



The Politics of Hope: Governor's budget sets new priorities; holes in the safety net remain

The Legislature has begun hearings on Governor Brown's proposed budget for the 2013-2014 fiscal year, which begins July 1. The good news is that there is hope on the horizon. Thanks to the voters' passage of Proposition 30 and Proposition 39 and an improving economy, California's fiscal condition has finally stabilized. For the first time in several years, our state is not faced with making deep cuts to education and the safety net, and we could be looking at budget surpluses in the years ahead.

Education, healthcare and debt reduction are priorities

Funding for public schools and higher education is slated to increase, and the governor has proposed an equitable school funding formula that will provide additional support for underperforming schools in marginalized communities. According to the California Budget Project, among all the states, California has the lowest percentage of students whose parents speak English fluently – only 63.2 percent.

Governor Brown has also embraced a huge Medi-Cal (California's version of Medicaid) expansion under the federal Affordable Care Act (ACA). While upholding the constitutionality of the ACA, the U.S. Supreme Court also ruled that the act's required Medicaid expansion provision was coercive and unconstitutional as a result of the federal government's ability to withhold all of a state's Medicaid funding for noncompliance. Therefore, Medi-



Cal expansion is voluntary under the Affordable Care Act.

The governor's budget proposes two possible scenarios for expanding Medi-Cal: 1) expanding the state Medi-Cal program or 2) having counties expand coverage through their Low-Income Health Programs. Language in the governor's budget proposal suggests that if the state Medi-Cal expansion is adopted (the option favored by counties and most policy analysts), then counties will have to redirect funds they currently receive for caring for low-income residents back to the state. Two special session bills advancing in the Legislature, **AB X1 1** by Speaker John Pérez (D-Los Angeles) and **SB X1 1** by Senator Ed

**SPECIAL SECTION INSIDE:
CA Responds to Gun Violence**

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

FCLCA Perspective (continued from page 1)

Hernandez (D-West Covina), would expand Medi-Cal to one million Californians using the state Medi-Cal option. With the October deadline rapidly approaching, the governor has not signaled whether he would sign either of these bills.

Governor Brown also proposes an aggressive plan to pay down state debt.

California has nearly \$28 billion in budgetary debt, which includes deferred payments to public schools, unpaid costs to local governments and loans from state special funds. The governor proposes to pay down the debt by \$4.2 billion in 2013-2014 and to repay \$23.5 billion by the end of 2016-2017.

The safety net: no cuts, no restorations

Now the bad news: According to the US Census Bureau, one in six Californians (one in four children) is living in poverty. Fewer Californians are working than before the Great Recession, and the state's unemployment rate remains stubbornly high at just under 10 percent. The state's safety net has suffered from deep cuts in recent years. To illustrate, CalWORKs ("welfare to work") monthly grants were reduced so that the maximum family grant is now \$638 per month, compared to \$633 per month in 1988. The length of time that adults may receive CalWORKs support was reduced from 60 months to 24 months, and 100,000 fewer chil-

dren are receiving the subsidized child care that helps program recipients find employment and transition to self-sufficiency. The Great Recession has disproportionately impacted low-income women and their children as 90 percent of single-parent households enrolled in CalWORKs are

headed by women, according to the California Budget Project. Three million adults enrolled in Medi-Cal have lost their dental benefits.

That the safety net will not be subject to further cuts in this budget is

welcome news, but it is disconcerting that there are no safety net restorations in what legislators are referring to as "the year of restraint." And despite funding increases for public schools and higher education, state support will still be less than pre-recessionary levels when accounting for inflation.

While an estimated 4.7 million California residents will be eligible for health care coverage as the result of the Affordable Care Act, a report by the Public Policy Institute of California indicates that upwards of three million Californians may remain uninsured with over one million of them being undocumented residents who will not qualify for coverage.

Federal sequestration hits California

The ongoing budget stalemate in Congress could also throw a monkey wrench in the state's economic recovery. Like other states,

Thanks to the voters' passage of Proposition 30 and Proposition 39 and an improving economy, California's fiscal condition has finally stabilized.

California receives a large amount of federal dollars. In the current fiscal year the state will spend \$86 billion in federal funds. Federal sequestration

California Senate Office of Research, California will lose hundreds of millions of dollars in federal aid for special education, health and human services and housing programs in 2013.

cuts took effect March 1. According to the California Senate Office of Research, California will lose hundreds of millions of dollars in federal aid for special education, health and human services and housing programs in 2013. Moreover, the \$85 billion nationwide reduction in federal spending for 2013, which includes about \$3 billion in cuts for defense spending in California, comes at a time when the nation's economic recovery is fragile, and could dampen an already anemic recovery. (FCLCA supports reductions in defense spending believing those funds should be reinvested in the economy in order to help states recover from the effects of the Great Recession.) The ongoing federal budget stalemate could result in a government shutdown and additional federal budget cuts.

The hope of increased revenue

On the plus side of the ledger, California's revenue collections for the months of January and

February are \$4.5 billion higher than anticipated with the additional revenues generated by Proposition 30 and Proposition 39. It remains to be seen if the spike in revenues will be ongoing or is only temporary. The Department of Finance cautioned that the surge in revenue collections is "likely the result of major tax law changes at the federal and state level having a significant impact in the timing of revenue receipts."

The possibility of budget surpluses is a welcome development, but legislators should

California's revenue collections for the months of January and February are \$4.5 billion higher than anticipated.

keep in mind that balanced budgets have come at a terrible price: the dismantling of key pieces of the state's safety net and by declining state support for education. In this context, Propositions 30 and 39 were band aids that helped to stop the bleeding. The governor has pledged that any tax increases must be approved by the voters. Senator Noreen Evans (D-Santa Rosa) has introduced **SB 241**, which would impose an oil severance tax of 9.9 percent that would generate \$2 billion to increase funding for higher education and state parks. Whether Governor Brown would extend his tax pledge to implementing an oil severance tax or to closing tax loopholes is unknown.

However, one thing is certain: Republicans are waiting in the wings to see if Democrats "overreach" on taxes with their new supermajority status.

When updated revenue numbers come in May, lawmakers will have a better picture of the state's finances. While the governor prioritizes education, expanding health care and paying down state debt – all worthwhile endeavors – Senate President Pro Tem Darrell Steinberg (D-Sacramento) has suggested that new, unanticipated revenues be divided three ways: one-third to restore funding for the safety net, one third to pay down debt and one third to build a rainy day fund. Similarly, Senator Mark Leno (D-San Francisco), Chairman of the Senate Budget and Fiscal Review Committee has suggested that slowing the governor's proposed debt repayment

One in four of California's children lives in poverty. The Great Recession has disproportionately impacted low-income women and their children...

timeline could help fund safety net restoration.

FCLCA hopes that similar examples of inclusiveness, compassion, flexibility and pragmatic thinking will prevail in upcoming budget negotiations. [FCLCA](#)

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Reform, Re-entry and Realignment: FCLCA identifies key bills in the 2013-2014 legislative session

In November 2012, the FCLCA Board of Directors reaffirmed its commitment to reducing mass incarceration as a legislative priority for the 2013-2014 legislative session. Reducing mass incarceration entails sentencing reforms and reducing recidivism by promoting successful re-entry. FCLCA is also supportive of realignment which transfers responsibility for managing persons committed of lower-level offenses from the state prison system to counties.

FCLCA co-sponsors two new bills

FCLCA, along with Human Rights Watch, is co-sponsoring **SB 260**, by Senator Loni Hancock (D-Berkeley) who chairs the Senate Public Safety Committee. Over 6,500 people are serving prison sentences in California for crimes committed when they were under age 18. Some were as young as 14, and more than half are serving life sentences. Sentencing someone under the age of 18 to an adult sentence ignores their capacity for rehabilitation and the physical and psychological differences between adults and youth. People who cannot legally vote, consume alcohol or purchase cigarettes are nevertheless considered as culpable as adults when they commit certain crimes.

SB 260 will enable prisoners serving sentences for a crime committed as a minor to have their sentence reviewed after serving ten years in state prison. If the court finds that the person is rehabilitated, the judge may reduce the sentence. This legislation encourages young people to work towards their rehabilitation. **SB 260** will be heard in the Senate Public Safety Committee in April.

Reduce mass incarceration through sentencing reform.

Reduce recidivism through successful re-entry.

FCLCA is also co-sponsoring **SB 649**, by Mark Leno (D-San Francisco). This important bill will treat simple drug possession as a “wobbler,” meaning that prosecutors will have the discretion to charge it either as a felony or a misdemeanor. Under current law possession of even small amounts

of heroin and cocaine for personal use is a felony. Thirteen states, the District of Columbia and the federal government all punish drug possession for personal use as a misdemeanor. Those states have slightly lower crime rates than felony states and slightly higher rates of people entering drug treatment. Those convicted of a misdemeanor would avoid the consequent barriers to employment, housing and other public services that come

with a felony conviction and work against successful re-entry. Moreover, changing drug possession for personal use to a wobbler enables those convicted of a felony drug possession to reduce their conviction to a misdemeanor upon completion of their probation.

Removing the barriers to re-entry

FCLCA is supporting **SB 283** and **AB 218**. **SB 283**, also by Loni Hancock, will make persons convicted of drug felonies eligible for CalWORKs (“welfare to work”) and Cal Fresh (federal food stamps) provided they are complying with or have completed the terms of their probation or parole. **AB 218** would ban the box on employment applications for state and local public agencies asking if the applicant has ever been convicted of a felony. Only after the hiring agency concludes that the applicant meets

the minimum qualifications could the agency enquire as to the applicant's criminal history.

Successful realignment requires better management of jail populations

Numerous bills have been introduced to carve out exceptions to realignment. For example, Mike Morrell introduced **AB 2**. This bill would require that persons who must register as sex offenders and who fail to register be returned to state prison for 180 days instead of a local jail. Most of their time would be served in a prison reception center where they would be undergo various tests and assessments before being assigned a prison bed for the remainder of their time.

In 2003, FCLCA participated in the Little Hoover Commission's workgroup on parole. The Commission's widely publicized report "Back to the Community: Safe & Sound Parole Policies," documented the futility and waste of state resources that results from cycling people in and out of prison reception centers for parole violations. While many local jails are overcrowded, which makes realignment a convenient political target, California still has not fully complied with the federal court order requiring the state's prison population to be reduced to 110,000 prisoners.

FCLCA argued that better management of local jail populations is the answer. Approximately 71 percent of county jail populations are comprised of people awaiting trial, many of them are low-income people of color who cannot afford to post bail but could be released on their own recognizance (see **SB 210** below). Some jails also contract beds to Immigration and Customs Enforcement (ICE) in order to detain people who will be deported under the federal government's Secure Communities (S-Comm) program (see **AB 4** below). Moreover, prosecutors already have the discretion to charge the failure to register as felony, which results in a new prison term. **AB 2** was

Seventy percent of the people deported under Secure Communities had no criminal convictions or were accused of only minor offenses.

SB 649 allows prosecutors the discretion to charge simple drug possession as either a felony or a misdemeanor.

defeated in the Assembly Public Safety Committee.

FCLCA supports **SB 210**, by Loni Hancock. This bill provides that at the time of arraignment, the court shall make a determination whether a defendant charged with a low-level felony could be released on his or her own recognizance without posing a risk to public safety. The court may employ other methods, such as electronic monitoring, to ensure that defendants show up for trial.

The FCLCA Board of Directors also affirmed its commitment to the TRUST Act, which would limit state and local law enforcement agencies' cooperation with S-Comm. S-Comm purportedly focuses on deporting undocumented immigrants who have been convicted of serious crimes. However, according to ICE's own numbers, 70 percent of the people deported under S-Comm had no criminal convictions or were convicted of minor offenses. Effective community policing requires the trust and cooperation of local residents. The discretion currently afford to ICE has in effect expanded S-Comm well beyond the stated goals of the program. Immigrant residents fear cooperating with police since any contact with law enforcement may result in being separated from their families and deportation.

FCLCA supports **AB 4**, by Tom Ammiano, which would prohibit local law enforcement agencies from detaining individuals on the basis of an immigration hold after that person becomes eligible for release from criminal custody unless the person has been convicted of a serious or violent felony. [FCLCA](#)

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Long-term Isolation: Movement to end abuse continues as legislature holds hearing on CDCR's reforms

For years, California has imposed long-term isolation on prisoners sent to its Security Housing Units (SHU's) to an extent virtually unheard of in other states and countries. *The Los Angeles Times* (September 5, 2011) reports

U.S. prisons typically reserve solitary confinement for inmates who commit serious offenses behind bars. In California, however, suspected gang members — even those with clean prison records — can be held in isolation indefinitely with no legal recourse. Indeed, hundreds have been kept for more than a decade in 8-by-10-foot cells, with virtually no human contact for nearly 23 hours per day. Dozens have spent more than two decades in solitary, according to state figures. ... All but 26 of the 1,056 prisoners isolated in Pelican Bay as of July 1 were being held for their suspected gang affiliations, not for other specific actions or rule violations. Nearly 300 had been there for more than a decade, 78 for more than 20 years.

The California Department of Corrections and Rehabilitation (CDCR) has recently introduced changes in its policies and procedures regarding confinement in the SHU's, and these changes were the subject of a legislative hearing on February 25, 2013.

While the Friends Committee on Legislation of California welcomes change, we believe the new policies fall short of significant reform. Prior to the hearing, FCLCA presented the governor and CDCR with a petition signed by 1,000 individuals with the following message:

We ask you to reform the use of solitary confinement at California's Security Housing Units (SHU's) by insuring that the placement of any prisoner there be based the commission of specific acts rather than on mere association with others. Because of the serious



nature of long-term isolation, prisoners should receive full due process, adjudicated by an independent body, when they are considered for transfer into the SHU. There must also be a clear path for prisoners to be released from the SHU that involves a program of specifically defined steps lasting no more than 18 months.

At the legislative hearing, key testimony was provided by Laura Magnani of the American Friends Service Committee (AFSC) in San Francisco. AFSC has graciously shared with us her report on the hearing, first published online at www.afsc.org and reprinted below.

California solitary confinement hearings bring home the human cost

"I've never seen a hearing on prison issues like this before," was the buzz in the California State Capitol following the second hearing of the Assembly's Public Safety Committee on solitary confinement cells officially called "security housing units."

The Feb. 25 hearing focused on the reality of new policies that are intended to change the practice of gang validation in prison, which presently leads many prisoners to be held in solitary confinement indefinitely based on their association with people whom prison staff perceives as gang members.

It's part of a new pilot project rolled out by the California Department of Corrections and Rehabilitation (CDCR) in response to the prisoner hunger strikes in 2011, which created a statewide coalition of advocates, supported by AFSC, and drew national attention to soli-

tary confinement policies that AFSC considers pervasive, costly, illegal, and inhumane. Based on decades of experience working on prison conditions, AFSC urges a ban on the practice.

Pulling back the curtain on gang labeling in prisons

At the hearing, it was the graphic stories – told by formerly incarcerated people and their families – of how these policies play out that surprised the audience of legislators and staffers. Families told how their loved ones were “validated” – labeled as a gang member – because of a book found in their cell, or a work of art deemed gang-suspicious, or because their name turned up on a list in someone else’s cell.

Elderly parents had died without ever seeing their son or daughter again, or hearing their voice.

The more a person demonstrated leadership and organizing skills, the more they were seen as a threat. Indeed, going on hunger strike itself was considered “gang activity,” because it violated the corrections department’s rules.

The corrections department itself admits that probably 80 percent of security-housing unit prisoners are there for association, not actual gang-related behavior.

Department officials testified they have begun to hold hearings for everyone housed in the security housing unit – approximately 3,500 people in four institutions – to determine if they should remain there, be placed on one of the “steps” in the newly created “step-down-program” (SDP), or be transferred to general population. Of the 144 reviewed so far, 75 were cleared for release to general population.

“Is this good news or bad news?” asked Laura Magnani of AFSC’s San Francisco office, a nationally known expert on the issue. “One could say the hearings are working, and people are being transferred – or one could say if over 50 percent are being cleared for release, why were they isolated in the first place?”

Committee members and others testifying echoed her sentiment.

Officials have yet to acknowledge that neither the new policies nor the hearings would be happening without the courage of the more than 6,000 prisoners who went on hunger strike in 2011. In a mark of their respect, the prisoners chose Laura as one of the mediators who negotiated on their behalf.

The corrections department believes that the new policies put in place answer some of the prisoners’

demands: to hold the hearings, to create a step-down process, and to change the gang-validation process to one based on acts committed, rather than on with whom one associates.

But problems remain. The step-down process is drawn out, and doesn’t allow people to shed the gang label without becoming informants – an impossible task for those who were never members of gangs in the first place.

Shame, blame to step down to general population

The new step-down process takes a minimum of four years, with the first two years really amounting to strict lockup with limited outside contact. When programming begins in the third year, it amounts to a series of workbooks in which prisoners are supposed to journal their responses to negatively phrased questions which are then subjectively reviewed to determine how sincere they are about changing their behavior.

“These are the worst kind of workbook materials,” Laura told the committee. “They are mostly designed to hammer away at people’s self-esteem and remind them how bad they have been...In my opinion, they really have the potential for doing more harm, rather than helping people make positive changes. I don’t know about you but I have never learned anything from anybody who started by telling me how rotten I was. And my fear is that if people don’t fill out these materials with the ‘right’ answers, buying into this shame and blame, they will be repeating the step all over again – with the same workbooks.”

More problematic is the shift to a “Security Threat Group” designation, instead of a gang validation process. For years, AFSC offices in other parts of the country have been sounding the alarm about the use of this designation for the way it institutes racial profiling and essentially begins labeling people as threats long before they even get to prison.

The legislators appeared clearly shocked by what they heard, and promises were made to continue holding these hearings.

Some said that it was the first time anyone really provided concrete examples of how prison policies play out.

But there were no commitments made to introduce corrective legislation or to make the corrections department more accountable. The struggle will continue. [FCLCA](#)

SPECIAL SECTION: California Responds to Gun Violence

Turning Tragedy Into Action

A conversation with Amanda Wilcox

Amanda Wilcox is a member of FCLCA's General Committee representing Grass Valley Friends Meeting. As volunteer legislative advocates for the California Chapters of the Brady Campaign to Prevent Gun Violence, Amanda and her husband Nick have been instrumental in the passage of significant state firearm legislation.

After Amanda and Nick's 19-year old daughter, Laura, was killed in a rampage shooting by a man with severe mental illness, the couple felt compelled to dedicate themselves to reducing violence in our society. For 12 years, they have tirelessly advocated for gun violence prevention, improved mental health care, and the abolition of the death penalty. "Laura's Law," named after their precious daughter, was enacted in California in 2002. "Laura's Law" allows for court-ordered assisted outpatient treatment for persons with severe mental illness.

Give us an overview of gun violence in the United States.

There are just too many victims of gun violence in our country – too many firearm deaths for a civilized nation. In an average year, over 100,000 people will be shot and 31,537 people will die from gun violence. In a group of 23 of the most populous high income countries, our country alone accounts for 80 percent of all firearm deaths.

We are not more violent than other nations, but our violence is more lethal because of the involvement of firearms.

Easy access to guns, particularly by potentially dangerous people, increases gun violence both in the home and on the streets.

For example, a gun in the home is 22 times more likely to be used in a homicide, suicide or unintentional shooting than to kill in self defense. Half the gun deaths every year are by suicide, and according to the Harvard School of Public Health, the data is clear: where there

are more guns, there are more suicides. Also, easy access to guns increases the lethality in any domestic violence altercation. Extreme anger and firearms are clearly not a good combination.

After every shooting during a crime, it should be asked, "Where did the gun come from?" How do gang members, who may be minors or prohibited from purchasing firearms, get their weapons? The illegal gun market and straw buyers (people who buy guns legally for resale to criminals) fuel the urban and gang violence. The gun lobby has blocked laws to curb gun trafficking and the black market – because the more guns sold, the more profit for the industry.

What are the priorities for change at the federal, state and local levels?

Four days after the shootings at Sandy Hook, Nick and I went to Washington to join other survivors of mass shooting victims in meetings with congressional leaders and the White House. We brought a message: there are laws, such as universal background checks, that will bring down the rate of firearm injury and deaths, and NOW is the time to do something about it. We believe the most important national policy issue is universal background checks.

When the Brady Act was passed in 1994, private party sales (including at gun shows) were exempt. It is estimated that 40 percent of gun sales in our nation have NO background check. People who are considered at risk of violence because of their past behavior or condition (committed a felony or violent misdemeanor, a child, a person dangerously mentally ill, a domestic batterer) should not be able to buy a firearm.

Universal background checks have broad support – depending on the poll, the support of about nine out of 10 Americans. Seventy-four percent of NRA members support background checks.

Keeping a gun out of the wrong hands is most important, but certainly military-style weapons have no place in our society. These are not weapons for self-defense or hunting. The ability to quickly reload is a key public safety issue. Weapons with detachable magazines that enable continuous rapid fire escalate the lethality of any

We are not more violent than other nations, but our violence is more lethal because of the involvement of firearms.

shooting. Likewise, large capacity magazines enable the continuous rapid fire and should be banned.

In California, the Brady Campaign is currently supporting 18 firearm bills.

Our priority is to decisively close loopholes in our assault weapons law and implement a ban on large capacity magazines. Although California has stronger gun control laws than most states, there is still much to be done.

Changing cultural norms and attitudes about guns will likely become a greater part of our future work. Education is key. On a local level, I often do presentations about the risks of guns in the home and promote programs such as the ASK Campaign (parents asking if there are guns where their children visit and play). In Nevada County, I have been promoting removal or safe storage of firearms when a person in the home is at risk of suicide. My school district has sent a memo to parents about California laws regarding firearm storage and child access – we are trying to get this going statewide.

Is there a message you want to give our readers?

The tragedy at Sandy Hook may have been a tipping point, but unfortunately people have short memories. We must seize our opportunities now to take action on gun violence. [FCLCA](#)



Amanda Wilcox Testifies at the Legislature's Public Safety Committee Hearing on Gun Violence and Firearm Laws in California – January 29, 2013

Good morning.

My name is Amanda Wilcox and with me is my husband Nick. For the past eight years we have served as the legislative advocates for the California Chapters of the Brady Campaign to Prevent Gun Violence.

As volunteer lobbyists, we work on behalf of the national Brady Campaign and the 24 Brady Chapters in California. Many of our members have lost a loved one to gunfire. Many have been working to reduce gun violence for nearly two decades; while others joined their nearest Chapter after the tragic shooting in Newtown.

The mission of the Brady Campaign is to create an America free from gun violence, where all Americans are safe at home, at school, at work, and in their communities. Our goal is simple: We want to reduce and prevent firearm violence by keeping dangerous weapons out of dangerous hands. The majority of Americans

Just an average day in the USA



Today...

282 people will be shot in murders, assaults, suicides and suicide attempts, accidents and police interventions.

86 people will die from gun violence: 32 will be murdered; 51 will kill themselves; 2 will die by accident and one from an unknown intent.

8 of these will be children or teenagers.

(Twenty young children were gunned down by a rapid rate of fire weapon in less than 5 minutes at Sandy Hook. Every 2½ days, 20 more minors die by gunfire.)

Source: the Brady Campaign averaged the three most recent years of data from death certificates and emergency room admissions provided by the Centers for Disease Control.

support this. Gun owners support this. And today, the Brady Campaign is bringing the voice of the American public to both the halls of Congress and the California legislature.

For decades, poll after poll has shown that a majority of Americans oppose a ban on firearms but overwhelmingly support many gun control measures, such as background checks for all gun sales and laws to deter gun trafficking. A May 2012 poll conducted by conservative pollster Frank Luntz found that 74 percent of NRA members support requiring a criminal background check for anyone purchasing a gun. A recent Gallup poll (Jan 19-20) found that 91 percent of the public supports a universal background check. A New York Times poll put the number at 92 percent. Another poll at 95 percent. And a recent Washington Post poll found that among Republicans, 89 percent support universal background checks. Keeping weapons out of dangerous hands is not a partisan issue.

(Continued on next page)

For the last twenty-five years, the California legislature and governors from both parties have worked together to ensure that people who are considered to be at risk of violence because of their condition or past behavior do not have access to firearms. California requires a background check for every gun sale. We regulate dealers and gun shows to make sure that this happens. We have a ten-day waiting period to allow for a complete and thorough background check. We have passed laws to curb the trafficking of illegal guns to dangerous prohibited persons. We have strengthened laws regarding the relinquishment of firearms in situations of domestic violence abuse or restraining and protective orders. We require handgun buyers to pass a written safety test. We require handguns to meet basic safety standards. These are reasonable measures. And although I have heard the opponents of our bills claim in floor debates that we are making it so that no one can buy a gun in California, this is simply not true. In fact, the number of gun sales in California hit a new record last year with over 1 million transactions.

Of course, aside from a background check at the time of purchase, we need to be able to recover firearms from persons who own a gun and subsequently fall into a prohibited class. In 1990, legislation was signed that required DOJ to retain records on handgun sales and in 2001, the Prohibited Armed Persons File was established. This is an online database that cross-references the records of persons who have purchased firearms or registered assault weapons with five other databases indicating that the person has subsequently become prohibited from owning or possessing firearms. (Persons may be in the database as a result of a felony or violent misdemeanor conviction, a commitment to a mental health facility, or the result of a domestic violence restraining order for which they failed to surrender their firearm.) Since the Armed and Prohibited Persons System program, or APPS, became fully implemented in 2007, thousands of firearms have been recovered from thousands of illegally armed and potentially dangerous people.

As you have heard, California has the strongest laws in the nation. Have these laws made a difference? We know that between 1990 and 2010, California reduced its firearm mortality rate by 51.6 percent. This is a 23.6 percentage point greater reduction than occurred in the rest of the nation (i.e. the U.S. population excluding California). We know that California's rates of firearm homicide and firearm suicide have declined faster than its rates of non-firearm homicide and non-firearm suicide. We also know that California now has a lower overall firearm mortality rate, a lower firearm homicide rate and a lower firearm suicide rate than the rest of the nation.

Although California has made real progress in reducing the rate of firearm injury and death, in 2009, over 6,000 people were shot in California and nearly 3,000 (2,972 people) died. We can and we must do better.

Finally, I want to remind you that behind each statistic, each number, is a person. In 2001, our daughter, Laura, was murdered while home on winter break from college. Laura was filling in as a receptionist at the Nevada County Behavioral Health Clinic when a person with severe mental illness opened fire with a semiautomatic handgun and shot Laura four times, killing her instantly. The gunman used a 30 round magazine and was able to rapidly fire a spray of bullets. When the rampage at the clinic and at a nearby restaurant ended, three people lay dead, three were severely injured, a community was shaken, and the world was diminished by the loss of an incredible young woman.

Laura, bright and beautiful at age nineteen, had extraordinary capability, kindness, and spirit. She was an outstanding student, graduating as high school valedictorian, and was at the time of her death a sophomore at Haverford College and in the midst of her campaign for the student body presidency. Laura wanted to make a positive difference in the world; she had unlimited possibilities and the brightest of prospects.

When Laura was killed, my life was turned upside-down. The grief and heartache were overwhelming at times. Now, twelve years later, it has softened, but still rises in unexpected waves.

The shooting in Newtown brought back the trauma and grief. I can't bear to look at the parents whose children were killed at Sandy Hook. They do not fully realize their loss. They are still in shock. They don't yet know how one becomes weary of missing one's child, day after day, year after year. They don't yet know that 80 percent of them will divorce. They don't yet know that what should be their best days – holidays, graduations, weddings of surviving children – will become their worst days. They don't yet know the difficult journey ahead.

Surely, we should do everything we can to reduce the daily toll of firearm violence in our state. We should reduce the risk of mass shootings. We must improve and expand laws and programs to limit access to firearms and ammunition by potentially dangerous people. And we must end the possession of large cap magazines and the easy reload of multiple rounds of ammunition. As David Wheeler, whose son was killed at Sandy Hook, said, "What is it worth doing to keep your children safe?" We, as Californians, must do everything in our power to keep our children – and all our citizens – safe.

Thank you. [FCLCA](#)

California Teachers Divest Pension Fund from Assault Weapons

Just hours after Sandy Hook, the managers of the teachers' pension fund sold off their stock in a manufacturer of semi-automatic rifles.

by Chris Francis

Immediately after the mass shooting at Sandy Hook Elementary School in Newtown, Conn., in December, managers for the California State Teachers' Retirement System (CalSTRS) began divesting from companies that make and sell assault weapons.

CalSTRS, the retirement system for more than 800,000 California teachers, is the nation's second-largest public pension fund. It has about \$750 million invested with the private equity company Cerberus Capital Management. Cerberus owns the Freedom Group, which makes the Bushmaster M4A3 semi-automatic rifle used at Sandy Hook. When media reports began drawing attention to the origins of that weapon, investment staff at CalSTRS decided the fund could not support the Freedom Group.

California Treasurer Bill Lockyer called Cerberus managers to inform them of the CalSTRS decision. Within hours, the company announced that it would sell the Freedom Group, explaining in a press release that the decision "allows us to meet our obligations to the investors ... without being drawn into the national [gun control] debate."

It is illegal to purchase or possess assault weapons, including semi-automatic rifles, in California. High-capacity ammunition magazines, like the one used last summer in the mass shooting in Aurora, Colo., are also banned.

Sacramento Legislator Introduces Bill to Divest State Pension Funds from Firearms Companies

Roger Dickinson (D-Sacramento) has introduced legislation that expands on the actions taken by CalSTRS to divest from companies making firearms banned in California. His bill, **AB 761**, goes a step further by requiring divestment in companies that manufacture all firearms or ammunition, not just those products illegal in California.

AB 761 would require CalPERS and CalSTRS to divest any existing pension fund investments from companies that manufacture, sell, distribute or market firearms



Lockyer wants CalSTRS and CalPERS, the California Public Employees' Retirement System, to divest from companies that make or sell firearms that are illegal in California, according to Tom Dresslar, spokesman for the State Treasurer's office.

"The Treasurer hopes that other public pensions will follow California's lead," Dresslar said. "This is obviously not just a California issue. It's a national issue."

The California Teachers' Association, the teachers' union, supports divestment. Union Legislative Advocate Jennifer Baker told the CalSTRS investment committee: "We do not want CalSTRS investments to be in conflict with our shared values of protecting human life, particularly those that our members serve, our children."


Christopher Francis wrote this article for How Cooperatives Are Driving the New Economy, the Spring 2013 issue of YES! Magazine. Christopher is a YES! intern. [FCLCA](#)

or ammunition. It would also prohibit future investments in such companies as long as these actions were found to be consistent with the Funds' constitutionally prescribed fiduciary duties.

"Companies who manufacture, sell, distribute or market firearms and ammunition have no business receiving investment funds from the State of California – it's just common sense. There are plenty of other worthy investment options," said Dickinson. [FCLCA](#)

**FRIENDS COMMITTEE ON
LEGISLATION OF CALIFORNIA**

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FOCUS ON CALIFORNIA SENATE BILL 396

- ❖ Introduced by Sen. Loni Hancock (D-Berkeley)
- ❖ Specifically prohibits the possession of large capacity ammunition magazines.
- ❖ High capacity ammunition magazines are ammunition feeding devices that hold more than ten rounds of ammunition – can hold upwards of 100 rounds of ammunition. Designed for one purpose only: to allow a shooter to rapidly fire without reloading.
- ❖ Supported by FCLCA and the Brady Campaign to Prevent Gun Violence.

FOCUS ON CALIFORNIA SENATE BILL 374

- ❖ Introduced by Sen. Darrell Steinberg (D-Sacramento)
- ❖ Closes a loophole in California’s ban on assault weapons. Bans semi-automatic rifles with detachable magazines. Requires owners of all guns to submit a Firearm Ownership Record to the Department of Justice.
- ❖ Supported by FCLCA and the Brady Campaign to Prevent Gun Violence.

WHAT YOU CAN DO

- ❖ Register for FCLCA’s Action Network to receive Action Alerts as key bills move through the legislative process. www.fclca.org.
- ❖ Visit the Brady Campaign’s website to learn more about California bills and actions. www.bradycampaign.org/chapters/CA
- ❖ Use our Action Center at www.fclca.org to contact your federal and state officials.

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.

CREDITS:

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