

11-4-1981

Burglary And Robbery Punishment

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

April 15, 1982

TO: ALL REGISTRARS OF VOTERS/COUNTY CLERKS/PROPONENT(S)
FROM: Edward Arnold
EDWARD ARNOLD, JR., ELECTIONS ASSISTANT

Pursuant to Election Code 3520(B) you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE filed with all county clerks is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: BURGLARY AND ROBBERY PUNISHMENT
INITIATIVE STATUTE

SUMMARY DATE: November 4, 1981

PROPONENT: Alexander Bookston

Barbara Lee

For Immediate Release
April 19, 1982

Contact: Caren Daniels

BURGLARY AND ROBBERY PUNISHMENT INITIATIVE FAILS REPORTS EU

SACRAMENTO -- Secretary of State March Fong Eu today (Apr. 19) announced that the initiative drive to increase the terms of punishment for the crimes of robbery and burglary has failed to qualify for the ballot. This was the second attempt by proponent Alexander Bookston of Granada Hills, telephone (213) 360-5801, to place the measure before the California voters. An earlier attempt begun in May also failed to qualify.

The measure would have added sections to the Penal Code specifying the years of imprisonment, ranging from 5 to 20, for the crimes of robbery and burglary as identified in the proposed statute and for attempts to commit these crimes. It would have provided further that persons convicted of these crimes would not be granted probation nor would sentences have been suspended. It would also have prevented the Legislature from lessening the terms of punishment for these crimes.

As an initiative statute the measure needed 346,119 registered voter signatures to qualify for the ballot. The final deadline was April 4, 1982. No signatures were submitted.

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Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

Elections Division
(916) 445-0820

November 4, 1981

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

BURGLARY AND ROBBERY PUNISHMENT
INITIATIVE STATUTE

Circulating and Filing Schedule

- 1. Minimum number of signatures required.....346,119
Cal. Const., art. II, sec. 8 (b).
- 2. Official Summary Date.....Wednesday, 11/04/81
Elec. C., sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for signatures.....Wednesday, 11/04/81
Elec. C., sec. 3513.
 - b. Last day Proponent can circulate and file with the county. All Sections are to be filed at the same time within each county.....Monday, 04/05/82* +
Elec. C., secs. 3513, 3520 (a).
 - c. Last day for county to determine total number of signatures affixed to petition and to transmit total to the Secretary of State.....Monday, 04/12/82

(If the Proponent files the petition with the county on a date prior to 4/05/82, the county has five working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., sec. 3520 (b).

* Date adjusted for official deadline which falls on Saturday.

+ PLEASE NOTE: To the Proponent who may wish to qualify for the 1982 Primary Election. The law allows up to 56 days to county election officials for checking and reporting petition signatures. The law also requires that this process be completed 131 days before the election in which the people will vote on the initiative. It is possible that the county may not need the whole 56 days. But if you want to be sure that this initiative qualifies for the 1982 Primary Election, you should file this petition with the county by December 3, 1981.

- d. Last day for county to determine total number of qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Tuesday, 04/27/82

(If the Secretary of State notifies the counties to determine the number of qualified electors who signed the petition on a date prior to 04/12/82, the last day is not later than the fifteenth day after the notification.)

Elec. C., sec. 3520 (d), (e).

- e. If the signature count is between 311,507 and 380,731 then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures.

Last day for county to determine actual number of all qualified electors who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State.....Thursday, 05/27/82

(If the Secretary of State notifies the counties to determine the number of qualified electors who have signed the petition on a date prior to 4/27/82, the last day is not later than the thirtieth day after the notification.)

Elec. C., sec. 3521 (b), (c).

4. Campaign Statements:

Last day for the proponent to file a Campaign Statement of Receipts and Expenditures for period ending 5/03/82.....Monday, 05/10/82

(If the Secretary of State finds that the measure has either qualified or failed to qualify on a date earlier than 4/05/82, the last date to file is the 35th calendar day after the deadline for filing petitions or the date of notification by the Secretary of State that the measure has either qualified or failed to qualify, whichever is earlier. The closing date for the campaign statement is seven days prior to the filing deadline.) (Gov. C., secs. 84200 (d), 84202 (j)).

5. The Proponent of the above named measure is:

Alexander Bookston
10128 Balboa Blvd.
Granada Hills, CA 91344 (213) 360-5801

Sincerely,

WILLIAM N. DURLEY
Assistant to the Secretary of State
Elections and Political Reform

A handwritten signature in black ink that reads "Edward Arnold Jr." with a stylized flourish at the end.

EDWARD G. ARNOLD JR.
Elections Assistant

WND/EA/td

NOTE TO PROPONENT: Your attention is directed to Elections Code sections 41, 44, 3501, 3507, 3508, 3516, 3517, and 3519 for appropriate format and type considerations in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Your attention is further directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

Attorney General
November 4, 1981

Honorable March Fong Eu
Secretary of State
1230 J Street
Sacramento, California 95814

RE: Initiative Proposing Amendment to: Statutes
Subject: Burglary and Robbery Punishment
Our File No.: SA81RF0024

Dear Mrs. Eu:

Pursuant to the provisions of section 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent(s) of the above identified proposed initiative our title and summary by sending a true copy of this letter.

Enclosed is a copy of our transmittal letter to the proponent(s), a declaration of mailing thereof, a copy of our title and summary, and a copy of the proposed measure.

According to information available in our records, the name(s) and address(es) of the proponent(s) is as stated on the declaration of mailing.

Very truly yours,

George Deukmejian
Attorney General

Robert Burton
Deputy Attorney General

Enclosure

FILED
In the office of the Secretary of State
of the State of California

NOV 4 1981

MARCH FONG EU, Secretary of State
By Edward Arnold
Deputy

Date: November 4, 1981
File No.: SA81RF0024

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

BURGLARY AND ROBBERY PUNISHMENT. INITIATIVE STATUTE.

Adds sections to the Penal Code increasing the terms of punishment for the crimes of robbery, burglary, and attempts to commit the crimes of robbery and burglary. Designated years of imprisonment, ranging from 5 to 20 years, are specified for various of these crimes. Provides that probation shall not be granted nor execution or imposition of sentences be suspended for any person convicted of these crimes. Provides the Legislature may not lessen or decrease the specified terms of punishment for these crimes. Fiscal impact on state and local governments: The Legislative Analyst and Director of Finance advise: The increases in costs that enactment of this measure would require is unknown, but estimated to be substantial. Annual custodial costs could increase to 260 million dollars per year by 1985. Capitol outlay costs of constructing permanent prison facilities could be over 1 billion dollars. Other cost increases could occur. There could be savings in prison costs if the measure has a deterrent effect and in the operation costs of local jails.

PROPOSED LAW TO BE SUBMITTED DIRECTLY TO THE VOTERS:

SECTION 1. Chapter 4.55 (commencing with section 1175) is added to part 2 of the penal code, to read:

Chapter 4.55. Enhanced Criminal Punishment.

Section 1175. We, the people of the State of California, do hereby increase the term of punishment for the crimes of robbery, burglary and attempts to commit crimes of robbery and burglary.

Section 1175.1 This chapter may be cited as the BOOKSTON initiative.

Section 1175.2 Notwithstanding the provisions of sections 211(a), 213, 461 and 464, the punishment for the crimes listed below is imprisonment in the state prison for 12, 16, or 20 years:

robbery committed by a person armed with a deadly or dangerous weapon, or who while in the commission of such robbery arms himself with a deadly or dangerous weapon, or who while in the commission of such robbery assaults any person; burglary in the first degree, burglary with explosives, and burglary committed by a person armed with a deadly or dangerous weapon, or while in the commission of such burglary arms himself with a deadly or dangerous weapon or who while in the commission of such burglary assaults any person.

Section 1175.3. Notwithstanding the provisions of sections 213, 461 and 664, the punishment for the crimes listed below is imprisonment in the state prison for 8, 10, or 12 years:

all robberies which are not included in section 1175.2; all burglaries which are not included in section 1175.2; and attempts to commit the crimes of robbery and burglary as defined in Section 1175.2.

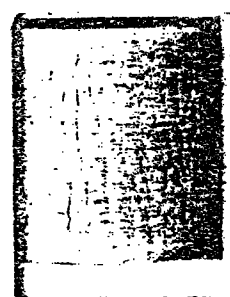
Section 1175.4. Notwithstanding the provisions of section 664, an attempt to commit the crimes of robbery or burglary as defined in section 1175.3 is punishable by imprisonment in the state prison for 5, 7, or 9 years.

Section 1175.5. Notwithstanding the provisions of section 1203, probation shall not be granted to, nor shall the execution or imposition of sentence be suspended for any person convicted of violating the crimes listed in sections 1175.2, 1175.3 and 1175.4.

SECTION 2. The legislature may not lessen or decrease the terms of punishment imposed by this chapter.

SECTION 3. This chapter is effective immediately upon its approval by the voters.

SECTION 4. If any section, part, clause or phrase hereof is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect.





State of California
Department of Justice
George Deukmejian

(PRONOUNCED DUKE-MAY-GIN)

Attorney General
November 4 1981

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

Mr. Alexander Bookston
10128 Balboa Boulevard
Granada Hills, California 91344

RE: Initiative Proposing Amendment to: Statutes
Subject: Burglary and Robbery Punishment
Our File No.: SA 81RF0024

Pursuant to your request, we have prepared a title and summary of the chief purposes and points of the above identified proposed initiative. The title and summary are set forth in a letter sent to the Secretary of State, as required by Elections Code sections 3503 and 3513. A copy of this letter and our declaration of mailing is attached.

Please send us a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file in this matter.

Very truly yours,

George Deukmejian
Attorney General

Robert Burton
Deputy Attorney General

Attachment

DECLARATION OF MAILING

The undersigned Declarant, states as follows:

I am over the age of 18 years and not a proponent of the within matter; my place of employment and business address is 555 Capitol Mall, Suite 350, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the Honorable March Fong Eu, Secretary of State, by placing a true copy thereof in an envelope addressed to each proponent named below at the address set out immediately below each name, and by sealing and depositing said envelope or envelopes in the United States Mail at Sacramento, California, with postage prepaid. There is delivery service by United States Mail at each of the places so addressed, or there is regular communication by mail between the place of mailing and each of the places so addressed.

Date of Mailing: November 4, 1981

Date of Attached Letter to Secretary of State: November 4, 1981


Subject: Initiative Proposing Amendment to: Statutes
Short Title: Burglary and Robbery Punishment
Our File No.: SA81RF0024

Name of Proponent(s) and Address(es):

Mr. Alexander Bookston
10128 Balboa Boulevard
Granada Hills, California 91344

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California on November 4, 1981.


Marsha Bierer
Declarant

HAROLD KIPPEN
ATTORNEY AT LAW
SUITE 702
16000 VENTURA BOULEVARD
ENCINO, CALIFORNIA 91436
TELEPHONE (213) 783-3633
October 6, 1981

Robert Burton, Esq.
Deputy Attorney General
Department of Justice
555 Capitol Mall
Suite 350
Sacramento, California 95814

Re: Initiative Proposing Admendment to Statutes

Dear Mr. Burton:

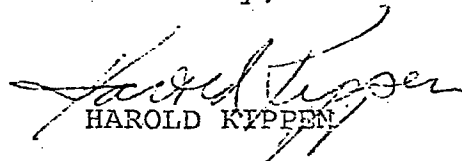
Enclosed herewith is text of proposed law to be circulated as an initiative measure. It is hereby requested that title be given to the proposed law and that you prepare a summary according to law. The proponent of the initiative is Alexander Bookston who is a registered voter at 13444 Lochrin Lane, Sylmar, California 91342.

This initiative is an exact duplicate of the one previously submitted, your file number SA 81 RF 0005. It would appear that the summary and fiscal impact could be done on the same basis as you had previously done on the original initiative.

Mr. Bookston^{will} acknowledge that he is the proponent of the initiative measure by a separate letter. Enclosed herewith is a money order in the sum of \$200.

It is requested that you take immediate action on the initiative measure.

Sincerely,


HAROLD KIPPEN

HK:mk
Enclosure

Alexander Bookston

10128 BALBOA BLVD.
GRANADA HILLS, CA 91344
(213) 360-5801

10/6/81

ROBERT BURTON;

THIS IS TO CERTIFY THAT I
AM THE PROPONENT OF THE INITIATIVE "ROBBERY
& BURGLARY PUNISHMENT STATUTES". FILING DONE
FROM ATTY HAROLD KLIPPENS OFFICE THIS DATE.

Alex. Bookston

HOME ADDRESS

13444 LOCHRIN LN
SYLMAR CA 91342

272

EL DORADO COUNTY

C A L I F O R N I A



COUNTY CLERK

COURTHOUSE
405 MAIN STREET
PLACERVILLE, CA 95667
TELEPHONE (916) 838-2371

SOUTH LAKE TAHOE BRANCH
1354 JOHNSON BLVD.
P.O. BOX 1357
SOUTH LAKE TAHOE, CA 96702
TELEPHONE (916) 541-3496

Please reply to _____

DATE April 6, 1982

Barbara Lee
Elections Division
Secretary of State's Office
1230 J St.
Sacramento, Ca. 95814

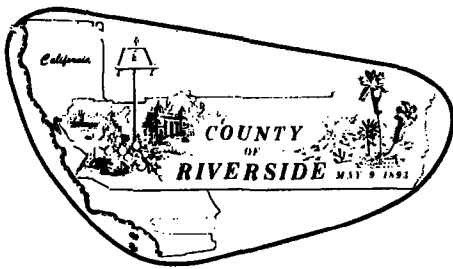
Dear Barbara:

El Dorado County has not received any petitions for the Initiative Measure entitled Burglary and Robbery Punishment Initiative Statute.

If you have any further questions, please call this office (626-2256) at your earliest convenience.

Thank you.

Michelle MacIntyre
Chief Elections Clerk



OFFICE OF
COUNTY CLERK
ELECTION DEPARTMENT
P. O. BOX 431
RIVERSIDE, CALIFORNIA 92502

DONALD D. SULLIVAN
COUNTY CLERK - RECORDER

ROBERT G. MORGAN
CHIEF DEPUTY
REGISTRAR OF VOTERS

April 6, 1982

Office of Secretary of State
Elections Division
1230 J Street
Sacramento, CA 95814

Attention: Barbara Lee

Dear Barbara:

This is to report that no signatures were filed in Riverside County for the initiative petition BURGLARY AND ROBBERY PUNISHMENT.

Very truly yours,

WILLIAM E. CONERLY
Acting County Clerk

By Barbara Myers
Deputy



SAN JOAQUIN COUNTY
OFFICE OF THE COUNTY CLERK

RALPH W. EPPERSON
COUNTY CLERK

REGISTRATION-ELECTION DIVISION

110 EAST WEBER AVENUE
STOCKTON, CALIFORNIA 95201
TELEPHONE (209) 944-2671

ALBERT FLOR
ASST COUNTY CLERK

ETHEL TUNSEN
CHIEF ELECTION CLERK

MAILING ADDRESS P.O. BOX 810

April 5, 1982

The Honorable March Fong Fu
Secretary of State
State of California
1230 J Street
Sacramento, Calif. 95814

Attn: Barbara Lee

Re: Burglary & Robbery Punishment

This is to inform you that under Elections Code Sections 3513 and 3520 San Joaquin County has received -0- signatures for the Burglary & Punishment Initiative Statute.

Very truly yours,
RALPH W. EPPERSON, County Clerk

By 
J.A. Podesta, Deputy Clerk



R. A. SCOTT

T. R. REGAN
DIRECTOR

BARBARA FOX
ASSISTANT DIRECTOR

REGISTRATION & ELECTIONS DIVISION
A. E. OLSON, REGISTRAR OF VOTERS
1300 S. GRAND AVE.
SANTA ANA, CA 92705
(714) 834-2244

MAILING ADDRESS:
P.O. BOX 11298
SANTA ANA, CA 92711

April 13, 1982

Honorable March Fong Eu
Secretary of State
Elections Division
1230 J Street
Sacramento, CA 95814

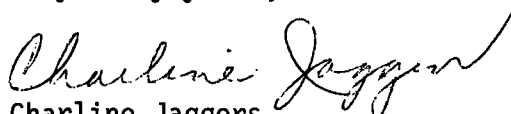
Attention Barbara Lee

Dear Ms. Lee:

This is to advise that there were no sections of the Burglary and Robbery Punishment Initiative Statute filed in Orange County by the proponents by the deadline date of April 5, 1982.

Please call 714-834-2260 if you need further information.

Very truly yours,


Charline Jagers
Deputy