

# California Civil Liberties Council

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## Legislative Scorecard 2014

The California Civil Liberties Council (CCLC) is a statewide, non-partisan, 501(c)(4) non-profit organization whose primary objective is to uphold the advancement and protection of all civil rights, liberties, and privileges guaranteed by the United States Constitution and the Bill of Rights. The following data was compiled to aid in arming the public with the requisite information to hold politicians

accountable when these rights are systematically subverted by the ruse of public safety. Members of the California State Senate, State Assembly, and the Governor were ranked by their voting outcomes on bills related to due process, privacy rights, equal protection, and criminal justice. *(For an explanation on the bills employed in this analysis, see p. 4.)*

Name	Party	AB 885	AB 1697	AB 1640	AB 1327	SB 569	SB 618	SB 1010	Total	%
<b>Office of the Governor</b>										
Jerry Brown	D	N	Y	N/A	N	Y	Y	Y	4/6	70%
<b>State Assembly</b>										
Luis Alejo	D	Y	Y	N	Y	Y	Y	NV	5/7	70%
Katcho Achadjian	R	N	Y	N	Y	Y	Y	N	4/7	60%
Travis Allen	R	N	Y	N	Y	Y	Y	N	4/7	60%
Tom Ammiano	D	Y	Y	Y	NV	Y	Y	Y	6/7	90%
Toni Atkins	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Frank Bigelow	R	N	Y	N	Y	Y	Y	NV	4/7	60%
Richard Bloom	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Raul Bocanegra	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Susan Bonilla	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Rob Bonta	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Steven Bradford	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Cheryl Brown	D	Y	Y	NV	NV	Y	Y	Y	5/7	70%
Joan Buchanan	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Ian Calderon	D	Y	Y	N	Y	Y	Y	NV	5/7	70%
Nora Campos	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%

Ed Chau	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Wesley Chesbro	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Rockey Chavez	R	N	Y	NV	N	Y	Y	Y	4/7	60%
Connie Conway	R	N	Y	N	Y	Y	Y	N	4/7	60%
Ken Cooley	D	N	Y	NV	Y	Y	Y	Y	5/7	70%
Matthew Dababneh	D	Y	Y	N	Y	Y	Y	Y	6/7	90%
Brian Dahle	R	NV	Y	N	NV	Y	Y	NV	3/7	40%
Tom Daly	D	NV	Y	N	Y	Y	Y	NV	4/7	60%
Roger Dickinson	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Tim Donnelly	R	N	Y	N	N	Y	Y	Y	4/7	60%
Susan Eggman	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Paul Fong	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Steve Fox	D	N	Y	N	Y	Y	Y	N	4/7	60%
Jim Frazier	D	Y	Y	Y	Y	Y	Y	N	6/7	90%
Beth Gaines	R	N	Y	N	Y	Y	Y	N	4/7	60%
Cristina Garcia	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Mike Gatto	D	N	Y	N	Y	Y	Y	Y	5/7	70%
Jimmy Gomez	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Lorena Gonzalez	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Richard Gordon	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Jeff Gorell	R	N	Y	N	Y	Y	Y	N	4/7	60%
Adam Gray	D	N	Y	N	Y	Y	Y	NV	4/7	60%
Shannon Grove	R	N	Y	N	Y	Y	Y	N	4/7	60%
Curt Hagman	R	N	Y	N	Y	Y	Y	N	4/7	60%
Isadore Hall III	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Diane Harkey	R	N	Y	N	NV	Y	Y	N	3/7	40%
Roger Hernandez	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Chris Holden	D	Y	Y	NV	Y	Y	Y	Y	6/7	90%
Brian Jones	R	N	Y	N	Y	Y	Y	NV	4/7	60%
Reggie Jones-Sawyer	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Marc Levine	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Eric Linder	R	N	Y	N	Y	Y	Y	NV	4/7	60%
Dan Logue	R	N	Y	NV	Y	Y	Y	N	4/7	60%
Bonnie Lowenthal	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Brian Maienschein	R	N	Y	N	Y	Y	Y	Y	5/7	70%
Allan Mansoor	R	N	NV	N	NV	NV	Y	N	1/7	10%
Jose Medina	D	Y	Y	N	Y	Y	Y	NV	5/7	70%
Melissa Melendez	R	N	Y	N	Y	Y	Y	N	4/7	60%
Mike Morrell	R	X	X	X	X	Y	NV	X	1/2	50%
Kevin Mullin	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Al Muratsuchi	D	X	X	N	N	N	Y	X	1/4	25%
Adrin Nazarian	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Brian Nestande	R	N	Y	N	Y	Y	Y	N	4/7	60%

Kristin Olsen	R	N	Y	N	Y	Y	Y	N	4/7	60%
Richard Pan	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Jim Patterson	R	NV	Y	N	Y	Y	Y	N	4/7	60%
Henry Perea	D	Y	Y	N	Y	Y	Y	NV	5/7	70%
John Perez	D	Y	Y	N	Y	Y	Y	Y	6/7	90%
V. Manuel Perez	D	Y	Y	N	Y	Y	Y	Y	6/7	90%
Bill Quirk	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Sharon Quirk-Silva	D	N	Y	N	Y	Y	Y	N	4/7	60%
Anthony Rendon	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Sebastian Ridley-Thomas	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Freddie Rodriguez	D	Y	Y	N	Y	Y	Y	Y	6/7	90%
Rudy Salas Jr	D	Y	Y	N	Y	Y	Y	N	5/7	70%
Nancy Skinner	D	Y	Y	Y	NV	Y	Y	Y	6/7	90%
Mark Stone	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Philip Ting	D	Y	Y	Y	N	Y	Y	Y	6/7	90%
Donald Wagner	R	N	Y	N	Y	Y	Y	Y	5/7	70%
Marie Waldron	R	N	Y	N	Y	Y	Y	N	4/7	60%
Shirley Weber	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Scott Wilk	R	N	Y	N	Y	Y	Y	Y	5/7	70%
Bob Wieckowski	D	Y	Y	Y	Y	Y	Y	Y	7/7	100%
Das Williams	D	NV	Y	NV	Y	Y	Y	Y	5/7	70%
Mariko Yamada	D	Y	Y	Y	NV	Y	Y	Y	6/7	90%
<b>Name</b>	<b>Party</b>	<b>AB 885</b>	<b>AB 1697</b>	<b>AB 1640</b>	<b>AB 1327</b>	<b>SB 569</b>	<b>SB 618</b>	<b>SB 1010</b>	<b>Total</b>	<b>%</b>
<b>State Senate</b>										
Joel Anderson	R	Y	Y	N/A	N	Y	Y	N	4/6	70%
Jim Beall	D	N	Y	N/A	Y	Y	Y	Y	5/6	80%
Tom Berryhill	R	N	NV	N/A	Y	Y	Y	N	3/6	50%
Marty Block	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Anthony Cannella	R	N	Y	N/A	Y	Y	Y	N	4/6	70%
Ellen M. Corbett	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Lou Correa	D	Y	Y	N/A	N	N	NV	N	2/6	30%
Kevin de León	D	Y	NV	N/A	NV	N	NV	Y	2/6	30%
Mark DeSaulnier	D	NV	Y	N/A	Y	Y	Y	Y	5/6	80%
Noreen Evans	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Jean Fuller	R	N	Y	N/A	N	Y	N	N	2/6	30%
Ted Gaines	R	N	Y	N/A	Y	Y	N	N	3/6	50%
Cathleen Galgiani	D	N	Y	N/A	N	Y	Y	N	3/6	50%
Loni Hancock	D	Y	NV	N/A	NV	Y	Y	Y	4/6	70%
Ed Hernandez	D	Y	Y	N/A	Y	Y	NV	Y	5/6	80%
Jerry Hill	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%

Ben Hueso	D	Y	Y	N/A	Y	Y	NV	NV	4/6	70%
Bob Huff	R	N	Y	N/A	Y	Y	Y	N	4/6	70%
Hannah-Beth Jackson	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Steve Knight	R	N	Y	N/A	N	Y	N	N	2/6	30%
Ricardo Lara	D	Y	NV	N/A	NV	Y	NV	Y	3/6	50%
Mark Leno	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Ted Lieu	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Carol Liu	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Holly Mitchell	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Bill Monning	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Mike Morrell	R	N	Y	N/A	N	X	Y	N	2/5	40%
Jim Nielsen	R	N	Y	N/A	Y	Y	Y	N	4/6	70%
Alex Padilla	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Fran Pavley	D	NV	Y	N/A	Y	Y	Y	Y	5/6	80%
Richard D Roth	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Darrell Steinberg	D	Y	Y	N/A	Y	Y	Y	Y	6/6	100%
Norma Torres	D	Y	Y	N/A	Y	Y	NV	NV	4/6	70%
Andy Vidak	R	N	Y	N/A	N	Y	Y	N	3/6	50%
Mimi Walters	R	N	Y	N/A	NV	Y	Y	NV	3/6	50%
Lois Wolk	D	N	Y	N/A	Y	Y	Y	Y	5/6	80%
Mark Wyland	R	N	Y	N/A	N	Y	Y	N	3/6	50%

## BILL INFORMATION:

### Assembly Bill 885

**Author(s):** Tom Ammiano (D)

**Status:** Vetoed by Governor Brown

**Legislative Counsel's Digest:** "This bill would authorize a court in any criminal trial or proceeding in which the court has determined that the prosecuting attorney has intentionally or knowingly failed to disclose certain materials and information, as specified, to instruct the jury that the failure to disclose has occurred and that the jury shall consider the failure to disclose in determining whether reasonable doubt of the defendant's guilt exists."

### Assembly Bill 1697

**Author(s):** Tim Donnelly (R)

**Status:** Chaptered by Secretary of State

**Legislative Counsel's Digest:** "This bill would prohibit the DNA and forensic identification database and databank and the [Department of Justice] DNA Laboratory from being used as a source of genetic material for testing, research, or experiments, by any person, agency, or entity seeking to find a causal link between genetics and behavior or health."

### **Assembly Bill 1640**

**Author(s):** Reggie Jones-Sawyer

**Status:** Refused Passage, State Assembly

**Legislative Counsel's Digest:** "Existing law requires persons convicted of specified sex offenses, or attempts to commit those offenses, to register with local law enforcement agencies while residing in the state or while attending school or working in the state ... Existing court decisions invalidated the application of the mandatory registration requirement to persons convicted of certain ... sex offenses. This bill would conform statutory law to those court decisions by deleting from the list [those] offenses [no longer] requiring registration."

### **Assembly Bill 1327**

**Author(s):** Jeff Gorrell (R); Steven Bradford (D); Bill Quirk (D)

**Status:** Vetoed by Governor

**Legislative Counsel's Digest:** "This bill would generally prohibit public agencies from using unmanned aircraft systems, or contracting for the use of unmanned aircraft systems ... with certain exceptions applicable to law enforcement agencies and in certain other cases ... when the purpose is unrelated to the gathering of criminal intelligence."

"The bill would require reasonable public notice to be provided by public agencies intending to deploy unmanned aircraft systems ... [and] generally prohibit images, footage, or data obtained through the use of an unmanned aircraft system under these provisions from being disseminated outside the collecting public agency ... [and] prohibit a person or entity,

including a public agency ... from equipping or arming an unmanned aircraft system with a weapon or other device that may be carried by or launched from an unmanned aircraft system and that is intended to cause bodily injury or death, or damage to, or the destruction of, real or personal property."

"The bill would also provide that specified surveillance restrictions on electronic devices apply to the use or operation of an unmanned aircraft system by a public agency."

### **Senate Bill 569**

**Author(s):** Ted Lieu (D)

**Status:** Chaptered by Secretary of State

**Legislative Counsel's Digest:** "This bill would require the electronic recordation of the entire custodial interrogation of a minor who is in a fixed place of detention, as defined, and who, at the time of the interrogation, is suspected of committing or accused of committing murder. The bill would set forth various exceptions from this requirement, including if the law enforcement officer conducting the interrogation or his or her superior reasonably believes that electronic recording would disclose the identity of a confidential informant or jeopardize the safety of an officer, the individual being interrogated, or another individual. The bill would require the prosecution to show by clear and convincing evidence that an exception applies to justify the failure to make that electronic recording. The bill would also require the interrogating entity to maintain the original or an exact copy of an electronic recording made of the interrogation until the

final conclusion of the proceedings, as specified.”

#### **Senate Bill 618**

**Author(s):** Mark Leno (D)

**Status:** Chaptered by Secretary of State

**Legislative Counsel’s Digest:** “Existing law provides that any person who, having been convicted of any crime against the state amounting to a felony and imprisoned in the state prison ... is granted a pardon by the Governor for specified reasons, and having served the term or any part thereof for which he or she was imprisoned, may present a claim against the state to the California Victim Compensation and Government Claims Board for the pecuniary injury sustained by him or her through the erroneous conviction and imprisonment, as specified.”

“This bill would extend those provisions to a person who was incarcerated in county jail for a felony conviction.”

“The bill would also provide that if the district attorney or Attorney General stipulates to or does not contest the factual allegations underlying one or more of the grounds for granting a writ of habeas corpus or a motion to vacate a judgment, the facts underlying the basis for the court’s ruling or order shall be binding on the Attorney General, the factfinder, and the board.”

“Existing law provides that if the evidence shows that the crime with which the claimant was charged was either not committed at all, or, if committed, was not committed by the claimant, and that the claimant did not, by any act or omission, intentionally contribute to the bringing about of his or her arrest or conviction for

the crime with which he or she was charged, and that the claimant has sustained pecuniary injury through his or her erroneous conviction and imprisonment, the California Victim Compensation and Government Claims Board shall report the facts of the case and its conclusions to the next Legislature, with a recommendation that an appropriation be made by the Legislature for the purpose of indemnifying the claimant for the pecuniary injury.”

“This bill would remove the requirement on the claimant to prove that he or she did not, by any act or omission, intentionally contribute to the bringing about of his or her arrest or conviction for the crime with which he or she was charged.”

#### **Senate Bill 1010**

**Author(s):** Holly Mitchell (D)

**Status:** Chaptered by Secretary of State

**Legislative Counsel’s Digest:** “Existing law provides that every person who possesses for sale or purchases for purposes of sale cocaine base is subject to imprisonment in a county jail for a period of 3, 4, or 5 years.”

“This bill instead would provide that every person who possesses for sale or purchases for purposes of sale cocaine base is subject to imprisonment in a county jail for 2, 3, or 4 years.”

“Existing law, except in unusual cases, prohibits granting probation or suspending a sentence for persons convicted of specified crimes relating to controlled substances, including possessing for sale a substance containing 57 grams or more of a substance containing cocaine, 14.25 grams or more of cocaine base, or 57 grams or more of

a substance containing at least 5 grams of cocaine base, and transporting or importing for sale, selling, or offering to sell cocaine base.”

“This bill would delete those provisions and would instead prohibit, except in unusual cases, granting probation or suspending a sentence for persons convicted of possessing for sale or selling a substance containing 28.5 grams or more of cocaine base or 57 grams or more of a substance containing at least 5 grams of cocaine or cocaine base.”