

# ★ PETE RATES THE PROPOSITIONS ★

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by Pete Stahl

## PROPOSITION ONE -- for

The designed capacity of California's system of prisons is 25,000 inmates. The current population is 30,000, and is expected to rise to 45,000 by 1987. Overcrowding cells and reopening of marginally safe prisons has already begun. If the prison system is not expanded soon, this already unacceptable situation will quickly become intolerable. Prop 1 is a \$495 million bond act which will expand the California prison system to meet current and projected needs.

Many of you might feel that the solution to prison overcrowding lies in a more humane form of criminal rehabilitation, involving shorter sentences and better counseling, rather than the current get-tough-on-crime attitude. This may be so, but voting against Prop 1 is not the way to achieve such a solution. Should Prop 1 fail, there is no indication that judges would be inclined to give lighter sentences or that the projected increase in prison populations would not occur; yet conditions within the prisons would continue to deteriorate. It is unfair to gamble with inmates' rights to reasonable prison conditions in hopes of an unlikely revision of our criminal justice system. In the case of Prop 1, we must put the urgent needs of the prison system ahead of our long-term ideological goals.

## PROPOSITION TWO -- yes

You are likely to find Mike Curb in the Senate Chamber in Sacramento about as often as you'll find George Bush in the Senate Chamber in Washington--that is, just about never. Yet just as the Vice President is President of the U. S. Senate, the Lieutenant Governor is President of the California Senate. There is a vital difference between the two, however: the Vice President has no constitutional duties other than presiding over the Senate, but the Lieutenant Governor becomes Acting Governor every time the real Governor steps out of the state. So while Bush might do nothing but twiddle his gavel all day, Curb must constantly stay abreast of everything going on in the Governor's office so he can take over when Jerry Brown visits his aunt in Toledo.

Prop 2 would remove the duties of President of the Senate from the job of Lieutenant Governor. This will allow him to concentrate on running the state when he has to without being burdened with the useless, ceremonial tasks of presiding. The State Senate has shown that it can run itself perfectly well in the absence of the Lieutenant Governor. Prop 2 will simply remove an archaic feature of our state government in order to increase its efficiency.

## PROPOSITION THREE -- yes

Makes those forced to relocate to make way for a government project exempt from reassessment. Prevents them from having to pay higher property taxes just because they happened to be in the path of a new highway.

PROPOSITION FOUR -- no

An accused criminal who is denied bail must remain in prison until his/her trial is concluded. Currently, California judges may deny bail only to people accused of capital offenses. Prop 4 would allow a judge to deny bail to anyone accused of any felony if the judge thought that he/she might commit a violent act while awaiting trial. In this way, the backers of Prop 4 hope to keep accused killers and rapists off the streets.

What appears on its surface to be a boon to general public safety is actually an insidious threat to our right to due process. Under Prop 4, a person who has merely been accused of a crime can be incarcerated for months after no more than a summary hearing before a judge. The potential for abuse or selective enforcement by the police and the judiciary is too great. And the provisions of Prop 4 contradict the principle of innocence until guilt is proven.

I'm as much for increasing public safety as anyone else. But not at the expense of our Constitutional rights. Passage of Prop 4 would sanction the slow erosion of our rights to fair trial under the Fifth and Sixth Amendments. We must not allow this threat to be fulfilled.

PROPOSITION FIVE -- no

PROPOSITION SIX -- no

Tax relief for the rich. What a concept. Of the \$400 million in gift and inheritance taxes the State will lose each year if either 5 or 6 passes, fully half the benefit would go to the top six percent of inheritors. The gift and inheritance taxes are about the most progressive taxes in the State. If they were to be repealed, as 5 and 6 would do, the State could make up the difference through increases in the less progressive income tax, or the sales or gasoline taxes which affect all citizens equally regardless of their abilities to pay. Voting no on 5 and 6 will preserve the present, reasonable system, and will prevent the creation of a landed gentry in California.

PROPOSITION SEVEN -- no

Once upon a time in the land of California lived a devout, happy folk. Every year on April 15th, the Californians made an offering to their god, Public Good. Public Good smiled down upon the pious Californians, and everyone was content.

It came to pass that California was besieged by a rancorous Bracket Creep, son of the terrible Double-Digit Inflation. The inscrutable Creep forced the poor Californians to give up larger and larger portions of their earnings to Public Good each year, even as Public Good continued to smile down upon California. The surplus offerings sat in Public Good's temple in Sacramento and rotted. This saddened the Californians, for they could have used the wasted offerings themselves.

Finally the brave citizens of California rose up and slew the hideous Bracket Creep. And so that they would never forget the awful attack of the Creep, the Californians inscribed this rule into their

Constitution: "THOU SHALT NOT OFFER TO THE PUBLIC GOOD MORE THAN THREE PERCENT OVER LAST YEAR'S OFFERINGS, ADJUSTED FOR INFLATION." The wise men of California knew that there would be years in which the Californians would suffer droughts and floods and invasions of tropical flies; in these years they would have to increase their offerings in order to placate Public Good. For this reason the wise men put the three-percent leeway into the Constitution.

Four years later, a band of evil Californians tried to cut the three-percent leeway out of the Constitution. But the wise men pointed out that even though the leeway had been in effect four years, no increase in offerings over the rate of inflation had taken place for two of those years; and none would in the future so long as the legislators felt it wasn't needed to placate Public Good. "To cut the 3% leeway out of the Constitution," said the wise men, "would be to deny Public Good any real increases forever, and that would be extremely risky." So the voters obeyed the wise men, and voted no on Prop 7. And Prop 7 failed, and everyone lived happily ever after.

PROPOSITION EIGHT -- no

One of the eleven provisions of Prop 8 would allow judges to deny bail in more cases than they would under Prop 4. Please refer to my statements on Prop 4 if you have any doubts where I stand on that issue. For this point alone I could recommend a no vote on Prop 8.

I could, but I won't, because the other provisions of Prop 8 are so abhorrent that the bail issue almost pales in comparison. Prop 8 would prohibit plea bargaining in many instances, jamming up our courts to an unreasonable extent for the sake of mere vengeance. Prop 8 would add a mandatory five years for each prior felony conviction to the sentences of felons, regardless of extenuating circumstances. Prop 8 would allow lawyers to use witnesses' criminal records to discredit their testimony. Prop 8 would make legal what are currently unlawful searches, seizures and invasions of privacy. And the list goes on.

The most infuriating thing about Prop 8 is that it is being marketed on the merits of its provision for "safe schools." This provision, I assure you, is meaningless; it will have absolutely no effect on state law. And even if it did, it still wouldn't be enough to counteract the awful effects of the rest of Prop 8.

PROPOSITION NINE -- yes

For some reason, debate over the Peripheral Canal seems to have degenerated into an issue of North vs. South. Why, ask the Northerners, should we send our precious water southward to those undeserving squanderers in L.A.? Won't they be able to get along well enough if they just learn to conserve a little? And won't this Peripheral Canal cause irreparable damage to our beloved Delta?

The answer to all of these questions from Northern opponents to the Canal is NO. No, the water at issue is not your water; northern water has been sent southwards for decades. No, the Peripheral Canal will not become unnecessary if we simply stop filling swimming pools in Beverly Hills; population growth and a diminishing supply from the

Colorado River will overwhelm even the most serious conservation efforts in the South. And no, the quality of water in the San Joaquin-Sacramento Delta (and other northern California waterways) was protected in the state Constitution when the November 1980 Prop 8 passed.

In the next several years, Arizona will begin to utilize its full entitlement of water from the Colorado River. This will eventually reduce the amount of water from the Colorado available to California by a substantial fraction. Loss of water to Arizona, especially when viewed in light of the skyrocketing population of southern California, has led many to predict dire results if the Peripheral Canal is not built: mandatory rationing year-round, a depressed farm economy, and so on. I think that the failure of Prop 9 would spell disaster not only for southern California, but for the whole state. Regional rivalries have no place when something this important is at stake.

PROPOSITION TEN -- yes  
PROPOSITION ELEVEN -- yes  
PROPOSITION TWELVE -- yes

Props 10, 11 and 12 deal with the reapportionment plans mandated by the 1980 census. These plans resulted in the Congressional, Senate and Assembly districts in which the candidates on your ballot are now running. Passage of 10, 11 and 12 would confirm these plans; otherwise it's back to the drawing boards. Literally.

Because the process by which these plans are drawn up is essentially a political one, the question is reduced to one of political party: Democrats were in power when the plans were made, so Democrats ought to vote yes and Republicans no. But even if 10, 11 and 12 were to fail, there is no indication that the process would change. This being a by-year election, the Democrats are likely to gain in the legislature, so the resulting new districts might be even more strongly Democratic than the ones at issue here.

One further thought: the legislature that will be drawing up new plans subsequent to the failure of 10, 11 or 12 will have been elec-  
ted from the very districts they will be asked to destroy (well, at least half the State Senate and the whole Assembly, anyways). Do you think that the legislators will vote to dismantle the very gerrymanders that got them elected in the first place? Think about it.

#### CANDIDATES

I like the following lineup in the Democratic primary: Bradley, McCarthy, Unruh, Rains, Eu, Cory, and anybody but Tom Metzger for Senate. Several of Metzger's KKK cronies are up for San Diego County Central Committee. To avoid these, vote for Sabo, Skelly, Tansey, Robinson and Fleischman. I recommend Jack Doherty over John Duffy for San Diego Sheriff, and Moon and Kugler for San Diego Superior Courts 1 and 6, respectively. Otherwise, you're on your own.