

LWV[®] League of Women Voters of the Monterey Peninsula

VOTER

October 2012, Volume 85, Number 2

Wednesday, October 10, 2012

Ending the Death Penalty with Proposition 34: SAFE for California Act

Michelle Welsh, Attorney at Law, will speak on **Proposition 34 (Savings, Accountability, and Full Enforcement California Act)**, recommended by the League. Ms Welsh has been an active member of our community for many, many years in support of civil rights. She often lends her voice to raise concerns for the powerless and persecuted members of our society, often as a board member of the **American Civil Liberties Union (ACLU) of Monterey County**.

Practicing law since 1978, Ms Welsh is currently a partner at the law firm of **Stoner, Welsh, and Schmidt** in Pacific Grove. She received her undergraduate degree from **Indiana University of Pennsylvania** and a law degree from **Monterey College of Law**, where she is also an adjunct faculty member.

Some of Ms Welsh's many awards for service to our community include the **Courageous Advocacy Award (ACLU of Northern California)**, **Friend of Education Award (Monterey Bay Teachers Association)**, and the **Chief Justice Phil Gibson Award (Monterey County Bar Association)**.

LWV California supports a YES vote on Prop 34 (www.safecalifornia.org). It will replace California's death penalty with a sentence of life in prison with no chance of parole as the maximum punishment for murder. This means convicted killers will remain behind bars forever — with no risk of executing an innocent person.

(continued on bottom of page 3)

LWVMP October 10 Lunch & Learn Meeting

(Held on the second Wednesday of the month)

Lunch 12 noon / Presentation 12:30

\$15 per person for lunch

(salads, beverages, and dessert provided by Café Athena)

Reservations are a must for lunch!

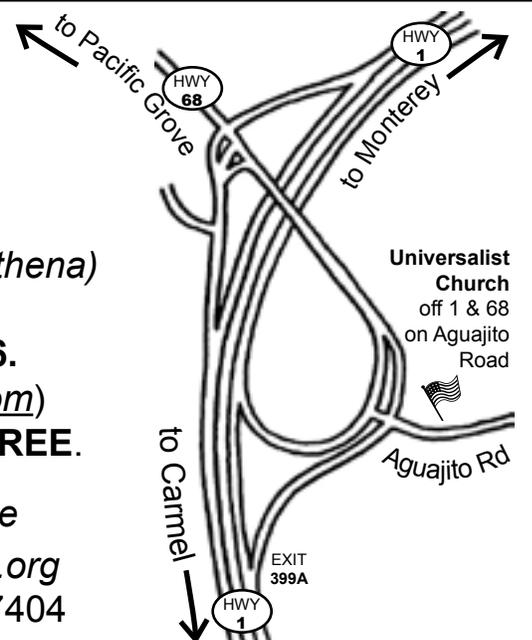
Contact Lorita Fisher by Saturday, October 6.

(phone 375-8301 or e-mail GLFisher@redshift.com)

Pay at the door for lunch: meeting/presentation is **FREE**.

LWVMP Lunch & Learn Meetings are held at the

Unitarian Universalist Church <http://uucmp.org>
490 Aguajito Road / Carmel CA 93923 (831) 624-7404



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The PRESIDENT'S Message

League's Position on a Campaign Finance Reform Amendment

I recently received an inquiry about the League's position on the **Move to Amend** petition which states: *"We, the People of the United States of America, reject the US Supreme Court's ruling in Citizens United, and move to amend our Constitution to firmly establish that money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights."*



On August 29, **President Obama** said this about a constitutional amendment to overturn **Citizens United**: *"Over the longer term, I think we need to seriously consider mobilizing a constitutional amendment process to overturn Citizens United (assuming the Supreme Court doesn't revisit it). Even if the amendment process falls short, it can shine a spotlight on the super-PAC phenomenon and help apply pressure for change."*

There are at least seven different amendment proposals in circulation which are summarized and critiqued on the website movetoamend.org.

Move to Amend's Proposed 28th Amendment:

Section 1 [A corporation is not a person and can be regulated]

■ The rights protected by the Constitution of the United States are the rights of natural persons only.

■ Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

■ The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

Section 2 [Money is not speech and can be regulated]

■ Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

■ Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed.

■ The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Section 3

■ Nothing contained in this amendment shall be construed to abridge the freedom of the press.

At the **LWVUS Convention** a resolution was passed which says, "...we call upon the LWVUS Board to advocate strongly for all appropriate, duly-considered measures which may include, but are not limited to, a constitutional amendment and which: are consistent with our current positions on campaign finance reform and individual liberties; allow Congress and the States to set reasonable regulations on campaign contributions and expenditures; and ensure that elections are determined by the voters."

I asked **Chris Carson, LWVC Campaign Finance Program Director**, whether we can expect the LWVUS Board to "duly consider" the movement for a constitutional amendment. She supplied the following information from the **LWVUS Weekly Update on Campaign Finance**: "*There has been some confusion among League members about the League's position on a constitutional amendment on campaign finance reform, especially in view of the resolution adopted by Convention....The*

Campaign Finance Task Force has thoroughly reviewed the current proposals for constitutional amendments. Neither the Task Force nor the Board has found any proposals consistent with League positions on campaign finance reform and individual liberties.

There are movements in the states asking various state legislatures to pass resolutions calling upon Congress to submit a constitutional amendment to the states for ratification. The LWVUS Board has not endorsed those efforts and until such time as it does, state and local Leagues should not advocate for these resolutions."

Chris also expressed the opinion that the wording of a number of the proposals has not been examined for unintended consequences. The League thinks through carefully any such proposal because the devil is in the details. She is a member of the **LWVUS Task Force** which is looking in depth at the larger questions, which is going to take a while.

The bottom line is that as individuals we are free to support this but the League cannot do so until the LWVUS Board endorses these efforts.

Beverly G. Bean beverlygb@gmail.com

(PROPOSITION 34 continued from page 1)

SAVINGS It is not true that the death penalty is cheaper than life without parole (<http://lat.ms/iE3BoS>). The Legislative Analyst's official report on Prop 34 says California taxpayers will save \$130 million each year without releasing a single prisoner.

ACCOUNTABILITY Convicted killers will be held accountable and pay for their crimes. Prop 34 requires persons convicted of murder to work and pay restitution into a victim's compensation fund.

FULL ENFORCEMENT The SAFE California Fund* takes \$30 million a year for three years in budget savings and puts it into the investigation of unsolved rape and murder cases. Our limited law enforcement dollars should be used to solve more crimes, get more criminals off our streets, and protect our families.

**Money for the SAFE California Fund comes directly from closing three state agencies that currently handle expensive and extensive appeals for death penalty cases. The SAFE California Fund gives a temporary boost to local law enforcement budgets at a time of severe budget shortfalls.*

FACTS A "Yes on 34" vote:

- Guarantees we will never execute an innocent person;
- Requires convicted killers to work and pay restitution to the victim's compensation fund; and
- Saves \$1 billion in five years and directs \$100 million to law enforcement to solve more rapes and murders.

Robin Tokmakian trillerud@mindspring.com

LWV Candidate Forums November 2012
Seaside / Pacific Grove / Monterey

Seaside City Council

Mr. Steven Bloomer, Mr. Jason Campbell,
 Mr. Ian Oglesby, Mr. David Pacheco

Tuesday, September 25
7:00 pm to 8:30 pm

Oldemeyer Center, 986 Hilby Avenue,
 Seaside CA 93955 (off Fremont Boulevard)

Conducted by the LWVMP
Co-sponsored by Sustainable Seaside
and by the NAACP Monterey County
 Contact: Dennis Mar
 (831) 648-8683

**Pacific Grove Mayor
 and City Council**

Mayor

Ms Carmelita Garcia and Mr. Bill Kampe

City Council

Mr. Robert Huitt, Ms Casey Lucius,
 Mr. Dan Miller, Ms Mary Norton,
 Mr. Robert Pacelli

Wednesday, September 26

6:00 - 6:30 pm Meet and greet candidates
 6:30 - 8:00 pm Candidates forum
 Pacific Grove Community Center, 515 Junipero
 Avenue, Pacific Grove CA 93950

Conducted by the LWVMP
Organized by the Pacific Grove Chamber of
Commerce and the Pacific
Grove Residents Association
 Contact: Pacific Grove Chamber of Commerce
 (831) 373-3304

**County of Monterey,
 Supervisor District 5**

Mr. Marc Del Piero, Mr. Dave Potter

Monday, October 1
 7:00 pm to 8:30 pm

Monterey Youth Center, 777 Pearl Street,
 Monterey CA 93940
 (next to entrance of Dennis the Menace
 Playground at El Estero Park)

Conducted by LWVMP
Co-sponsored by
Communities for Sustainable Monterey County

Monday, October 8
 7:00 pm to 8:30 pm

Carmel Middle School gymnasium
 4380 Carmel Valley Road, Carmel CA
 (one mile off Highway 1 South)

Conducted by LWVMP
Co-sponsored by the Carmel Valley Association
 Contact: Dennis Mar (831) 648-8683

MEMBERSHIP MEMO

Thanks to all of you who renewed your memberships. **However, those who have still not done so, please renew now!**

We are grateful to the following members who, since the September Voter, included donations with their renewals:

- \$300** - Janice and Anton Prange
- \$100** - Mez Benton, Carole Erickson, Shirley Meunice (*donation to LWVCEF*)



Welcome to Our Newest League Members

- Wendy Askew / Sandra Kahn
- Safwat Malek / Gail Morton
- Erica Parker / Katherine Richardson
- Dina Stansbury
- Jeanne Turner / Richard Wheat



Lisa Hoivik LHoivik@comcast.net

VOTE WITH THE LEAGUE

*The League of
Women Voters
RECOMMENDS
November 6, 2012
California Statewide
General Election*



PROP 30 **YES**
**Schools and Local
Public Safety Protection Act**

Proposition 30 begins to move California toward financial stability and adequate funding for all the services we want from our government; we can't continue to cut vital public services like schools and public safety. This measure will provide some much needed income from a temporary increase in income tax rates for the wealthy and a modest temporary sales tax increase. The plan is a part of a balanced approach to eliminating our deficit that includes \$8 billion in cuts, \$6 billion in new revenues, and \$2.5 billion in loans, deferrals, etc., this year. Proposition 30 also guarantees a stable source of funding for counties to pay for their new responsibilities such as housing low-level prisoners and providing substance abuse treatment.

PROP 31 **NO**
**Government Performance
and Accountability Act**

Proposition 31 is based on good intentions and has some pieces that, taken alone, the League could support. However, Prop 31 has several significant flaws. There are questions about whether or not the provisions allow local governments to suspend state environmental requirements. What is clear is that there will be significant legal uncertainty, and years of litigation. In addition, the measure prescribes the specific manner of state and local government budgeting and puts this process into the state constitution. Prop 31 has other questionable provisions, such as establishing a significant shift of power over appropriations to the governor at times of fiscal emergency.

PROP 32 **NO**
Special Exemptions Act

This measure is not the campaign finance reform measure its proponents say it is. Proposition 32 promises "political reform" but is really designed by special interests to help themselves and harm their opponents. It looks like a campaign finance reform measure but unfairly targets one set of large campaign donors while giving other donors unlimited power. Its ban on payroll deductions for political giving will affect unions but not corporations, and even the restriction it places on contributions to candidates by corporations is full of loophole exemptions. It does not fix the problem of money in politics; Super PACs and independent expenditure committees will continue to spend without limitation.

PROP 34 **YES**
SAFE California Act

The SAFE California Act will replace the death penalty in California with a sentence of life in prison without the possibility of parole. Convicted killers will stay in prison for the rest of their lives, eliminating the possibility of executing an innocent person in California. This will save over \$100 million every year—because the court and incarceration costs are so much higher for prisoners at risk for a death penalty. \$100 million of these savings will be allocated over the next four years to pay for increased investigation of unsolved rape and murder cases. Convicted killers will be required to work and pay restitution into a victims' compensation fund.

PROP 40 **YES**
Referendum on Redistricting

We strongly urge "YES" on the state Senate maps drawn by the independent **Citizens Redistricting Commission**. The question on a referendum is not intuitive; it asks if you want to retain the new law, or in this case, the maps drawn by the Citizens Redistricting Commission. So vote YES to affirm the maps drawn by the Citizens Redistricting Commission, YES—in support of the Commission, YES—to validate the open, transparent process, YES—to retain fair districts.

PROP 38
Tax for Education and Early Childhood Programs



We are neutral on **Our Children, Our Future**, the measure supported by the **California State PTA** and activist **Molly Munger**. It provides significant funding for education and early childhood programs. In addition, for the first four years, this measure provides money to help the other underfunded government services. However, in the longer term, it earmarks essentially all the new money for education and early childhood programs.

These programs definitely deserve to be adequately funded, but so do all of the government programs we support, from mental health programs to the court system to childcare.

NEUTRAL PROP 39

Tax Treatment for Multistate Businesses

This measure will close a tax loophole for multistate businesses, generating revenues of about \$1 billion per year—a good thing. However, it earmarks about half the new revenue for the first five years, so that portion can only be used for energy efficiency and alternative energy projects. We are neutral on this proposition because we believe new revenue for the state should be available for all of the programs funded by state revenue—schools, law enforcement, health care, jobs programs, the judiciary system.

PROPS 33, 35, 36, and 37

NO RECOMMENDATION

The League has not studied the issues in 33 (Auto Insurance Rates), 35 (Human Trafficking), 36 (Three Strikes Reform), and 37 (Genetically Engineered Foods).

<http://ca.lwv.org/action/prop1211/index.html>

lwvc@lwvc.org www.lwvc.org

**October 1st Debut: Dramatic New
“Next Generation” Design for LWV Smart Voter**



A revolutionary experience is waiting for you at **Smart Voter's** brand new **Next Generation** website! Visit the special web address m.smartvoter.org starting October 1st. This update of the

League's award-winning service has a new look and an array of feature stories that change every day. Many enhanced features are especially designed to meet the needs of smartphone and tablet owners, but are also of great interest and use for desktop and laptop users.

Next Generation was announced at last year's state League Convention in Ventura to address dramatic changes in the way the public now accesses and uses the Internet. National analyses and surveys indicate that smartphones and tablets are outselling desktops and laptops, and that a rapidly-increasing proportion of voters are relying primarily on such mobile devices to get information on politics and elections.

For this November's election, Smart Voter will be available to California voters in both its traditional format (www.smartvoter.org) and the new Next Generation design. For future elections the state League will expand the capabilities, features and innovative content of the versatile Next Generation site.

Questions? Comments? Suggestions? Contact: ca-director@smartvoter.org, sign up for the **Smart Voter Newsletter** (visiting the new site and click the "More" button), like us on **Facebook**, or follow us on **Twitter** to receive latest updates.

DONATE IN TRIBUTE TO BARBARA BASS EVANS

At the request of her family, donations to the League of Women Voter's Education Fund are being accepted in memory of Barbara Bass Evans.

The fund is designed to build citizen participation in the democratic process, study key community issues at all government levels in an unbiased manner, and enable people to seek positive solutions to public policy issues through education and conflict management. All of these causes were near and dear to Barbara's heart.



We thank the following people who have already kindly donated to the LWVEF in tribute to Barbara:

Barbara Baldock and Phillip Butler / Janet Brennan / Douglas & Phyllis Brunson / Bruce & Joanne Crist / Constance Dallmann / Carole & Mike Dawson / Lisa Hoivik / Gail Foster Innes / Joanne Kelly / Edwin Leeper / Janice O'Brien / Linda Richardson / Nancy Selfridge / Sandra Smith / Karin Strasser Kauffman

If you would like to donate, please send a check made out to the League of Women Voters of California Education Fund, Box 1995, Monterey 93942. All donations to the Education Fund are fully tax-deductible.

2012 Presidential & Vice Presidential Debate Schedule

PRESIDENTIAL DEBATES

October 3rd, 6:00 to 7:30pm Pacific Time
Topic: Moderator format on domestic policy

October 16th, 6:00 to 7:30 pm Pacific Time
Topic: Town meeting format
on foreign and domestic policy

October 22nd, 6:00 to 7:30pm Pacific Time
Topic: Moderator format on foreign policy

VICE PRESIDENTIAL DEBATE

October 11th, 6:00 to 7:30 pm Pacific Time
Topic: Foreign and domestic policy



PUBLIC POLICY QUESTIONS

The **LWVUS** has asked presidential candidates **Gary Johnson, Barak Obama, Mitt Romney, and Jill Stein** to provide answers to some of our most pressing public policy questions on unemployment, education, Medicare and Social Security, campaign spending disclosure, and the environment.

For complete questions and candidate's responses go to Vote411.org, the League's nonpartisan national voters' guide supported by the education fund.

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