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Calendar

No Board Meeting scheduled for July

Tuesday, August 4 :

Annual Board Retreat

9 a.m.—2 p.m.

707 West Fairmont Ave.

Fresno, All invited

Wednesday, August 19 :

Regular Board Meeting

5 p.m., League Office

Tuesday, August 25:

Ice Cream Social

See flyer for time and place

Wednesday, August 26:

Women's Equality Day

Mixed Results of Compliance Audit Show Need for FOI Training

By Francine Farber

A local Public Documents Audit by LWVF revealed lack of compliance with Freedom of Information regulations in some local water districts. Meanwhile, the audit found generally acceptable to excellent compliance from most Fresno County Police Departments. The Audit demonstrated that one might need to be persistent, as well as bold, to receive documents that the Freedom of Information Act gives you a right to request.

The Audit was funded by a competitive grant of \$400 to LWVF from the LWVUS to celebrate Freedom of Information Day (FOI) on July 4. The national organization plans to release a compilation of Audit results from approximately 12 local leagues across the country, including Fresno. When received, it will be included in a subsequent issue of The Voter.

The goal of the Audit was to determine whether public agencies comply with Freedom of Information rules regarding making certain documents readily available to the public upon request. Generally, the rules provide that you do not have to identify yourself to receive public documents, nor provide a reason for your request. Only reasonable fees for copying the documents may be charged. The information must be provided within a reasonable time, usually two weeks from the request.

The LWVF Public Audit committee

decided to request public documents from the 12 Fresno County police departments and Sheriff's Office, and all 18 water districts. The point of the request was to test compliance with providing the documents, rather than the content of the documents. The committee consulted with Attorney Terry Francke of Californians

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Aware, which provided pro bono advice on the audit process.

Police Departments

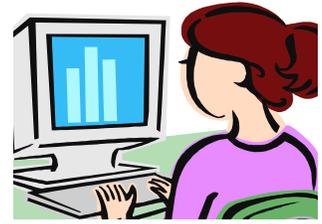
Contact information with Fresno County police departments was supplied by the local Police Chiefs Association after several telephone calls and e-mails. The organization's secretary was reluctant to give out this "confidential" information without permission from higher-ups, even though it is readily available in public telephone directories. The contact information was secured after the head of the Police Chiefs Association called the committee member personally to ask who she was and why she wanted the information. She declined to give further details, pointing out that it was her right to receive the contact information. The Police Chief Association Chair then complied with the request.

Each committee member contacted several police chiefs by e-mail, requesting information regarding the number of calls for

Continued on page 3

President's Message

A membership survey, the first in League memory, has been completed and tabulated. The survey was sent to members either in October, 2008 or April 2009 with their membership renewal envelopes. Forty-eight members, or more than 25 percent, responded. Although a higher response had been hoped for, this percentage is actually greater than is customary with mailed surveys.



When asked if they felt familiar with LWVF positions and activities, **56 percent responded that they felt very familiar, with 44 percent indicating they were somewhat familiar.** No respondents indicated lack of familiarity with League issues.

Respondents were asked to check all the League issues in which they were interested, leading to numerous multiple responses. **Under Voter Services, respondents were equally divided between voter registration and public education as their strongest areas of concern.** Under Government, respondents favored redistricting. **Natural Resource advocates were most interested in air and water issues,** while energy, land use and transportation were of interest to a somewhat lesser degree. **Under Social Issues, education garnered the vast majority of interest votes,** with health, housing, mental health and justice running somewhat behind. There were write-ins for interest in budget, farmland trust, global warming, juvenile justice and public health

Ninety percent of the respondents have asked another person to join the League. **Over 90 percent also think the League's image in the community is very positive,** while seven percent think it is somewhat positive. Nobody thought the League's image was neutral or not positive.

On a scale of one to 10, with ten being highest, **the average response for both League visibility and impact in the community was a 7+.** This is characterized as "good," but not outstanding.

Questions about the Voter were also included. **Ninety-five percent of the respondents said they read the Voter every month.** About 19 percent prefer to receive it on the computer. However, at least 25% of our members do not have computers. Those who wish to read the on-line version may do so every month, where it is posted on our web site by our Webmaster Jacquie Canfield. However, we cannot stop mailing it to all members as well, because we would then fall under the 200 copies required to receive the favorable bulk mail rate.

Many responses were received for the question, "What does the League do well?" Most members wrote in replies having to do with our traditional roles; these include a thorough study of issues and our education of our members and the community. Others pointed to our reputation for non-partisanship and voter registration.

Responding to the question "What can the League do better?" answers clustered around recruitment of new and younger members and visibility of the organization.

Membership recruitment is a particular concern. **We are planning to begin a sub-committee to generate more ideas and activities having to do with this area.** We will also be continuing our efforts to enhance the League's visibility through public commentaries where possible and partnerships with other organizations in activities of mutual interest. Both of these topics are going to be part of the discussion at the Annual Board Retreat in August.

Members are always welcome to make comments or suggestions about the League's procedures and activities, without waiting for a new survey.

Special thanks to Murray Farber for assisting in tabulating the survey responses.

Francine

Compliance Audit, continued from page 1

assistance from middle and high schools in their jurisdiction and how many of the calls involved weapons. The documentation was to be sent via e-mail or to a post office box that had been established with Audit funds. Our initial request for a great deal of school information was modified after some feedback led to the realization that we were asking for too much detail.

A number of police departments contacted their attorneys to determine the legitimacy of our request and the necessity of fulfilling it. Some of the smaller police departments responded immediately, indicating they would assemble and send the data within a short time. Examples of rapid compliance were from the Firebaugh, Fowler and Kerman Police Departments. The Sheriff’s Department covers more than 30 public middle and high schools, the largest public school responsibility of any law enforcement agency in the County, and provided the documentation requested within a reasonable period of time and in efficient summary form.

Other departments indicated that the nature of the request was difficult for them to handle because of the time involved to assemble the information and lack of local database facilities. One department initially sent the information in coded form without a key to the coding, so that lay persons could not decipher it. Some charged copying fees while others did not. A number of the departments required committee members to put their request in writing, with a signature, even though the request had been sent via e-mail which automatically bears the name of the sender.

These “technical” violations of Freedom of Information Law did not stop our committee from pursuing the data. In some cases committee members consulted with each other to decide how to proceed where it seemed initially difficult to get the information. It is possible that individual area residents in need of information would be blocked from receiving certain documents if they were not persistent and were not knowledgeable about procedures and requirements. This might be especially true if the person making the request of a police department feared retaliation; even if this fear were unrealistic, it might impede the individual’s right to information in some cases.

Overall, however, most Fresno County Police Departments and the Sheriff’s Department basically complied with our information requests. Although the content of the information was not the goal of the committee, it was eye-opening to see how many school calls for assistance there are annually, and the rea-

sons for the calls. Even in small rural communities, there might be several calls every school day for police assistance for reasons ranging from strangers on campus to assaults with a dangerous weapon.

Water Services Districts

Contact information for the 18 water districts in Fresno County was supplied through the Local Agency Formation Commission (LAFCO). Their list showed that of the 72 special services districts in the County, 18 were classified as water districts.

Each member of the Audit committee was assigned to make a telephone call to several of the districts requesting minutes from the agency’s last meeting, California Form #700 showing financial interests of its board members to prevent conflicts of interest, and salary agreements for any employees.

In general the water districts were not happy with telephone requests and required the request to be mailed to them, with a signature, through the U.S. mail. A number of them inquired as to the organization connection of the caller and why the information was needed. These requests for detailed identification and rationale were clearly illegal under Freedom of Information law.

These requests for detailed identification and rationale were clearly illegal under the Freedom of Information Law

The largest of the water districts was the most cooperative and sent the documentation in a timely fashion. Several of the districts were openly hostile; one water district employee hung up on a committee member twice after she refused to identify her organization even though she had supplied her name and telephone number. The documents were never received from this district. Another district refused to send a copy of their minutes, even though this piece of information is clearly required under law. After three to four weeks, only seven of the 18 districts had sent the documents to the committee.

In general, water district personnel seemed to be either unfamiliar with FOI requirements or simply unwilling to comply with them. LWVF Audit committee members believe that this situation requires further investigation. It raises questions about whether special district personnel receive training in FOI and other state requirements such as the Brown Act, as well as who might be responsible for providing this training.

Audit committee members put in many unanticipated hours of work in planning, initiating, following up and reporting on these requests for information. Thanks go to committee members Jane Worsley, Liz Shields, Mary Savala and Kay Bertken. The writer also participated.

EDUCATION

By Kay Bertken

Two major task force reports and recommendations were submitted to the Fresno Unified School Board at the end



of May: the report from the Superintendent's English Learners Task Force and the report of the citizen Career-Technical Education Commission. **The English Learners report addressed the challenges facing the District's**

20,000 English learners (83% of whom were born in the U.S.). Four out of five of these students are not proficient in English language arts and math as measured on standardized assessments. Of those who enter FUSD in kindergarten, only 40% ever attain "redesignation"; i.e., are determined to no longer need language services. Half of the English Learner 9th graders did not graduate four years later.

The ESL Task Force identified numerous areas for system improvement to accelerate the learning of these students. The recommendations centered on improving the District's inconsistent program placement procedures, providing enhanced professional development and support, implementing new programs with enhanced monitoring to assure that the students are meeting targets, and engaging the larger community.

The Career-Technical Education Commission has been meeting for the last eight months to develop a blueprint for an enhanced and comprehensive CTE program for Fresno Unified.

The commission recommended a program to enhance the educational experience of all FUSD students from kindergarten through graduation. They advocate beginning a career awareness curriculum in the early grades, exploring career pathways in the middle years and providing skills training in the upper grades. **The recommendations acknowledge the fundamental importance of reading and math skills and the "soft skills" associated with employment.** The Commission proposed that the District initiate a Career Readiness Certificate designating graduates as having a set of fulfilled requirements: a diploma, a minimum GPA, a portfolio including student work and a resume, good attendance, a workplace experience and completion of a career assessment.



NATURAL RESOURCES

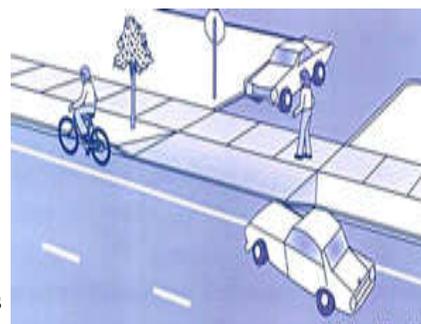
By Mary Savala

Farm Land Trust

Roll back our film to April. League's Farm Land Trust money hasn't been distributed to Sequoia Riverlands Trust, but remains in trust. Granville representatives continue to insist that a second proposal from another land trust is imminent. The fear is that this other land trust may be just a shell for delaying any real farm land preservation efforts. Our attorney, Patience Milrod, and I will be meeting with Granville and going back to a mediation session if an informal discussion doesn't clear the air. This is only \$50,000 the developer is balking at spending.

Sidewalks

City of Fresno staff has just drafted amendments to the City's sidewalks policies. ADA and League representatives will be asking for the



amendments to spell out the requirement for sidewalks between each residence in gated communities as well as between residences and commercial, recreational and community facilities, and asking for language that defines pedestrian walkways as "safe, accessible sidewalks" not just "adequate" pedestrian walkways. Developers appear to want gated communities to be exempt from sidewalk requirements.

Regional Transportation Plan

The federal government requires each regional transportation planning agency that receives federal funding to have a Regional Transportation Plan (RTP) and to update it on a regular basis. The process for the latest update is just beginning. Our RTP has four great chapters on goals, but the list of projects to be built and developed has always been very heavy on streets and highways at the expense of alternative transportation.

This year League representatives and advocates for bicycle trails and ADA advocates will be chiming in early in the process to influence the criteria for choosing transportation projects in Fresno County. Staff working on the RTP update seem pleased with the public interest and open to ways to implement our Blueprint and meet requirements of SR375 and AB32 which call for major reductions in greenhouse gases generated by transportation.

Pending Legislation Status Report

By Terri Figgs

The LWVC has studied legislation pending in the California House and Senate. The following are some of the bills that have been evaluated:

CAMPAIGN FINANCE

AB 1322 (Huffman) Political Reform

Act of 1974: campaign disclosures. Status: 05/04/2009-Read second time. To Consent Calendar.

Calendar: 05/11/09 228 ASM CONSENT CALENDAR-SECOND LEGISLATIVE DAY ASSEMBLY MEASURES

Summary: Would require that the advertisement identify the name of the independent expenditure committee that purchased it and would, for printed advertisements, specify the manner in which the disclosure must be made. This bill contains other related provisions and other existing laws.

Position: Support

AB 1514 (Hayashi) Political Reform Act of 1974: reporting. Status: 04/29/2009-Re-referred to Com. on APPR.

Calendar: 05/13/09 9 a.m. - Room 4202 ASM APPROPRIATIONS

Summary: Would require a slate mailer organization to file semiannual campaign statements for every 6-month period, irrespective of whether the organization received payments or made expenditures for that period. This bill contains other related provisions and other existing laws.

Position: Support

EDUCATION PRE K-12

AB 8 (Brownley) Education finance: working group.

Status: 04/23/2009-In committee: Set, first hearing. Referred to APPR. suspense file.

Summary: Would express findings and declarations of the Legislature with respect to the school funding system in the state. This bill would require the Director of Finance and the Legislative Analyst to convene a working group to make findings and recommendations to the Legislature and the Governor on or before December 1, 2010, regarding restructuring California's school finance system. The bill would require those findings and recommendations to include, among other things, alternative structures for funding public schools, the policy and fiscal implications of the alternative funding structure or structures, and an evaluation mechanism to facilitate continuous improvement, maximum transparency, and accountability of the funding structures.

Position: Support

ELECTION SYSTEMS

AB 1121 (Davis) Elections: ranked voting.

Status: 04/29/2009-Re-referred to Com. on APPR.

Calendar: 05/13/09 9 a.m. - Room 4202 ASM APPROPRIATIONS



California State Capitol

Summary: Would authorize the Secretary of State to approve not more than 10 cities or counties, in total, to conduct a local election using ranked voting if specified conditions are met. The bill would specify requirements for using ranked voting in both a single-candidate election and a multiple-candidate require make certain reports relating to ranked voting elections and would also require those cities and counties to report on the success of conducting those elections to the Legislative Analyst, who would be required to report to the Legislature and make recommendations on the ranked voting elections.

Position: Support

HEALTH CARE

SB 810 (Leno) Single-payer health care coverage.

Status: 05/04/2009-Placed on APPR suspense file.

Would establish the California Healthcare System to be administered by the newly created California Healthcare Agency under the control of a Healthcare Commissioner appointed by the Governor and subject to confirmation by the Senate. The bill would make all California residents eligible for specified health care benefits under the California Healthcare System, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. The bill would provide that a resident of the state with a household income, as specified, at or below 200% of the federal poverty level would be eligible for the type of benefits provided under the Medi-Cal program. The bill would require the commissioner to seek all necessary waivers, exemptions, agreements, or legislation to allow various existing federal, state, and local health care payments to be paid to the California Healthcare System, which would then assume responsibility for all benefits and services previously paid for with those funds. This bill contains other related provisions and other existing laws.

Position: Support

VOTING RIGHTS

AB 30 (Price) Elections: Voter Registration.

Status: 05/07/2009-From committee: Do pass. (Ayes 11. Noes 5.) (May 6). **Calendar:** 05/11/09 7 ASM ASSEMBLY SECOND READING FILE

Continued on page 6

Legislative report, continued from page 5

Summary: Would authorize a person who is at least 16 years of age and otherwise meets all voter eligibility requirements to submit his or her affidavit of registration. The affidavit of registration would be deemed effective as soon as the affiant would be 18 years of age at the time of the next election. This bill contains other related provisions and other existing laws.

Position: Support

AB 84 (Hill) Vote by Mail Ballots. Status: 04/30/2009-In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Would further require the local elections official to establish a free access system by which a vote by mail voter may find out whether his or her ballot was counted and,

if not, the reason why it was not counted, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Support

ACA 2 (Furutani) Elections: Voting Age.

Status: 04/20/2009-Referred to Com. on E. & R.

Summary: The California Constitution authorizes any person who is a United States citizen 18 years of age and a resident of the state to vote. This measure additionally would authorize a person who is at least 17 years of age and will be 18 years of age at the time of the next general election to register to vote, subject to compliance with applicable registration requirements, and to vote in that general election and in any intervening primary or special election that occurs after the person registers to vote.

Position: Support

ROSTER UPDATES

NEW MEMBERS

Lucy Elgin
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lucyannRNP@comcast.net

Chris Williams
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Jodi Fitzpatrick
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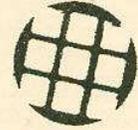
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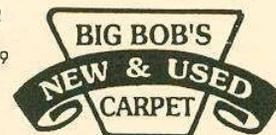
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NONPARTISANSHIP: The League does not support or oppose any candidate or political party.

DIVERSITY POLICY: There shall be no barriers to participation in any activity of the LWVF on the basis of race, creed, national origin, gender, sexual orientation, disability, or socio-economic level.

TO PROSPECTIVE MEMBERS: For more information, please leave your name and phone number on the League message phone, 226-8683, or contact our **Membership Chair, Sue Sheragy, at 243-9305**. Prospective members receive one issue of *The Fresno Voter* free.

JOIN US! Members receive newsletters from national, state and local Leagues, may access local, state and national League websites and list-serves, and may participate in League studies of issues.

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