



Exonerated: How Franky Carrillo and a dedicated legal team overturned his wrongful conviction

The newest member of FCLCA’s board of directors, Ellen Eggers, is a retired state public defender who specialized in appeals for prisoners on Death Row. She has a long history as an advocate for criminal justice reform and abolition of the death penalty. Ellen spent four years dedicated to a case outside her official capacity: exonerating Franky Carrillo, an innocent man imprisoned for decades following his wrongful conviction for murder when he was only 16 years old. We asked Ellen to describe her experience, the circumstances surrounding Franky’s conviction and exoneration, and the significance for our criminal justice system.

On March 16, 2011, as I watched my client, Franky Carrillo, 37 years old, walk out of the Los Angeles Men’s Central Jail, I was thrilled beyond words. Franky had spent the last 20 years, one month, and 20 days behind bars for a drive-by murder he had nothing to do with. Arrested when he was just 16, he had been convicted solely on the basis of supposed eyewitness identifications. Though it took our legal team years to prove the error, in the end all six witnesses admitted the truth and recanted their testimony identifying him as the shooter.

Franky’s case offers a dramatic lesson in how easily the prison doors swing open for anyone poor, young, or powerless, especially people of color. Forcing the prison doors to swing the other way when mistakes are made is extraordinarily difficult and happens rarely. Separating the guilty from the innocent is not an exact science, but simple changes in certain crime investigation practices could drastically reduce the chances of wrongful conviction. Franky’s case shows what can happen when the police



are given free rein to use shoddy, even corrupt, methods of investigation.

Franky’s nightmare began in the pre-dawn hours of January 24, 1991, when a team of Los Angeles County sheriff’s deputies raided the apartment where Franky lived with his father in Maywood, California. Both were ordered to the ground at gunpoint. As Franky was led away in handcuffs, his father called out in Spanish, “What is this about?” Franky truthfully answered that he did not know.

During Franky’s interrogation, the detectives told him that on the previous Friday night a man had been murdered in a drive-by shooting in the town of Lynwood, miles from Franky’s home. Franky insisted he knew nothing about it; he had been home all night with his father. Though his alibi was true, it would end up being discredited as simply a father covering for his son. Still, Franky assumed his story would be verified, and he’d soon be

(Continued on next page)

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 Birdlebough, *At-large*

Redwood Forest Friends Meeting

Norman Skonovd, *At-large*

Dept. of Sociology, CSU Chico*

Stefanie Faucher, *At-large*

Genie Stowers, *At-large*

Berkeley Friends Meeting

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.”

FCLCA Perspective *(continued from page 1)*

going home. Instead, he was charged with first degree murder and six attempted murders.

The only evidence against him was the testimony of the six teenage bystanders who initially told the police the truth – it was too dark outside and happened too fast to see the shooter. By the time of the first trial, however, all six teens had pointed to Franky in court as the culprit. But cross-examination revealed gaping holes in their stories, and the jury was not persuaded. It voted seven to five for acquittal – a stunning defeat for the district attorney. Determined to convict, the DA asked for a new trial. This time the witnesses were much better prepared. Previously conflicting and indecisive accounts became clear and convincing. The second jury easily returned a unanimous guilty verdict. At age 18, Franky was convicted and sentenced to two consecutive life terms, a virtual death sentence.

Over time, Franky’s shock and despair turned into action. He wrote dozens of letters to everyone he could think of: judges, prosecutors, defense attorneys, politicians.... even Oprah Winfrey, but no help arrived. He also completed his GED, took college courses, volunteered for prison programs. He was a model prisoner, but still no closer to freedom. In 2001, he was briefly encouraged when law students from the California Innocence Project (CIP) took an interest in his case. They even recovered some old case files that had been put into storage by Franky’s original investigator. But in the end, CIP forwarded the old files to Franky, saying they could do no more unless the true killer confessed. All seemed lost and the years dragged on.

In 2006, my involvement in Franky’s plight began after attending a private gathering in Sacramento. A woman approached me who had just retired from teaching GED classes at Folsom Prison, where Franky had worked as her aide for five years. She had come to believe strongly in his innocence and before retiring promised she would try to find someone to help him. When she asked if I would visit him, I was torn. As a state public defender who handled only court-appointed cases, I knew I could not take the case. But neither could I reject the teacher’s heartfelt request. So a week later, using vacation time, I went out to meet Franky at the prison. I spent several hours with him going over his paperwork. When I left that day, I also strongly believed in his innocence.

People often ask how I could have been so sure. Initially, it was the compelling evidence I saw in his file: handwritten notes, amounting to a confession, apparently scrawled out by the actual perpetrator. The notes laid out the details of the shooting and even the killer’s motive – retaliation for having been shot by a rival gang member. Those notes were never presented to Franky’s jury. In fact, Franky did not know they existed until 11 years after his conviction! The notes looked authentic and I quickly was able to confirm that they were.

Later, I discovered even more compelling evidence that all of the witnesses against him had lied on the witness stand. I took a trip to the neighborhood where the drive-by had taken place. I went on January 18 at 7:00 pm, the date and time of the shooting and conducted an informal experiment.

With friends, we reenacted the shooting several times as it had

been described in eyewitness testimony and police reports. The results were shocking and the same each time. No one standing on the curb that night could have possibly identified any of the occupants of the vehicle, even with the windows down. They could only see dark silhouettes. Facial features, even age, race and gender, were impossible to discern. Our findings confirmed that the first statements these witnesses gave to the police were truthful. Their subsequent trial testimony, identifying Franky, was false. My informal findings would later be substantiated by an actual expert in human night vision and eyewitness identification.

The third factor that cemented my belief in Franky's innocence was Franky himself. Through countless hours of my probing interrogations he remained transparent and consistent. Though he had been forced to grow up in prison under the most stressful and dehumanizing of conditions, Franky had become an articulate and impressive young man. He had managed to keep his wits and his faith long enough to find the help he needed. He exuded optimism and hope; never self-pity or bitterness.

How had this tragedy happened? Had the system failed, or was it just an unfortunate anomaly? The police reports provide the short answer. Just hours after the shooting, with no good leads, a gang unit deputy recognized one of the witnesses who was brought in to be interviewed. The deputy pulled the boy aside for a private session. It is now known, from sworn testimony, that the deputy pressured the teen to make an ID. He showed the boy Franky's picture and convinced him that Franky was a young thug, trying to "earn his bones" by shooting up the neighborhood. The witness succumbed to the pressure and eventually chose Franky's photo from a "six-pack" array. Months later, when the other witnesses

were shown the same array in the same order, they also chose Franky's photo, but only because the first teen had already told them which one to pick.

Beginning in 2008, I worked with a legal team that included the Northern California Innocence Project, pro bono attorneys from Morrison & Foerster, and a fabulous investigator, Pam Siller. Together we assembled the evidence of wrongful conviction. By 2010, we were ready to present our case to the Los Angeles District Attorney's office. They conducted their own investigation and found exactly what we had found: that the conviction had been based entirely upon perjured eyewitness testimony.

At the conclusion of our week-long habeas corpus evidentiary hearing, the prosecutor ended his closing argument by courageously stating that it was his "ethical duty as an officer of the court" to concede that Franky had met the necessary burden of proof for overturning the conviction. The judge released Franky on his own recognizance pending a decision by the DA's office as to whether they would retry Franky again. A few weeks later, the case was finally dismissed.

We now know the specifics of how this one miscarriage of justice happened. That is the short answer to the question, "How could this happen?" The long answer is more complicated and involves race, economic status, corrupt police practices, a desire to make any arrest rather than the correct arrest. Franky's case shows that the system needs fixing, particularly the procedures for collecting eyewitness identification evidence, including photo lineups. One county in California has already adopted practices that research has long shown dramatically reduce the number of false positive eyewitness identifications.

Santa Clara County now uses the so-called "blind sequential" photo lineup procedure. Photos are displayed on a computer screen, one at a time, so that the witness can consider each photo individually. With each photo the witness must make a separate determination: Was this the perpetrator? Because the photos are displayed on a screen, no police administrator is present to inadvertently, or even purposely, suggest who the police are targeting. Eliminating group photo displays also reduces the possibility that someone would choose a photo that only "looks similar" to the perpetrator but may not be the perpetrator at all. Though witnesses are often told that the perpetrator might not be in the array, most witnesses assume that the array does include the person who is considered the prime suspect by the police. This puts pressure on the witness to choose someone from the six-pack, regardless of whether the person is actually the one they saw. Someone who looks like the suspect can easily become the suspect, and with every viewing after that the witness becomes more certain of the selection. From these common practices, wrongful convictions are born.

Although eyewitness testimony is seen by jurors as some of the most convincing evidence available, almost as powerful as DNA evidence, in fact it is highly unreliable. The leading cause of wrongful conviction is false or mistaken eyewitness identification. Bad IDs occur in nearly 80 percent of the established cases of wrongful conviction.

FCLCA has supported legislation that would require all California law enforcement agencies to adhere to the recommendations of the California Commission on the Fair Administration of Justice, including adoption of the blind sequential lineup procedure. Law enforcement routinely objects, but should re-

(Continued on next page)

think its position. Had these procedures been followed by the LA Sheriff's Department in 1991, Franky Carrillo never would have been arrested.

While we have much work ahead of us to improve our criminal justice system, we can take heart in our successes. This holiday season we rejoice in the one "starfish" who was returned home to the sea. Franky is now living a wonderful life with his partner and their adorable one-year old son, in Echo Park. Franky is a junior at Loyola Marymount University, where he has

been attending school on a full scholarship. He was one of the spokespersons for the Proposition 34 campaign to end the death penalty in California. He visits prisons and detention centers, encouraging inmates young and old to never give up on themselves. Franky was resilient, faithful, persistent and positive. Let his story inspire us all to never give up on one another, to say "yes" when we can help, and together, to work for the changes that will help insure that such tragedies never happen again. **FCLCA**

– Ellen Eggers

FCLCA addresses criminal justice issues through legislation and does not handle specific cases. Ellen Eggers is now retired from her law practice. There are several organizations in California that deal with cases of actual innocence.

California Innocence Project

California Western School of Law
Institute for Criminal Defense Advocacy
225 Cedar Street
San Diego, CA 92101
Phone: 619-525-1485
Fax: 619-615-1443
<http://californiainnocenceproject.org>

Cases Accepted:

Cases of actual innocence in Southern California: Imperial County, Kern County, Los Angeles County, Orange County, Riverside County, San Bernardino County, San Diego County, San Luis Obispo County, Santa Barbara County, and Ventura County
Three or more years left to serve
DNA and Non-DNA Cases

Loyola Law School Project for the Innocent

Loyola Law School
919 Albany Street
Los Angeles, California 90015
Phone: 213-736-8141
www.lls.edu/projectfortheinnocent

Cases Accepted:

Cases of actual innocence in Southern California
Non-DNA Cases
Arson, Shaken Baby Syndrome, Child Abuse and cases involving gang-related crimes.

Northern California Innocence Project

Santa Clara University
School of Law
900 Lafayette Street, Suite 105
Santa Clara, CA 95050
Phone: 408-554-4790
<http://law.scu.edu/ncip>

Cases Accepted:

Cases of actual innocence in Northern California
Three or more years left to serve (generally)
DNA and Non-DNA Cases
Will consider Arson, Shaken Baby Syndrome and Child Abuse Cases

The Year in Review: A look back at key legislation in 2014

As your voice of conscience in Sacramento, FCLCA weighed in on numerous bills in 2014. We also co-sponsored two bills, one of which was signed into law. Overall, results were mixed. While some significant progress was made with regards to criminal justice in addition to the historical sentencing reforms passed by California voters in Proposition 47, California still has the highest poverty rate in the nation. Indicative of the growing gap in income inequality that has accelerated since the Great Recession of 2008, nearly nine million California residents – 23.4 percent of the state's population – are impoverished, with the rate being slightly higher for children.

Since 2008, funding for health and human services programs has been reduced by \$15 billion. The governor deserves credit for taking the lead in asking voters to provide more revenues under Proposition 30 and for the Local Control Funding Formula, which will provide additional dollars to school districts with large numbers of disadvantaged students. Gov. Brown also deserves credit for signing legislation in 2013 to raise the state's minimum wage. While these are all welcome developments, that a wealthy state like California, which traditionally symbolizes hope and opportunity, should lead the nation in poverty is not something to be proud of. Indeed we must do better if our state is to be a desirable place to work and live and raise a family, and California needs a serious and sustained effort to reduce the effects of poverty.

What follows is a discussion of some key developments in 2014, year two of the biennial legislative session. Though the list is not comprehensive, we think it gives our readers a slice of what transpired in the State Capitol as well as a picture of FCLCA's activities. Bill numbers that are bolded are included in FCLCA's Record of 2014 Selected Votes contained in this issue.

Criminal Justice

Gov. Brown signed **SB 1010**, by Holly Mitchell (D-Los Angeles). Co-sponsored by FCLCA, the California Fair Sentencing Act eliminates the harsher penalties in California for possessing cocaine base for sale versus possession of powder cocaine for sale. Advocates were initially skeptical of the bill's prospects in an election year when many lawmakers are extra cautious about voting for bills that could tag them as being soft on crime. Moreover, in 2013 Gov. Brown vetoed SB 649 by Mark Leno (D-San Francisco), another FCLCA co-sponsored bill which would

have changed drug possession from a felony to a misdemeanor. (Drug possession in California is now a misdemeanor thanks to passage of Proposition 47 this November.) However, racial justice and equality under the law are the themes underlying SB 1010. As with previous legislative attempts, some lawmakers argued that the way to eliminate the disparity is to raise the penalties for powder cocaine. But a growing bipartisan consensus on the failure of the war on drugs along with the persuasiveness of Sen. Mitchell (five Assembly Republicans voted for the bill) helped obtain the governor's signature.

FCLCA also co-sponsored **AB 1876** by Assembly Member Bill Quirk (D-Hayward). This bill eliminates the commissions on intrastate telephone calls made from local correctional facilities that telephone providers negotiate with local sheriffs' agencies. The commissions are paid for by charging the consumer, usually families of the incarcerated, exorbitant rates for receiving calls from their loved ones. Because the commissions are paid into Inmate Welfare Funds, which are controlled by local sheriffs' agencies, AB 1876 attracted intense opposition from the California State Sheriffs' Association (CSSA). The CSSA argued that without the commissions, local jails would have to reduce services and programs for detainees. The Federal Communications Commission (FCC) currently regulates interstate calls from local correctional facilities. Thus it now costs three to five times more to call a relative in Monterey from the Sacramento County Jail than to call a relative in Minnesota.

AB 1876 made it through the full Assembly and the Senate Public Safety Committee but died in the Senate Appropriations Committee. All is not lost, however. The FCC recently has called for new rules to regulate intrastate calls, and FCLCA will be voicing its support. When the market cost of telephone calls is approaching zero, the current practice is grossly unfair and impedes family contact which is vital to promoting successful re-entry. It is also a huge hindrance to those households where a family member is detained by Immigration and Customs Enforcement and subject to deportation. FCLCA was proud to co-sponsor AB 1876 with Community Initiatives for Visiting Immigrants in Confinement (CIVIC), the California Immigrant Policy Center and the Ella Baker Center for Human Rights. We continue to monitor developments with the FCC and will consider reintroducing legislation should it become appropriate.

(Continued on next page)

A look back at key legislation in 2014 *(continued from page 5)*

The federal government defines an “aggravated felony” as a criminal conviction that results in imprisonment of a year or more. FCLCA supported **SB 1310**, by Ricardo Lara (D-Bell Gardens), which changes the maximum sentence for a misdemeanor sentence in California from 365 days to 364 days. As a result of Gov. Brown’s signing the bill into law, Immigration and Customs Enforcement will not be able to deport a person solely on the basis of a California misdemeanor conviction.

The Legislature made its first foray into regulating the overuse and abuse of solitary confinement by the California Department of Corrections and Rehabilitation (CDCR). Two bills were introduced this year that are the culmination of several informational hearings organized by Tom Ammiano (D-San Francisco) and Loni Hancock (D-Berkeley) in response to the prisoner hunger strikes of 2011 and 2013. **AB 1652**, by Tom Ammiano, would have ended the practice of isolating prisoners indefinitely in Secure Housing Units (SHU’s) on the basis of alleged gang activity. After it was amended by the Assembly Appropriations Committee, the bill merely restored eligibility for earning good time credits for those prisoners housed in SHU’s on the basis of alleged gang activity. Good time credits, in which prisoners earn time off their sentences for good behavior and/or for completing programs, are universally recognized by penologists as a way to promote rehabilitation and incentivize behavior that promotes prison safety for correctional staff and prisoners alike. They were taken away from prisoners housed in SHU’s by the Legislature in 2010.

AB 1652 was opposed by the California Correctional Peace Officers Association, the California State Sheriffs’ Association and the California District Attorneys Association and went down to defeat on the Assembly Floor. Assembly Public Safety Committee Vice Chair Melissa Melendez (R-Murieta) rose in opposition to the bill and cited an Op Ed by CDCR Secretary Jeffrey Beard in which he stated that the hunger strikers were not protesting inhumane conditions. According to Beard, the hunger strikes were orchestrated by gang leaders who want to return to general population in order to expand gang activities. AB 1652 failed by a vote of 23-38, with 18 fickle Democrats not voting.

SB 892, by Loni Hancock (D-Berkeley), creates some due process protections with regards to CDCR’s gang validation procedures, requires that prisoners housed in solitary confinement receive evidence-based programming, requires prisoners housed in SHU’s who will parole directly to the community to be provided with a re-entry plan and authorizes CDCR to re-establish eligibility for good time credits, in addition

to making other changes. The bill was co-authored by Senate Public Safety Committee Vice Chair Joel Anderson (R-Alpine) and did not face significant opposition. SB 892 advanced through the full Senate and the Assembly Public Safety and Appropriations Committees. However, due to late hour amendments requested by CDCR that significantly weakened the bill and drew opposition from some advocates, Senator Hancock pulled the bill prior to the Assembly Floor vote.

FCLCA opposed **AB 1512**, by Mark Stone (D-Santa Cruz), which allows counties with overcrowded jails to transfer prisoners to jails in other counties for another three years. Instead, counties should opt for alternatives to incarceration. The bill passed both houses virtually unanimously and was approved by the governor.

Economic Justice

Gov. Brown signed **AB 1522**, by Lorena Gonzalez (D-San Diego). The Healthy Workplaces, Healthy Families Act of 2014 requires employers to provide employees with a minimum of three paid sick leave days per year. California is now one of two states to require paid sick leave. We were disillusioned when the governor forced amendments to exclude In-Home Supportive Services (IHSS) workers, which resulted in Assembly Members Sebastian Ridley Thomas (D-Culver City) and Mariko Yamada (D-Davis) voting against the bill. However, Assembly Member Gonzalez has already followed through on her pledge to introduce new legislation for the upcoming session to include IHSS workers. In addition, California no longer prohibits people with felony drug convictions from receiving CalWORKS and CalFresh benefits when legislative leadership agreed to put these provisions in the Health and Human Services budget trailer bill.

SB 391, by Mark De Saulnier (D-Concord) would have created an ongoing permanent funding source for building affordable housing from new fees on recording real estate documents and would have also leveraged federal funds. The bill faced heavy opposition from realtors, developers and county clerks and died in the Assembly Appropriations Committee. SB 899, also by Holly Mitchell, which would have ended the prohibition on increasing CalWORKS grants for a child conceived after a family is enrolled in CalWORKS, died in the Senate Appropriations Committee due to the cost, but has been reintroduced by Senator Mitchell for 2015-2016. **AB 1579**, the Healthy Babies Act of 2014, by Mark

Stone, to enable CalWORKS eligibility for pregnant women in the second trimester instead of the third trimester, was signed into law.

Reducing Wrongful Convictions

SB 980, by Ted Lieu (D-Torrance), makes it easier for convicted persons to obtain DNA testing in order to challenge their conviction and was signed into law. The governor also signed SB 1058, by Mark Leno (D-San Francisco). This bill adds language to the penal code that explicitly includes the opinions of experts who have since repudiated their opinions, or that have been undermined by later technological or scientific advances, under the definition of “false evidence” for the purposes of challenging a criminal conviction.

Since 2006 there have been numerous unsuccessful legislative attempts to improve the reliability of eyewitness identification procedures, all of which have been vigorously opposed by county sheriffs. **AB 807**, by Tom Ammiano, authorizes law enforcement agencies to develop reliable eyewitness identification procedures and requires courts to instruct juries as to whether law enforcement followed specified procedures during the identification process. The bill was pulled prior to Senate Floor vote.

Peace, Nonviolence

Legislation to rein in civil rights violations by law enforcement agencies was signed into law by Gov. Brown. **AB 2634**, by Steven Bradford (D-Los Angeles), clarifies that a court may order a law enforcement entity to cease with unlawful practices when there is a clear pattern of civil rights abuses.

AB 1014, by Nancy Skinner (D-Berkeley), closes a glaring loophole in California law that became more apparent following a shooting rampage in Isla Vista this spring. Often family members become aware of behavior that is indicative of gun violence but lack the legal means to intervene if the individual has not been convicted of a crime or does not meet the criteria for involuntary psychiatric commitment. Skinner’s bill, which was approved by Gov. Brown, authorizes a court to issue a temporary gun violence restraining order when there is reasonable cause to believe that a person poses an immediate and present danger to themselves or others. **SB 53**, by Kevin de León (D-Los Angeles), to require background checks for ammunition purchases and to require the tracking of ammunition sales, failed amid unrelenting opposition from the gun lobby and hunters.

Once again the federal Selective Service System was back in the State Capitol to push for legislation that

would link driver’s license applications with Selective Service registration. **AB 2201**, by Rocky Chavez (R-Oceanside), would deem that an applicant who is draft eligible consents to registering with the Selective Service and requires the California Department of Motor Vehicles to transmit the necessary information to the Selective Service. The bill was framed as being necessary to ensure that “Dreamers” – young, undocumented California residents who qualify for in-state tuition and financial aid thanks to the California Dream Act – do not lose eligibility for federal financial aid and grants as a result of their failure to register. The bill was opposed by FCLCA and the Committee Opposed to Militarism and the Draft and was sailing through the Legislature after barely passing the Assembly Transportation Committee. The bill died in the Senate Appropriations Committee amid concerns that the bill’s language would trump the privacy protections included in **AB 60**, which enables undocumented residents to apply for a driver’s license beginning in January 2015.

Environment

Gov. Brown signed **SB 270**, by Alex Padilla (D-Los Angeles), to prohibit retailers from distributing plastic bags. Legislation to place a moratorium on fracking until the consequences to humans and the environment are fully understood, **SB 1132**, by Holly Mitchell, died on the Senate Floor amid heavy opposition from the oil and gas industry.

Governance

SB 52, the California Disclose Act, by Mark Leno and Jerry Hill (D-San Mateo), as amended would require greater disclosure in ballot measure advertisements of the top three funders of the advertisement. The bill required a two-thirds supermajority vote and was pulled prior to the Assembly Floor vote after the Service Employees Union International and California Teachers Association ramped up their opposition. **SB 1253**, by Darrell Steinberg (D-Sacramento) may improve the initiative process significantly. The bill requires the Legislature to hold public hearings on a proposed ballot initiative when proponents have collected 25 percent of the required signatures and allows the Legislature to propose amendments. If the proponents are pleased with the legislative solution, they can withdraw the initiative. The bill, which was signed by Gov. Brown, also requires the Secretary of State to identify the top 10 donors supporting and opposing the initiative. [FCLCA](#)

– Jim Lindburg (JimL@fclca.org)

FCLCA's 2014 Record of Selected Votes: How Your Legislators Voted on 13 Important Bills

FCLCA has selected 13 important bills and tracked the floor votes of Senate and Assembly Members in the chart below. We chose bills that highlight the breadth of issues that FCLCA weighed in on 2014. For more information on the bills, please see our article "The Year In Review" on page five.

- To create the score, we have included a percentage for each legislator indicating the number of times the legislator voted in accordance with FCLCA's position on the 13 bills.
- FCLCA's position on the bill is indicated in the top row. If a legislator voted against our position or did not vote ("NV") it is counted as not being in support of FCLCA's position.
- Sometimes lawmakers deliberately do not vote ("NV") on a bill. Other times they do not vote on a bill due to circumstances beyond their control. This sample does not account for these differences. To illustrate, Senator Loni Hancock did not vote on AB 1014 because of an absence due an accident. Hancock voted for AB 1014 in the Senate Public Safety Committee; therefore, it is highly likely that she would have voted for the bill on the floor, and her score would have been higher.
- Some bills had a floor vote only in their house of origin, and will not be listed in the chart of the other house. (For example: AB 1652 failed on the Assembly Floor, its house of origin, so it does not appear in the Senate Floor vote portion of the chart.)
- Senators Calderon, Wright, and Yee were suspended on March 28, 2014. Votes taken after that date are marked with an "S." We opted not to include a score for these Members.

AB 1014 (Skinner) Gun violence restraining orders. Signed into law.

AB 1512 (Stone) Prisoner transfers. Signed into law.

AB 1522 (Gonzalez) Employment, paid sick days. Signed into law.

AB 1579 (Stone) CalWORKs, pregnant women. Signed into law.

AB 1652 (Ammiano) Solitary confinement. Failed on Assembly Floor.

AB 1876 (Quirk) Local detention facilities, telephone calls. Died in Senate Appropriations Committee.

AB 2201 (Chávez) Driver's licenses, Selective Service registration. Died in Senate Appropriations Committee.

AB 2634 (Bradford) Court ordered reform of police practices. Signed into law.

SB 52 (Leno) Campaign disclosures. Died in Assembly Appropriations Committee. (Note: while this bill was still advancing in 2014, the Assembly Floor vote occurred in 2013).

SB 270 (Padilla) Plastic bag ban. Signed into law.

SB 892 (Hancock) Solitary confinement. Died. Withdrawn by the author prior to the Assembly floor vote.

SB 980 (Lieu) DNA testing. Signed into law.

SB 1010 (Mitchell) Crack vs powder cocaine sentencing disparity. Signed into law.

SB 1132 (Mitchell) Fracking moratorium. Died on Senate Floor.

SB 1253 (Steinberg) Initiative measures. Signed into law.

SB 1310 (Lara) Misdemeanors, maximum sentence. Signed into law.

FCLCA's Position			Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	FCLCA % SUPPORT
SENATE FLOOR VOTES 2014	DISTRICT	PARTY	AB 1014	AB 1512	AB 1522	AB 1579	AB 2634	SB 52	SB 270	SB 892	SB 980	SB 1010	SB 1132	SB 1253	SB 1310	
Anderson, Joel	36	R	N	Y	NV	N	Y	N	N	Y	Y	N	N	N	Y	31%
Beall, Jim	15	D	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Berryhill, Tom	14	R	N	Y	N	NV	Y	N	N	N	N	N	N	Y	Y	23%
Block, Marty	39	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	NV	77%
Calderon, Ronald	30	D	S	S	S	S	S	Y	S	S	S	S	S	S	S	NO SCORE
Cannella, Anthony	12	R	NV	Y	NV	Y	Y	Y	N	N	Y	N	N	Y	Y	46%
Corbett, Ellen	10	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Correa, Lou	34	D	Y	Y	Y	Y	Y	Y	N	Y	NV	N	N	Y	Y	62%
de León, Kevin	22	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%

SENATE FLOOR VOTES 2014	DISTRICT	PARTY	AB 1014	AB 1512	AB 1522	AB 1579	AB 2634	SB 52	SB 270	SB 892	SB 980	SB 1010	SB 1132	SB 1253	SB 1310	FCLCA % SUPPORT
DeSaulnier, Mark	7	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Emmerson, Bill	23	R	-	-	-	-	-	N	-	-	-	-	-	-	-	0%
Evans, Noreen	2	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Fuller, Jean	18	R	N	Y	NV	NV	Y	N	N	N	Y	N	N	N	NV	15%
Gaines, Ted	1	R	NV	Y	N	Y	NV	N	N	N	Y	N	N	N	Y	23%
Galgiani, Cathleen	5	D	Y	Y	Y	Y	Y	Y	N	Y	NV	N	N	Y	Y	62%
Hancock, Loni	9	D	NV	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Hernandez, Edward	24	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	85%
Hill, Jerry	13	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	85%
Hueso, Ben	40	D	Y	NV	Y	Y	Y	Y	Y	Y	Y	NV	NV	Y	Y	77%
Huff, Bob	29	R	NV	Y	N	NV	Y	N	N	N	Y	N	N	Y	Y	31%
Jackson, Hannah-Beth	19	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Knight, Steve	21	R	N	Y	N	N	N	N	N	N	Y	N	N	N	Y	15%
Lara, Ricardo	33	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	NV	Y	Y	85%
Leno, Mark	11	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Lieu, Ted	28	D	Y	NV	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Liu, Carol	25	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Mitchell, Holly	26	D	Y	NV	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	92%
Monning, Bill	17	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Morrell, Mike	23	R	N	Y	NV	N	N	-	N	N	N	N	N	N	N	0%
Nielsen, Jim	4	R	N	Y	N	NV	N	N	N	N	N	N	N	N	N	0%
Padilla, Alex	20	D	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Pavley, Fran	27	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	85%
Price, Curren	26	D	-	-	-	-	-	Y	-	-	-	-	-	-	-	100%
Roth, Richard	31	D	NV	Y	NV	NV	Y	Y	Y	NV	Y	Y	NV	Y	Y	54%
Steinberg, Darrell	6	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	92%
Torres, Norma	32	D	Y	Y	Y	Y	Y	Y	N	Y	Y	NV	N	Y	Y	69%
Vidak, Andy	16	R	N	Y	N	Y	N	-	N	N	Y	N	N	N	N	17%
Walters, Mimi	37	R	N	Y	N	NV	Y	N	N	N	Y	NV	N	N	Y	23%
Wolk, Lois	3	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	85%
Wright, Rod	35	D	S	S	S	S	S	N	S	S	S	S	S	S	S	NO SCORE
Wyland, Mark	38	R	NV	Y	N	NV	N	N	N	N	Y	N	N	N	N	8%
Yee, Leland	8	D	S	S	S	S	S	Y	S	S	S	S	S	S	S	NO SCORE

Y = Legislator voted YES

N = Legislator voted NO

NV = Legislator did not vote

S = Suspended

Dash (-) = Legislator did not hold office at time of vote

Green = Vote in accord with FCLCA's position

Red = Vote not in accord with FCLCA's position

FCLCA's 2014 Record of Selected Votes

FCLCA's Position			Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	FCLCA % SUPPORT
ASSEMBLY FLOOR VOTES 2014	DISTRICT	PARTY	AB 1014	AB 1512	AB 1522	AB 1579	AB 1652	AB 1876	AB 2201	AB 2634	SB 270	SB 980	SB 1010	SB 1253	SB 1310	
Achadjian, Katcho	35	R	N	Y	N	N	N	N	Y	Y	N	Y	N	N	Y	23%
Alejo, Luis A.	30	D	Y	Y	Y	Y	N	NV	Y	Y	Y	Y	NV	Y	Y	62%
Allen, Travis	72	R	N	Y	N	N	N	NV	Y	N	N	Y	N	N	NV	8%
Ammiano, Tom	17	D	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	92%
Atkins, Toni G.	78	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Bigelow, Frank	5	R	N	NV	N	N	N	NV	Y	Y	N	Y	NV	N	NV	15%
Bloom, Richard	50	D	Y	Y	Y	Y	NV	Y	NV	Y	Y	Y	Y	Y	Y	77%
Bocanegra, Raul	39	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Bonilla, Susan	14	D	Y	Y	Y	Y	N	NV	Y	Y	Y	Y	Y	Y	Y	69%
Bonta, Rob	18	D	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	85%
Bradford, Steven	62	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Brown, Cheryl R.	47	D	Y	Y	Y	Y	NV	NV	Y	Y	NV	Y	Y	Y	Y	62%
Buchanan, Joan	16	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Calderon, Ian	57	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	NV	Y	Y	69%
Campos, Nora	27	D	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	77%
Chau, Ed	49	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Chávez, Rocky J.	76	R	N	Y	N	Y	N	NV	Y	Y	N	Y	Y	N	NV	31%
Chesbro, Wesley	2	D	Y	Y	Y	Y	NV	Y	NV	Y	Y	Y	Y	Y	Y	77%
Conway, Connie	26	R	N	Y	N	N	N	N	Y	Y	N	Y	N	N	Y	23%
Cooley, Ken	8	D	N	Y	Y	Y	NV	Y	Y	Y	N	Y	Y	Y	Y	62%
Dababneh, Matthew	45	D	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	77%
Dahle, Brian	1	R	N	Y	N	N	N	N	Y	Y	N	Y	NV	N	Y	23%
Daly, Tom	69	D	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	NV	Y	Y	69%
Dickinson, Roger	7	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Donnelly, Tim	33	R	N	Y	N	N	N	NV	NV	Y	N	Y	Y	N	NV	23%
Eggman, Susan Talamantes	13	D	Y	Y	Y	Y	N	Y	Y	Y	NV	Y	Y	Y	Y	69%
Fong, Paul	28	D	Y	Y	Y	Y	NV	Y	NV	Y	Y	Y	Y	Y	Y	77%
Fox, Steve	36	D	N	Y	Y	Y	N	Y	Y	N	N	N	N	N	N	23%
Frazier, Jim	11	D	N	Y	NV	Y	NV	N	Y	Y	N	Y	N	Y	Y	38%
Gaines, Beth	6	R	N	Y	N	N	N	NV	Y	NV	N	Y	N	N	NV	8%
Garcia, Cristina	58	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Gatto, Mike	43	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Gomez, Jimmy	51	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Gonzalez, Lorena	80	D	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	N	Y	62%
Gordon, Richard S.	24	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Gorell, Jeff	44	R	N	Y	N	Y	N	N	Y	NV	N	Y	N	Y	Y	31%
Gray, Adam	21	D	N	Y	Y	Y	N	Y	Y	Y	N	Y	NV	Y	Y	54%
Grove, Shannon L.	34	R	N	Y	N	N	N	N	Y	Y	N	Y	N	N	Y	23%
Hagman, Curt	55	R	N	Y	N	N	N	N	Y	N	N	Y	N	N	Y	15%
Hall, III, Isadore	64	D	Y	Y	Y	Y	NV	N	Y	Y	NV	Y	Y	Y	Y	62%
Harkey, Diane L.	73	R	N	Y	N	N	N	NV	Y	N	N	NV	N	NV	Y	8%

ASSEMBLY FLOOR VOTES 2014	DISTRICT	PARTY	AB 1014	AB 1512	AB 1522	AB 1579	AB 1652	AB 1876	AB 2201	AB 2634	SB 270	SB 980	SB 1010	SB 1253	SB 1310	FCLCA % SUPPORT
Hernández, Roger	41	D	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	77%
Holden, Chris R.	71	D	Y	Y	Y	Y	NV	NV	Y	Y	Y	Y	Y	Y	Y	69%
Jones, Brian W.	59	R	N	Y	N	N	N	N	Y	Y	N	Y	NV	N	Y	23%
Jones-Sawyer, Reginald	10	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Levine, Marc	60	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Linder, Eric	3	R	N	Y	N	Y	N	Y	Y	Y	N	Y	NV	N	Y	38%
Logue, Dan	70	R	N	Y	N	N	N	N	Y	Y	N	Y	N	N	NV	15%
Lowenthal, Bonnie	77	D	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	92%
Maienschein, Brian	74	R	N	Y	N	Y	N	N	Y	Y	N	Y	Y	N	Y	38%
Mansoor, Allan R.	61	R	N	Y	N	N	N	N	Y	N	N	Y	N	N	NV	8%
Medina, Jose	67	D	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	NV	Y	Y	69%
Melendez, Melissa A.	22	R	N	Y	N	N	N	Y	Y	Y	N	Y	N	N	NV	23%
Mullin, Kevin	66	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Muratsuchi, Al	46	D	Y	Y	Y	Y	N	N	Y	Y	Y	Y	Y	Y	Y	69%
Nazarian, Adrin	42	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Nestande, Brian	12	R	N	Y	N	Y	N	N	Y	Y	N	Y	N	N	Y	31%
Olsen, Kristin	9	R	N	Y	N	Y	N	Y	Y	NV	N	Y	N	Y	Y	38%
Pan, Richard	23	D	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	77%
Patterson, Jim	31	R	NV	Y	NV	N	N	N	NV	NV	N	Y	N	N	NV	8%
Perea, Henry T.	53	D	NV	Y	Y	Y	N	N	Y	Y	N	Y	NV	Y	Y	46%
Pérez, John A.	56	D	Y	NV	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Pérez, V. Manuel	20	D	Y	Y	Y	Y	NV	NV	Y	Y	Y	Y	Y	Y	Y	69%
Quirk, Bill	65	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Quirk-Silva, Sharon	63	D	Y	Y	Y	Y	N	N	NV	Y	N	Y	N	Y	Y	54%
Rendon, Anthony	54	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Ridley-Thomas, Sebastian	52	D	Y	Y	N	Y	NV	Y	NV	Y	Y	Y	Y	Y	Y	69%
Rodriguez, Freddie	48	D	NV	Y	Y	Y	N	NV	Y	Y	Y	Y	Y	Y	Y	62%
Salas, Jr., Rudy	32	D	N	Y	Y	Y	N	N	Y	Y	N	Y	N	Y	Y	46%
Skinner, Nancy	15	D	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	92%
Stone, Mark	29	D	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	85%
Ting, Philip Y.	19	D	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	92%
Wagner, Donald P.	68	R	N	Y	N	N	N	Y	Y	Y	N	Y	Y	N	Y	38%
Waldron, Marie	75	R	N	Y	N	N	N	NV	Y	NV	N	Y	N	N	NV	8%
Weber, Shirley N.	79	D	Y	Y	Y	Y	NV	N	Y	Y	Y	Y	Y	Y	Y	69%
Wieckowski, Bob	25	D	Y	Y	Y	Y	Y	Y	NV	Y	Y	Y	Y	Y	Y	85%
Wilk, Scott	38	R	N	Y	N	Y	N	N	Y	Y	N	Y	Y	N	Y	38%
Williams, Das	37	D	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	77%
Yamada, Mariko	4	D	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	77%

Y = Legislator voted YES

N = Legislator voted NO

NV = Legislator did not vote

S = Suspended


Dash (-) = Legislator did not hold office at time of vote

Green = Vote in accord with FCLCA's position

Red = Vote not in accord with FCLCA's position

**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

THANK YOU

In this holiday season we pause to give thanks.

To all those who support our voice of conscience at the Capitol.

To all those who work to better their community.

To all those who defend the rights of others.

To all those who leave a legacy for future generations.

To all those who act for justice.

Your light makes our candle burn brighter.

May the warmth of the holidays comfort and sustain you.



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.