League of Women Voters Eden Area

VOTER

Vol. 48 No. 89 | *Political Responsibility Through Informed and Active Participation* | September 2005

YOU ARE INVITED
TO A
LUNCHEON FORUM

Friday, October 7, 2005
Noon to 2 p.m.

San Lorenzo Village Community Hall
377 Paseo Grande, San Lorenzo
(Near Hesperian Blvd.)

The special election is on again and there will be eight initiatives on the ballot November 8, covering a wide range of subjects.

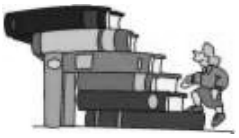
The LWVEA will present the LWVC Pros and Cons to help you decipher the rhetoric so that you will be a more informed voter when you fill out your ballot.

There will be time for questions and answers and those present will get a copy of the well-respected LWVC Pros and Cons to take home.

There will be a buffet luncheon served. Cost is $10. New members who join at the luncheon may dine for $5.

Please RSVP to Suzanne at (510) 538-9678 (leave a message) or email to lwvea@aol.com.

COMING UP!
An Evening Forum
Mid-October
on
CALIFORNIA LIVE WITHIN ARE MEANS ACT INITIATIVE



School Funding, State Spending Constitutional Amendment
PROPOSITION 76

This proposed constitutional amendment would make major changes in the state's budget process. It would change the state's spending cap, increase the governor's power to make budget cuts, and change the formulas for state budget support of education (Prop 98).

The League has invited a distinguished panel to discuss the pros and cons of proposition 76.

Watch for a special flyer with more detailed information in the near future or check out our website: LWVEA.org

PRESIDENT'S REPORT: Trust

The trust and respect between our local governments and the constituents and communities they serve is at an all-time low. The degradation of this relationship has led voters to automatically turn down needed revenue measures at the ballot box, and has led to some government officials, both appointed and elected, being suspicious of community participation in the decision-making process.

The decorum at meetings and the positive give and take between citizens and elected bodies on critical issues has also suffered. Voters believe that local governments are inefficient and incompetent, while government employees believe that constituents expect more and more without paying for it and have little understanding of the full scope of their jobs or available resources.

The situation shows few signs of improving in the near future. However, we must find a way to rebuild trust and respect between these two partners in community service delivery: those that define and pay for the services (the funding source and employer) and those that deliver the services (the providers and employees). We must assist in repairing this relationship and to get each partner to the table for collaboration and joint planning.

I do not have the answer or even a plan; but I do believe that there is a role for the League of Women Voters in the process. I believe each League should put this on their program agenda for the coming year. I suggest we should utilize our status in our communities, our nonpartisanship on candidates and issues, and our skills to raise awareness between the two and improve the dialogue. Success in these efforts is critical to the health and effectiveness of the public process and to the efficient delivery of quality services to our communities.

I challenge our Board and the Boards of our colleagues in the Bay Area to step up to this critical challenge in the coming year. It may be one of our most important efforts in quite a long time. Without it, we may not be able to successfully advocate for our respective issues because no one will be willing to pay for the resources necessary to bring our positions into existence be it in education, the environment, campaign reform, or open government.

Nancy VanHuffel, President

BOARD BRIEFS, August 3, 2005

* **Agenda Adjustment –** Three items were added under Action—Community Childcare Fair and Harmony Festival and Clean Elections.

* **Membership -** The Board recommended publishing the names of those who have paid their dues in the VOTER. Membership information should go in each VOTER.

* **Resignation -** Melody Kearney resigned from the Board and will take an off-board position helping with the VOTER.

* **San Lorenzo Community Day -** The celebration is on September 10 from 11 a.m. to 4 p.m. and Nancy hoped the League would register voters at a booth.

* **LWVC Grant for Special Election Forum -** Trish reported that we received a request from LWVC to hold a forum on Prop 76 which will impact funding for K-12 and Community Colleges. There will be grant money available to help local leagues do this. There was a consensus to hold the forum on October 7.

* **Voter Registration Activities –** There is a Community Childcare Fair on September 24th from 10 to 2 at the Four C's building near Centennial Hall in Hayward. The Harmony Festival will be on the same date at Weekes Park.

* **Clean Elections -** Judy Cox of the Oakland League is asking LWVEA to send a representative to meet with Assemblywoman Loni Hancock at the legislator's office in El Cerrito.

* **Student Voter Education Project (SVEP) –** The committee has been meeting and working to expand the program this year.

* **County Superintendent's Study –** Eleanor reported that the committee has been meeting monthly and surveys sent out to over 70 people. The committee reviewed some of the responses that have been received so far at its last meeting.

* **Next LWVEA Board Meeting -** Wednesday, September 7th

THE LEAGUE OF WOMEN VOTERS RECOMMENDATIONS

NOVEMBER 8, 2005 SPECIAL ELECTION

X **PROP 73** ***Waiting Period and Parental Notification before Termination of Minor's Pregnancy*** **- OPPOSE**

Parents rightfully want to be involved in their teenagers' lives and all parents want what is best for their children. But good family communication can't be imposed by government. Mandatory notification laws may sound good, but in the real world, they just put teenagers in real danger.

X **PROP 74** ***Public School Teachers. Waiting Period for Permanent Status. Dismissal.*** **– OPPOSE**

The League supports fair, rigorous, and effective teacher evaluation and tenure procedures. However, this measure raises questions of due process rights and may limit the use of dismissal for cause. It does nothing to encourage teachers to enter and remain in the profession.

X **PROP 75** ***Public Employee Union Dues. Restrictions on Political Contributions. Employee Consent Requirements.*** **- OPPOSE**

The League supports fair, even-handed campaign finance reform, but this measure is bad policy. It restricts public employee unions' use of member dues for political activity but has no similar constraint on corporations.

X **PROP 76** ***State Spending and School Funding Limits.*** **– OPPOSE**

This constitutional amendment changes the state's spending cap, increases the governor's power to make budget cuts, and revises the Proposition 98 minimum guarantees for state support of education. It reduces flexibility to address changing needs and will cause cuts in essential services. School funding will be permanently reduced by $4 billion per year. Our system of checks and balances will be undermined by giving this and all future governors the power to make cuts unilaterally. This is not budget reform!

X **PROP 77,** ***Reapportionment.*** **– PENDING.**
It was just put back on the ballot. We have urged the legislature and governor to negotiate to place an alternative measure on the ballot.

X **PROP 78** ***Discounts on Prescription Drugs.*** **- OPPOSE**

There are two prescription drug initiatives on this ballot. Drug companies have contributed over $50 million to support Proposition 78, an inferior program that depends on their voluntary participation.

X **PROP 79** ***Prescription Drug Discounts. State-Negotiated Rebates.*** **– SUPPORT**

Proposition 79 offers deeper drug discounts to nearly twice as many Californians as Proposition 78. It has an enforcement mechanism to hold drug companies accountable for providing discounts.

X **PROP 80** ***Electric Service Providers. Regulation.*** **– NEUTRAL**

Because League positions do not cover the issues in Proposition 80, the LWVC is remaining neutral on this initiative.

VOTE WITH THE LEAGUE ON NOVEMBER 8TH!

KNOW YOUR BAY AREA DAY

Reforming the California Environmental Quality Act: How Has It Worked, Does It Need To Be Changed?

Saturday, September 24, 2005
Fremont Main Library, Fukaya Room
2400 Stevenson Blvd., Fremont

9:30 am Registration and Refreshments
10:00 am Program

? **Overview of CEQA–**
? **Perspectives on How CEQA Has Worked**
? **Should CEQA be reformed?**

1 pm Adjourn

Registration: $10 per person.
Please confirm any and all reservations by Thursday September 22 to tamhege@aol.com or (510) 832 4261 or send checks payable to LWVBA to Tam Hege - 80 Florada Ave, Piedmont, CA 94610.

Redistricting - WHERE WE STAND

In 1987 and 1988, the League of Women Voters conducted an extensive study of the redistricting process in California. We immediately applied our resulting position in support of Proposition 119, an unsuccessful attempt to establish an independent commission to draw district lines in California.

The next two redistricting plans drawn by the state legislature (in 1991 and 2001) either were rejected by the courts or were widely criticized as being fundamentally flawed. Today we find ourselves in the middle of a sustained public debate on the future of redistricting in California, a debate that will continue for some time.

What does the League have to say about the way California should redistrict? In brief, we support a redistricting process and standards that promote fair and effective representation in the state legislature and in the House of Representatives, with maximum opportunity for public scrutiny of the process. And we support redistricting by a bipartisan commission rather than by the legislature.

The standards on which a redistricting plan should be based, regardless of who has responsibility for redistricting, should include (1) substantially equal population, (2) geographic contiguity and (3) protection of the voting strength of a racial or linguistic minority from dilution.

To the extent possible, these standards should also include respect for legal boundaries of cities and counties, and preservation and protection of "communities of interest." On the other hand, the standards should not consider the protection of incumbents or the preferential treatment of any political party.

The League places a good deal of emphasis on the importance of the structure of the redistricting process. It is clear that members feel that how redistricting is done is even more important than who does it. League positions on opportunities for citizen participation in government decision making, the need for adequate notice of proposed actions and the need for open meetings are all crucial to member understanding of what constitutes a fair redistricting process.

The League believes that the redistricting process should include (1) specific time lines for the steps leading to adoption of the redistricting plan, (2) public hearings on the proposed plan, (3) an automatic nonjudicial backup procedure in the event of deadlock and (4) a requirement that any redistricting plan drawn by the legislature be adopted by more than a simple majority vote.

Members prefer redistricting by a commission over redistricting by the legislature. Balance, however, is considered important and commission members should reflect California's diversity of population and varied geography, as well as a balance of economic, social and partisan interests.

Members conclude that a redistricting commission would make fair and effective representation a more likely outcome than the decisions of legislators, whose self-interests seem to dominate over their concern for fairness and the common good. Given only two practical choices—legislature or commission—the choice of a commission reflected members dissatisfaction with the legislature's previous redistricting performance as much as enthusiasm for a commission per se.

The questions of who should redistrict California and how such redistricting lines should be drawn are complex. All the criteria involve difficult and controversial definitions and decisions. The League position does not promise panaceas or quick fixes. Rather, it represents a thoughtful reflection on a complex political process and offers balanced suggestions for a road map to navigate the difficult journey.

STUDENT VOTER EDUCATION UPDATE

The Student Voter Education Program (SVEP) is looking for League members to participate as MENTORS. Now in our 2nd year, SVEP targets the young potential voter to motivate and educate about active citizenship, specifically voting.

Chabot College students are being trained to give persuasive presentations. With MENTORS present during the presentations, the college students can get friendly feedback and emotional encouragement.

After a one and a half hour training session (September 27, 7 - 8:30 p.m. at Hayward City Hall) MENTORS will be used during October. Mentors choose the schools, dates and times that suit their availability. MENTORS build into the Student Voter Education Program improved quality control, broader background knowledge and experience, and strength through collaboration.

This is a fun way to encourage voting among the youth in your neighborhood. It requires little work, little time, and pays back big time. Retired teachers may especially be interested in this. Please contact Patricia Taylor at 510-886-1711 or email her at taylorfm@sbcglobal.net

By Patricia Taylor

COUNTY SUPERINTENDENT STUDY UPDATE

For the past eight months, a team of local leaguers from seven Alameda County LWV's have been collecting data pertaining to the election/ appointment of a county superintendent of schools. Their research is geared toward determining the efficacy of a position filled by election vs. a position that is appointed by an elected Board of Education.

Currently, 53 of California's 58 counties have an elected Superintendent (Alameda is one of the latter). Five counties, however, have a county superintendent appointed by an elected Board of Education: San Diego, Santa Clara, Sacramento, Ventura and San Francisco.

The Committee, appointed by the Alameda County Council of LWV Presidents, recently reported to the Council that 70 letters had been sent to superintendents and board members in nine counties. Counties selected are adjacent Bay Area counties; urban in nature and serve an average daily attendance (ADA) of 56,000 to 480,000 average daily attendance (ADA). Alameda County's ADA is 216,822. Three Bay Area counties fall below this range: Solano, Marin, and Napa.

In the letters incumbents are asked: What are the advantages of electing a superintendent? Disadvantages? What are the advantages of an appointed superintendent? Disadvantages?

Co Chairs Lynn Groh (Alameda) and Eleanor Parker (Eden Area) reported they hope to learn of governmental efficiencies that can result from each process. Educational meetings will be presented in spring of 2006. They acknowledge the study is singly focused and may leave some issues unanswered.

By Eleanor Parker

JUVENILE JUSTICE COMMITTEE UPDATE

A group of League members (including Beverly Reliford of the Eden League) met with Chief of Probation Donald Blevins to review some data and information on the juvenile justice in Alameda County. The following information is taken from notes from the meeting.

Chief Blevins reported that he was talking to Supervisor Gail Steele about how to include the League in the reorganization process stemming from the Huskey Report. **

Steele is considering calling monthly meetings, starting in late September including the League Juvenile Justice Committee (JJC) to ask how the Huskey Report's recommendations are being implemented.

Chief Blevins said that TANF funds were retained at the same level as last year, but Probation was cut $4.3 Million from the County General Fund, the 4th year of cuts. This is now a total of $19.5 million. Before the cuts there were over 800 staff, now down to 674 of which 130 are Juvenile Probation Officers.

Juvenile Hall has low staffing due to a $1 million cut from intermittent staff making the staffing ratio just barely in compliance with the CA Board of Corrections.

Camp Sweeney is a great success with 30 GED graduations. Student scores were raised three grade levels.

[Continued on Page 6]

Answering Beverly Reliford's question about Hayward's problems, Chief Blevins reported that Supervisor Nate Miley contracted with the Prevention Institute to set up a violence prevention pilot program. Key will be communication between all the county and city agencies so that the program can tap into all the resources.

Community Probation is a successful program with wrap around services to families, home visits, small caseloads and intensive supervision. It costs $5000 per youth per year whereas a year in Juvenile Hall costs at least $25,000 per youth per year. Community Probation is 31% more effective than regular Probation at $3000 per youth per year.

After the meeting, League members felt that Alameda County Leagues can help improve the Juvenile Justice system by becoming informed and holding educational forums on the Huskey Report, community probation, and needed reforms at Juvenile Hall.

***The Huskey Study is a 382-page study, also known as the Huskey Report, highlights the many strengths of the current juvenile justice system. The study also identifies existing gaps and ways in which the system can be strengthened. These are proposed in order to position the juvenile justice system to meet the challenges facing Alameda County's juvenile justice service delivery system. It can be found at the following website.* http://www.acgov.org/huskey.htm

ELECTION SYSTEM IN ALAMEDA COUNTY

On Friday, August 19, the Acting Registrar of Voters, Elaine Ginnold, convened an Election Advisory Committee Meeting at the behest of the County Board of Supervisors. The Committee comprised about 24 members of which seven were league members in Alameda County.

Constrained by both the *Help America Vote Act* at the federal level, and the state's decision not to certify any of the non-paper trail voting machines, Alameda County faces a dilemma because of the purchase of the Diebold Touch Screen voting machines.

Each of the committee members was asked about concerns involving voting in Alameda County. This generated several pages of concerns which were then categorized into accessible sites, training of poll workers, privacy of the voting act, registration of voters, and the validity of any machine form of voting.

Recently, the *Daily Review* newspaper carried an article about the new CEO hired by Diebold to improve its image. Nothing was said about increased reliability or validation techniques to allay voters' apprehension about correct casting and counting of ballots.

The committee will meet another time or two so that a recommendation can be made to the County Board of Supervisors as to next steps to take in preparation for the next round of voting.

By Evelyn Cormier

COUNTY MAY BOOT DIEBOLD

OFFICIALS LOOK AT MIX OF PAPER, ELECTRONIC VOTING

By Ian Hoffman, Staff Writer
Daily Review Excerpt

Alameda County — the first large West Coast county to gamble on Diebold Election Systems Inc. and its electronic-voting machines — is weighing whether to end that experiment, going with a more paper-based voting system and perhaps another supplier. County officials are contacting voting-system vendors this week and asking whether they can provide a so-called "blended" voting system, with a winning bidder to be chosen in November.

Alameda is headed the way of many large counties — toward a hybrid of optical scanners for paper ballots and either electronic touch screens or computerized ballot-marking devices for handicapped voters.

If vendors can supply such a system, this November's special election will be the county's last with Diebold touch screens as the only voting equipment in the polling place.

Diebold remains the nation's largest voting system supplier and is selling thousands of its touch screens in Mississippi, Utah and Ohio. And the firm still may try selling Alameda County on a new system.

But the county's move away from touch screens and toward other vendors is a blow to Diebold after a two-year string of missteps and mistakes by the firm.

County elections officials stoutly defended the company in 2003 when Diebold computers awarded thousands of votes to the wrong candidates, and in 2004 when Diebold exerted last-minute pressure on the state to approve voting equipment only to have it break down in a quarter of Alameda County polling places.

In June, county supervisors signaled a willingness to increase their original $12 million investment in Diebold equipment by approving negotiations for purchase of newer touch screens for an additional $6 million.

But the last straw came in July, when state tests of 96 of those new touch screens revealed paper jams, system crashes and screen freezes in 28 percent of the machines. Secretary of State Bruce McPherson rejected the machine for use in California.

Since then, sales reps from other vendors have come knocking at the door of acting county elections chief Elaine Ginnold. She and her staff have test-driven several other voting systems. She will ask county supervisors Tuesday for the go-ahead to solicit bids on the new hybrid system in September.

The move to a paper-based voting system makes sense, Ginnold said.

"One reason is the cost of electronic machines is quite high, and in the light of changing state and federal regulations, we don't see the prudence of spending a lot of money on touch screens at this time," she said.

An equal reason comes from the county's voters. Almost 40 percent are voting on paper absentee ballots, and this proportion of mail-in voting is rising with every general election.

The big question is whether any vendor is ready to challenge Diebold in Alameda County. Federal law requires every polling place nationwide to offer at least one handicapped-accessible voting machine, but the law doesn't say exactly what accessible means. Electronic touch screens tend to be widely accessible to visually and physically handicapped voters.

But state law requires all electronic voting machines to offer some paper backup record for voters to confirm their electronic choices, and providing this paper trail reliably has been a stumbling block for Diebold.

Two other large vendors are likely to vie for Alameda County's business. Oakland-based Sequoia Voting Systems will have touch screens with paper trails running in seven California counties in November, but the company still is waiting for testing labs to clear the software necessary to handle the unique challenges of a California primary election.

Sequoia is talking to Alameda County about that system, which the firm expects to be approved by year-end, and about an optical scanning system.

"It's our home county, it's a county we take a lot of pride in and we think we can offer the county exactly what it needs to restore confidence in the election system," said Sequoia spokesman Alfie Charles.

Election Systems & Software has conditional state approval for a handicapped-accessible ballot-marking device known as the AutoMark. But disability groups have split over whether the machine is accessible enough.

Voters slide a paper ballot into the machine, use controls and audio signals to mark it, then slide the ballot into a "privacy sleeve" and deliver it to a poll worker for scanning.

John McDermott, a California elections law veteran of more than 20 years, warned local elections officials in a recent letter that the AutoMark is not handicapped accessible and so does not comply with the Help America Vote Act, or HAVA, the source of most funding for new voting equipment purchases nationwide.

IMPORTANT WEB SITES:

LWVEA.Org
Eden Area League calendar of events, state and local positions, and other news.

Smart Voter.org
Voting and election Information on local candidates and ballot initiatives.

League of Women Voters of Eden Area
P. O. Box 2234 – Castro Valley, CA 94546 • 510/538-9678
Representing cities of Hayward and San Leandro
and unincorporated areas of Ashland, Castro Valley,
Cherryland, Fairview, Hillcrest Knolls and San Lorenzo

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Dues: Regular - $48 Same Household - $24 Student - $20
Dues and contributions to the League are not tax deductible.
Contributions to the LWVEA Education Fund ARE deductible
to the extent allowed by the law.

The League of Women Voters, a nonpartisan political organization, encourages the informed and active participation of citizens in government and influences public policy through education and advocacy.

Calendar of upcoming events
All members and the public are welcome.

SEPT.

7	LWVEA Board Meeting, 11:45 to 1:30, San Lorenzo Village Homes Assoc.
10-11	Castro Valley Fall Festival and San Lorenzo Community Day 60th Anniversary
24	Voter Registration at Child Care Fair & Harmony Festival both in Hayward. Call Evelyn Cormier for information.
24	LWV Bay Area League – Protecting and Reforming CEQA Fremont Library
27	SVEP Training for LWVEA and AAUW participants, Hayward City Hall.

OCT

5	LWVEA Board Meeting, 11:45 to 1:30, San Lorenzo Village Homes Assoc
7	Luncheon Forum – Pros and Cons on November Ballot Initiatives
Mid-Oct	Evening Forum on Prop 76 with a panel of experts. Watch for more information

HAVE A QUESTION?
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