[ms-0087.008.005.005]

ACLU NEWS
san diego

OCTOBER 1972

Published by the American Civil Liberties Union
P.O. Box 6233, San Diego 92106 223-3863
President: Mary Freske Editor: Frank Phillips

INTEGRATION OF EX-OFFENDERS INTO THE COMMUNITY SET AS OCTOBER MEETING TOPIC

"New Directions in Community Correction Philosophy" will be discussed by the director of a job placement service for ex-offenders at this month's ACLU membership meeting. Mr. Robert McKinney will speak along with one or two recent parolees. McKinney is Director of J.O.V.E, an Economic Opportunity Commission project designed to assist ex-offenders in obtaining jobs and job training.

WHEN: TUESDAY, OCTOBER 24TH AT 7:30PM

WHERE: BARD HALL
FIRST UNITARIAN CHURCH
4190 FRONT ST.

*****SPECIAL ISSUE*****

CIVIL LIBERTIES AND THE PROPOSITIONS

This issue of the ACLU Newsletter is devoted to an examination of six propositions which will appear on the November ballot which have civil liberties implications. Particular emphasis is given to Propositions 17 and 21. These two propositions have been selected by the ACLU as the focus of concentrated campaigns.

Proposition 17 would allow the California Legislature to reinstate the death penalty. Arthur Polk is local chairman of the Coalition Against the Death Penalty. His article on the local campaign appears on the next page.

Proposition 21 would help to prevent the desegregation of the state's public schools. David Irving, chairman of the local campaign to defeat this initiative, describes the ballot measure and its consequences on page 3.

Brief descriptions of 4 other ballot measures having civil liberties implications appear on the last page of this newsletter. Two of the measures are supported by the ACLU and two have been opposed by the organization. More complete descriptions will be included with your sample ballots from the Registrar of Voters.

EFFORT TO PREVENT RESTORATION OF DEATH PENALTY UNDERWAY

BY ARTHUR POLK
ACLU representative
San Diego Coalition to End the Death Penalty

Proposition 17 on the November ballot is an attempt to permit the restoration of the death penalty in California. Earlier this year the state Supreme Court, ruling on an ACLU case, said that the death penalty was cruel and unusual punishment and therefore was in violation of the California Constitution. Following that decision several legislators and law enforcement officials sponsored an initiative drive to put the issue on the ballot. Proposition 17, if adopted by the voters, would provide for a constitutional amendment permitting the state Legislature to reinstate the sentence of death for crimes in California.

The San Diego Coalition to End the Death Penalty is concentrating its efforts to defeat Proposition 17 in two principal areas. Letters have been sent to service clubs, women's clubs, labor groups, and other organizations offering speakers to discuss the proposed constitutional amendment. Speakers will be furnished by "Lawyers Opposed to Capital Punishment." The Chicano Federation will send speakers to appear before Mexican-American groups.

A second major effort will be in the distribution of literature. Volunteers from Women's League for Peace and Freedom, the ACLU, the Chicano Federation, and Sol Ray will pass out leaflets at major shopping centers. The San Diego chapter of the American Federation of Teachers will distribute flyers to teachers.

DONATIONS AND VOLUNTEER SERVICES ARE URGENTLY NEEDED. CALL JOE SOLIS AT SOL RAY AT EITHER 232-6494 or 232-2521.

☐ FOR

AGAINST ☒

DEATH PENALTY. Amends California Constitution to provide that all state statutes in effect February 17, 1972 requiring, authorizing, imposing, or relating to death penalty are in full force and effect, subject to legislative amendment or repeal by statute, initiative, or referendum; and that death penalty provided for under those state statutes shall not be deemed to be, or constitute, infliction of cruel or unusual punishments within meaning of California Constitution, article 1, section 6, nor shall such punishment for such offenses be deemed to contravene any other provision of California Constitution.

TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST

IF YOU HAVE BEEN WANTING TO DO SOME WORK FOR THE ACLU AND YOU KNOW HOW TO TYPE YOUR TIME HAS COME. THE LOCAL CHAPTER HAS LOTS OF TYPING TO BE DONE. IF YOU HAVE SOME FREE TIME AND WOULD LIKE TO HELP EASE THE BURDEN ON THE SAN DIEGO ACLU'S LONE STAFF PERSON PLEASE CALL CEIL PODOLOFF AT 223-3863.

TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST--TYPIST

=CAUSE FORMED TO FIGHT ANTI-INTEGRATION INITIATIVE ON BALLOT

BY DAVID IRVING
ACLU representative to San Diego =CAUSE

The ACLU has joined with several other organizations to oppose Proposition 21 on the November ballot. Proposition 21 is widely known as the "Anti-busing Initiative" but its effects go far beyond just anti-busing to make it an anti-integration initiative. It would prevent any means of achieving racial balance in the schools and roll back such efforts enacted in the past.

Proposition 21 is racism in sweet-talk clothing. It pretends to be absolutely color-blind, but its consequences would be to freeze hundreds of thousands of minority children in the inferior segregated schools to which they are now assigned. It would repeal the Bagley Act which presently requires school districts to take note of racial imbalance and undertake to eliminate it from the schools. It would reverse the California Supreme Court decision of 1971 that, although no pupil is to be bused without parental consent, assignment to schools is a necessary and proper school district function. It would even repeal the requirement that school districts make annual racial-ethnic surveys which indicate racial imbalances and segregation.

Proposition 21 would prevent the changing of attendance boundaries, the construction of educational parks, and even voluntary transfer plans, when these had as their goal the promotion of better racial balance.

To defeat this proposition a group known as Californians Against Unequal Schools and Education, or =CAUSE, has been formed. In addition to the ACLU, =CAUSE is supported by the California Federation of Teachers, the NAACP, the League of Women Voters, and the Community Relations Conference of Southern California. Local Supporters include the San Diego Teachers Association, San Diego Ecumenical Conference, and Citizens United for Racial Equality. Organizational financial support has gone into staffing a state headquarters in Los Angeles. Local efforts, chaired by Melba Margolis, are entirely voluntary.

Lack of funds has prohibited the massive political campaign needed to do a good job of defeating Proposition 21. Local efforts so far have centered on obtaining endorsements from prominent individuals and organizations and on contacting community groups to help spread the truth about proposition 21. Some success along these lines was achieved when the San Diego School Board voted to oppose Proposition 21. Many individual endorsements have been received, including two city councilmen and two school board members. Much more work needs to be done and volunteer help and donations are welcome. CONTACT =CAUSE AT 3386 30th STREET, SAN DIEGO, CA. 92104, 295-5800 from 9-12am daily.

Proposition 21 must be defeated. It, in all likelihood, is contrary to the fundemental law of the state and the nation and, when litigated, will be struck down as unconstitutional. That, happily, was the fate of the like-minded, like-spirited Proposition of eight years ago, the California realtors' Anti-Fair Housing Amendment. In 1966 it was voided by the state Supreme Court and, in 1967, by the federal Supreme Court. Meanwhile old Proposition 14 struck an irreparable blow to race relations in California. The courts, even in striking it down, were not able to redress that damage.

☐ FOR

☒ AGAINST

STUDENT SCHOOL ASSIGNMENT INITIATIVE. Adds section to Education Code providing: 'No public school student shall, because of his race, creed, or color, be assigned to or be required to attend a particular school.' Repeals section establishing policy that racial and ethnic imbalance in enrollment in public schools shall be prevented and eliminated. Repeals section which (1) establishes factors for consideration in preventing or eliminating racial or ethnic imbalances; (2) requires school districts to report numbers and percentages of racial and ethnic groups in each school; and (3) requires districts to develop plans to remedy imbalance.

OTHER PROPOSITIONS

Below are descriptions of other statewide ballot measures which the ACLU of Southern California has taken positions on. For more complete arguments please see the September and October issues of Open Forum.

The ACLU SUPPORTS Proposition 11
RIGHT OF PRIVACY. Adds right of privacy to inalienable rights of people.

The ACLU OPPOSES Proposition 18
OBSCENITY LEGISLATION. This 6,000 word initiative defines a whole range of items and conduct as illegal. Among other things this measure would make it a crime to exhibit a movie or magazine containing a single photograph "that shows the nude or nearly nude body," or that utilizes slang words referring to the human body. According to ACLU legislative advocate Coleman Blease this measure "literally applied...would reach much of the printed matter in circulation today. If not applied literally, the new law will be applied selectively, at the whim of any district attorney or vociferous pressure group."

The ACLU SUPPORTS Proposition 19
MARIJUANA. This measure "would provide that no person eighteen years or older shall pbe punished criminally or denied any right or privilege because of his planting, cultivating, harvesting, drying, processing, otherwise preparing, transporting, possessing or using marijuana. Does not repeal existing, or limit future, legislation prohibiting persons under the influence of marijuana from engaging in conduct that endangers others."

The ACLU SUPPORTS Proposition 20
COASTAL ZONE CONSERVATION ACT. This measure would establish a state Coastal Zone Conservation Commission and six regional commissions. The ballot measure would prohibit development in the coastal zone except with permits from the state. The coastal zone is defined as "the area between the seaward limits of state jurisdiction and 1000 yards landward from the mean high tide line, subject to specified exceptions."

The ACLU OPPOSES Proposition 22.
AGRICULTURAL LABOR RELATIONS. This measure would severely limit the ability of labor unions to organize farm workers. Among other things it would outlaw the secondary boycott, used successfully in organizing grape pickers several years ago.

AMERICAN CIVIL LIBERTIES UNION
P.O. BOX 6233
SAN DIEGO, CALIFORNIA 92106

BULK RATE
U.S. Postage
PAID
San Diego, Calif.
Permit No. 587

C.U.R.E.
3386 30th
San Diego, Ca 92104