

# FCL NEWSLETTER



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FRIENDS COMMITTEE ON LEGISLATION

Jan./Feb. 2008

## Budget partisanship, neglect threatens the poor, investments in state's future

In his annual “State of the State” address to the Legislature on January 9th, Gov. Schwarzenegger praised the selfless sacrifices and responses of individuals and the public to the brush fires that plagued California last fall. The governor then paid homage to Franklin Delano Roosevelt for tackling the Great Depression by creating the Works Progress Administration to provide unemployed Americans with jobs rebuilding the nation’s infrastructure. “FDR didn’t ignore the problems of the Depression because times were tough; he addressed those problems in big, visionary ways because times were tough,” said Schwarzenegger.

Unfortunately, the governor’s soaring rhetoric was just that—rhetoric. While Gov. Schwarzenegger has been willing to work with Democrats on big issues like global warming and health care, when it comes to the state’s budget, he is firmly aligned with members of his party who are adverse to taxes. The rest of his speech only underscored the partisanship and current polarization of the Legislature.

Turning his attention to the state’s \$14.5 billion deficit, Gov. Schwarzenegger declared what by now has become a worn out cliché: “we don’t have a revenue problem; we have a spending problem.” The governor’s budget proposes 10 percent across-the-board cuts to programs and does not raise revenues. While acknowledging that many of the cuts will be difficult, the governor advised that “fiscal responsibility, like compassion, is a virtue, because it allows the necessary programs in the first place.”



Credit: Huffaker, Cagle Cartoons

### Problems with the governor’s plan

Proposing across-the-board cuts may create the illusion of fairness (in addition to avoiding a tough fight on taxes with the Republican caucus), but this approach fails to define

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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.”*

## Budget partisanship *(Continued from page 1)*

priorities or understand the connections between various programs, the government and the governed.

For example, the governor has proposed the “early release” of 22,500 prisoners (see sidebar on page 4) who were convicted for nonviolent and non-serious offenses, while simultaneously proposing cuts in drug treatment, including cuts to Proposition 36, which allows drug users to opt for drug treatment in lieu of incarceration. FCL testified in the Assembly Budget Committee that reducing funds for Proposition 36 will send more people to prison for nonviolent drug offenses, which would offset the governor’s proposed reductions in the prison population. Moreover, broad, across-the-board budget cuts threaten public investment in the things that make communities safe: education, vocational training, recreational opportunities, health care (including mental health treatment and substance abuse treatment), public transportation and affordable housing, to name a few. The effects of the budget cuts will be felt hardest by communities that are the most vulnerable to the economic downturn and K-14 students.

Gov. Schwarzenegger also has called for a constitutional amendment to grant him and future governors the authority to unilaterally make mid-year spending cuts when the state is running deficits. Currently, the California Constitution allows only the Legislature to appropriate funds and make mid-year spending reductions. In its initial assessment, the Legislative Analyst’s Office said that the proposed constitutional amendment represents “a serious diminution of the Legislature’s authority.” What happened to the era of post-partisan politics in California?

### Budget deja vu

Despite then-candidate Schwarzenegger’s recall election promises to tackle the budget problem, the governor and Legislature are still dealing with a structural deficit. The inability to make progress in closing the budget gap demonstrates the huge gulf between campaign rhetoric and action.

In the late 1990s, when the state’s tax coffers were flush, Republicans went along with spending increases proposed by Democrats in exchange for tax cuts. According to the California Budget Project, tax cuts signed into law since the 1993-94 fiscal year are costing the state \$12 billion. To make matters worse, personal income tax revenues declined sharply following the dotcom collapse and created the structural imbalance between revenues and expenditures that persists today.

Other sources of revenue have decreased as well. Gov. Schwarzenegger’s first official act upon taking office was to reduce the state’s Vehicle License Fee (VLF) by \$4 billion per year without specifying which programs would be cut or how the lost revenues would be made up. The California Budget Project indicates that the VLF reduction now costs the state \$6 billion per year, 41 percent of the deficit. Corporate

### How the Governor’s Budget Closes the 2008-09 Shortfall

<i>(In Millions)</i>	
	Reserve as of June 30, 2009
<b>Administration’s Definition of Shortfall</b>	<b>-\$14,479</b>
<b>Budget Solutions</b>	
Reduce Proposition 98 Spending*	
2007-08 reduction	\$400
Suspend 2008-09 minimum guarantee	4,825
Issue additional deficit-financing bonds	3,313
Accrue 2009-10 revenues to 2008-09	2,001
Suspend transfer to Budget Stabilization Account**	1,509
Reduce Medi-Cal local assistance spending	1,126
UC/CSU reductions (unallocated)	569
CalWORKs reforms	463
Early release of prisoners and summary parole	372
Suspend SSI/GSP cost-of-living adjustments	323
Other solutions	2,356
<b>Governor’s Budget Estimate of 2008-09 Reserve</b>	<b>\$2,778</b>
*Public Education K-14	
**Payment on previously issued deficit-financing bonds	

Source: Legislative Analyst’s Office

tax collections would be \$7.3 billion higher if corporations paid the same share of their profits in corporate taxes as they did in 1981. Also, sales tax collections have declined as a percentage of personal income because nowadays people spend more on nontaxable services such as internet service and cable television and purchase more goods from out-of-state vendors via the internet that are not subjected to sales tax. If taxable purchases kept pace with the growth in personal income, the state would collect \$16 billion in additional revenues in the upcoming budget year (“Two Steps Back: Should California Cut Its Way to a Balanced Budget?” California Budget Project, Feb. 2008)

Furthermore, about three-quarters of state spending is nondiscretionary thanks to legislative and constitutional mandates and spending formulas contained in voter-approved ballot-box-budgeting initiatives. For example, in 1988 the voters passed Proposition 98, which guarantees public education a certain share of General Fund spending that is based on state revenue collections. Currently, revenue collections are increasing but not at a rate that would cover increased program costs arising from the growth in caseloads and inflation. So, while funds are being cut for healthcare and cash assistance to the state’s poor, Proposition 98 requires additional spending for public education unless a two-thirds super-majority of the Legislature agrees to a suspension. The governor has proposed suspending Proposition 98 to help close the gap.

While Gov. Schwarzenegger is right to complain about locked-in spending, he has contributed to the problem by sponsoring Proposition 49, which expands after-school programs

*(Continued on page 4)*

# LAO offers alternative budget

In response to California's current fiscal crisis, Governor Schwarzenegger has proposed 10 percent across-the-board spending cuts. This approach has rankled many, and on February 20, Elizabeth Hill, the state's top budget analyst with the Legislative Analyst's Office (LAO), took the unusual step of introducing her own plan. In a stinging rebuke of the Governor's proposal, Hill's report states that "in the absence of a credible plan that prioritizes state spending and revenues, we offer an alternative approach for the Legislature's consideration."

The LAO report reveals that next year's deficit, if nothing is done, is likely to reach \$16 billion, as opposed to the \$14.5 billion the Governor estimated last month. To deal with this shortfall, the report proposes alleviating the state's financial woes with targeted cuts to state spending, mostly to nonessential services. Notably, Hill's plan halves Schwarzenegger's proposed \$4 billion cut to school funding. The plan also eliminates many tax breaks. Among other proposals, Hill suggests eliminating the "dependent credit," a tax break for those claiming children or others as dependents. Currently, recipients receive about \$294 annually. Three-fourths of those recipients make more than \$50,000, while one-third make over \$100,000, yearly. It is estimated that lowering this tax credit to pre 1998 levels, \$94 in annual tax breaks, would benefit the state to the tune of \$1.3 billion next year. Other proposed tax cuts include eliminating a senior tax credit of \$94 for those over 65 years-of-age, closing a tax loophole for purchasers of recreational vehicles, boats and planes, eliminating a tax exemption enjoyed by the entertainment industry for the leasing of films and tapes and doing away with several sales tax exemptions.

Hill's proposal does not contain Gov. Schwarzenegger's proposed early release of 22,500 low level prisoners. Instead, her plan would realign parole for low-level offenses to county probation departments for a savings of about \$500 million per year. Funding for realignment would come from reallocating special district property taxes, a portion of local sales taxes and vehicle license fees retained by the Department of Motor Vehicles for administrative purposes. Earlier this year, the LAO proposed eliminating a scheduled five percent pay increase for prison guards.

<b>LAO Alternative Budget: Major Savings Proposals in 2007-08 and 2008-09</b>	
<i>(In Millions)</i>	
	<b>Savings</b>
<b>Deficit-Financing Bonds</b>	
Issue additional bonds (Governor's proposal)	\$3,313
Suspend Budget Stabilization Account transfer (Governor's proposal)*	1,551
<b>Revenues</b>	
Reduce dependent credit	\$1,330
Limit research and development credit	335
Limit net operating loss carry forwards	330
Other revenue changes	660
<b>Proposition 98 K-14 Education</b>	
Fund flat year-to-year budget	\$2,769
Reduce current-year spending to minimum guarantee	950
Suspend Quality Education Investment Act in 2008-09	450
Use Public Transportation Account for 2007-08 Home-to-School costs	409
Prepay 2008-09 settle-up	150
<b>Parole Realignment</b>	<b>\$483</b>
<b>Other Key Spending Solutions</b>	
Reject pay raise for correctional officers in 2007-08	\$521
Delete SSI/SSP cost-of-living adjustments (Governor's proposal)	329
Reduce, shift, or eliminate public safety local assistance funding	278
Change crimes from wobblers to misdemeanors	250
Shift wildland fire costs to fire protection fee	239
Cost containment for regional centers (Governor's proposal)	229
Increase university student fees by 10 percent	215
Fund UC and CSU nondiscretionary cost increases, but not compact	207
*Payment on previously issued deficit-financing bonds	

Source: Legislative Analyst's Office

Democrats have welcomed Hill's ideas. According to the February 21 edition of the *Sacramento Bee*, Fabian Núñez, the Democratic Assembly leader, applauded Hill's plan, saying, "You cannot balance the budget by simply cutting back services. You need to look at the tax structure – I've been saying this all along – and figure out what tax breaks we can roll back." In contrast, Gov. Schwarzenegger and Republican lawmakers have said that they will continue to block any tax increases. According to the February 21 *Los Angeles Times*, Gov. Schwarzenegger said, "while I believe we should begin negotiations with all ideas on the table, I have been very clear in my position against raising taxes to fix Sacramento's spending problem and our budget."

To read the LAO's report, visit [www.lao.ca.gov](http://www.lao.ca.gov) or contact the FCL office. ☺

– Amanda Rogerson, FCL Intern,  
<[amanda.rogerson@gmail.com](mailto:amanda.rogerson@gmail.com)>

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## **Budget partisanship** (Continued from page 2)

without providing a funding stream, and Proposition 1A, which decreases the Legislature's flexibility to deal with shortfalls by locking in percentages of sales and property tax revenues for local governments.

### **The effects of a polarized Legislature**

In 1991, California's then \$50 billion budget faced a deficit of \$14 billion. Governor Pete Wilson and Assembly Speaker Willie Brown agreed to split the difference with \$7 billion in tax increases and \$7 billion in spending cuts. Democrats have proposed dealing with today's shortfalls similarly, using a mixture of tax increases, closing tax loopholes and spending cuts. However, compromises of this nature are unlikely these days.

Nowadays the Legislature is much more polarized than during the Wilson-Brown era as the result of the Legislature's drawing safe districts. When districts are drawn to the advantage of one political party, candidates are less likely to face competition and thus to reflect a broad range of viewpoints. This results in a legislature that is more polarized than its constituents and lacks a viable center that could negotiate and broker political compromises (see "Redistricting: Red Alert or Red Herring," *FCL Newsletter*, July-August 2007).

Our state's two-thirds, super-majority requirement to pass a budget, designed to protect minority party interests and promote compromise, has the unfortunate side effect of enabling the minority party to be obstructionist if it wishes to be obstinate. In the current legislative session, all but one Republican legislator has signed on to anti-tax crusader Grover Norquist's "Taxpayer Protection Pledge" to oppose all tax increases.

These obstacles to good governance have led to get-out-of-town budgets that rely on one-time "solutions," including borrowing to finance current expenditures and accounting gimmickry that merely push the state's fiscal problems into the future. With the added ingredients of an economic slowdown and increased program costs due to population growth, inflation and an aging population that requires more health care services, the state's fiscal condition is dire.

### **A question of political will**

FCL believes that society, including government at all levels, has a responsibility to provide all its residents in need with appropriate human services. While there will undoubtedly be program cuts, it is not enough to acknowledge that they will be painful and to propose a simplistic ten percent cut across-the-board formula. Good social stewardship demands that care be taken to ensure that programs that provide essential human and social infrastructure are not decimated. It is not a question of resources – rather, it is a question of political will. Now more than ever, bipartisanship—not political expediency or ideological pandering—is needed. ©

– Jim Lindburg <JimL@fclca.org>. *FCL Intern Amanda Rogerson also contributed to the article.*

**WHAT YOU CAN DO:** Meet with your state representatives and urge them to pass a budget that protects those who are the most vulnerable and invests in our state's future. Send letters to the editor of your local newspaper. Join FCL and the California Interfaith Coalition in Sacramento May 13th to lobby for a just budget (see back cover).

### **The truth about early release**

To help alleviate the state's fiscal crunch, Gov. Schwarzenegger has proposed the early release of 22,500 prisoners convicted of low-level offenses. Clearly, California no longer has the luxury of incarcerating everyone it would like to. To his credit, the governor's proposal marks the first time in recent years that spending for corrections is on the chopping block in order to help the state balance its budget. More often than not, criminal justice policy is driven less by evidence-based research than by politics. Unfortunately, playing politics with criminal justice has made it difficult, if not impossible, to manage the state's prison population and has led to increased supervision by federal courts. Unless the Schwarzenegger administration can reduce overcrowding, federal courts are likely to impose population caps.

Some lawmakers are feeling duped by Gov. Schwarzenegger into supporting **AB 900**, a bill that would purportedly relieve overcrowding by authorizing the construction of 53,000 new prison and jail beds (see "Prison deal: 'seismic shift' is a giant step backwards," *FCL Newsletter*, Mar-Apr, 2007). It now turns out that the first new bed will not come online before December 31, 2009. Furthermore, at \$222,000 per bed, the cost is turning out to be 48 percent higher than was originally estimated, meaning there will be 6,900 fewer prison beds constructed in phase one of construction. Still, it is not surprising to see some lawmakers ruffling the fear feathers with regards to early release.

According to a survey of 15 peer-reviewed reports on early release by the National Council on Crime and Delinquency, recidivism rates among prisoners released early and those who served their full term were comparable. In some cases, recidivism rates among those released early were lower than that of the full-term prisoners. It should also be noted that California already paroles approximately 125,000 prisoners each year.

There is nothing scientific about the length of prison sentences; rather – they are political calculations. If services are provided to prisoners returning to their communities, crime rates will go down. With the political will, this could be accomplished at a fraction of the cost of incarceration.

– Jim Lindburg

# Health Professionals and Torture – Senate Joint Resolution 19

*“We are moved above all by our conviction that the peoples of the world share a common humanity and must be treated accordingly.”*

– FCL policy statement

**G**uantánamo Bay Naval Base’s military prison and detention camp has housed alleged terror operatives since 2002. Since then, 700 persons have been detained at Guantánamo, and, according to an August 2007 estimate, 355 detainees remain. The legal standing and treatment of these detainees has become a major issue in recent years as reports of torture have surfaced and multiplied. The *New England Journal of Medicine* has criticized the interrogation techniques used at Guantánamo and the International Red Cross has said that the American military’s use of psychological and physical coercion during some interrogations was “tantamount to torture.” In addition, both the *New England Journal of Medicine* and International Red Cross have accused doctors and healthcare providers working at Guantánamo of helping plan and participating in interrogations, many of which could be classified as

torture according to United States Code and international human rights law, including the Geneva Convention.

The reports allege that military psychologists have helped design and implement abusive interrogation techniques, including sexual and cultural humiliation, induced hypothermia and sleep deprivation. The reports also assert that military medical professionals have repeatedly failed to report instances of alleged torture. In addition, the International Red Cross said that medical personnel divulged information about prisoners’ mental health, phobias and psychological vulnerabilities to interrogators and that a Behavioral Science Consultation Team, made-up of psychologists and psychological workers, advised interrogators based on detainees’ medical assessments. All of this behavior is in direct violation of the American Medical Association’s and the American Psychiatric Association’s guidelines, both of which prohibit its members from directly participating in interrogations.

In response to these revelations, the **American Friends Service Committee**, Physicians for Social Responsibility and

*(Continued on next page)*

## Senate says ‘no’ to insurance industry-backed health plan

**A**fter a lengthy hearing on January 28, the Senate Health Committee voted to hold the Schwarzenegger-Núñez healthcare plan, **AB X1 1**. The bill received only one “yes” vote from Senator Mark Ridley-Thomas (D-Los Angeles). Sheila Kuehl (D-Santa Monica), the Chair of the Committee and author of **SB 840**, a single-payer universal healthcare plan, made the following statement with regard to the committee’s decision: “... a ten and a half hour hearing last week, including a report by the Legislative Analyst’s Office, revealed major flaws in the funding assumptions contained in the bill.”

In addition to AB X1 1’s funding shortfalls, FCL found the bill to be deeply flawed. Passage of AB X1 1 would have ensured that consumer’s healthcare would continue to be dictated by insurance companies’ profit margins rather than the needs of patients. Most troubling, the bill failed to regulate premiums, co-pays, deductibles or other out-of-pocket costs or specify minimum levels of coverage.

FCL continues to support SB 840, which would provide comprehensive benefits for all California residents. In addition, it would eliminate insurance company inefficiencies and waste and redirect resources to the delivery of healthcare services.

Kuehl, who leaves the Senate at the end of the year, has vowed to press forward with SB 840 despite the fact that Gov.



Credit: Joe Heller, Green Bay Press-Gazette

Schwarzenegger vetoed a previous version of the bill in 2006.

SB 840 passed the Senate last year and the Assembly Health Committee. It will be heard later this year in the Assembly Appropriations Committee. For more information, consult the FCL website [www.fclca.org](http://www.fclca.org) or contact the FCL office. ☺

– Jim Lindburg <[JimL@fclca.org](mailto:JimL@fclca.org)> and Amanda Rogerson,  
FCL Intern, <[amanda.rogerson@gmail.com](mailto:amanda.rogerson@gmail.com)>

## **Health Professionals and Torture** (Continued from page 5)

the Program for Torture: Los Angeles have cosponsored Senate Joint Resolution 19 (SJR 19), by Mark Ridley-Thomas (D- Los Angeles) regarding torture and health professionals in California. SJR 19, which is also supported by FCL, Physicians for Human Rights, Amnesty International and Psychologists for Social Responsibility, states that the United States Department of Defense, in violation of professional ethics, authorizes the participation of psychologists and military healthcare workers in interrogations of detainees at Guantánamo Bay. The resolution requests that California licensing boards notify health professionals of national and international law regarding torture and remind them that those who participate in torture may be prosecuted. In addition, SJR 19 requests that the Department of Defense and the Central Intelligence Agency remove all military health professionals licensed in California from prisoner and detainee interrogations.

Although SJR 19 is limited in scope, its education component is vitally important in the struggle against state sponsored torture. An editorial, written by Dr. J. Wesley Boyd in *The Boston Globe* in October of 2007, highlighted the fact that many doctors are unaware of what the Geneva Convention says about torture. Boyd conducted a survey of 5,000 students at eight U.S. medical schools. His study found that only 3.5 percent of respondents knew that physicians can be drafted into military service, while 94 percent of respondents reported having received one hour or less of instruction regarding military medical ethics. This correlation between lack of knowledge and lack of education illuminates the finding that only 63 percent of the students surveyed knew that the Geneva Convention prohibits

interrogators from depriving prisoners of food or water, from subjecting prisoners to physical stresses and from threatening prisoners with physical violence.

Boyd concluded his findings with this thought: "If US Physicians are educated about military medical ethics – especially the Geneva Convention – they could lead the calls for humane treatment of prisoners, regardless of their legal status. Doing so might begin to heal our country and to restore the United States' position as a moral agent in the world." The Friends Committee on Legislation of California couldn't agree more. SJR 19 is the first step toward educating healthcare professionals about their ethical and legal responsibilities regarding torture. Currently, the United States military condones their participation in interrogations and torture. Medical professionals need to know that the ethical standards that govern their professions and national and international law are intolerant of torture, regardless of what our current administration and Defense Department say. Hopefully, educating California's health professionals will be the first step toward empowering America's healthcare workers, who are often the silent witnesses of torture, to oppose and speak out against such terrible, unlawful and unethical acts.

SJR 19 passed the Committee on Business, Professions and Economics with a 5 to 0 vote on January 14, 2008. It now goes to the Senate floor.

**WHAT YOU CAN DO:** Contact your state representatives and voice your support for SJR 19. ☺

– Amanda Rogerson, FCL Intern,  
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# Proposition 93 Fallout

**O**n February 5, California voters rejected Proposition 93 with 53.6 percent of the vote. The controversial measure would have reduced the total number of years legislators could serve from 14 to 12 while enabling legislators to serve all 12 years in a single house (see "Proposition Time on the February Ballot," *FCL Newsletter*, Dec-Jan 2007). Legislators scheduled to term out in 2008 – but who had not served 12 years in a single house – would have been able to extend their terms.

Because Proposition 93 was defeated, the following legislators will term out at the end of this year:

### **Senators**

Dick Ackerman (R – Tustin, District 33)  
Jim Battin (R - Palm Desert, District 37)  
Sheila Kuehl (D - Santa Monica, District 23)  
Mike Machado (D – Linden, District 5)  
Bob Margett (R – Glendora, District 29)  
Tom McClintock (R – Thousand Oaks, District 19)  
Don Perata (D – Oakland, President pro Tempore, District 9)  
Jack Scott (D – Pasadena, District, 21)  
Tom Torlakson (D – Antioch, District 7)  
Edward Vincent (D – Los Angeles, District 25)

### **Assembly Members**

Greg Aghazarian (R – Stockton, District 26)

John Benoit (R – Palm Desert, District 64)  
Patty Berg (D – Eureka, District 1)  
Mervyn Dymally (D – Los Angeles, District 52)  
Bonnie Garcia (R – Cathedral City, District 80)  
Loni Hancock (D – Berkeley, District 14)  
Shirley Horton (R – San Diego, District 78)  
Guy Houston (R – San Ramon, District 15)  
Betty Karnette (D – Long Beach, District 54)  
Rick Keene (R - Chico, District 3)  
Doug La Malfa (R – Biggs, District 2)  
John Laird (D – Santa Cruz, District 27)  
Mark Leno (D – San Francisco, District 13)  
Lloyd Levine (D – Van Nuys, District 40)  
Sally Lieber (D – Mountain View, District 22)  
Bill Maze (R – Visalia, District 34)  
Gene Mullin (D – South San Francisco, District 19)  
Alan Nakanishi (R – Lodi, District 10)  
Fabian Nuñez (D – Los Angeles, Speaker, District 46)  
Nicole Parra (D – Hanford, District 30)  
George Plescia (R – San Diego, District 75)  
Sharon Runner (R – Lancaster, District 36)  
Todd Spitzer (R – Orange, District 71)  
Lois Wolk (D – Davis, District 8) ☺

– Amanda Rogerson, FCL Intern

# FCL Community Corner - *latest happenings*

## FCL Board Retreat

The FCL Board of Directors held a retreat in Berkeley on February 1 & 2 to begin planning FCL's future. The key issues and challenges addressed included financial support and how to better involve board members and supporters to ensure the continued success of FCL.

## Recent Activities

Jim attended a hearing in Los Angeles, on February 20, sponsored by the Commission on the Fair Administration of Justice. The panel heard from witnesses on the application of the death penalty in California. Jim then headed back to Los Angeles on February 23 for a two day Statewide Summit on **SB 840**. At the summit, Senator Sheila Kuehl pledged to keep healthcare reform on the Legislature's agenda for the remainder of her legislative term, which ends this year.

Jim and Dale continue to attend an excellent series of workshops and briefings on the state budget sponsored by the California Budget Project (CBP). The CBP has recently prepared fact sheets that estimate the dollar impact of the Governor's proposed budget cuts on every county in the state for selected programs. The fact sheets are now available on their website at [www.cbp.org](http://www.cbp.org). CBP's annual conference will be held March 20 in Sacramento.

Amanda Rogerson, former Intern in 2003, returns to FCL. In addition to working on the *FCL Newsletter*, Amanda is currently helping analyze upcoming ballot propositions. After graduating from Whitman College with a B.A. in Politics, Amanda completed a political organizing fellowship with the *Oregon Bus Project*. The Bus Project is a non-profit located in Portland, OR that works to engage young people in politics. She was part of a team of eight people who registered over 20,000 people, including 16,000 ages 18 to 29, in the greater Portland area. After the 2006 election, Amanda returned to California where she was employed as the reader liaison for *The Union Newspaper* in Grass Valley, CA. She is currently seeking employment while interning at FCL.

## Meeting Events (Fundraising)

Palo Alto Friends Meeting held a concert February 17 to benefit FCL. The program, "Haydn in Bethlehem: A Concert of Quartets from the American Moravian archives in Bethlehem, Pennsylvania," consisted of three quartets performed by the New Esterházy Quartet. The quartet takes its name from the Hungarian estate where Joseph Haydn lived and worked for three decades. Members of the quartet are internationally-known period-instrument and chamber music specialists. Moravians considered music essential to their worship and preserved sacred and secular music from their own and European composers like Haydn. Many thanks to the New Esterházy Quartet, Palo Alto Friends Meeting and those who attended.

Members and attenders of Strawberry Creek Monthly Meeting participated in a silent auction to benefit FCL at the end of January. Items auctioned included art objects, sports equipment,

house wares and services. Some of the hottest bidding was for home-cooked dinners by expert amateur chefs and salsa lessons. Other favorites included yoga classes, bodywork, office furniture, home-cooked sweets and jams, art and the services of an electrical "handyman." Friends had fun checking out the offerings and engaging in the slightly un-Quakerly competition! The Meeting hopes to do this again next year.

## Meeting Contributions

Thanks to the following meetings for their recent contributions to FCL: Lake County Friends, Whittier First Friends Church, Orange Grove Monthly Meeting, Visalia Friends Meeting, Delta Friends Meeting, Davis Friends Meeting and Redwood Forest Friends Meeting.

## FCL Prisoner Newsletter Subscription Drive

The newsletter subscription drive for prisoners was again quite successful. Enough contributions were made to provide the *FCL Newsletter* to several hundred prisoners in 2008. In addition, each prison law library receives two copies of the newsletter. Thanks to all the FCL donors who helped make this effort successful.

## Upcoming Events/Conferences

The Association of Criminal Justice Researchers of California conference will be held on March 13 & 14 in Sacramento. Jim Lindburg is Program Chair for the conference. Jim has spent a lot of time and energy bringing together a very good program. For more information, see the ACJR website: [www.acjrca.org](http://www.acjrca.org).

A symposium on prison overcrowding will be held at the University of San Francisco on March 15. The keynote speaker is Federal Judge Thelton Henderson. For more information, contact the FCL Office or point your web browser to the following link: <http://www.usfca.edu/lawreview/Symposium42/Symposium42Home.html>.

## Ira Saletan, former FCL Development & Outreach Coordinator

*"I moved to Napa last year and became a special education teacher in Vallejo, enjoying life with my companion Suzanne Shiff, feeling very fortunate and at home. In December, I was diagnosed with multiple myeloma (MM), a blood cancer of the bone marrow, and am now in treatment.*

*"I'm getting healthier and learning every day of this journey, wherever it takes me. Blessed by the love and support of family and friends, including the embracing Jewish community here, where I've also been welcomed by Friends. Very grateful to hear from those with whom I grew and shared through our FCL connections. To keep in touch online and contribute comments as you wish, you may connect with us through [www.caringbridge.org](http://www.caringbridge.org) (insert "ira" at the prompt). I also welcome email via <saletan@comcast.net>." ☺*

– 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 February 26, 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 State Government pages of your local telephone directory.*

## Capital Punishment

**SB 511** (Elaine Alquist, D., Santa Clara) requires electronic recording of police interrogations for suspects accused of a homicide or a violent felony. FCL SUPPORTS. Vetoed.

**SB 609** (Gloria Romero, D., Los Angeles) provides that a jury or judge may not convict a defendant, find a special circumstance true or use a fact in aggravation based on the uncorroborated testimony of an in-custody informant. FCL SUPPORTS. Vetoed.

**SB 636** (Tom Harman, R., Orange County) creates a new post-conviction review in capital cases in lieu of habeas appeals and lowers standards for appellate attorneys. FCL OPPOSES. Failed passage in Senate Public Safety Committee. Dead.

**SB 756** (Mark Ridley-Thomas, D., Los Angeles) requires law enforcement to adopt procedures to minimize mistaken eyewitness identifications. FCL SUPPORTS. Vetoed.

## Children and Youth

**AB 247** (Ted Gaines, R., Roseville) provides that minors charged with vehicular manslaughter while intoxicated and vehicular manslaughter during the course of a speed contest may be prosecuted as adults. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 1300** (Curren Price, D., Inglewood) adds the provision of comprehensive education to the purpose of incarceration for young people under the jurisdiction of the Department of Juvenile Justice and requires the department to design services that promote family ties. FCL SUPPORTS. Chaptered.

**AB 1655** (Sally Lieber, D., Mountain View) requires the Department of Juvenile Justice to stop intake of young people convicted of crimes by April 1, 2008 and requires a plan to close all facilities and return wards to county of jurisdiction. FCL SUPPORTS. Failed to pass house of origin. Dead.

**SB 344** (Darrell Steinberg, D., Sacramento) requires school districts to track students at high risk of dropping out and allows the use of supplemental instruction funds for inter-

vention programs. FCL SUPPORTS. Assembly Appropriations Committee.

**SB 999** (Leland Yee, D., San Francisco) eliminates life-without-parole for persons under age 18 convicted of first degree murder with a special circumstance and replaces it with a 25-year-to-life sentence. FCL SUPPORTS. Failed to pass house of origin. Dead.

## Criminal Justice/ Imprisonment

**AB 79** (Cathleen Galgiani, D., Tracy) provides that persons convicted of murder who are denied parole become ineligible for a new parole hearing for 10 years. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 116** (Greg Aghazarian, R., Stockton) requires a caregiver adult who ingests methamphetamine in the immediate presence of a child to serve a prison sentence of 16 months, two years, or three years. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 148** (Richard Alarcon, D., Los Angeles) allows a lessor of real property to deny housing or to evict a person convicted of a sex offense. FCL OPPOSES. Failed to pass house of origin. Dead.

**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 370** (Jim Silva, R., Huntington Beach) allows local governments to prohibit persons convicted of sex offenses from dwelling in single-family residences with other persons convicted of sex offenses and allows sober-living facilities to be classified as single-family dwellings for this purpose. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 639** (Loni Hancock, D., Berkeley) requires the Department of Corrections and

Rehabilitation to take steps to ensure that a person paroled from San Quentin prison has a valid California identification card upon release. FCL SUPPORTS. Vetoed.

**AB 755** (Sally Lieber, D., Mountain View) makes corporal punishment eligible for felony prosecution and a prison sentence. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 824** (Lori Saldaña, D., San Diego) prohibits prisoners convicted of sex offenses from participating in fire fighting camps. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 998** (Martin Garrick, R., Carlsbad) creates six new sentencing enhancements for vehicle theft. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 1416** (Sharon Runner, R., Lancaster) would allow driving while intoxicated with a child in the car to be prosecuted as a felony, punishable in state prison for two, four, or six years. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 1539** (Paul Krekorian, D., Burbank) streamlines procedures for compassionate release of terminally ill prisoners with six months or less to live. FCL SUPPORTS. Chaptered.

**SB 40** (Gloria Romero, D., Los Angeles) gives judges sole discretion to sentence defendants to the lower, middle or upper term. FCL OPPOSES. Chaptered.

**SB 304** (Gloria Romero, D., Los Angeles) requires the Department of Corrections and Rehabilitation to permit media representatives to interview prisoners and prohibits retaliation against prisoners who communicate with the media. FCL SUPPORTS. Vetoed.

**SB 591** (Dave Cogdill, R., Fresno) makes possession of methamphetamine a felony punishable by a prison term. FCL OPPOSES. Failed to pass house of origin. Dead.

**SB 851** (Darrell Steinberg, D., Sacramento) authorizes the creation of mental health courts and requires them to develop procedures for assessing a defendant's mental health to determine amenability for partici-

pation in treatment. FCL SUPPORTS. Vetoed.

## Equality/Nondiscrimination

**AB 21** (Dave Jones, D., Sacramento) creates a state Earned Income Tax Credit for low-income Californians. FCL SUPPORTS. Failed to pass house of origin. Dead.

**AB 22** (Sally Lieber, D., Mountain View) repeals the exclusion of any children born into a family more than 10 months after the family begins receiving CalWORKs benefits when calculating the family's grant amount. FCL SUPPORTS. Failed to pass house of origin. Dead.

**AB 43** (Mark Leno, D., San Francisco) provides that marriage is a personal relationship arising out of a civil contract between two persons and makes conforming changes to state law. FCL SUPPORTS. Vetoed.

**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 176** (Dave Jones, D., Sacramento) increases the amount of child support received without being declared as income for determining eligibility for CalWORKs assistance. FCL SUPPORTS. Chaptered.

**AB 508** (Sandre Swanson, D., Oakland) eliminates the food stamp eligibility exclusion for persons convicted of a drug felony. FCL SUPPORTS. Vetoed.

**AB 537** (Sandre Swanson, D., Oakland) expands eligibility for Family Leave by allowing a parent to care for an adult child suffering from a serious illness, expanding the definition of "parent" to include a parent-in-law and allows employees to care for a seriously ill grandparent, sibling, grandchild or domestic partner. FCL SUPPORTS. Vetoed.

**AB 1379** (Julia Brownley, D., Santa Monica) requires the Superintendent of Public Instruction to identify alternative criteria for high school seniors unable to pass exit examinations to demonstrate competence and receive a diploma. FCL SUPPORTS. Vetoed.

## Governance

**AB 466** (Loni Hancock, D., Berkeley) authorizes pupils volunteering in voting precincts to be included in independent study without reducing schools' average daily attendance. FCL SUPPORTS. Vetoed.

**AB 583** (Loni Hancock, D., Berkeley) creates a voluntary system of publicly financed campaigns for elective office. FCL SUPPORTS. Senate Elections, Reapportion-

ment and Constitutional Amendments 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. Held in Senate Health Committee.

**AB 8** (Fabian Nuñez, D. Los Angeles) requires employers to offer healthcare coverage to employees and dependents or pay fees to enroll them into a state health insurance pool. FCL SUPPORTS if amended to address concerns with affordability. Vetoed.

**AB 110** (John Laird, D., Santa Cruz) authorizes public entities to use funds from the Department of Public Health for clean needle exchange programs. FCL SUPPORTS. Chaptered.

**AB 1334** (Sandre Swanson, D., Oakland) allows nonprofit and healthcare agencies to distribute condoms in state prisons. FCL SUPPORTS. Vetoed.

**AB 1554** (Dave Jones, D., Sacramento) regulates increases in health insurance premiums, co-payments and deductibles. FCL SUPPORTS. Senate Health 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 239** (Mark DeSaulnier, D., Martinez) authorizes Contra Costa and San Mateo counties to charge \$25 document recording fees and use the proceeds for low-income housing. FCL SUPPORTS. Senate Local Government Committee.

**AB 414** (Dave Jones, D., Sacramento) limits "double-zoning" in designating sites for affordable housing to encourage more high-density and mixed-use zoning. FCL SUPPORTS. Vetoed.

**AB 607** (Julia Brownley, D., Santa Monica) requires locking mailboxes for residential hotel tenants. FCL SUPPORTS. Chaptered.

**AB 641** (Alberto Torrico, D., Fremont) reduces up-front costs of affordable housing

developments by requiring local governments to provide fee deferrals until the developer has received a certificate of occupancy. FCL SUPPORTS. Chaptered.

**SB 464** (Sheila Kuehl, D., Santa Monica) limits the prohibition on public entities for adopting statutes, ordinances or regulations compelling owners of real property to continue to offer accommodations to those who have owned the property five years or longer. FCL SUPPORTS. Failed to pass house of origin. Dead.

## Peace/Nonviolence

**AB 658** (Karen Bass, D., Los Angeles) awards grants to community-based organizations for the development and implementation of evidence-based approaches to homicide and violence prevention. FCL SUPPORTS. Vetoed.

**SB 860** (Louis Correa, D., Santa Ana) defines the regulations and conditions for the use of TASERS and remote stun guns. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 1357** (Nicole Parra, D., Hanford) provides that handgun owners possessing a hunter safety certificate are exempted from obtaining a handgun safety certificate. FCL OPPOSES. Failed to pass house of origin. Dead.

**AB 1471** (Mike Feuer, D., West Hollywood) expands the definition of "unsafe hand-guns" to include semi-automatic pistols not equipped with microstamping technology. FCL SUPPORTS. Chaptered.

**AB 1661** (Paul Cook, R., Yucaipa) allows males under the age of 26 to register with the Selective Service System on their application for a California Driver's License or Identification Card and requires the Department of Motor Vehicles to provide a notice on the application form of the consequences for failure to register. FCL OPPOSES. Failed to pass house of origin. Dead.

**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.

**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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## FCL Legislative Roster 2008

Since there are relatively few changes in membership and committee assignments this year, the FCL Education Fund opted not to print an entirely new roster for 2008. Instead, we have prepared an updated summary of the changes that can be used with your 2007 roster. The updated summary will be mailed with our Spring Fund Appeal, and a complete roster with updates will be made available on the FCL website.

FCL will prepare a completely new roster for the 2009-2010 legislative session.

Please contact the FCL office if you have any questions or comments. ☺

– Dale Richter <Dale@fclcalorg>

## SAVE THE DATE

California Interfaith Coalition Legislation Issues  
Briefing Day – May 13, 2008, Sacramento, California.

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

**"We want a just budget – not just a budget."**

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.

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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.

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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.