



**FCLCA**.org

*Newsletter*

Vol. 61, No. 2 FRIENDS COMMITTEE ON LEGISLATION OF CALIFORNIA July 2012

## SPECIAL 60<sup>th</sup> ANNIVERSARY ISSUE

A Retrospective:  
Six decades of advocacy



It started in the darkest days of the McCarthy era. In 1952, six courageous Quakers met in a Chinese restaurant in San Francisco to found an organization that would stand up to fear and become one of the first public interest lobbies in California.

Sometimes alone – almost always 10 years ahead of the times – FCLCA's lobbyists and activists brought a voice of conscience straight into the halls of power – and helped create California's history of social progress.

At 60, we can now be called a venerable institution. But what sustains us – what has always sustained us – are the lively, joyful gifts of time and commitment offered by those who have gone before and those whose time is present.

We invite you to open these pages and follow a sixty-year journey of courage and conviction.

To those of you who have played a role in our journey: thank you. And to our new friends

**The next 60 years start now.**

There is so much more to do. **Join us.**

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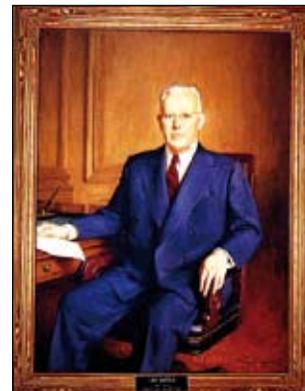
***“The Friends Committee on Legislation of California (FCLCA), guided by Quaker values, advocates for California state laws that are just, compassionate and respectful of the inherent worth of every person.”***

# The 1950's

## 1952-1953 Birth in a Time of Fear

At the height of the McCarthy era, in an atmosphere of fear and paranoia, a committed group of Quakers forms the Friends Committee on Legislation of California (FCLCA) to bring a voice of conscience to the California Legislature and to complement the work of the Friends Committee on National Legislation in Washington, D.C.

In the early 1950's, FCLCA is a strong, but often lonely voice in support of civil liberties. FCLCA's first *Newsletter*, published in October 1952 (and continuously thereafter for 60 years), deals with two propositions before the public: one to deny employment to individuals and tax exemptions to organizations that are deemed "subversive" and another to expand the loyalty oath to all teachers, professors and public employees. The measures pass 2-1.



Gov. Earl Warren  
1943-1953



"Both propositions punish people for advocating an idea, not for committing any act. Friends and many others share a fundamental belief in the essential worth of every individual. To bring dignity to those who have been deprived of it can best be accomplished by the free expression of ideas..."

When the Legislature convenes in January 1953 (at this time the Legislature meets every other year for six months), FCLCA begins to lobby legislators in support of civil liberties, with George and Marjorie Weber as FCLCA's first legislative advocates. The *Newsletter* reports "the atmosphere is tense and fearful." Trevor Thomas, FCLCA's Northern California executive secretary, is attacked by a legislator after testifying at a committee hearing.

But FCLCA is willing and able to speak out against loyalty oaths in this period of anti-communist hysteria. And because of its reasoned and courageous approach, FCLCA's membership grows to over 900 in just a year; two committees are established with offices in Northern and Southern California.

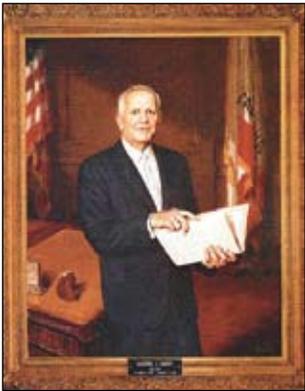
From the beginning, FCLCA focuses on grassroots advocacy as well as direct lobbying at the Capitol. FCLCA trains its members on how to lobby their legislators, and in 1953 publishes a widely distributed "how-to" pamphlet that sounds as relevant today as it did 60 years ago.

### A GUIDE TO ACTION ON STATE LEGISLATION

THE POINT OF MOST EFFECTIVE ACTION comes when the bill is before committee. Much of the most important work of the Legislature is done in committee.

## 1955 A Turning of the Tide

Things are getting better. From FCLCA's report *Why 1955 was Different*:



Gov. Goodwin Knight  
1953-1959

Most of the constructive legislation the FCL supported that year (1953) made little or no progress. We stood almost alone in opposing restrictive measures in 1953. Persons appearing before committees to speak against controversial legislation often were intimidated. Legislators were afraid to stand on principle. The FCL believed then and the 1955 session has demonstrated that an improvement could come from a concerned and informed citizenry.

If there was a turning of the tide how and why did this change come about? Here in California, more letters were written, more legislators visited than at any time in recent history. Organizations took positions, alerted their members and sent their most capable representatives to Sacramento. For many this was a new and invigorating experience. FCL's George Weber spent many hours briefing them and sharing his experience. 1955 has shown what the citizen, taking seriously his responsibility for legislation can accomplish.

## 1957-1959 Progress on Civil Rights

Coleman Blease (later Associate Justice for the Third District Court of Appeal) becomes FCLCA's lobbyist. FCLCA sponsors bills to abolish the death penalty, repeal the loyalty oath and loyalty restrictions on nonprofits, and implement Community Mental Health programs, and pushes hard for an end to discrimination in employment. In 1957, FCLCA, along with the American Federation of Teachers, thwarts efforts to censor school textbooks and library books.

FCLCA begins to advocate for the "Forgotten Minority," writing "the thousands of men, women and children who harvest the fruits and vegetables that grace our tables are denied many protections." And in the face of rising concern about drugs, FCLCA declares "the strictly punitive approach to curb addiction has failed."

By 1959, the ACLU has opened an office in Sacramento (sharing space with FCLCA) and FCLCA is able to shift some of its focus from civil liberties issues to civil rights legislation in housing, education, and employment, and to California's marginalized Indians and farmworkers. FCLCA helps establish the Fair Employment Practices Commission. In 1959, California makes history and leads the nation with a "banner year for civil rights" when the legislature adopts the Unruh Civil Rights Act and one of the strongest Fair Employment Practice bills in the country.

## Faces of FCLCA



Ruth Flower, Gary Miller,  
Laura Magnani



Emma Childers, Steve Birdleough



Russ Jorgensen



Joe Gunterman



Edith Haynes



### The FCL Staff

Reading from left to right, bottom row, Susan Castaneda (Administrative Secretary), Rosemary Pegueros-Lev (Field Secretary, L.A. area); middle row, Patricia Marrone (Chief Lobbyist-Administrator), Doug Thompson (Membership Secretary), Candace Blease (Legislative Advocate); top row Mark Renick (Interne), Tom Riley (Jesuit Volunteer Corps Interne) Bruce Der-McLeod (Field Secretary, S.C. Bay Area).

# The 1960's



Gov. Edmund G. "Pat" Brown  
1959-1967

## 1960-1965 Advocating for Civil Rights & a Peace Economy

In 1961, Joe Gunterman becomes FCLCA's lobbyist, serving until 1975. Bolstered by the election of an anti-death penalty governor, Pat Brown, FCLCA supports a moratorium on the death penalty. Following the Quaker testimony of peace, FCLCA begins to advocate for alternatives for workers and businesses in California's massive defense industry. In 1961, "fall-out shelters" are the top issue in the legislature, and FCLCA successfully opposes bills to establish a massive shelter building program. FCLCA organizes its members to oppose bills that greatly increase the penalties for narcotics offenders.

FCLCA's *Newsletter* reports:

FCL's proposal to require growers to provide toilets and drinking water in the fields was rejected by the legislature. 1961 was a "defensive session" with few FCL-supported bills passed but many of the large crop of undesirable bills in civil liberties and peace were defeated."

In the 1963 session, FCLCA sponsors successful legislation to study the economics of disarmament in California, reporting that no other issue proved more difficult in that year and emphasizing that "California's dependence on a "one-crop" economy (the defense industry) is extremely hazardous." FCLCA again works with Gov. Brown in his "valiant effort" to pass a moratorium on the death penalty, which is defeated through the efforts of the pro-death penalty president of the Senate. But perhaps the greatest triumph in 1963 for FCLCA and its allies is the passage of the Rumford Act, which bans discrimination in housing by owners, real estate agents and banks. FCLCA also begins a long campaign for one of its key goals: expanding unemployment insurance to migrant farmworkers. (Vetoed four times by Gov. Reagan, the bill is finally signed into law by Gov. Jerry Brown in 1975.)

By the mid-point of the 1960's, FCLCA reaches 10 years of advocacy and is maturing as an organization, becoming more independent from the Friends Committee on National Legislation and opening a permanent office in Sacramento. In the years that the Legislature does not meet, FCLCA holds a series of high-profile events that further its reputation as a voice of conscience: Supreme Court Justice William O. Douglas speaks in San Francisco; Eleanor Roosevelt addresses an overflow crowd, and Sen. George McGovern voices his early opposition to the Vietnam War.

## 1966-69 Civil Unrest and Civic Participation

In this period, the Legislature begins to meet every year. To fulfill its role as a catalyst for civic engagement, FCLCA ramps up its Sacramento program to an every year, fulltime basis. FCLCA's message resonates in the time of activism.

From *The Story of the 1967 Legislature*:

Fundamental to FCL's entire existence is the conviction that the ability to control and influence the increasingly massive structure of government still rests in the hands of the people... FCL has always felt its major goal to be the stimulation of citizen participation in this influencing effort.

One notable development in the session was the appearance of a large number of allies on the scene. For the first time the NAACP, the Mexican American Political Association, the ACLU of Northern California and the Northern and Southern Council of Churches, and the Association of California Consumers, had representation in Sacramento on an everyday basis.

# The 1960's



Gov. Ronald Reagan  
1967-1975

In this period also, FCLCA expands and deepens its work on prison conditions and corrections. In 1967, FCLCA gains new allies and respect in the Legislature when it stands alone in opposing cuts to prison-based education, vocational training and counseling. FCLCA successfully sponsors a bill to give prisoners the right to receive mail and visitors, to correspond confidentially with an attorney and to purchase and receive reading material. Beginning in the 1960's and 1970's FCLCA sponsors legislation to extend unemployment insurance to prisoners, finally passed in the late 1970's.

**The Story of the 1968 Legislature** described the year as “downhill” saying that lobbyists at the Capitol spent more than ever, committees held more closed meetings and that it was at times “a lonely session for the FCL - there were few other cause lobbyists around. ... The FCL on its own initiative worked on prison and parole legislation - who else represents the men and women behind bars?” With much of its time and effort going to legislation for farm labor and for minorities - and with the United Farm Workers and NAACP busy in the field - FCLCA finds itself “keeping the store in Sacramento for Equal Rights.” A high spot in FCLCA legislative activity comes in June 1968 when the Bay Area Poor People's Campaign asks FCLCA for assistance in mapping out a legislative program in which poor people will become their own lobbyists.

In 1969 many legislators come back to the Legislature “loaded for bear” to punish students involved in demonstrations and disturbances at public universities. FCLCA encourages and assists students who come to Sacramento to “rap” with legislators about bills affecting students' activities on campus and the educational opportunity programs (EOP) that allow many of them to be the first in their families to attend college. FCLCA continues to sharpen its focus on representing the unrepresented, particularly children and prisoners.

FCLCA supports reforms of the lengthy and indeterminate sentences that leave a prisoner's fate entirely in the hands of the Adult Authority. FCLCA's 1969 *Newsletter* notes:

California's prisons today are jammed with about 28,500 inmates creating a dangerously crowded situation. The functioning of California's criminal justice system - its policy, courts, probation agencies, prisons, parole agencies - is becoming a major issue in the California Legislature.

**The Story of the 1969 California Legislature** reports that the biggest FCLCA effort in the 1969 legislative session went to an issue that had not been “in the FCL's calculations at all before the session - the issue of hunger and malnutrition among children.” FCLCA drafts SB 1393 in response to a suggestion from Sen. George Moscone on the need for a bill to feed 500,000 low-income children through the school lunch program. FCLCA sends field workers throughout California to rally support of SB 1393, which provides state matching funds for money spent by local school districts to feed needy children. The bill passes and is signed by the governor, though with less funding than had been requested.

Responding to an increasing need for action on tenants' rights and low-income housing, in 1969 FCLCA and the American Friends Service Committee initiate the organization of the California Housing Coalition, and in 1970 the Coalition develops its legislative agenda and hires its own lobbyist.

The 1960's sees previously marginalized people demand and achieve the space to speak for themselves in California politics. And FCLCA enthusiastically supports this shift: inspiring, mentoring, learning, sharing expertise and connections - partnering with a new generation of activists to achieve a common vision of a more equal and compassionate California.



# The 1970's

## 1970-1975 Conscience and Conservatism

From *The Story of the 1970 Legislature*:



Gov. Ronald Reagan  
1967-1975

Legislators were physically in the State Capitol but their hearts were elsewhere. The governor (Ronald Reagan) who in 1966 campaigned for the Creative Society in 1970 pushed for the Negative Society, for cutting, trimming, squeezing regardless of needs. If there was a net gain in any area of FCL activity in the 1970 session, it was in the involvement of citizens in legislative activities. The staff of the FCL spent a greater amount of time than ever before assisting individual citizens and groups new to the legislative scene. To the handful of lobbyists on "people issues" who have labored in a state of psychological siege over the past session, these new allies brought hope.

1971 is another difficult year: "The 1971 legislative session turned out to be the most discouraging one since the anti-civil liberties hysteria of the early 1950's which led Friends and like-minded non Friends to start the FCL. The state faced crises in state finances, Aid to Families with Dependent Children and the public school system. Both houses were led by liberals, but the governor (Ronald Reagan) became more insistent in his conservatism, notably in the field of welfare, and an inexperienced leadership was maneuvered into a series of closed door sessions. The best bills - from FCL's point of view - never reached the governor and those that did were vetoed."

FCLCA again focuses on prison and parole changes for California's 22,800 prisoners, adequate food for all children and equal rights. FCLCA solidifies its reputation as the principal advocate for prison reform, lobbying for more "exit money" for released prisoners, more vocational training and workman's comp for inmates. FCLCA supports Alan Sieroty's death penalty abolition bill, as Californians, including 100 men and women on death row, await the US Supreme Court's decision on the death penalty.

In 1972 both the California Supreme Court and US Supreme Court declare California's death penalty unconstitutional. Capital punishment statutes judged to meet the criteria for constitutionality are reinstated by 1977. The first execution under the revised statute takes place in 1992; with 12 subsequent executions as of 2012. Executions are effectively halted in 2006, pending federal and state legal challenges to lethal injection.

The February 1972 *Newsletter* reports "there is no bigger equal rights issue before the legislature in 1972 than the issue of how California finances its schools - the issue of whether one school district must scrounge to get enough papers and pencils for its children while another district builds heated swimming pools."

From *The Story of the 1972 Legislature*:

The FCL sponsored or gave strong support to a number of bills in the criminal justice, child nutrition and school finance fields. To support these efforts for the first time the FCL employed a field worker to work in key legislative districts for top priority bills at crucial points in the legislative process.

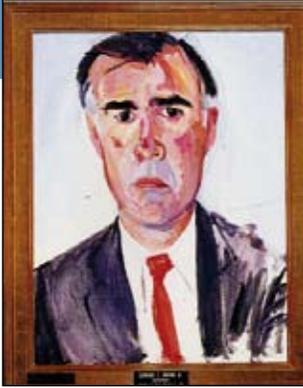
The FCL played a major role in bringing together lobbyists from groups with concerns overlapping those of the FCL in support of or in opposition to specific measures. Out of this work have grown weekly meetings of the "good guy lobbyists" a term which perhaps reflects unconsciously the influence of movies in which the governor used to star. The FCL again took leadership in the California Housing Coalition which again sponsored legislation for stronger tenant rights and for an expanded supply of housing for low income persons.

1973-1974 is an historic time for the California Legislature as it moves into the first of its two-year sessions. Other changes are happening too. The *FCLCA Newsletter* reports:

For the first time the California Legislature has a Chicano caucus. The black caucus has five Assembly men and one Senator. In the Senate there is now a split between the Young Turks and the Old Guard. The enthusiasm of legislators of both houses who share FCL's views on issues is dampened by the realization that the same governor sits in the corner office of the Capitol. He is strongly conservative and his vetoes will not be overridden by the present legislature. 1973-74 can be years for proposing, educating and laying programs for 1975 and later when perhaps a governor and a legislature more sympathetic to FCL views will be in Sacramento.

From FCLCA's report *Twenty Years in Sacramento*: "In keeping with its willingness to provide representation for the unrepresented, the FCL since about 1968 has paid increasing attention to the corrections system. Today the FCL can be considered Sacramento's leading prisoners lobby."

# The 1970's



Gov. Edmund G. "Jerry" Brown  
1975-1983

Another underrepresented group, children, particularly children at risk, are also at the forefront of FCLCA's agenda. FCLCA initiates an informal coalition of groups to discuss legislative priorities and develop bills and strategies to handle the treatment of children involved in the justice system, in social services and in schools. The coalition addresses everything from sealing juvenile records, to foster care regulations, to state lunch programs to corporal punishment (which in 1974 is still in widespread use on children in public schools, including those in special education).

## 1975-1979 A New Era: Gov. Jerry Brown and Prop. 13

1975-1976 sees many changes. Laura Magnani, after assisting Joe Gunterman for four years, becomes chief legislative advocate in Sacramento. The two executive committees in the North and South welcome a new San Diego Committee. In 1976 the first woman ever is elected to the State Senate. The FCLCA *Newsletter* reports:

A new governor, many new legislators – the atmosphere at the private strategy session of cause lobbyists was one of hope and excitement. But hopes were dimmed; the new administration exerted leadership in only two areas, housing and farm labor. Belt tightening was the order of the day: the governor avoided raising or restructuring taxes; spending limitations were enforced; new programs vetoed and school financing went unreformed.

FCLCA continues its focus on changing lengthy and indeterminate sentencing that creates a situation "in which a man or woman may spend years behind bars without knowing when he or she will get out, but there was little movement in this session. On the good news side, farm labor made major gains and there was progress in financing and building low income housing. Many appointments included women and minorities. Equal rights victories included passage of AB 489, the consenting adult's act, which removed criminal prohibitions against sexual behavior by adults in private."

### From *The Story of the 1976 Legislature*:

For several years FCL had supported Assembly Willie Brown in his generally lonely struggle to stop official persecution of persons for their sexual preferences. This year the gay community sent its own legislative advocate, who was assisted by FCL on the hows, wherefores and pitfalls of lobbying. His work, combined with a changed legislative climate and new governor, resulted in a long overdue reform of the state's sex laws.

The significant accomplishments of the 1976 session include passage of the "right to die" bill, establishment of a new Native American Heritage Commission, increases in grants for families on welfare, a new determinate sentence law and passage of the FCL bill to provide workers' compensation for prisoners injured on prison jobs and released with disabilities. The session's greatest drama revolved around the farm labor collective bargaining issue. FCL, looking over the Session as a whole, could conclude that taking things step by step, 1975-76 were good years.

FCLCA opposes the new determinate sentencing law, saying "it was a mixture of good and bad and the FCL opposed it as being mostly bad." On signing it, Gov. Brown states that if "bills for mandatory prison terms were to increase the prison population, obviously we are going to have to build more prisons." FCLCA urges the governor to veto the measure, stating "no system that relies primarily on incarceration can be seen as new or potentially successful and predicts a big push for more prisons."

During the 1977-1978 sessions, the three executive committees of FCLCA merge into a statewide Friends Committee on Legislation, headquartered in Sacramento. In 1977, FCLCA again calls on the Legislature to come into compliance with the California Supreme Court's *Serrano v. Priest* decision that the state's system of school financing violates the equal protection provision of the California constitution.

FCLCA's report states that 1977 was a discouraging year at the Capitol: "The legislature and the governor were governed by fear on criminal justice issues and by funds on many others." FCLCA wins include blocking \$92 million for building new prisons. "The losses were big ones: reinstatement of the death penalty, drastic harshening of the already unacceptable determinate sentence law, a settlement on property tax relief and balking on the part of the governor and legislature to implement equitable school financing." The report notes that 1977 was a year when even more police sheriffs and district attorneys were actively lobbying on behalf of law enforcement in Sacramento.

In 1978 the passage of Proposition 13 – following years of fruitless struggle to enact comprehensive reforms to relieve overburdened property owners – hits like a tidal wave. Proposition 13 reduces the property tax rate to one percent of the full cash

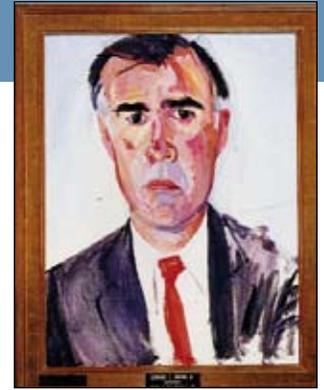
(Continued on page 16)

# The 1980's

## 1980-1988 Swimming Against the Current

From *The Story of the 1980 Legislature*:

The year was not one for ideological battles. The single unifying concern for this year's legislature was the creation of an image of tough frugality. An atmosphere of increasing influence by big money lobbies and single issue interest groups and individuals identifying themselves as the moral majority were more visible than ever. (there is)... a sweeping abdication of responsibility for the problems endured by the poor and other unrepresented groups. Few visionaries are left in the legislature and they see little hope for progressive change. The story this year shows FCL being washed over by the highest tide of repressive punitive legislation this state has seen in many years.



Gov. Edmund G. "Jerry" Brown  
1975-1983

FCLCA notes a new policy of open dialogue between community organizations and the newly constituted Youth and Adult Correctional Agency. Over 80 juvenile justice bills are introduced and 30 signed into law. FCL notes that "only six appeared to be in the interests of the child. The rest of the bills rode the 1979-80 "get tough on juvenile crime" bandwagon."

### 1981-1982

Patricia Marrone becomes FCLCA's legislative advocate. FCLCA's report on 1981 calls this year:

one of the worst ever: the shortfall in state revenues, the hysterical response to crime, the threat of the Reagan cutbacks in social services, the fallacious belief in the power of the "new" conservatism, and the political power struggle over reapportionment combined to stifle the Legislature's ability approach any issue in a rational manner. The budget was the issue: Prop. 13 was beginning to be felt; federal cuts were expected; in an attempt to balance the budget, the Legislature was willing to cut programs previously committed to.

And on crime legislation:

Because lobbyists lost their charm in the arena of criminal justice, the new chairman of the Assembly Criminal Justice committee had little interest in anything we had to say. Crime was the political career making issue of the day. Both Democrats and Republicans worked hard at demonstrating that each was tougher than thou: a bumper crop of drug bills and special circumstances bills mandating stiffer prison sentences.

In spite of this, FCLCA perseveres, arguing that prison construction is counterproductive. In coalition with other groups, FCLCA develops the "Citizens Anti-Crime Package" and takes this proposal to the Legislature and to the media. FCLCA organizes statewide grassroots lobbying against the ¼ cent sales tax increase for prison construction. FCLCA also strongly opposes bills to require high schools to release student information to military recruiters.

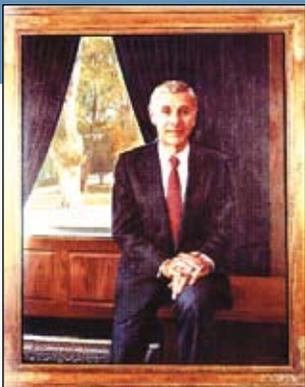
1981-1982 are years of severe fiscal crisis but no tax increases to deal with the crisis. In response to street crime, the Legislature vows to lock up more people and authorizes multimillion dollar measures for prison construction "without any idea of where the money was coming from."

FCLCA reports that 1982 was "a year marked by cynical and callous stripping of bare necessities from the least powerful people in the society" and encourages "... our legislators to stop ignoring reality when it comes to building prisons." In the face of fiscal crisis – with tax revenues falling \$600 million – Gov. Brown decides there will be no tax increase in this election year. 1983 begins with a \$1.5 billion budget deficit.

### 1983-1984

A new governor and administration and a continuing fiscal crisis. FCLCA reports that "the governor (George Deukmejian) was absolutely uncompromising and as a result a confrontational atmosphere developed." A massive prison construction bill is passed and signed into law, supporting plans for prisons in ten locations. FCLCA's

# The 1980's



Gov. George Deukmejian  
1983-1991

report concludes "the legislation ignores the fact that the more beds prisons have to fill, the more people the courts will find to fill them. As the prison population continues to increase by 400 per month, there is no hope that the problems of prison overcrowding will be solved through construction."

By 1984, the state has a \$1 billion surplus. FCLCA reports that 1984 was "marked by the first-time introduction of many innovative packages of legislation: nursing home reform, low income housing, comparable worth, latchkey care programs and child abuse prevention legislation were well received by the Legislature. All garnered bipartisan support." Most of these bills pass and most, apart from child abuse prevention, are vetoed by the governor. It is still a standoff between the legislature and governor.

FCLCA opposes a bill that is passed and signed into law redefining the purpose of the juvenile justice system to include punishment as a goal and notes "FCL's vigorous opposition to this bill went virtually unheeded."

## 1985-1986

In this period, Candace Blase and Cleve Jones (founder of the AIDS quilt project) are FCLCA's legislative advocates.

The state has a year of healthy surplus, and debate focuses on whether to hold on to it or restore programs cut over the previous five years. The prison population continues to increase by 200 prisoners per week, and in February 1985 the total prison population stands at 46,810 – 152 percent of capacity. Eleven new prisons have been in the works for six years, but as of June 1985, only one has been built.

FCLCA's priorities remain prisons and juvenile justice, opposing new efforts to expand the death penalty (20 bills are introduced), and legislation to deal with the escalating impact of homelessness and AIDS.

1986 is an election year – and FCLCA reports that public support for the death penalty is extremely high. The Legislature, fueled by "get tough on crime," approves efforts to fund new prison and jail construction; FCLCA opposes the move to lock up runaway, homeless and truant youth. A landmark recycling bills passes; efforts to halt AIDS are hampered by vetoes and workfare goes into effect; prison construction lurches forward although violent crime declines; many more sentence enhancements are added; more bonds are put on the ballot for prisons; and in a positive, though unexpected development, Maxine Waters, with Gov. Deukmejian's endorsement, champions passage of a comprehensive plan to end state investments in South Africa.

"The FCL is always swimming against the current but this year it feels as if the dam has broken."

## 1987-1988

Emma Childers becomes FCLCA's legislative advocate and Doug Thompson the director of administration. FCLCA is run by an executive committee, which also meets as Southern California and Northern California committees.

Another \$500 million bond for prison construction is approved. FCLCA reports: "The titanic construction program has huge cost overruns for 11 institutions being built in Los Angeles, Vacaville, Tehachapi, Stockton (for women) Ione, Avenal, Corcoran, Folsom, Riverside County and Del Norte County ... CDC will need another \$1 to 1.5 billion over the next 5 years." FCLCA invites former New Mexico governor Toney Anaya – who commuted death row sentences in his state – to California to join in an all out campaign against the death penalty. FCLCA gathers over 6,000 petition signatures, holds press conferences and publishes *This Life We Take*, a comprehensive educational manual on the death penalty.

California's liberal Supreme Court justices are removed and replaced by a conservative court. FCLCA focuses on criminal justice, housing for the homeless, AIDS in prison and the civil rights of AIDS victims, and opposes a bill that imposes life without parole sentences on juveniles. Gov. Deukmejian proposes spending cuts to pay for building more prisons, which now reach 180 percent of capacity.

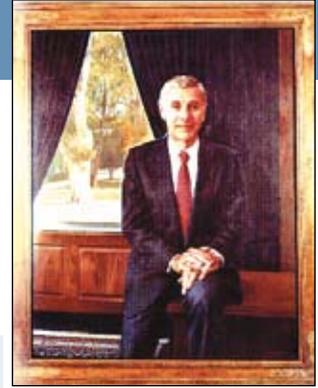
# The 1990's

## 1989-2000 One Step Forward, Two Steps Back

### 1989-1990

In 1989 the budget shortfall is \$2 billion but the Legislature still approves \$2.6 billion for prison construction from past and future bond issues. Gov. George Deukmejian proposes a budget that cuts hard-won social programs. In 1990, the *Newsletter* writes:

No one really thought this year - Gov. Deukmejian's last in office - would be any different from former years. He was expected to veto the good bills and he did. And with an eight year record of callousness to the incarcerated, indifference to those in poverty and penny-pinching economic policies, no one was very surprised that the vetoes and compromises hurt mostly the poor and disadvantaged people of California.



Gov. George Deukmejian  
1983-1991

On the bright side, numerous bills that address the homeless pass and are signed. In 1989, FCLCA begins to work with the newly created Civil Rights Coalition, formed in reaction to Gov. Deukmejian's veto of all the civil rights measures passed in 1988. In light of the looming execution of Robert Alton Harris, FCLCA, along with the ACLU, AFSC, Amnesty International, NAACP, Death Penalty Focus and others, organizes for the March Mobilization against the Death Penalty.

### 1991-1992

Change is in the air. The February 1991 *Newsletter* writes:

The demand for money for new correctional facilities driven by the public fear of crime continued unrelentingly through the last decade. By the end of the 1980's California voters had approved more than four billion dollars in general obligation bonds which paid for 31,000 new prison beds and 25,000 new jail beds.

But voters in the November 1990 election may have finally called a halt to California's ambitious building program when they overwhelmingly rejected bond measures to provide financing for new corrections facilities. How was it possible for the Legislature to convince the public for ten long years that authorizing billions in prison bonds was a good idea ... the 1980's were a decade of prosperity, low unemployment and little apparent threat of war, the "feel good" decade. The popular media focused heavily on crime, ... crime was a good growth industry... prison builders prospered.

In the Legislature, FCLCA takes an often lonely stand to oppose military recruitment in high schools and organizes to suspend the University of California's operation of nuclear weapons labs. FCLCA continues to resist bills to expand the death penalty and supports new legislation for universal health care.

In 1992 executions resume in California, ending 13 years of legal challenges to capital punishment. The *FCLCA Newsletter* reports that "80 percent of the public now supports the death penalty."

California's budget woes are growing: the *Newsletter* reports "a record setting budget stalemate: 64 days late with an \$11 billion deficit balanced entirely through cuts. The governor targets "welfare recipients" as the source of budget woes, as aid to the needy is cut by 10 percent over two years. Prisons were the sacred cow of the budget and three new ones were authorized."

Gov. Wilson vetoes the Comprehensive Community Corrections Act, the Legislature's attempt at criminal justice reform. FCLCA supports bills to address growing homelessness, the conversion of former bases and California's defense-based economy to peaceful uses, and air and water quality, and opposes the use of school vouchers.

### 1993-1994

The *Newsletter* reports: "thirty new legislators performed well for the entire year." Immigrants are now the governor's scapegoat for California's budget problems, but the budget is delivered on time this year. FCLCA and allies achieve a rare victory: educating legislators about the dangers of lease bonds, they are able to forestall one new prison project. FCLCA manages to protect family visits for prisoners, but has its hands full in this "get tough on crime" year. The *Newsletter* reports "the average citizen today rates crime as their number one concern."

When the new prison construction program began in 1983 there were 12 prisons in the state system, since that year, there have been 21 major prison construction programs and the prison population stands at 111,415.

Despite a deep recession and \$5 billion budget deficit, dozens of bills creating costly longer sentences - most notably the three-strikes legislation - were moved along by lawmakers eager to boost their anti-crime reputations. The Assembly Ways and Means Committee passed four three-strikes bills without any knowledge of the costs involved.

# The 1990's



Gov. Pete Wilson  
1991-1999

FCLCA's biggest loss of the year was the modification (after 20 years) of the so-called inmate bill of rights. The gains in inmate rights that FCLCA and prisoner advocacy organizations made in the 1960's and 1970's began to erode in the 1990's.

## 1995-1996

Conservative lawmakers held in check over the last 20 years by a moderate to liberal majority are now looking forward to a change in the balance of power. Gov. Wilson boosts corrections to deal with the thousands of new prisoners under the three-strikes law, and he asks the federal government for reimbursement for services for immigrants.

Term limits are now in effect in the Legislature. The October 1995 *Newsletter* notes:

Trained staff and experienced legislators were leaving the Senate and Assembly and what this means to FCL is that members of the Assembly are likely to be less confident in their positions than in the past. Many are likely to rely on staff members who have little experience at the Capitol and only an episodic understanding of the state bureaucracy. More brand new members will arrive, unfamiliar with FCL and other cause lobbies.

After ten years as legislative director, Emma Childers steps down and Ken Larsen joins FCLCA as legislative advocate.

The year 1996 saw the culmination of sweeping change in the California Legislature... Democrats had relinquished control of that body for the first time in decades. The ascension to power of a different political party brought many tense moments as advocates worked in an environment where the old rules no longer applied. Many bills strongly opposed by FCL passed the Assembly; scores were defeated by the more moderate California Senate. Still, in 1996 some very bad bills were approved by the legislature and enacted into law by the governor.

The governor's proposed budget heralds California's emergence from a six-year economic recession; he proposes extended tax breaks for the wealthy, cuts to social services and increased spending on prisons. "The message behind the Governor's budget is that California has a new safety net. It's called the state prison system." *The Newsletter reports*: "Just 15 percent of all three strikes offenders were imprisoned for violent crime. Prison construction has continued unabated. Now that money is beginning to dry up (for construction)... the three strikes have provided a new lease on life."

## 1997-1998

For "the first time since 1985, FCL will have two lobbyists roaming the halls of the Capitol as Steve Birdlebough joins the legislative staff." Edith Haynes retires after decades of service in southern California. FCLCA joins with other faith-based organizations and lobbyists such as the California Council of Churches, Lutherans and Catholics in an annual Interfaith lobby day that continues until 2008. FCLCA increases its outreach throughout the state and begins its first email Action Alert system. FCLCA publishes special issues on the mentally ill in the criminal justice system and an inventory of violence prevention programs across California.

The year is marked by continued economic expansion, a rise in the cost of living and the impact of federal welfare reform on California. FCLCA joins 250 allied organizations in pushing a major low-income housing initiative and works in coalition to push back Wilson's plan to drastically change Aid to Families with Dependent Children.

## 1999-2000

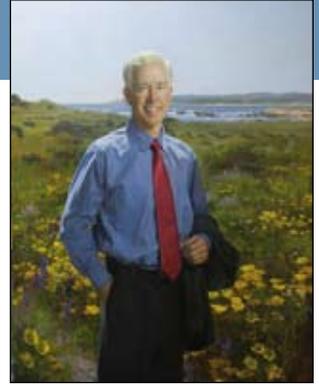
The FCLCA *Newsletter* on new governor Gray Davis:

During the inaugural festivities Gray Davis chose to ignore a two pronged dilemma facing his new administration: what to do about a burgeoning and cruelly costly prison population and how to deal with a public whose misplaced belief in incarceration has it thinking of jail as a solution rather than as a wellspring of crime and violence. The prison population rises from 25,000 in 1975 to 150,000 today... in the last quarter of the century the state built 21 new prisons and only one new state university.

FCLCA supports a renewed call for universal healthcare; helps stall eight bills to expand the death penalty; successfully pushes for improvements in housing support and to restore eligibility for food stamps to people with drug felonies; and successfully opposes Selective Service's attempt to deny non-registrants their high school diplomas.

But despite a strong economy and a budget increase, the *Newsletter reports*: "Gov. Gray Davis wound up his second year in office by vetoing a near record number of bills, including many that would have made life better for crime victims, released prisoners, the mentally ill and immigrants."

# The 2000's



Gov. Gray Davis  
1999-2003

## 2001-2010 Crisis upon Crisis

### 2001-2002

The political climate is improving. FCLCA reports:

There's good news in the governor's 2001-02 budget: the administration wants significant amounts of money spent to prevent unnecessary incarceration.

Four months after California voters resoundingly approve Proposition 36, state and local officials are hard at work to make this landmark change in drug policy. Proposition 36 provides that first and second time nonviolent drug offenders go to state-funded treatment instead of prison or jail and drug testing is not funded (thus reducing the number of parolees sent back to prison for failing a drug test). California's crime rate is at a 35-year low.

The incoming legislature has many new members, and Democrats hold their widest majority in 20 years in both houses. "At times our Newsletter urged opposition to almost every bill to surface in the legislature - this month's Newsletter supported 34 bills and opposed two."

The California Interfaith Coalition, of which FCLCA is a founding member, designates homelessness as its top priority. FCLCA works with allies to create an interfaith environmental justice roundtable, and to support equal rights for domestic partners. FCLCA urges action on the death penalty in light of the recent moratorium in Illinois.

2001 is dominated by California's energy crisis. FCLCA signs on to a open letter to the governor and legislators: asking for conservation and energy efficiency as the centerpiece of California's response; clean renewable power as the longtime solution; and asking decisionmakers not to sacrifice the environment or health of California's families by weakening air quality and other environmental protections.

In September 2001, the *Newsletter* reports: "the terrorist attacks of September changed everyone's perspective."

By 2002 California is in recession, with a \$12 billion drop in state revenues and rising unemployment. Redistricting changes all Assembly and congressional seats and half of the state Senate. Gov. Davis asks for \$2 billion in spending cuts.

FCLCA supports "Leave No Child Behind" - a faith-based advocacy effort to protect and strengthen children's programs. In the Legislature, FCLCA again successfully pushes back the Selective Service's plan to tie driver's licenses to registering for the draft.

FCLCA celebrates 50 years; produces a video on the organization's history; and widens its outreach around the state, providing citizen advocacy training to supporters. Steve Birdleough retires as legislative advocate and Jim Lindburg joins as FCLCA's legislative director.

A final analysis of the session:

FCLCA entered the 2001-2002 session with some optimism. We could not foresee that the energy crisis, drought, terrorism and fiscal reversals would dominate the legislative scene. Public attention was grabbed by rolling electric power blackouts; plummeting state revenues were obvious, due to the bursting dot.com bubble; the budget shortfall grew to more than \$20 billion; state agencies were asked to prepare for a 20 percent cut in their budgets.

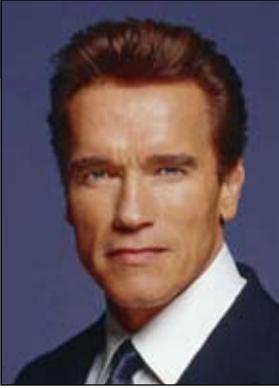
### 2003-2004

In the face of softening support for capital punishment, FCLCA urges legislation for an immediate suspension of the death penalty and reports that "California now spends more for corrections, \$4.7 billion, than it does for the University of California, \$3.1 billion." FCLCA helps organize Moratorium Day at the Capitol and the California Interfaith Coalition holds a prayer vigil for budget justice.

In April 2003, the *Newsletter* reports "California's fiscal crisis is prompting a close examination of the CDC and its practices. California now incarcerates 159,000 prisoners at an annual cost of \$5 billion compared to 23,600 prisoners in 1980. Fifty-five percent of the prison population is serving time for nonviolent offenses. The budget promises huge spending reductions for all state services, except the Department of Corrections."

2003 is marked by an historic recall election that ousts Gov. Gray Davis. Arnold Schwarzenegger's new administration cuts spending but fails to address the state's structural budget deficit, relying on onetime fixes. The *Newsletter* reports that the pain

# The 2000's



Gov. Arnold Schwarzenegger  
2003-2011

of dealing with the deficit was avoided through borrowing, but "the pain is real for the poor and disenfranchised."

FCLCA reviews the implementation of Proposition 36 saying "the remarkable transformation that Proposition 36 is engendering contains a forgotten lesson that could revolutionize California's criminal justice system, namely that rehabilitation works. Perhaps the next question we ought to ask ourselves is why is it necessary for most drug abusers to be arrested in order to qualify for drug treatment."

## 2005-2006

FCLCA implements structural changes with a board of directors that meets quarterly and a statewide General Committee that meets annually. General Committee members in Southern California ramp up organizing there. FCLCA increases its use of online action alerts to communicate with supporters.

The *Newsletter* remarks "not a single legislator who held office when term limits were first enacted remains in office." Many long-term legislators who championed FCLCA causes, such as John Burton and John Vasconcellos, are forced from office by term limits. Former San Quentin warden Jeanne Woodford is named director of the Department of Corrections and indicates that successful reentry to the community will be a major priority.

FCLCA works with the Coalition for Effective Public Safety to successfully oppose Gov. Schwarzenegger's plan to build new prison beds. Prison population is now at 200 percent of capacity. FCLCA files an amicus curiae brief in support of marriage equality.

At the end of 2006, the *Newsletter* notes "a welcome dose of bipartisanship this year as Gov. Schwarzenegger signed numerous Democratic and Republican bills into law. ... the first on-time budget since 2000, aided by a onetime surge in personal income tax enabling the governor and the legislature to postpone making difficult decisions about taxing and spending policies into next year."

## 2007-2008

FCLCA's priorities include prison reform, ending the death penalty, services for people suffering from mental illness, and making drug treatment available upon demand. FCLCA activists participate in the Interfaith Coalition's lobby day and the Coalition for Effective Public Safety's lobby day. Following the near-dismissal of two Quaker professors for declining California's "loyalty oath," FCLCA champions a bill to provide a religious exemption to the oath – this bill passes the Legislature two years in a row and is vetoed by Gov. Schwarzenegger both times.

The *Newsletter* notes that the "budget dance" continues: Democrats reject cuts in social services; Republicans steadfastly reject tax increases as part of any budget solution. From March 2007 *Newsletter*:

In the first test of state government in the "post-partisan" era, Governor Schwarzenegger has signed legislation authorizing \$7.5 billion for the construction of 40,000 new prison beds and 13,000 new Jail beds. This legislation, Assembly Bill 900, circumvented the legislative process by going straight to the floors of both houses without the benefit of a single committee hearing and will be financed by lease-revenue bonds that are not subject to voter approval.

January 2008 finds the state with a \$14.5 billion deficit, huge cuts in services and no agreement on new revenues.

"California's grim fiscal condition and lack of progress on the state budget dominate the news from Sacramento." FCLCA supports bills on universal health care, marriage equality, new procedures for eyewitness identifications, and electronic recording of police interrogations – all of which are vetoed by Gov. Schwarzenegger.

## 2009-2010

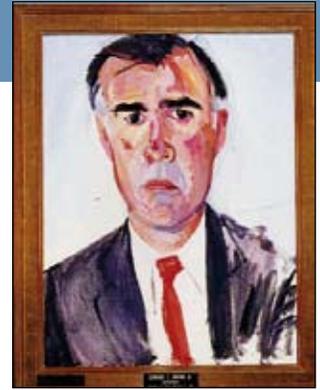
The fiscal crisis continues. "The Golden State is about to run out of cash. Soon there will not be enough money in state coffers to meet all state obligations." Unemployment reaches 9.3 percent. The deficit reaches \$60 billion and budget cuts total \$32.5 billion. FCLCA urges supporters to contact the governor and their representatives asking them to protect the state's safety net and supports efforts to approve budgets by a majority of the Legislature rather than a two-thirds vote.

FCLCA helps derail a bill to allow JROTC to fulfill school P.E. requirements. Prisons remain at 195 percent of capacity despite the federal court's order to reduce the prison population. FCLCA and allied lobby groups forestall all sentencing enhancement bills. In 2010, FCLCA plays a key role in lobbying for Senate Bill 399, which would establish a process for youth sentenced to life without parole to have their sentences reviewed.

# The 2010's

## Significant Reform but a Long Road Ahead 2011-2012

From the beginning of California's ambitious prison expansion in the 1980's, FCLCA has been a steady voice in opposing the overuse of incarceration. While the Department of Corrections and Rehabilitation (CDCR) was happy to build new prisons, the Legislature obliged by passing sentencing enhancements and new laws in order to fill them. In 2006, prison overcrowding peaked at 202 percent capacity. With the threat of California's prison system being placed entirely under federal receivership, the Legislature passed AB 900, by Jose Solorio (D-Santa Ana). The legislation authorized selling \$7.5 billion in lease-revenue bonds in order to finance the construction of 40,000 new prison beds and 13,000 jail beds to relieve overcrowding. AB 900 passed without the benefit of a single committee hearing.



*Gov. Edmund G. "Jerry" Brown  
2011-present*

Over the last decade our voice has been amplified by numerous coalition partners. This struggle has taken many forms: opposition to sentencing enhancements and support for sentencing reforms, supporting alternatives to incarceration, eliminating barriers to successful re-entry for formerly incarcerated people and opposing new prison and jail construction. Here are some of the highlights of our issues and actions during the 2011-2012 legislative session.

### **Realignment: Intervention by federal courts leads to major reform**

In May of 2011 the US Supreme Court upheld a lower court ruling that prison overcrowding is the primary cause of the state's failure to provide prisoners with constitutional levels of health care and mental health care. As a result, CDCR was ordered to reduce the prison population to 137.5 percent of capacity. Governor Brown and the Legislature responded by realigning responsibility for managing prisoners convicted of non-serious, nonviolent and non-sex offenses to the counties.

### **FCLCA joins with allies to oppose jail construction**

So far realignment has been a mixed bag with some counties aggressively pursuing new jail construction favored by local sheriffs, some emphasizing programming, and others a blend of both. Jail construction is the most expensive and least effective use of counties' limited realignment dollars. FCLCA has teamed with its coalition partners at Californians United for a Responsible Budget (CURB) to oppose new jail construction. CURB is an alliance of over 40 statewide organizations that is lobbying local Boards of Supervisors against new jail construction. In the State Capitol, FCLCA and CURB defeated AB 2102, by Jerry Hill (D-San Mateo) which would have created a "Phase III" of AB 900 bond financing for local jail construction. We also lobbied against the Governor's budget request for \$500 million in new funds for local jail construction. Throwing monies at counties for new jail construction does not create incentives for counties to invest in programming. The Legislature reduced that request to \$200 million.

### **FCLCA proposes geriatric parole as an alternative to new prison beds**

While California's prison population is declining, this has not stopped CDCR from proposing new prison construction projects. The state will be closing a prison in Norco, but this reduction in prison beds is largely offset by CDCR's request to construct new infill beds at other prisons. FCLCA and CURB lobbied the Senate and Assembly Budget Subcommittees against the new construction. Our arguments were bolstered by a Legislative Analyst's Office brief that seriously questioned the need for the new beds. FCLCA and CURB also advocated for increased medical parole and compassionate release as well as the implementation of a geriatric parole policy. While our advocacy clearly obtained traction – the Legislature pushed for increased medical parole and adopted language to require that CDCR close the Norco prison when the new infill beds come on line – CDCR's request for new infill beds prevailed. Some good news here: the Legislature approved the governor's request to cancel two-thirds of the remaining AB 900 bond authority for prison bed construction, bring the nearly 10,000 prisoners incarcerated out of state back to California, and to expand the numbers of female prisoners eligible for alternative incarceration.

### **FCLCA continues to push for sentencing reforms**

Except for changing simple marijuana possession from a misdemeanor to an infraction in 2010, the Legislature has failed to pass a single sentencing reform.

In the 2011-12 legislative session, FCLCA is lobbying with coalition partners in support of Senate Bill 9, by Leland Yee (D-San Francisco), which allows prisoners serving a sentence of life without parole for crimes committed as a juvenile to petition for a sentence of 25-years-to life. A vote is expected in August following the legislative recess. We also joined with our

coalition partners to change simple drug possession (excepting marijuana possession, which is now an infraction) from a felony to a misdemeanor. SB 1506, by Mark Leno (D-San Francisco) emphasizes treatment over incarceration, and would reduce pressure on local jail populations and demand for new jail beds. Despite widespread public support which cut across geographical, partisan and ethnic lines, support in the Senate crumbled following a coordinated lobbying effort by local sheriffs. SB 1506 received favorable editorial support and normalized the discussion for future efforts.

### **Major reforms on the November 2012 ballot**

A diverse coalition including law enforcement officials, crime victims, human rights organizations, religious groups and FCLCA are sponsoring the SAFE California Act, a ballot initiative to replace the death penalty. After a monumental gathering of signatures (over 700,000) in which Friends played key roles, the SAFE California Act qualified for the November 2012 ballot. Come November voters will also have an opportunity to reform California's notoriously harsh "three strikes" law – ours is the only state where any felony, including petty theft with a prior – can result in 25 years-to-life sentence, which has been disproportionately applied to people of color.

### **Focus on prison conditions and solitary confinement**

The American Friends Service Committee, FCLCA and others have helped to shine a light on the use of solitary confinement in California prisons. Approximately 4,000 California prisoners are being held in isolation indefinitely in conditions that are tantamount to torture. FCLCA assisted in organizing an informational hearing last summer in response to the prisoner hunger strike at Pelican Bay, California's notorious supermax prison where more than 500 Pelican Bay prisoners have been held in isolation in cramped, windowless cells known as Secure Housing Units, some for decades.

A second hearing is proposed later in the 2011-2012 session to address CDCR's inadequate response to hunger strikers' demands. During the hunger strike, CDCR blocked media access, thereby monopolizing the flow of information to the public and to lawmakers. FCLCA is co-sponsoring Assembly Bill 1270 by Tom Ammiano (D-San Francisco) to increase media access to prisons.

### **Working to shift the paradigm towards alternatives that work**

So while our current decade is so far one of change in a positive direction, numerous challenges remain. The public understands and wants change, but the Capitol's deeply entrenched pro "lock em up" lobby remains strong and continues to receive deferential support from legislators.

Twelve years after the voters passed Proposition 36, which requires sentencing courts to offer drug treatment for people convicted of simple drug possession in lieu of incarceration, there is still a widely held view that substance abuse is a moral failing rather than a serious public health problem. Incarceration is still widely accepted as the reflexive response to society's shortcomings, especially towards people of color and low income.

We need a paradigm shift in how we view public safety. FCLCA will continue to be a voice for change, for the need to reduce our reflexive reliance on incarceration and to shift our priorities towards alternatives that work: investing in substance abuse and mental health treatment, health care, good schools, after-school programs, and vocational training, all of which make for safe communities.

– Jim Lindburg, <JimL@fclca.org>

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**The 1970's** (continued from page 7)

value of commercial and residential property, thus stripping local governments in California of \$7 billion dollars. The *Newsletter* writes: "Any crisis of Proposition 13 proportions is bound to shake the very foundations of a group like the FCL. It calls into question nearly all of the assumptions about government and about responsibility for each other which we take for granted. And it has brought out some of the worst in people, pitting program against program, person against person."

FCLCA's *Report on 1978* notes a victory: "The legislature's budget conference committee has again turned down Gov. Brown's request for \$100 million to build six new prisons; this refusal represented a major victory for FCL, the Committee Against More Prisons and the Coalition for Alternatives to Incarceration.

But "tough on crime" ruled: "An irrational get-tough reaction thread was picked up in nearly every political campaign this fall. Even those who had once proposed constructive solutions to the crime problem could now be seen burying their rational past under the new rhetoric."

At the end of 1979, FCLCA reorganizes: administrative functions for FCLCA are consolidated and moved to Sacramento, and Ruth Flower becomes the legislative advocate.

In 1979 the big issue continues to be "doing something about crime" and the effects of new mandatory sentencing laws. Despite organized opposition by FCLCA, funds for new prison construction are approved.

**PHOTO CREDITS:**

Governor portraits: California Department of General Services  
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All others - FCLCA

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