

The Initiative Process as a Political Solution

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The initiative process has been in existence in California since 1911. It is a process that has been used, historically, by special interest groups and other organizations that had a great deal of money. Organizations like ours are just now beginning to realize that the initiative process is very easy to navigate. We think, at this point in time, that the initiative process is probably the **only** way we will ever be able to have any legislation enacted which might be favorable or beneficial to prisoners and their families.

For years now, the public has been quite hostile towards the incarcerated and any person who might propose legislation which could be construed as "pro" prisoner or "soft on crime" and that cuts counter to the agenda of the California Correctional Peace Officers Association (C.C.P.O.A.) and those victim's rights groups who are funded by them. In fact, it has been the case that any legislator who might have proposed such legislation was, in essence, committing political suicide.

We have had a few legislators, however, who have exhibited the kind of political courage we should be demanding from **all** our representatives in that arena: from Gloria Romero and Jackie Speier (who we failed to elect to a government position in the last election) to Mark Leno. There have just been a handful of California Senate and Assembly members who have risked their careers by "bucking" the trend and attempting to do something positive and introspective for prisoners and/or for the California Department of Corrections and Rehabilitation (CDC & R). It was because of the inherent dangers faced by any legislator proposing "pro-prisoner" or "pro-rehabilitation" legislation that nothing had been getting done insofar as healthcare, education, and rehabilitation programs were concerned.

In any event, we believe that the initiative process is the only realistic solution to the problem. As we stated previously, it is a very simple process to navigate. The framework for the initiative process can be found in the ¹California Constitution (Article 2, Section 8). The bottom line is that amending a current statute, adding a new statute, or amending the California Constitution mandates that we gather the required number signatures from California registered voters to qualify the initiative on the ballot. The required number of signatures is based upon the total number of votes cast in the last gubernatorial election and the type of initiative. For example, to change an existing statute requires 5% of the total number of votes cast in the last gubernatorial election, while adding a new statute or amending the California Constitution requires 8%. Our initiatives amend existing statutes, and require exactly 433,971 signatures from registered voters to qualify for the ballot in November 2008. Our goal is to get 500,000 signatures to automatically qualify without a hand count of each signature and to send a strong message to the people of the State of California that we are united in our mission to ensure that our incarcerated loved ones are given the opportunity to rehabilitate themselves.

The beauty of this process is that the success of our measures are not dependent on whether or not the California Legislature agrees with us on a particular subject; they actually have no say insofar as our initiatives are concerned and they could not amend anything that we get passed. But let's do the math, just to give you a better understanding of what we are up against. For this example, we are using a total of 500,000 signatures. If we had 1000 people willing to get signatures for 150 days, each person would have to get a total of 500 signatures, or 4 signatures a day. With 2000 people, each person would have to get a total of 250 signatures, or 2 signatures a day. With 4000 people, each person would have to get a total of 125

signatures, or only 1 signature a day. That could be done by standing outside in your front yard!

We simply want to make it clear that with an ability to gather these signatures in a 150 day time period we will be able to give the people of the State of California the opportunity to change any law. And since it has become "political suicide" to sponsor legislation that would be beneficial to prisoners and their families, we must begin to use the initiative process as a vehicle to propose legislation that would be beneficial to us. And since we don't have the kind of money the C.C.P.O.A has, we have to rely on the family members and friends of prisoners to volunteer.

With close to 175,000 men and women incarcerated in the State of California, it would be unconscionable to think that we would not be able to get 4,000 family members and friends to gather signatures on our behalf.

¹Reference California State Constitution: http://www.leginfo.ca.gov/.const/.article_2