

6-22-1993

Repeal Of Parole And Probation Laws.

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

Repeal Of Parole And Probation Laws. California Initiative 594 (1993).
http://repository.uchastings.edu/ca_ballot_inits/757

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

#594



Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

December 2, 1993

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPONENT (93148)

FROM:

Handwritten signature of Cathy Mitchell in cursive script.

CATHY MITCHELL
INITIATIVE COORDINATOR

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

TITLE: REPEAL OF PAROLE AND PROBATION LAWS.
INITIATIVE STATUTE.

SUMMARY DATE: June 22, 1993

PROPONENTS: E. Andrew Schooler, Esq.
John S. Kitchin, M.D.

CM/dab

county\status.ltr\93148





Office of the Secretary of State
March Fong Eu

1230 J Street
Sacramento, California 95814

ELECTIONS DIVISION
(916) 445-0820

For Hearing and Speech Impaired
Only:
(800) 833-8683

#594

June 22, 1993

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (93048)

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:

**REPEAL OF PAROLE AND PROBATION LAWS.
INITIATIVE STATUTE.**

Circulating and Filing Schedule

- 1. Minimum number of signatures required 384,974
Cal. Const., Art. II, Sec. 8(b).
- 2. Official Summary Date Tuesday, 06/22/93
Elec. C., Sec. 3513.
- 3. Petition Sections:
 - a. First day Proponent can circulate Sections for
signatures Tuesday, 06/22/93
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 Thursday, 11/18/93
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 Thursday, 12/02/93

(If the Proponents file the petition with the county on a date prior to 11/18/93, the county has eight 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).



d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties Saturday, 12/11/93**

e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State Monday, 01/24/94

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 12/11/93, the last day is no later than the thirtieth day after the county's receipt of notification.)
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 423,472 or less than 365,726 then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 365,726 and 423,472 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures . Thursday, 02/03/94**

g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State Friday, 03/18/94

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 02/03/94, the last day is no later than the thirtieth working day after county's receipt of notification.)
Elec. C., Sec. 3521(b), (c).

h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient Tuesday, 03/22/94

** Date varies based on receipt of county certification.

4. The Proponents of the above-named measure is:

E. Andrew Schooler, Esq.
1020 Prospect Street, Suite 306
La Jolla, CA 92037
(619) 454-3305

John S. Kitchin, M.D.
8880 Rio San Diego Drive, Suite 1040
San Diego, CA 92108-1644
(619) 298-6090

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 41, 41.5, 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

Sincerely,


CATHY MITCHELL
INITIATIVE COORDINATOR

Date: JUNE 22 ,1993
File No: SA 93 RF 0008

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

REPEAL OF PAROLE AND PROBATION LAWS. INITIATIVE STATUTE.

Eliminates parole and adult probation systems. Requires savings to be used for construction and operation of state prisons and minimum security jails. Adjusts savings for changes in Consumer Price Index. Prohibits sentence reductions and early release of felony prisoners. Establishes minimum security jails, confining inmates up to three years and emphasizing vocational rehabilitation. Provides punishment for offenses committed at minimum security jails. Prohibits impeding implementation of portions of initiative. Requires education on criminal justice system and directs Department of Education to establish task force, to develop criminal justice education curriculum.

Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure would result in major net costs (billions of dollars) for construction and incarceration to the state and local government, with counties bearing the largest share of these increased costs.

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. Box 944255
SACRAMENTO, CA 94244-2550
(916) 445-9555

(916) 324-5490

June 22, 1993

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

FILED
in the office of the Secretary of State
of the State of California

JUN 22 1993

MARCH FONG EU, Secretary of State
By CB Mitchell
Deputy

Re: Initiative Title and Summary
Subject: REPEAL OF PAROLE AND PROBATION LAWS. INITIATIVE STATUTE.
File No: SA 93 RF 0008

Dear Mrs. Eu:

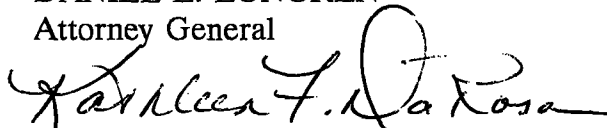
Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponents of the above-identified proposed initiative our title and summary.

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

According to information available in our records, the names and addresses of the proponent is as stated on the declaration of mailing.

Sincerely,

DANIEL E. LUNGREN
Attorney General


KATHLEEN F. DaROSA
Initiative Coordinator

KFD:ms
Enclosures

E. ANDREW SCHOOLER

ATTORNEY AT LAW

1020 PROSPECT
SUITE 306LA JOLLA, CA 92037
(619) 454-3305
FAX 454-2590

April 20, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTEDAttorney General of California
Public Inquiry Section
Post Office Box 944255
Sacramento, California 94244-2550

RECEIVED

APR 22 1993

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Dear Mr. Attorney General:

We submit the enclosed measure for title and summary.

Pursuant to §§3502 and 3503, a bank check in the sum of \$200.00 is enclosed as well as declarations signed under penalty of perjury regarding appropriation.

Our proposed title for this measure is "CRIME REDUCTION INITIATIVE."

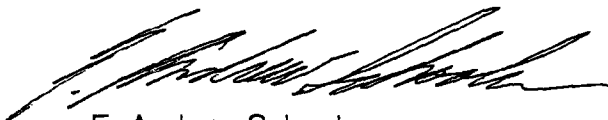
Our proposed summary is as follows:

"THE CRIME REDUCTION INITIATIVE WILL:

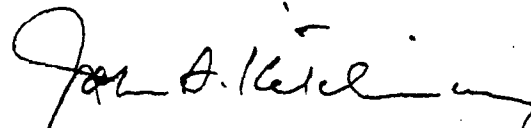
1. ELIMINATE COSTLY AND INEFFECTIVE PAROLE AND PROBATION SYSTEMS SO DANGEROUS CRIMINALS WILL STAY IN PRISON;
2. UTILIZE MONEY SAVED TO PROVIDE ADEQUATE AND LOW COST FACILITIES TO CONTAIN THE CRIMINAL POPULATION; and
3. EDUCATE OUR YOUTH TO PREVENT FUTURE CRIME."

Your courtesy and cooperation are appreciated.

Thank you,



E. Andrew Schooler



John S. Kitchin, M.D.

Enclosures

CRIME REDUCTION INITIATIVE

Proponents: E. Andrew Schooler, Attorney at Law
John S. Kitchin, M.D.

- I. ELIMINATE THE PAROLE SYSTEM. State parole shall cease to exist.
 - A. All monies saved from elimination of the state parole system shall be used exclusively for construction, maintenance and operation of state prisons. This amount will be based on Department of Finance figures for the fiscal year 92-93 with annual adjustments based on the Consumer Price Index.
 - B. No sentence shall be imposed solely as a result of the elimination of parole. No parole shall be granted, nor shall there be sentence reduction, early release, or any other such program for any felony sentence. Any felony sentence imposed shall be served in its entirety and not altered except through legal process.
 - C. Full implementation of Provision I and its subparts A and B shall occur as soon as possible, and it shall be a misdemeanor punishable by one year incarceration for any state or local employee or representative to obstruct or impede the implementation of Provision I and its subparts A or B once passed, except through legal process.

- II. ELIMINATE THE ADULT FORMAL PROBATION SYSTEM. All adult formal probation shall cease to exist.
 - A. All monies saved from the elimination of adult formal probation shall be exclusively used for the establishment, construction, maintenance, and operation of low-cost, low-maintenance, minimum security jails. This amount will be based on local budget figures for the fiscal year 92-93 with annual adjustments based on the Consumer Price Index.
 - B. A sentence of incarceration for three years or less shall be to a low-cost, low-maintenance, minimum security jail.
 - C. Vocational rehabilitation shall be an important focus in all minimum security jails.
 - D. It shall be a felony punishable by ten years incarceration in state prison to escape or attempt to escape from a low-cost, low-maintenance, minimum security jail.
 - E. It shall be a felony punishable by ten years incarceration in state prison to assault or commit a battery upon an officer, personnel, or employee of a low-cost, low-maintenance, minimum security jail by an inmate. The sentence shall be increased to thirty years incarceration if said assault or battery results in serious bodily injury, and shall be considered a special circumstance if said assault or battery results in death.
 - F. It shall be a misdemeanor punishable by one year incarceration for vandalism of any low-cost, low-maintenance, minimum security jail, or public property contained within the jail.
 - G. Provisions of subparts D, E, and F above shall be posted in conspicuous places at all low-cost, low-maintenance, minimum security jails.
 - H. Full implementation of Provision II and its subparts A through G shall occur as soon as possible, and it shall be a misdemeanor punishable by one year incarceration for any state or local employee or representative to obstruct or impede the implementation of Provision II or its subparts A through F once passed, except through legal process.

- III. MANDATORY EDUCATION. Education on the criminal justice system shall be a mandatory part of all public school curriculum for grades one through twelve.
 - A. The State Department of Education shall establish a task force to develop this curriculum.
 - B. An appropriate curriculum for each grade level shall be developed with input from groups including, but not limited to, educators, the State Attorney General's office, law enforcement agencies, the State Bar Association, and the medical profession. Previous studies and existing programs should be consulted.

DANIEL E. LUNGREN
Attorney General

State of California
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511
P.O. Box 944255
SACRAMENTO, CA 94244-2550
(916) 445-9555

(916) 324-5490

June 22, 1993

E. Andrew Schooler
Attorney at Law
1020 Prospect, Suite 306
La Jolla, California 92037

John S. Kitchin, M.D.
A Medical Corporation
8880 Rio San Diego Drive, Suite 1040
San Diego, California 92108-1644

Re: Initiative Title and Summary
Subject: REPEAL OF PAROLE AND PROBATION LAWS. INITIATIVE STATUTE.
File No: SA 93 RF 0008

Dear Proponents:

Pursuant to your request, we have prepared the enclosed title and summary of the chief purposes and points of the referenced proposed initiative. Enclosed is a copy of our letter to the Secretary of State, as required by Elections Code sections 3503 and 3513, our Declaration of Mailing, the title and summary and the text of your proposal that was reviewed.

The Secretary of State will be sending a copy of the circulating and filing schedule for the proposed initiative shortly. After you have your petitions printed for this measure, please provide us a copy, not for our review or approval, but to supplement our file in this matter.

Sincerely,

DANIEL E. LUNGREN
Attorney General

A handwritten signature in cursive script, reading "Kathleen F. DaRosa".

KATHLEEN F. DaROSA
Initiative Coordinator

KFD:ms
Enclosures

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 1515 K Street, Suite 511, Sacramento, California 95814.

On the date shown below, I mailed a copy or copies of the attached letter to the proponents, by placing a true copy thereof in an envelope addressed to the proponents named below at the addresses indicated, 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: June 22, 1993

Subject: REPEAL OF PAROLE AND PROBATION LAWS. INITIATIVE STATUTE.
File No.: SA 93 RF 0008


Name of Proponents and Addresses:

E. Andrew Schooler
Attorney at Law
1020 Prospect, Suite 306
La Jolla, California 92037

John S. Kitchin, M.D.
A Medical Corporation
8880 Rio San Diego Drive, Suite 1040
San Diego, California 92108-1644

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

Executed at Sacramento, California, on: June 22, 1993.



MARGE SMITH
Declarant

594

INITIATIVE CHECK LIST

Phone Notification from AG - Date/Time: _____

Title of Initiative: REPEAL OF PAROLE AND PROBATION LAWS.

Type of Initiative: _____ CA S _____ CA and S

Number of Pages: 1 Number of Proponents: 2

- | Initial/Date/Time | |
|---------------------------|--|
| 1. <u>da/6/22/</u> | AG informs Cathy or Deirdre. They inform Media and Gabrielle (copy room) the approximate time that the initiative will be delivered. |
| 2. <u>da/6/22/12:30</u> | Deirdre gives check list, full title and proponent information to Dale to prepare calendar. |
| 3. <u>db/6/22/2:00</u> | Dale prepares and proofs calendar and log ¹ and returns both to Deirdre. |
| 4. <u>da/6/22/2:05</u> | Deirdre proofs calendar and log ¹ . |
| 5. <u>da/6/22/2:07</u> | Deirdre gives final calendar and log ¹ to Cathy. |
| 6. <u>Cathy 6/22 2:20</u> | Cathy reviews and signs. Cathy returns signed calendar to Deirdre. |
| 7. <u>da/6/22/2:20</u> | Clerical staff makes copies of initiative calendar for each proponent. |
| 8. <u>da/6/22/2:50</u> | Clerical staff attaches copy of "Political Reform Act of 1974 Requirements" to proponent's copy of initiative calendar. |
| 9. <u>da/6/22/3:28</u> | Deirdre advises Cathy when initiative calendar is sent to proponent(s). (This <u>must</u> be sent to each proponent same day AG prepares Title & Summary). |

¹ The word log refers to the "Calendar of Petition Filing Dates"

INITIATIVE CALENDAR CHECK LIST
PAGE 2

- Initial/Date/Time
10. da/6/22/2:40 Clerical staff distributes copies of initiative calendar same day
AG prepares Title & Summary to :
- Tony (Exec)
 - Melissa (Media)
 - Cindy (Media)
 - Shirley (Media)
 - Jerry (Exec)
 - Cathy (Elections)
11. da/6/22/3:30 Clerical staff orders copies of initiative calendar and gives to
Debra when complete.
12. ds 6/24/11 AM Debra distributes copies of initiative calendar to:
- All CC/ROV
 - Elections Staff
 - Initiative Mailing List
 - Extra copies for public distribution (give to Pam)
 - Master copy (give to Pam)
13. ds 6/24/93 11AM Clerical staff advises Cathy of completion of above
distribution.
14. ds 6/24/93 11AM Clerical staff makes copies of log¹ and distributes as follows:
1. Cathy Mitchell
 2. Vi Daniels (Initiative Mailing List)
 3. Mac Taylor (Initiative Mailing List)
 4. Melodi Andersen (Archives)
 5. Oliver Cox
 6. Initiative Filing Date Calendar (log)
 7. Cindy (Media)
15. PB 6/23/93 4:00 Pamela prepares folder for public distribution.
16. PB 6/24/93 2:00 Pamela prepares index cards for each initiative.
17. da/6/24/4:21 Deirdre returns completed INITIATIVE CHECK LIST to
Cathy.

NOTE: Cathy's backup is Janice or Oliver. Deirdre's backup is Cathy or Dale.

¹ The word log refers to the "Calendar of Petition Filing Dates"