial courts to impose the upper term for certain gang-related offenses without finding an aggravating circumstance(s). FCL OPPOSES. Senate Public Safety Committee.

SB 1555 (Sheila Kuehl, D., Santa Monica) requires the Department of Corrections and Rehabilitation to implement an elder identification card program for prisoners 55 years of age and older and gives them priority for

certain daily living activities. FCL SUPPORTS. Senate Appropriations Committee.

SB 1589 (Gloria Romero, D., Los Angeles) provides that a court may not convict a defendant, find a special circumstance or an aggravating circumstance on the basis of uncorroborated testimony from an in-custody informant. FCL SUPPORTS. Assembly Floor.

SB 1590 (Elaine Alquist, D., Santa Clara) requires the electronic recording of the interrogation of suspects in homicide and violent felony cases. FCL SUPPORTS. Senate Appropriations Committee.

SB 1591 (Mark Ridley-Thomas, D., Los Angeles) requires the Department of Justice, in consultation with local law enforcement agencies, to develop procedures to reduce eyewitness misidentifications. FCL SUPPORTS. Senate Appropriations Committee.

SB 1651 (Darrell Steinberg, D., Sacramento) authorizes superior courts to implement mental health courts and develop standards for participation. FCL SUPPORTS. Senate Appropriations Committee.

SB 1730 (Alex Padilla, D., Los Angeles) *as introduced*, creates a new felony for the unauthorized possession of a cell phone on prison grounds. FCL OPPOSED. *As amended*, deletes the felony and instead requires all persons entering prisons to be screened by a metal detector. FCL SUPPORTS. Senate Appropriations Committee.

Equality/Nondiscrimination

AB 167 (Karen Bass, D., Los Angeles) prohibits eligibility for CalWORKS aide from being conditioned on the limitation of individual or family assets. FCL SUPPORTS. Senate Appropriations Committee.

AB 437 (Dave Jones, D., Sacramento) clarifies that the time period for alleging pay discrimination accrues from the date of each wage payment instead of when the discriminatory decision was made in order to give employees reasonable time to seek redress. FCL SUPPORTS. Assembly Inactive File.

AB 1882 (Martin Garrick, R., Carlsbad) requires law enforcement agencies to notify U.S. Immigration and Customs Enforcement of persons arrested for driving while intoxicated who fail to produce documents demonstrating legal residency status. FCL OPPOSES. Assembly Public Safety Committee.

AB 2141 (Van Tran, R., Costa Mesa) requires correctional officers to verify the residency status of new prisoners and to cooperate with U.S. Immigration and Customs Enforcement

in the verification and deportation process. FCL OPPOSES. Assembly Public Safety Committee.

AB 2420 (Bob Huff, R., Diamond Bar) prohibits local governments from adopting ordinances that prohibit law enforcement agencies from initiating action to discover a person's residency status or that prohibits law enforcement from arresting a person for entering the U.S. illegally. FCL OPPOSES. Assembly Public Safety Committee.

Governance

AB 583 (Loni Hancock, D., Berkeley) as amended, authorizes candidates for the office of Secretary of State to obtain public funds to finance campaigns beginning in 2011 and expiring in 2015. FCL SUPPORTS. Senate Appropriations Committee.

Healthcare

AB X1 1 (Fabian Nuñez, D. Los Angeles) requires employers to offer health insurance to employees and dependents or pay fees to enroll them into a state health insurance pool and requires individuals to show proof of coverage. FCL OPPOSES. Senate Health Committee.

AB 1554 (Dave Jones, D., Sacramento) regulates increases in health insurance premiums, co-payments and deductibles. FCL SUPPORTS. Senate Health Committee.

AB 1887 (Jim Beall, D., San Jose) requires health insurers to provide coverage for treating mental illness, including chemical dependency. FCL SUPPORTS. Senate Appropriations Committee.

AB 1984 (Sandre Swanson, D., Oakland) requires the Department of Health to offer prisoners voluntary, confidential HIV-AIDS testing and, with the written consent of the prisoner, make a prisoner's HIV-AIDS status available to public agencies for the purpose of determining eligibility for health and social service benefits. FCL SUPPORTS. Senate Appropriations Committee.

SB 32 (Darrell Steinberg, D., Sacramento) expands eligibility for children in the Healthy Families Program to families with income up to 300 percent of the Federal Poverty Level. FCL SUPPORTS. Assembly Inactive File.

SB 840 (Sheila Kuehl, D., Santa Monica) creates the California Universal Healthcare System to provide affordable and comprehensive healthcare benefits to all California residents. FCL SUPPORTS. Assembly Appropriations Committee.

Housing

AB 2019 (Felipe Fuentes, D., Los Angeles) gives local governments and tenants the right to enforce purchase offers when an owner who plans to convert affordable housing to the market rate fails to comply with the law. FCL SUPPORTS. Senate Inactive File.

AB 2069 (Dave Jones, D., Sacramento) requires local governments to demonstrate that they have enough land to meet their affordable housing requirements when allowing commercial developments on double-zoned sites. FCL SUPPORTS. Assembly Concurrence.

Peace/Nonviolence

AB 2062 (Kevin DeLeon, D., Los Angeles) requires licensing of handgun ammunition dealers and a permit to purchase handgun ammunition. FCL SUPPORTS. Senate Appropriations Committee.

AB 2235 (Mark DeSaulnier, D., Martinez) requires all handguns to be equipped with "owner-authorized" technology that prevents anyone other than the owner from discharging the handgun. FCL SUPPORTS. Senate Appropriations Committee.

AB 2994 (Sally Lieber, D., Mountain View) creates a process to allow parents and students to opt out from having students' contact information provided to military recruiters and prohibits the Armed Services Vocational Aptitude Battery test from being used for recruiting purposes without consent. FCL SUPPORTS. Senate Floor.

SB 468 (Alex Padilla, D., Los Angeles) creates the Shaken Baby Syndrome Education Pilot Program modeled after programs in New York that have reduced deaths by half. FCL SUPPORTS. Assembly Appropriations Committee.

SB 1322 (Alan Lowenthal, D., Long Beach) creates a religious exemption to the loyalty oath required of public employees provided the employee is willing to uphold the U.S. and California Constitutions and removes unconstitutional language from the Government Code prohibiting membership in the Communist Party. FCL SUPPORTS. Assembly Floor.

SJR 19 (Mark Ridley-Thomas, D., Los Angeles) requests licensing boards to notify health professionals of national and international law regarding torture and that the Department of Defense and Central Intelligence Agency remove all military health professionals licensed in California from prisoner and detainee interrogations. FCL SUPPORTS. Senate Floor. ☺


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UPCOMING EVENTS

Support FCL by attending the
39th Annual FCL Harvest Festival
at the Palo Alto Friends Meeting House,
September 27 from 9:00 am to 4:00 pm.

The annual fundraiser includes children's activities,
live music and great food. Admission and parking are
free. The address is 957 Colorado Ave, Palo Alto.

(See the FCL website for more information.)

SAVE THE DATE



FCL Bay Area Dinner

October 18th at the
Hillside Club in Berkeley

For more information please contact the FCL office
at 916.443.3734, or email, <dale@fclca.org>

The Friends Committee on Legislation of California (FCL) includes Friends and like-minded persons, a majority of whom are appointed by Monthly Meetings of the Religious Society of Friends in California.



Expressions of views in this newsletter are guided by Statements of Policy prepared and approved by the FCL Committees. Seeking to follow the leadings of the Spirit, the FCL speaks for itself and for like-minded Friends. No organization can speak officially for the Religious Society of Friends.



While we strive above all for correctness and probity, we are quick to recognize that to err is human. We therefore solicit and welcome comments and corrections from our readers.