



FCLCA's Recommendations for the June 5, 2018 Election

The FCLCA Board of Directors is pleased to make recommendations for all five ballot measures slated for the June 5th primary election. As is customary, individual measures were assigned to various board members who analyzed them on behalf of the Program Committee. The Program Committee then presented its recommendations to the full board, which reached unity on the recommendations at its March 10, 2018, board meeting.

Proposition 68: California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018.

VOTE YES. Crafted by the Legislature, Proposition 68 authorizes the sale of \$4 billion in general obligation bonds to fund numerous projects to improve state and local parks, natural resource conservation, safe drinking water and flood control. Local, regional and state parks would receive \$1.3 billion, with \$725 million earmarked for the acquisition and development of neighborhood parks in park-poor neighborhoods, a cause championed by Sen. Kevin de León (D-Los Angeles). Most of the projects would require local governments to put up matching funds, and 20 percent of the bond proceeds must be allocated for projects serving disadvantaged communities.

Bond issuances are an effective way of financing big public works projects that will benefit future generations by spreading the costs over time. The Legislative Analyst's Office (LAO) estimates that with the debt service the total cost to taxpayers would be \$7.8 billion and would be paid back over a period of 40 years at a cost of \$200 million per year to the state's General Fund, an amount equal to one-fifth of one-percent of the state's current General Fund budget. Proposition 68 is opposed by the Howard Jarvis Foundation,

FCLCA's Recommendations

Proposition 68: California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018. **YES.**

Proposition 69: Motor vehicle fees and taxes; restrictions on expenditures; appropriations limit. **YES**

Proposition 70: Greenhouse Gas Reduction Fund. **NO.**

Proposition 71: Ballot measures, effective date. **YES.**

Proposition 72: Property tax exclusion for rainwater capture system. **YES.**

which has opined that some of the projects funded by the initiative are of a short-term nature and should be funded out of current revenues. If only budgeting in California – where Proposition 13 has made it extremely difficult for state and local governments to raise sufficient revenues – were so easy! Inevitably, large initiatives placed on the ballot through the legislative process are never perfect and will reflect the desires of lawmakers whose votes are necessary to obtain in order to pass them.

Looking at the bigger picture, California's natural resources are an important component of our tourism economy, and parks vastly improve the quality of life. We are also facing unique challenges due to climate change. Our state increasingly teeters between flood and drought, which has resulted in more wildfires, flooding, and a lack of safe and affordable drinking water for 700,000 residents as water sources dry up and/or become contaminated. Proposition 68 provides sorely need funding for some very important public works. **FCLCA recommends a YES vote on Proposition 68.**

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**Friends Committee on
Legislation of California
(FCLCA)**

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

FCLCA Perspective *(continued from page 1)*

Proposition 69: Motor vehicle fees and taxes; restrictions on expenditures; appropriations limit. VOTE YES. This proposed constitutional amendment is a companion measure to Senate Bill 1, by Jim Beall (D-Santa Clara), which raised fuel taxes and registration fees for transportation purposes for the first time in decades. The bill also created a new transportation improvement fee, which is added to the annual vehicle registration fee, and increased diesel sales taxes, both of which are dedicated to transportation purposes, but are not constitutionally restricted for transportation purposes. Therefore, without Proposition 69, the Legislature could shift those fees for other purposes as has been done during economic downturns. Proposition 69 will constitutionally guarantee that the new revenues raised by SB 1 will only be spent for transportation purposes.

Proposition 69 also exempts the new revenues from being counted towards the constitutional spending limit that voters imposed under Proposition 4 in 1979 on the heels of passing Proposition 13. Known as the Gann Limit, Proposition 4 requires state and local governments to keep their spending at or below a formula based on 1978-1979 spending levels with allowances for population growth and the rate of inflation. Some programs were exempted. Last year, the LAO issued a report which found that state spending is approaching levels that would kick in the spending limit formulas. Under this scenario, should California experience a surge in revenue collections, half of the additional revenues must be spent on taxpayer rebates and half would go to K-14 public education under Proposition 98, which guarantees that schools will receive roughly half of all General Fund revenues. Or the Legislature could divert the excess

revenues to programs that are exempt from the state spending limit.

FCLCA is wary of putting more prescriptive, autopilot budget formulas in the California Constitution, which is eight times longer than the U.S. Constitution and has made budgeting extremely challenging. FCLCA generally favors granting the Legislature flexibility to prioritize programs when state revenues decline during economic downturns. Clearly we are in an era where prescriptive budget formulas have become necessary in order to ensure that new revenues are used for their intended purpose thanks largely due to the enactment of previous budget formulas! However, all of the other gasoline taxes are already constitutionally prohibited from being shifted to other purposes, and Proposition 69 will help keep faith with the public. **FCLCA recommends a YES vote on Proposition 69.**

Proposition 70: Greenhouse Gas Reduction Fund. VOTE NO. Proposition 70 is part of a legislative compromise to Assembly Bill 398, by Eduardo Garcia (D-Coachella), which fulfilled Gov. Brown's goal to extend California's cap and trade program by 10 years through 2030. Administered by the Air Resources Board, California's cap and trade program is a market-based scheme that is designed to reduce greenhouse gas emissions (GHGs) in order to mitigate climate change. The state auctions allowances for GHGs to large polluters. Over time, the total number of allowances are reduced. Funds raised from the auctions are quite significant. The LAO estimates the state will take in over \$3 billion in the current budget year. These funds are deposited into the Greenhouse Gas Reduction Fund (GGRF) and are spent on programs intended to reduce GHGs, including High Speed Rail, public transit, urban forestry,

incentives for low-emission vehicles, etc. Twenty-five percent of these funds must be spent to benefit disadvantaged communities and 10 percent must be spent in disadvantaged communities.

Gov. Brown insisted that any extension to cap and trade must pass by a two-thirds supermajority in order to eliminate legal challenges over the revenues generated by the program. In order to win Republican votes, the governor and the Legislature passed ACA 1, which put Proposition 70 on the ballot.

Proposition 70 amends the State Constitution so that beginning in 2024 spending GGRFs would require a two-thirds supermajority vote of the Legislature instead of the current simple majority requirement. It marks a return to budget gridlock and to the political horse trading in exchange for votes that California voters soundly rejected in 2010 when passing Proposition 25 to allow the Legislature to pass budgets with a simple majority. Since enacting Proposition 25, the Legislature has passed on-time budgets. **FCLCA recommends voting NO on Proposition 70.**

Proposition 71: Ballot measures, effective date. VOTE YES. Proposition 70 amends the State Constitution so that ballot measures will take effect on the fifth day after the Secretary of State certifies the vote. Under current law, ballot measures take effect the day after the election even though millions of votes remain uncounted. Nowadays, people are increasingly voting by mail (58 percent of the total votes cast in the November 2016 election, according to the LAO), which takes considerably longer to count. Proposition 71 is a common sense measure that could preempt a logistical nightmare should the results of a close race change when the votes are counted. **FCLCA recommends a YES vote on Proposition 71.**

Proposition 72: Property tax exclusion for rainwater capture system. VOTE YES. California has an extensive system for transporting water from the northernmost portions of the state where there is abundant rainfall to the south where most residents live but there is little rainfall. Rainwater capture systems are an effective way to conserve water for gardening, toilet flushing and other uses and should be encouraged. Exempting rainwater capture systems from property tax assessments will remove one disincentive for installing them. For multi-unit housing owners, business property owners, and some individual home owners, Proposition 72 could remove a significant disincentive. **FCLCA recommends a YES vote on Proposition 72.** [FCLCA](#)

– Jim Lindburg (JimL@felca.org)

Whatever happened to single-payer...

FCLCA supports **SB 562**, by Sen. Ricardo Lara (D-Bell Gardens) and Sen. Toni Atkins (D-San Diego), to create a single-payer health-care system that would cover all Californians



regardless of ability to pay and immigration status. The bill is currently stalled in the Assembly after passing the full Senate. Last year the Senate Appropriations Committee pegged the cost at \$400 billion annually, most of which would be funded by using existing dollars for Medi-Cal, Medicare and employer-sponsored insurance. According to the committee's analysis, between \$50 billion and \$100 billion in additional revenues would still be required to fully fund the proposal. Assembly Speaker Anthony Rendon (D-Paramount) has cited concerns over how to pay for universal coverage and the need for federal waivers and called the proposal "woefully inadequate." Gov. Brown also publicly expressed skepticism. In addition to making the California Chamber of Commerce's list of so-called "job killer bills," SB 562's prospects may have been dimmed when the Legislature recently enacted an unpopular tax increase on gasoline and fees on vehicles.

Indeed these are formidable obstacles. In addition to the unlikelihood of obtaining federal waivers from the Trump administration, this effort should ultimately be decided by voters at the ballot in order to exempt the new revenues from the state's constitutional spending limit and to raise the necessary revenues without having to obtain a two-thirds supermajority in the Legislature. (In its current form, SB 562 does not include a funding mechanism and so it required only a simple majority to pass the Senate.)

So far, the Speaker has refused to allow the Assembly Health Committee to take up the bill. Other legislative proposals are in the works to shore up the existing system by expanding coverage and containing costs and to protect the Affordable Care Act from further attacks by the Trump administration.

Taking action on poverty

An interview with Michele Stillwell-Parvensky, Children's Defense Fund-California

In the 2018 legislative year, FCLCA is engaged in two efforts in the area of economic justice: expanding the California Earned Income Tax Credit (CalEITC) to help low-income working families and addressing childhood deep poverty for families in the CalWORKs program. FCLCA is a co-sponsor of Senate Bill 982 by Sen. Holly Mitchell to raise the floor for CalWORKs grants to 50% of the federal poverty level.

On both issues we work in broad coalitions with a number of outstanding advocacy, social service and interfaith organizations. The Children's Defense Fund-California (CDF-CA) is a leader in both campaigns, and we invited Michele Stillwell-Parvensky, CDF-CA's Director of Government Affairs, Policy and Communications, to give us more background on both CalEITC and the End Childhood Deep Poverty campaign.

Michele, please give us a picture of child poverty in California, and some perspective on why this issue has become a priority for a broad range of organizations including CDF, FCLCA and many others.

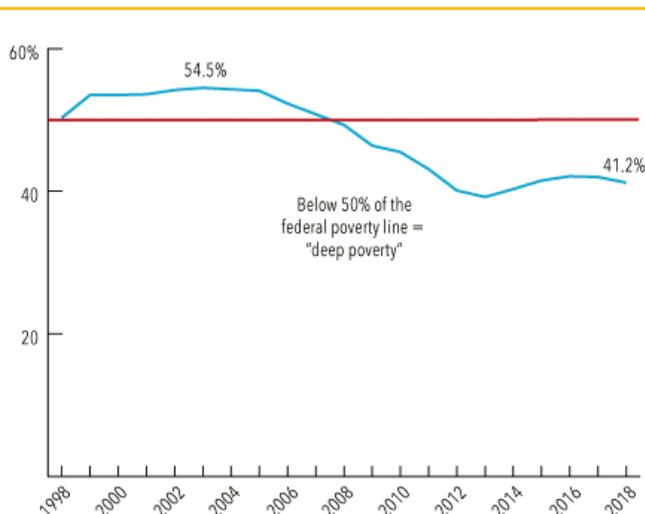
One in 5 children in California is poor – child poverty is a moral and economic crisis for our state and one that disproportionately impacts children of color. Decades of research reveal the negative impacts that poverty has on children's health and school success. Child poverty produces lifetime negative consequences. Children who grow up poor are less likely to graduate from high school, less likely to find a well-paying job, and more likely to become involved in the criminal justice system.

But the research only paints part of the picture. To really understand this crisis, you must hear the stories of the children, youth and families impacted by poverty. We had an amazing young woman, Jackie Martinez, a high school senior from Los Angeles and one of our CDF Beat the Odds scholars, join us in Sacramento recently. She shared a snapshot of the daily struggle of growing up in poverty, living in storage rooms and garages because her family couldn't afford an apartment, and facing a choice between healthy food and keeping a roof over their head. And just this week at an Assembly Budget hearing on poverty, Rochella Mendoza shared her experience having grown up in poverty, and how hard she was struggling now as a single mother to protect her own children from the pains of hunger and the humiliation of poverty.

California should not be forcing our children and families to make difficult choices to meet basic needs. The good news is that we know what works to reduce child poverty – and the Legislature and governor can take action this year to end childhood deep poverty. A broad range of organizations are recognizing that child poverty is

Without an Increase in 2018-19, CalWORKs Grants Will Be Below the Deep-Poverty Line for the Eleventh Straight Year

Annualized Maximum Grant for a Family of Three as a Percentage of the Federal Poverty Line



Note: Grants are for high-cost counties. The proposed 2018-19 budget does not increase grant levels. Source: Budget Center analysis of Department of Social Services, US Department of Health and Human Services, and US Social Security Administration data

intricately connected to their priorities and the families they work with – and joining together to demand that California, the sixth largest economy in the world, make a commitment to end child poverty. Ensuring that families have the resources to meet their children’s basic needs – including food, housing, clothing and other necessities – is at the heart of all of the social justice issues we all care about deeply.

Let’s talk first about CalEITC. The Earned Income Tax Credit (EITC) has been called one of the most effective anti-poverty measures there is. Can you give us a brief explanation of how CalEITC works and how it interacts with the federal EITC.

The CalEITC is a refundable state tax credit, enacted in 2015 and expanded in 2017, that provides an income boost to working families who are struggling to make ends meet. The CalEITC builds on the success of the federal Earned Income Tax Credit (EITC), which has a long track record of reducing economic hardship by allowing low- and moderate-income families to keep more of their earnings. The federal EITC is available to families earning up to \$54,000 per year, depending on household size and structure. In California, the CalEITC is targeted at those most in need and provides a robust tax refund to low-income families earning below \$22,000 per year. The CalEITC primarily benefits working families with children, who can receive as much as \$2,775 from the CalEITC. Together, the CalEITC and federal tax credits can boost the income of a low-income working family by up to 92 percent.

What is proposed this year in terms of expanding CalEITC and why is it important?

This year, the CalEITC Advocacy Coalition is urging the Legislature and the governor to strengthen the poverty-fighting impact of the CalEITC for low-wage workers and ensure that the CalEITC reaches all low-income working Californians who file taxes, including young adults, immigrant families, and seniors. We are supporting the Assembly Budget Blueprint proposal by Assemblymember Ting to create a multi-year target to increase the CalEITC to put more money in the pockets of low-income working families and individuals.

We are also working with Assemblymembers Mark Stone and Eloise Gómez Reyes on Assembly Bill 2066 to extend eligibility for the CalEITC to low-income working individuals and families who file taxes yet are excluded from the state and federal EITCs. Currently, the federal EITC excludes workers below the age of 25 or above the age of 65 who are not living with a qualifying, dependent child. The federal EITC also excludes working immigrant households unless the tax filer, spouse and any qualifying children claimed for the EITC all have assigned Social Security Numbers (SSNs) that are valid

for work. Since the CalEITC is currently available only to those who are already eligible for the federal EITC, it fails to reach all of California’s poorest workers and their families.

California is not bound by federal EITC eligibility rules, and can choose a state design that is more equitable and inclusive. AB 2066 will extend CalEITC eligibility to low-income working young adults ages 18-24, low-income working seniors over 65, and low-income working immigrant families with federally assigned Individual Taxpayer Identification Numbers (ITINs) or Social Security Numbers (SSNs).

Finally, we are advocating for an increased state investment in CalEITC outreach and free tax preparation assistance to better reach low-income workers who are eligible for the credit. The majority of CalEITC-eligible workers are not required to file taxes because they are below the required income threshold, yet these are the workers who need the credit the most. Ongoing robust outreach through trusted messengers is needed to reach eligible workers.

Proponents of expansion are asking for funds from the upcoming state budget. Can you tell what the cost is expected to be and what efforts are underway to affect the budget process?

We always say that the state budget is a reflection of our priorities as a state – and California needs a state budget that invests in low-income families. Strengthening the CalEITC is one of the most effective ways to boost incomes for working families and address child poverty. Given the current budget surplus, the cost of extending the CalEITC to young adults, seniors and immigrant families is reasonable – approximately \$130 million – that investment goes to directly benefit nearly an addition 1 million households.

The CalEITC Advocacy Coalition is working to educate members of the Budget Committees, and will be testifying at upcoming hearings to urge the Legislature to make the CalEITC – and low-income working families – a budget priority.

Let’s turn to CalWORKS grants and efforts to end childhood deep poverty. First, please define deep poverty and the impact it has on children in California.

Deep poverty is defined as 50 percent of the federal poverty level, which is approximately \$10,400 for a family of 3 – that’s \$865 per month or less than \$29 per day to cover housing, child care, and other basic needs. Deep poverty means chronically unmet basic needs – these are families who are at risk of homelessness and hunger, families where children have shoes that are falling apart

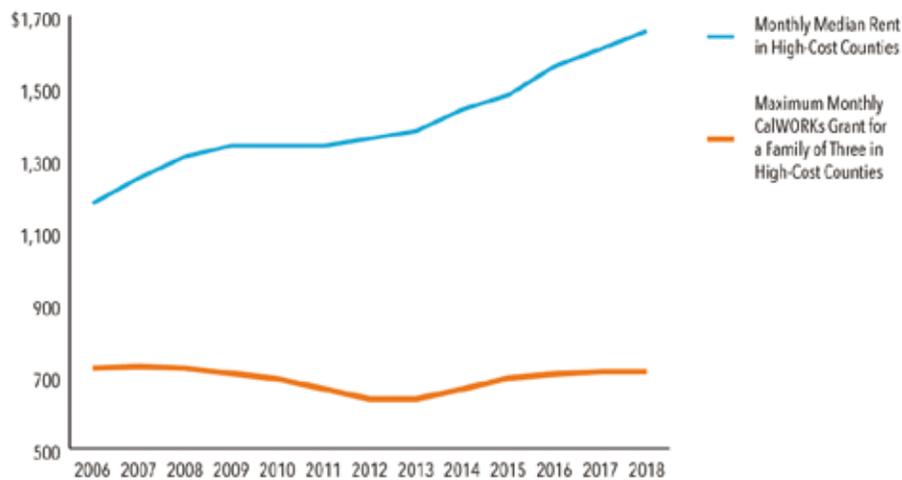
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and families who don't have \$10 to pay to participate in a subsidized afterschool program.

Unfortunately, CalWORKs grant levels are simply too low to support the healthy growth and development of our state's poorest children. The maximum monthly grant for a family of 3 is just \$714 – clearly inadequate for meeting basic needs in our high-cost state. CalWORKs grants have not kept pace with inflation – and have actually lost of quarter of their purchasing power since 2007. The maximum CalWORKs grant equals just 41 percent of the federal poverty level – which leaves children on CalWORKs to live in deep poverty.

The Median Rent in High-Cost Counties Has Far Outpaced Maximum CalWORKs Grants in Recent Years

Maximum Monthly CalWORKs Grant Compared to Median Monthly Rent for a Two-Bedroom



Note: Rent reflects gross rent, which includes utilities and fuels. For 2017 and 2018, rent is estimated based on the compound annual growth rate between 2011 and 2016. The Governor's proposed budget assumes no increase to CalWORKs grants in the 2018-19 fiscal year. Source: Department of Social Services; Budget Center analysis of US Census Bureau, American Community Survey data

This campaign is asking for funds from the upcoming state budget to bring CalWORKs families out of deep poverty. There is also a bill by Sen. Holly Mitchell, which is co-sponsored by CDF-CA, the Western Center for Law and Poverty, among others, as well as interfaith groups such as the California Interfaith Coalition and FCLCA. How will these measures address deep childhood poverty?

Deep poverty causes toxic stress that harms brain development, disrupting a child's ability to succeed in school and in life. Even a short amount of time spent in deep poverty can derail a child emotionally, psychologically, physically, and educationally for a much longer time period. We know that children are very resilient, but deep poverty is so toxic and disruptive that it has a dramatic effect on children.

Deep poverty during childhood also undermines their future potential. Deep poverty damages the chance that a child will ever escape poverty and fuels an intergenerational cycle of poverty. Children who are born in deep poverty are three times as likely to be deeply poor at age 40 than children not born in deep poverty.

CalWORKs is California Work Opportunity and Responsibility to Kids (CalWORKs) is our state's public assistance program. Why has CalWORKs aid not been sufficient to keep kids out of deep poverty?

CalWORKs provides basic needs cash aid and services to low-income families with children to alleviate the impact of poverty on children and help parents overcome barriers to employment. CalWORKs serves 1.1 million individuals in California, 80% of whom are children.

We're very excited that Senator Holly Mitchell has introduced Senate Bill 982. The bill would set a floor for CalWORKs grants at 50% of the federal poverty level to ensure that no child in CalWORKs lives in deep poverty.

Of course, we know that families need more resources than this to meet all of their basic needs – but raising the grants above 50% is a really critical step that will protect children from the worst harms of chronically unmet needs, and significantly improve outcomes for children in both the short and long term.

The bill has a strong and growing coalition in support – we're thrilled to have FCLCA and the California Interfaith Coalition as co-sponsors, underscoring the moral obligation we have to protect our children from deep poverty. [FCLCA](#)

Want more information?

www.cdfca.org/policy/bill-watch/sb-982/
www.cdfca.org/policy/bill-watch/ab-2066/
www.fclca.org, click on Action Center



**Friends Committee on
Legislation of California**



FCLCA LOBBY DAY 2018

Monday, May 21, 9-4 pm

Bring your voice of conscience to the state Capitol in Sacramento.

Join others from the FCLCA community to learn about bills we are co-sponsoring and other key bills. Visit your legislators' offices to advocate for a more compassionate and just California.

This year, FCLCA is co-sponsoring three bills, SB 1392 and SB 1393 for sentencing reform, and SB 982 to end childhood deep poverty. We're also advocating for other important legislation in the areas of criminal justice reform, environmental justice, and economic justice.

On Lobby Day, we'll meet at 9:00 am at the Capitol Event Center at 1020 11th Street, Second Floor. There will be training on making lobby visits and a review of talking points on each bill.

Then we'll divide into teams and go to the Capitol for legislative visits. Finally, we'll reconvene at the Capitol Event Center to debrief. Lunch will be provided.

Please register online by May 10 through the link at www.fclca.org. Suggested donation is \$25.00 per attendee.

Questions? Call us at (916) 443-3734 or email fcladmin@fclca.org.

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Change at the Capitol in the Era of #Metoo

The Legislature reconvened in January for year two of the 2017-2018 legislative session amid numerous revelations of a wide range of misconduct aimed primarily at female legislative staffers and interns at the hands of male lawmakers. Last October, 142 women – legislators, staffers and lobbyists – penned an opinion piece to the Los Angeles Times that called out the pervasive culture of harassment in the State Capitol. The Legislature soon began conducting investigations and held a series of informational hearings and is contemplating changes to its personnel policies. Then-Senate President pro Tem Kevin de León called for a zero tolerance policy and engaged the services of Women Escaping a Violent Environment (WEAVE) to assist victims. Sen. de León also announced that sexual misconduct complaints would be investigated by an outside legal firm. The Legislature finally passed **AB 403**, the Legislative Employee Whistleblower Protection Act, by Assembly Member Melissa Melendez (R-Lake Elsinore), which was quickly signed into law by Gov. Brown. (On four previous occasions this bill had died in the Senate.) Several drafters of the Times op-ed formed We Said Enough (wesaidenough.com), a non-profit organization for the purpose of calling out harassment, transforming the culture and to restore victims.

Currently there are three vacancies in the Assembly. Assembly Members Raul Bocanegra and Matt Dababneh resigned following allegations of sexual harassment. Assembly Member Cristina Garcia is taking an unpaid leave of absence while claims of sexual misconduct by her are being investigated. (Assembly Member Sebastian Ridley-Thomas resigned for personal health reasons unrelated to sexual misconduct.) In the Senate, Tony Mendoza resigned moments before the Senate was voting whether to expel him.

During the informational hearings, it was encouraging to hear both lawmakers and expert witnesses express a recurring theme: that addressing sexual harassment will require changing the culture. Some of the conduct by aggressors published in the press are of a nature that resignation – and perhaps criminal sanctions – are appropriate. However, most incidents of sexual misconduct are not at the level of criminal behavior and very often go unreported for various reasons: the power relationship between the aggressor

and the victim, the lack of witnesses and the fear that victims who make formal complaints will not be believed, and the fear of retaliation to name a few.

FCLCA suggested that restorative justice option could be an effective way to deal with these types of incidents.

At a hearing held by the Joint Committee on Rules' Subcommittee on Sexual Harassment Prevention and Response, former California Supreme Court Justice Carlos Moreno, who was responsible for investigating and disciplining internal sexual misconduct in the California court system, opined that in most incidents of sexual misconduct, getting the parties together to discuss the matter was a sure way to resolve the conflict. A structured restorative justice approach, involving victim and offender dialog, with advance preparation and supportive facilitation and with a focus on how to restore the harm could effectively address the lower-level conduct by holding aggressors accountable and putting a stop to the behavior before it becomes pervasive.

Because of our advocacy for restorative justice, FCLCA has been able to offer assistance to the Joint Committee. Most recently, we arranged for Fania Davis, the co-executive director of Restorative Justice for Oakland Youth (pictured above), to testify on the value of restorative justice.

The willingness of those who have been victimized to come forward is nothing short of courageous. In their collective voices, we hear their call for restoration, their care for due process as opposed to twitter justice, and their care for the institution. They have provided us with a teachable moment. Restorative justice could become an integral part of the solution as we work towards an environment free from sexual harassment for everyone. [FCLCA](http://fclca.org)

– Jim Lindburg (JimL@fclca.org)



Spring 2018 Legislative Update

The following is a summary of some of the key legislative efforts this year. For a comprehensive list of the bills FCLCA is supporting or opposing, please refer to the Action Center at the FCLCA website: www.fclca.org.

Economic Justice and Immigration

California is the sixth largest economy in the world and one of the wealthiest states in the nation. Unfortunately, we also have very high rates of poverty, higher still when taking into account our very high cost of living. Last year, FCLCA supported a successful effort to create a state earned income tax credit and previously supported successful legislation to increase the state's minimum wage. This year we are co-sponsoring and organizing support for **SB 982**, by Sen. Holly Mitchell (D-Los Angeles) to increase CalWORKS grants (California's version of the federal Temporary Assistance to Needy Families program) in order to eliminate childhood deep poverty. Efforts are also underway to expand the state's earned income tax credit to young and elderly workers and to all workers who have an Individual Taxpayer Identification Number (regardless of immigration status) who are otherwise eligible for the tax credit. (See interview with Michelle Stillwell-Parvensky on pg. 4.) **AB 2023**, by Ana Caballero (D-Salinas), would make the state's child-care tax credit refundable. In 2011, the Legislature made the credit nonrefundable in order to address budget shortfalls. By making the credit refundable, working families who do not owe state income taxes are eligible to receive tax refunds which can help with childcare expenses and purchasing necessities.

FCLCA is also supporting **SB 974**, by Sen. Ricardo Lara (D-Bell Gardens) and **AB 2965**, by Assembly Member Joaquin Arambula (D-Fresno), which would enable income-eligible adults to apply for Medi-Cal regardless of immigration status. California has aggressively embraced the Affordable Care Act, which has reduced our uninsured rate to 7 percent. Approximately three million Californians remain uninsured, of which 58 percent are undocumented adults. (In 2015, Gov. Brown signed **SB 4**, also by Sen. Lara, to extend Medi-Cal coverage to children in income-eligible households regardless of immigration status.)

SB 183, also by Sen. Lara, prohibits Immigration and Customs Enforcement agents from entering state office buildings, including public schools and community col-

leges, to perform surveillance or effectuate an arrest without a federal warrant. The bill passed the Senate Public Safety Committee in January and is now in the Assembly.

Criminal Justice Reform

In 2016, FCLCA's Board of Directors identified reducing mass incarceration as a legislative priority for the 2017-2018 legislative session. This year FCLCA is co-sponsoring two sentencing reform bills that build off two successful reforms we helped enact last year. Those were **SB 180** by Sen. Holly Mitchell to eliminate three-year enhancements for nonviolent drug felonies, and **SB 620** by Steven Bradford (D-Los Angeles), which gives judges the discretion to strike a firearms enhancement at the time of sentencing when doing so would further the interest of justice. Sentence enhancements were quite popular during the tough-on-crime era of the 1990s and were enacted without con-

sidering the inherent racial biases in the criminal justice system, their impact on the prison population or on state and local budgets.

Enhancements essentially amount to double jeopardy and there is no evidence that longer sentences reduce crime. They magnify racial disparities and make for overcrowded prisons and jails. Enhancements can be used as leverage by prosecutors to obtain plea bargains for cases that should be heard by a jury. Conversely, safe communities are built from the ground up. Good schools, after school programs, access to higher education, health care, including the mental health services and access to substance abuse treatment on demand along with a vibrant economy are examples of strategic investments that make for safe and thriving communities.

This year, FCLCA is co-sponsoring **SB 1392** and **SB 1393**, both by Sens. Holly Mitchell and Ricardo Lara. **SB 1392** amends the penal code to repeal the one-year sentencing enhancement for each prior prison term or felony conviction that resulted in a county jail term.

SB 1393 is a modest bill. It does not change the base terms but it does restore some balance in that it will give judges – at the time of sentencing when the

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This year, FCLCA is co-sponsoring SB 1392 and SB 1393, both by Sen. Holly Mitchell and Sen. Ricardo Lara.

circumstances and facts of the case and the defendant's history are known – the discretion to dismiss the automatic five-year enhancement for prior serious felony convictions when the current charge is for a serious felony. FCLCA opposes mandatory minimum sentences which tie the hands of judges, who should retain the authority to craft sentences based on the circumstances of the case before the court. Ironically, under current law, judges can dismiss prior “strikes” at the time of sentencing but are prohibited from dismissing the five-year enhancement. Both bills passed the Senate Public Safety Committee and now head to the Senate Appropriations Committee.

Roughly 60 percent of people in county jails are awaiting trial or sentencing.

FCLCA is also supporting **SB 1391**, by Sens. Lara and Mitchell, which will prohibit trying 14 and 15 year olds as adults. Neurological science demonstrates that the teenage brain is far less developed than those of adults. As a result, younger people are more susceptible to peer pressure, are less capable of weighing the consequences of their actions and have less impulse control. But because their brains are still developing, they are more likely to benefit from rehabilitation and should be kept out of the adult system. SB 1391 passed the Senate Public Safety Committee and now moves to the Senate Appropriations Committee.

Sens. Nancy Skinner (D-Berkeley) and Joel Anderson (R-Alpine) are jointly authoring **SB 1437** to limit California's felony murder rule. Usually in order to obtain a murder conviction, the prosecution must prove that there was intent to kill or a reckless disregard for human life. However, under current law, the state only needs to prove that the defendant(s) attempted to commit a certain felony, which resulted in the death of a person, even if there was no intent to kill or reckless disregard for human life. For example, both the trigger puller and the driver of a getaway vehicle used in a robbery that resulted in an accidental death of a convenience store clerk could be charged with murder so long as the prosecution proves that the defendants only intended to participate in the robbery. Under SB 1437, an accomplice could not be charged with homicide based solely on their participation in a crime. SB 1437 just passed the Senate Public Safety Committee.

Bail reform received a boost last fall when the California Supreme Court Chief Justice Tani Cantil-Sakauye and Gov. Brown pledged to work with Senator Bob Hertzberg (D-Sherman Oaks) and Assembly Member Rob Bonta (D-Alameda) in order to advance reform.

Roughly 60 percent of people in county jails are awaiting trial or sentencing and many of them if not most of them are incarcerated simply because they cannot afford to post bail, not because they pose a significant risk to public safety or because they are unlikely to show for trial or sentencing. People who pose a significant risk to public safety should not be able to buy their freedom while those who do not languish in jail because they cannot afford to post bail.

It's unprecedented to have all three branches of government joining together to enact reform, but reforming money bail still faces an uphill battle. **SB 10**, by Bob Hertzberg and Rob Bonta is currently in the Assembly Appropriations Committee. The powerful bail industry is dug in deep. An identical bill, **AB 42**, by Rob Bonta, fell six votes short on the Assembly Floor last year. Since then, two supporters have resigned and one is taking an unpaid leave of absence. FCLCA will be engaging our supporters to help produce the needed votes to send SB 10 to the governor.

Environment and Environmental Justice

FCLCA is part of the big push to pass **SB 100**, by Kevin de León (D-Los Angeles) to establish a policy that by 2045, 100 percent of electricity generated in California be generated by renewable and zero-carbon resources. The bill passed the Senate last year and is currently in the Assembly

Utilities and Energy Committee. FCLCA helped organize a faith leaders' letter of support to Gov. Brown and the leadership of both legislative houses urging passage of the bill. (If your congregation would like to sign on to the letter,

please contact the FCLCA office.) We are also supporting two bills to thwart the Trump administration's plans to open the entire California coast to offshore oil drilling. **AB 1775**, by Assembly Members Al Muratsuchi (D-Torrance) and Monique Limon (D-Santa Barbara) and **SB 834**, by Sens. Hannah-Beth Jackson (D-Santa Barbara) and Ricardo Lara would prevent the State



Lands Commission from approving new leases, lease renewals or modifications that would result in increased oil or gas production from federal waters. The bills will be heard by their respective policy committees later this spring.

According to the Centers for Disease Control and the American Academy of Pediatrics, there is no safe level of lead in children. Small amounts of lead in the bodies of young children can damage their central nervous system and the harm may be irreversible. FCLCA is supporting **AB 2122**, by Assembly Member Eloise Reyes (D-San Bernardino), which requires the California Department of Health Care Services to ensure that children enrolled in Medi-Cal are tested for lead exposure as required by state and federal law. **AB 2370**, by Assembly Member Chris Holden (D-Pasadena), requires licensed childcare centers to demonstrate that their drinking water is not contaminated with lead and allows child care centers to use an existing no-interest loan program to pay for lead remediation. **SB 1041**, by Sen. Connie Leyva (D-Chino), requires the California Department of Public Health to notify medical providers about child lead testing requirements and requires medical providers to inform parents about the testing requirements.

FCLCA is supporting two bills to thwart the Trump administration's plans to open the entire California coast to offshore oil drilling.

Peace-Nonviolence

FCLCA has been invited to become a co-sponsor of **AB 3131**, by Assembly Member Todd Gloria (D-San Diego) and David Chiu (D-San Francisco), which will enhance transparency and accountability in the acquisition of military equipment in local communities. Local law enforcement can obtain “surplus” military hardware under the U.S. Department of Defense’s 1033 program. The federal government is funding this militarization in order to fight the failed War on Drugs and for immigration enforcement. **AB 3131** will require law enforcement agencies to obtain approval from their governing bodies before acquiring military equipment. Public safety is not enhanced when law enforcement is seen as a paramilitary occupying force, especially in communities of color.

California is one of the most secretive states when it comes to officer misconduct and the use of serious and deadly force. FCLCA supports **SB 1421**, by Sen. Nancy Skinner, which will improve law enforcement transparency accountability by opening law enforcement records to the public. The legislation includes exemptions for cases where disclosure would create a risk or danger to an officer or another person, or if disclosure would represent an unwarranted invasion of privacy. [FCLCA](#)

Are you required to take a minimum distribution from your IRA because you've reached 70½?

Perhaps you don't need all of that distribution to live on and you'd like to put your money to work for the values you believe in through a gift to a charity like the FCL Education Fund. Consider making a tax-free gift to a charity as a qualified charitable distribution (QCD) from your IRA.

What is a QCD?

A QCD permits annual direct transfers to a qualified charity or charities of up to \$100,000 of tax-deferred IRA savings. The distribution must be made directly to the charity.

These gifts count toward your Required Minimum Distribution but do not increase your income.

It's important to make a QCD in the right way. If the funds from the IRA are distributed directly to you first and then you in turn contribute them to the charity, that will not qualify. That's because taxable IRA distributions made to you must be included in your adjusted gross income and will have other impacts on your tax situation.

You'll want to contact the charity to make sure you have the correct name and have the custodian of your IRA make the check out directly to the charity. The custodian may send the check to the charity or may send the check to you and you may send the check to the charity. In either case, it's a good idea to enclose a letter stating who the donor is and that the donation is a QCD. Be sure to get an acknowledgement letter from the charity documenting the donation.

If you'd like more information or if you would like to make a QCD in support of the work of the FCL Education Fund, please call us at (916) 443-3734 or email Kevan Insko at kevan@fclca.org. [FCLCA](#)

**FRIENDS COMMITTEE ON
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FCLCA's Recommendations for the June 5, 2018 Election

Proposition 68: California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018. **YES.**

Proposition 69: Motor vehicle fees and taxes; restrictions on expenditures; appropriations limit. **YES**

Proposition 70: Greenhouse Gas Reduction Fund. **NO.**

Proposition 71: Ballot measures, effective date. **YES.**

Proposition 72: Property tax exclusion for rainwater capture system. **YES.**

The Friends Committee on Legislation of California (FCLCA) 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 FCLCA Committees. Seeking to follow the leadings of the Spirit, the FCLCA 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.

PHOTO CREDITS:

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