



Confined in the Shadows in the Land of the Free Immigrant detention in county jails and for-profit prisons

FCLCA is working with Community Initiatives for Visiting Immigrants in Confinement (CIVIC) and the California Immigrant Policy Center (CIPC) to address the exorbitant phone call rates that people detained in local jails are forced to pay to contact their loved ones or attorneys. Assembly Member Bill Quirk has introduced AB 1876, described on page five, to address this issue.

We've invited Christina Mansfield, co-executive director of CIVIC, to describe the plight of immigrants held in detention and the ongoing efforts by activists to change the shameful conditions of their confinement.

CIVIC is a national network of over 30 independent visitation programs working to end the isolation and abuse of immigrants in detention. CIVIC works toward this goal by building and strengthening community-based immigration detention visitation programs, conducting nationwide detention monitoring, and launching targeted campaigns.

Everyday immigrants disappear and are detained by the U.S. government.

Ana, for example, a human trafficking survivor, was detained for over a year, locked in solitary confinement, and forced by a guard to sleep on the cement floor of her cell until CIVIC ended this isolation and abuse. Over 34,000 immigrants like Ana remain isolated in remote detention facilities today because



no law protects a right to visitation, phone calls can cost up to \$5.00 per minute, and 46 percent of detained immigrants are transferred at least twice – often out of state and away from their families.

As immigration detention is a civil form of confinement, people in immigration detention do not have a right to a court-appointed attorney. This is why approximately 84 percent of people in immigration detention represent themselves in their removal proceedings. They also do not have a right to a free phone call. Without money to place a call, men and women float through the immigration detention system for days or even months without the ability to notify loved ones of their whereabouts.

Moreover, there is no fixed sentence and no time limit for how long people may remain in immigration detention while fighting their

(Continued on page 3)

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

1225 8th Street, Suite 220
Sacramento, California 95814
(916) 443-3734 • www.fclca.org
fcladmin@fclca.org

Board of Directors 2014

Laurel Gord, Clerk

Stephen Myers

Associate Clerk

Sacramento Friends Meeting

Jim Updegraff

Treasurer and Personnel Clerk

Sacramento Friends Meeting

Stephen Stapleton,

Recording Clerk

Sacramento Friends Meeting

Elizabeth Ralston

Program and Policy Clerk

Santa Monica Friends Meeting

George Millikan, *Finance Clerk*

Berkeley Friends Meeting

Michelle White, *At-large*

Orange Grove Friends Meeting

Kary Shender, *At-large*

Davis Friends Meeting

Steve Birdleough, *At-large*

Redwood Forest Friends Meeting

Norman Skonovd, *At-large*

Dept. of Sociology, CSU Chico*

Stefanie Faucher, *At-large*

MoveOn.org*

Genie Stowers, *At-large*

Berkeley Friends Meeting

Karen Shain, *At-large*

Criminal Justice Policy Officer

The Women's Foundation of
California*

James Eusebio, *At-large*

Davis Friends Meeting

*For identification purposes only

Staff

Jim Lindburg

Legislative Director

Kevan Insko, *Director of*

Development and Outreach

Dale Richter

Office Administrator

Newsletter Design and Layout

Debbi Tempel

Debbilein@sbcglobal.net

***"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."***

A Message from our Clerk, Laurel Gord

Solitary Confinement

There are two questions at the heart of the ongoing debate concerning the use of long-term isolation: "Is it torture?" and "Is it necessary?" The California Department of Corrections and Rehabilitation, of course, argues that it is only being used against the "worst of the worst" and that it is necessary to reduce violence and manage gang activity.

I, of course, beg to differ on all counts. I attended the February 11th joint legislative hearing in Sacramento on the use of long-term isolation, and in particular on the new procedures that the Department of Corrections is proposing. I had heard all the arguments before, but I still found much of the testimony to be very moving.

Craig Haney, who has been studying prisons since the 1970's, points out that the U.S. is an extreme outlier, and that its widespread use of prolonged isolation is shocking by international standards. What I had not fully realized before the hearing is that even by the wildly out of line standards set by the U.S., our own freewheeling California is an extreme outlier, with hundreds of people who have been isolation for 10, 20, and even 30 years. I have long understood that isolation is a form of psychological torture, but what I hadn't understood before the hearing is that it actually creates measurable changes in physical brain functioning, similar to those caused by a traumatic brain injury.



I would argue, along with international human rights groups, that yes, solitary confinement is torture, which should make the question of "is it necessary" moot. But since it always comes up, I would point out that there is no evidence to suggest that the use of solitary confinement actually reduces prison violence, and that the rest of the civilized world is able to manage their prison populations without resorting to it.

Our FCLCA board believes strongly that the use of long-term isolation, defined by the U.N. Special Rapporteur on Torture as lasting longer than two weeks, is torture and we are working towards its ultimate abolishment. At the same time that we work towards this goal, we will support proposed legislation to somewhat ameliorate the conditions that inmates in solitary face. There should be several such bills in the present legislative session. Their details are still being worked out, and Jim Lindburg, our legislative advocate, is taking part in those discussions.

To join us in this work, make sure you are signed up at www.fclca.org for our Action Alert Network! **FCLCA**

case. Immigration proceedings can take anywhere from weeks to months to years, particularly if there are federal appeals involved. In fact, one of CIVIC's visitor volunteers has been communicating with a man in immigration detention for seven years.

Despite the fact that immigration detention is a form of civil confinement, people are held in county jails and for-profit prisons that contract with U.S. Immigration and Customs Enforcement (ICE).

(Continued on next page)

STORIES OF PAIN AND RESILIENCE

A CIVIC volunteer visits immigrants in detention



I joined CIVIC to help connect detained immigrants to their families. This simple act has led me into the lives of immigrant families in a way I could not have envisioned. I have seen the humiliation of shackles, fear of being returned to a violent country, depression, despair, panic brought on by mental illness, hopelessness from a detention lasting years, and grinding institutional treatment.

I was shocked to learn that immigrants in detention, who have not broken a criminal law, are kept in cells, wear prison clothing, walk with hands behind their backs, appear in court shackled, are subject to lock-downs, and spend time in solitary confinement for minor infractions or "to keep them safe." About half are subject to mandatory detention while their case is reviewed, making it nearly impossible to get legal help and to effectively fight for their rights.

They have limited access to phones and visiting hours, and if someone on the outside doesn't buy a phone account for them, they are unable to arrange visits. Where I volunteer they are not allowed to touch a loved one during visitation, and only a parent can bring a child (not a sister, brother, aunt). Only two children may come at a time (leaving siblings behind). They complain of worms in the food. They receive penal treatment but have none of the rights of the criminal justice system, such as the right to a free phone call and representation by a public defender.

What keeps me going is the desire to counter the human and civil rights abuses I've seen as well as the amazing love, resilience and deep appreciation expressed by the detainees for what I do for them. As a total stranger, I have been entrusted with tragic stories of family members murdered, risky border crossings to be with family, domestic violence, economic struggles, children lost to foster care, depression, and despair. Many stories are too painful to tell, as expressed by "Do I have to tell you everything?" from an asylum seeker. Visitations have turned into relationships over months of talking with detainees and passing messages to their family members who can't afford the exorbitant phone costs or live too far away to visit.

My heart soars when a detainee gains freedom through a bond hearing so that they have a fighting chance to win their case. Still, I can't deny my sadness when someone I have grown fond of is suddenly deported. I continue to wonder if she or he is all right. My heart aches for their families.

Hardworking immigrants who have been driven from their homes by violence or extreme economic hardship, often brought on by U.S. policy, deserve to keep their families together and to earn their way to citizenship without fear and separation through detention.

Suzanne Llewellyn
Volunteer CIVIC visitation program, Richmond, CA
Member of Mt. Diablo Unitarian Universalist Church, Walnut Creek



The profit incentive is what fuels the immigration detention system. Private prison corporations and local governments are paid by the federal government to hold immigrants in detention. In order to ensure a steady profit stream, these corporations and local governments lobby to maintain full facilities. In fact, Immigration and Customs Enforcement is the only law enforcement agency with a congressionally mandated quota of how many people they must detain every day – 34,000.

As a result of this quota, ICE locked up an all-time high of 477,523 individuals in immigration detention centers in 2012. That represents an explosive growth in immigration detention – up over 500 percent in just 18 years. Each individual was detained at a cost, paid for by taxpayer dollars, of approximately \$166 per day.

The problem is that for most, if not all of those locked up, detention is not necessary. ICE has the discretion to decide whether a person should be released, detained, or placed in an alternative to detention program, which costs taxpayers as little as 17 cents per day and at most, \$17 per day.

CIVIC volunteers are working to shed light on how the overwhelming majority of people they meet in immigration detention do not fit the government's priorities of who they claim are the targets of immigration enforcement – dangerous criminals. CIVIC-affiliated visitation programs monitor detention facility conditions and some programs like Detention Dialogues in Richmond, California advocate for the release of individuals from detention. Some visitation programs like El Refugio in Georgia provide homes of hospitality to families who travel long distances to visit their loved ones in remote detention facilities. The Interfaith Committee for Detained Immigrants in Chicago provides post-release support and housing to individuals who have been released from detention, demonstrating that local communities are well-equipped to care for their neighbors in need.

We envision a country where no person is isolated in immigration detention; in other words, a country without immigration detention. To realize this vision, we believe people from all fields, faith traditions, ethnicities, and political opinions must be engaged intellectually and soulfully with the people and families impacted by the system. **FCLCA**

– Christina Mansfield, CIVIC

LEARN MORE AND TAKE ACTION

- Visit CIVIC at www.endisolation.org to read more.
- Sign up for Action Alerts on AB 1876 at www.fclca.org.
- Become a volunteer visitor; more info at www.endisolation.org.

Assembly Bill 1876 – Making Phone Calls Affordable for Those Detained in County Jails

CIVIC, FCLCA and the California Immigrant Policy Center (CIPC) have teamed up to co-sponsor Assembly Bill 1876, which will ensure that phone calls from county jails are affordable.

In 2013, CIVIC filed California Public Record Act requests in all 58 California counties to understand why phone call rates for county jails are so high and who profits. The information they uncovered led to the drafting of AB 1876, introduced by Assembly Member Bill Quirk (D-Hayward).

BACKGROUND

For many of the 82,000-plus people detained in California's county jails, phone calls are a lifeline – often the only way they have to stay connected with families and loved ones. Phone calls also provide a crucial way to communicate with attorneys, integral to the basic right of due process.

California's county jail facilities house a variety of populations. There are approximately 30,000 people serving sentences for misdemeanor and low-level felony offenses, including an estimated 10,000 inmates "realigned" from state prisons to county jails under AB 109 of 2011. Research shows that regular contact with loved ones is vital to their successful rehabilitation and re-entry.

County jails also house more than 51,000 people awaiting trial. In addition, there are approximately 1,256 immigrants being detained in five county facilities. These facilities are under contract with Immigration and Customs Enforcement (ICE) to hold immigrants whom the agency has arrested and is seeking to deport, often based purely on civil violations of a system that all agree is broken. For these individuals, too, being able to communicate by phone with loved ones and attorneys is crucial.

PROBLEM

When anyone held inside the jail wants to make a phone call to a family member or to an attorney, they must use special phones that make either collect or pre-paid debit calls. The phone rates for these calls are so astronomical that the lifeline of phone communications is at risk for all people housed in local jails.

Why are rates so high?

The prison phone industry is based on a monopolistic model in which companies bid on contracts to provide phone services for prison and jail facilities. As an incentive to obtain these lucrative contracts, prison phone companies provide commissions, commonly referred to as kickbacks, to the contracting agency. These kickbacks, which range up to 80 percent of gross phone revenue in California county jails, result in inflated phone rates for the people accepting the collect calls. The kickbacks are channeled into an entity called the Inmate Welfare Fund, which is administered by each county.

In Alameda County, for example, the cost of a 15-minute intrastate (within state) phone call costs consumers \$12.75. The Alameda County Sheriff's Department collects 70.5 percent of the gross revenue generated from phone calls. In fiscal year 2012-2013 the Alameda County Sheriff's Department received \$1,629,046 in commission revenue. In 2011, there was an \$8 million surplus in the Inmate Welfare Fund for Alameda County.

In Tulare County, California the cost of a 15-minute intrastate (within state) phone call costs consumers \$15.44. Between 2010 and 2012, Global Tel Link paid the Tulare County Sheriff's Department a 55 percent commission on all

(Continued on next page)

gross revenue generated from their contract. In 2013, a new contract between Global Tel Link and the Tulare County Sheriff's Department increased the commission percentage paid to the county from 55 to 72 percent. In fiscal year 2011-2012, the Sheriff's Department was paid \$361,436 in commission revenue. The County Sheriff's Department also received an annual bonus of \$50,000.

In Los Angeles County a 15-minute intrastate (within state) phone call costs consumers \$13.35. In 2011, the Los Angeles County Sheriff and Probation Departments ended a contract with Global Tel Link and negotiated a new contract with Public Communications Services (PCS). The new contract increased the commission percentage paid to these departments from 52 to 67.5 percent with a Committed Annual Guarantee of \$15 million for the Sheriff's Department and \$59,000 for the Probation Department. In fiscal year 2010-2011, the Los Angeles Sheriff's Department received \$25.4 million in revenue.

The families of prisoners, who are often economically disadvantaged, are burdened with paying for expensive phone calls. In an era when international calls are as low as one cent per minute, there is no good reason that these calls should cost so much.

The inability to communicate due to the high cost of phone calls is damaging to the health, well-being, and future prospects of inmates and their families. It is vital for those facing court or immigration proceedings to be able to consult regularly with their legal representation as the process advances. The basic right of due process is at risk.

EXISTING LAW

In 2007, SB 81 prohibited commission payments between prison phone companies and the California state prison system. However, this protec-

tive legislation does not extend to county jails in California.

According to California Penal Code 4025, any money, refund, rebate or commission received from a telephone company in exchange for providing telephone services to inmates must be deposited in an Inmate Welfare Fund (IWF). However, welfare is defined very broadly and any remaining funds may be expended for the maintenance of county jail facilities. The IWF is separate from existing accounts used to pay required county expenses such as meals, clothing, and housing services.

AB 1876 PROVIDES A SOLUTION

State law already protects against these astronomical commission payments in the state's prison facilities. AB 1876 will apply the same common-sense standards to county jails, ensuring that all people in detention have an affordable means to communicate with their loved ones and lawyers. AB 1876 would prohibit a county jail from accepting a commission or other payment from a telephone company as an incentive to adopt a contract for providing telephone service to inmates of the jail. We know this change in policy works. Following the enactment of SB 81 in 2007, the cost of calls from state prisons dropped significantly because they were no longer inflated by the lucrative commission payments at the expense of the families of detained Californians.

By ensuring that all people in detention have an affordable means to communicate with their lawyers, the right of due process will be fully respected. And we know that people released from incarceration with strong family and community ties have lower recidivism rates and more successful rehabilitation. AB 1876 will also bring local practices in line with current state practice. Expanded access to communication through reasonable phone rates just makes sense. **FCLCA**

FCLCA Makes Recommendations on June 3, 2014 Ballot Measures

Proposition 41: Veterans Housing and Homeless Prevention Bond Act of 2014.

In 2008, voters approved Proposition 12, the Veterans' Bond Act of 2008, which authorized the issuance of \$900 million to provide low-interest loans in order to assist veterans with buying homes. However, those bonds remain unsold due to low interest rates and the Great Recession of 2008. Proposition 41 restructures those unsold bonds and makes \$600 million available for the construction, renovation and acquisition of affordable, multi-family housing for veterans.



Housing would be rented to low-income veterans with priority given to homeless veterans and those deemed at risk of becoming homeless. Half of the funds awarded would serve extremely low-income veterans and 60 percent of those units must be supportive housing with supportive services for veterans.

Veterans comprise about 8 percent of the U.S. population, but constitute between 15 percent and 20 percent of the homeless population. Los Angeles alone is home to over 8,000 homeless veterans.

According to the Legislative Analyst's Office (LAO), Proposition 41 would cost the State's General Fund about \$50 million per year in debt service, which is less than one-tenth of one percent of the State's annual budget. But providing veterans with housing with supportive services saves the State money and would at least partially offset the cost of financing the bonds.

FCLCA SUPPORTS PROPOSITION 41.

Proposition 42: Public Records. Open Meetings. State Reimbursement to Local Agencies. Legislative Constitutional Amendment. This ballot measure amends the California Constitution to require local governments to adhere to the California Public Records Act and the Brown Act and eliminates the State's responsibility to reimburse local governments for the costs of complying with these two acts.

The California Public Records Act requires state and local agencies to make public records available for inspection by the public and to provide copies of public records to anyone who requests them. The Brown Act requires local agencies to make all their meetings open to the public, requires them to post notices and agendas, and requires them to provide the public with copies of material distributed during open meetings. Current law requires that the State reimburse local governments for costs imposed on local governments by the Legislature. Determining how much local governments should be reimbursed is an ongoing source of conflict between local governments and the State.



Last year Gov. Brown, who has said publicly that "sunshine is overrated" included language in the 2013-2014 budget that would have enabled local governments to deem certain parts of the Public Records Act optional. This would enable them to ignore requests for information, consequently reducing the amount of money that the State would be required to reimburse local governments. Though First Amendment advocates claim that the costs of providing access to public records and public meetings are difficult to quantify, the LAO estimates that should voters approve Proposition 42, the costs to local governments could run into the tens of millions of dollars. Assuming that to be true, given the hundreds of local governments in a state the size of California, these costs are absorbable.

Openness and transparency are fundamental in making government responsive to the public. Proposition 42 will ensure that local governments adhere to the Public Records Act and the Brown Act and will remove the transparency issue from the ebb and flow of budget politics. **FCLCA SUPPORTS PROPOSITION 42. FCLCA**

– Jim Lindburg (JimL@fclca.org)

Bills You Should Know About

The second year of the 2013-2014 legislative session is now underway, and it looks to be a very busy session with opportunities to build upon successes achieved last year. FCLCA is co-sponsoring two important bills to lower the cost of maintaining family contact for people held in local detention facilities and to eliminate California's sentencing disparity for powdered and crack cocaine.

FCLCA AB 1876, by Assembly Member Bill Quirk (D-Hayward), will lower the cost of phone calls from local jails by eliminating the commissions that phone companies pay to county sheriff's departments in order to secure lucrative contracts with county jails.

These commissions are funded by charging grossly inflated rates on calls, which are typically borne by the families of the incarcerated.

By eliminating commissions at the county level, AB 1876 will bring county practices in line with those at the state level and ensure that those incarcerated in local facilities have an affordable way to communicate. The bill has been assigned to the Assembly Local Government Committee. See a complete description of AB 1876 on page five.

FCLCA FCLCA is also co-sponsoring the California Fair Sentencing Act, or SB 1010 by Senator Holly Mitchell (D-Los Angeles). This bill eliminates the sentencing disparity in California law for possession of crack cocaine for sale and powder cocaine for sale.

Crack cocaine is made by processing powder cocaine with baking soda and is smoked. Powder cocaine is either injected or snorted. Gram for gram, there is less psychoactive ingredient in crack cocaine than in powder cocaine.

The disparate sentencing scheme results in longer prison sentences for people of color, especially among African-Americans, who are more likely to be arrested and incarcerated for crack cocaine offenses despite com-

parable rates of use and sales across racial and ethnic lines.

From 2005 to 2010, African-Americans accounted for 77.4 percent of state prison commitments for crack possession for sale; Latinos accounted for 18.1 percent. Whites accounted for less than two percent of all those sent to California prisons in that five-year period. African-Americans make up 6.6 percent of the population in California; Latinos 38.2 percent, and whites 39.4 percent.

In 2010, President Obama signed the bipartisan Fair Sentencing Act (S.1789), which reduced the federal sentencing disparity from a ratio of 100:1 to 18:1 for possession of crack cocaine compared to powder cocaine. Attorney General Eric Holder recently requested the U.S. Sentencing Commission to reduce federal penalties for most drug offenses, including those for nonviolent drug sales.

In addition to equalizing the penalties, SB 1010 will also give judges more discretion to sentence a person to probation supervision for the sale or possession of crack cocaine. Under current sentencing guidelines, a person convicted of possession of a half-ounce of crack cocaine may lose their house, car and other possessions. SB 1010 will equalize asset forfeiture guidelines to one ounce, which is the current guideline for powder cocaine.

SB 1010 has been referred to the Senate Public Safety Committee and will likely be heard in April.

FCLCA In February, the Assembly Public Safety and Senate Public Safety Committees, chaired by Assembly Member Tom Ammiano (D-San Francisco) and Senator Loni Hancock (D-Berkeley) respectively, held a joint hearing to examine the step-down pilot program for prisoners being held in solitary confinement indefinitely for gang affiliation or gang association.

The Committee heard from the California Department of Corrections and Rehabilitation (CDCR), and several academic and legal experts. Professor Craig Haney, from UC Santa Cruz, testified that the debate as to whether solitary confinement constitutes torture has long been settled in the international human rights community. Haney noted that “the United States is an outlier in the extent to which it isolates its prisoners, and within the United States, California is an outlier with respect to its extreme isolation policies and practices.”

There are approximately 3,600 prisoners confined to often windowless 80 square foot cells located in Security Housing Units (SHU’s) for 22½ hours a day. Visitation is done through glass and conversations are limited to telephones. Many of those confined in solitary suffer from physical and mental deterioration and some will be paroled directly from solitary confinement into the community. Currently, there are still prisoners confined to the Pelican Bay Security Housing Units who have been there since the prison opened in 1989. Nearly 100 have been there for over 20 years and over 500 prisoners have been in solitary for longer than 10 years.

CDCR has been widely criticized by both Ammiano and Hancock for failure to take bold action with regards to its practices of isolating prisoners indefinitely in SHU’s upon being validated as gang members or gang associates. Currently more than 2,000 prisoners are held in solitary for gang validations. Advocates have called for objective, behavior-based criteria instead of gang validations based on suspicion and subjective criteria in addition to independent, outside review before a prisoner is placed in solitary. The new step-down program, which takes a prisoner a minimum of four years to complete, was designed to provide prisoners with gang validations a process to re-enter the general prison population without debriefing. Debriefing requires prisoners to divulge information about the purported gang activities of other prisoners. As this information is proffered in order to secure one’s release from solitary confinement, its reliability is questionable. The carrots for moving through the steps – a phone call, a photograph – are inadequate. The programming offered to prisoners in the step-down has been described by advocates as a “shame and blame” curriculum with no education or rehabilitative value.

FCLCA is participating in discussions with the advocacy team and Ammiano and Hancock on legislation to curb the practice of indeterminate SHU terms, restoring the practice of allowing prisoners in solitary to earn goodtime credits and to require independent oversight. Both Ammiano and Hancock plan to introduce legislation this year, and Ammiano has suggested a future hearing to find out how other states have curtailed the use of solitary confinement.

FCLCA Senator Mark Leno (D-San Francisco) has introduced SB 1058 to clarify current law to assure that “false evidence” includes repudiated and recanted expert testimony when that evidence served as the primary basis of a prisoner’s conviction.

Under current law, if a witness who testifies against a defendant later recants his or her testimony, a judge may reverse the conviction if the witness testimony served as the basis of the conviction. However, if a DNA expert testified that a defendant’s DNA matches the DNA profile found at the crime scene and later determines that the DNA does not match the profile, a defendant is not entitled to relief. Forensic testing errors are the second most common cause of wrongful convictions, and FCLCA is pleased to support legislation that will help reduce the number of wrongful convictions.

FCLCA Senator Leno has also introduced legislation to close loopholes in current law that permit the incarceration of truant youth. SB 1296, which is supported by FCLCA, will fulfill the Legislature’s long-standing intent that incarceration is not to be used for chronic truancy.

Currently four California counties still rely upon incarceration, and the vast majority of the cases involved youth of color. Research on truancy has found that persistent truancy stems from numerous factors such as bullying or gang activity at school, challenges in the home ranging from abuse, neglect or drug abuse or situations which require youth to stay home and care for family. Passage of SB 1296 will make a small but significant dent in the cradle to prison pipeline.

FCLCA FCLCA is opposing AB 1512, by Assembly Member Mark Stone (D-Monterey), which extends the sunset on

(Continued on next page)

allowing counties to transfer prisoners to jails in other counties until 2018.

The legislation runs contrary to the goals of realignment, which is to reduce re-offending and achieve better policy outcomes by placing people convicted of lower-level crimes into programming and treatment. Moreover, removing prisoners from their communities further damages their family ties and leads to greater recidivism.

Instead of promoting alternatives to incarceration, by allowing for the transfer of prisoners to other jurisdictions, AB 1512 enables counties that have traditionally relied on incarceration as the default response to criminal activity to continue with this costly and ineffective practice.

More than 63 percent of people held in county jails are awaiting trial. Pretrial release programs, which assess a defendant's risk to public safety and risk of not showing for trial, can provide for the safe release of many defendants on their own recognizance. Pretrial diversion programs, which place defendants into programming and/or community service for low-level offenses after which the defendant's conviction is deemed to not have occurred, can further reduce jail populations, as can greater use of split sentencing, which requires that defendants spend a period of their sentence in the community on probation.

AB 1512 unanimously passed the Assembly Public Safety Committee and now goes to the Assembly Appropriations Committee.

FCLCA FCLCA is also opposing AB 2356 by Jeff Gorell (R-Camarillo), which increases the \$500 million authorized by current law for local jail construction to \$1.2 billion.

FCLCA FCLCA is supporting SB 1029, by Senator Loni Hancock (D-Berkeley). This bill would end the prohibition of people with drug felony convictions from being eligible for CalWORKS (California's version of the Temporary Assistance for Needy Families program) and for Cal Fresh (California's version of the Supplemental Nutrition Assistance Program).

People with felony drug convictions are often in need of these stabilizing support systems in order to get back on their feet upon their re-entry into the community.

Two important bills that will protect the reproductive rights of vulnerable women have been introduced.

FCLCA Senate Bill 899, by Senator Holly Mitchell, will repeal the Maximum Family Grant rule in the CalWORKS program.

The Maximum Family Grant rule prohibits parents from receiving assistance through the CalWORKS program for a child born to the household while any member of the household is receiving aid.

FCLCA Senator Hanna-Beth Jackson (D-Santa Barbara) has introduced legislation to prohibit forced and coerced sterilizations of women in correctional institutions. SB 1135 would prohibit the sterilization of women in state prisons and county correctional facilities for purposes of birth control.

The legislation further stipulates that sterilization can be performed for women in custody only when required for the immediate preservation of life in an emergency medical procedure and when required for the necessary treatment of a non-birth control medical condition when less drastic measures are unavailable and with the informed consent of the patient. Given California's poor history of performing sterilizations, this bill is a welcome development, and FCLCA supports both SB 899 and SB 1135.

FCLCA FCLCA is also in support of SB 935, by Mark Leno, to increase California's minimum wage to \$12 per hour in 2015 and \$13 per hour in 2016, after which the minimum wage would be indexed to the rate of inflation beginning in 2018.

FCLCA SB 391, by Mark DeSaulnier (D-Concord) would assess new fees for recording real estate documents. FCLCA is trying

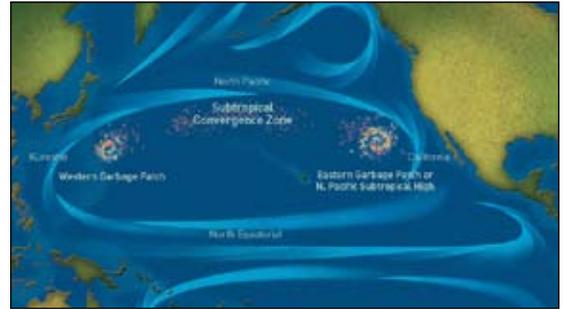
(Continued on back page)

FCLCA Supports Legislation To Protect California's Environment



Senate Bill 270 (Padilla, De Leon and Lara) will help reduce the massive amounts of single-use plastic bags that are currently a large source of urban runoff and marine debris in California.

Our state currently spends \$25 million annually to dispose of the 19 billion single-use plastic bags that are discarded in the State each year. These disposable plastic bags accumulate both on land, clogging drains and harming wildlife, and also are washed down California's rivers to the ocean.



By mandating the use of reusable and recyclable shopping bags, **SB 270** will significantly reduce the use of the single-use plastic bags that are such a big contributor to California's flow of marine debris to the vast swirling patch of the North Pacific known as "the garbage patch," helping to preserve the viability of the ecosystems of the Pacific Ocean for future generations.



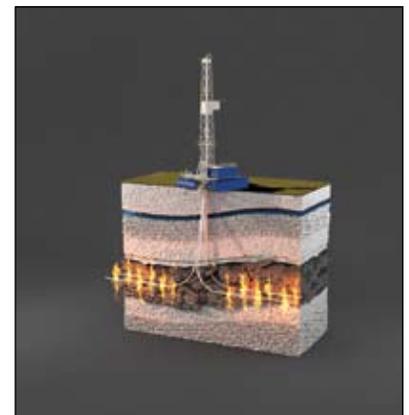
Assembly Bill 1961 (Eggman) requires each county with significant agricultural land resources to develop a sustainable farmland strategy by January 2, 2018.

Over 900,000 acres of farmland have been withdrawn from agricultural production over the last 30 years, mostly for residential development. Protecting farmlands is therefore vital in the fight against urban sprawl and to reinvest and develop our existing urban spaces in more sustainable ways.

Since most of the planning that affects agriculture takes place at the county level, it is vital to ensure that every county is developing its own plan to protect farmland. The negative environmental and social impacts of transforming farmland into new suburban subdivisions can be minimized by strategically planning how agricultural land is zoned and protected from development.

Senate Bill 1132 (Leno and Mitchell) requires a moratorium on fracking, a method of oil and gas production that involves blasting millions of gallons of water, mixed with sand and toxic chemicals, under high pressure deep into the earth. It also requires a moratorium on well stimulation by acidization, which uses corrosive acids to dissolve rock and release oil and gas. There are grave concerns about the impact of these practices on local air and water and the potential dangers to wildlife and human health.

The bill calls for a comprehensive report to be completed and submitted to the governor and Legislature along with recommendations as to if, how and where fracking activity can resume. [FCLCA](#)



**FRIENDS COMMITTEE ON
LEGISLATION OF CALIFORNIA**

1225 8th Street, Ste. 220
Sacramento, CA 95814-4809
Website: <http://www.fclca.org>

 Printed on recycled paper with soy-based inks

FCLCA In Action (continued from page 10)

to move the bill out of the Assembly Appropriations Committee and to the full Assembly Floor for a vote. FCLCA supports this legislation to provide a permanent funding source for building affordable housing.

The need for an ongoing, stable source of revenue for the construction of affordable housing is exacerbated by the recent loss of redevelopment funds.

FCLCA Rocky Chávez (R-Oceanside) has introduced AB 2201, legislation linking driver's license applications by young males between the ages of 16 and 25 to automatic registration with the Selective Service System.

This bill has been assigned to the Assembly Transportation Committee. FCLCA is meeting with the author and is contemplating possible amendments to the bill. **FCLCA**

– *Jim Lindburg (JimL@fclca.org)*

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.