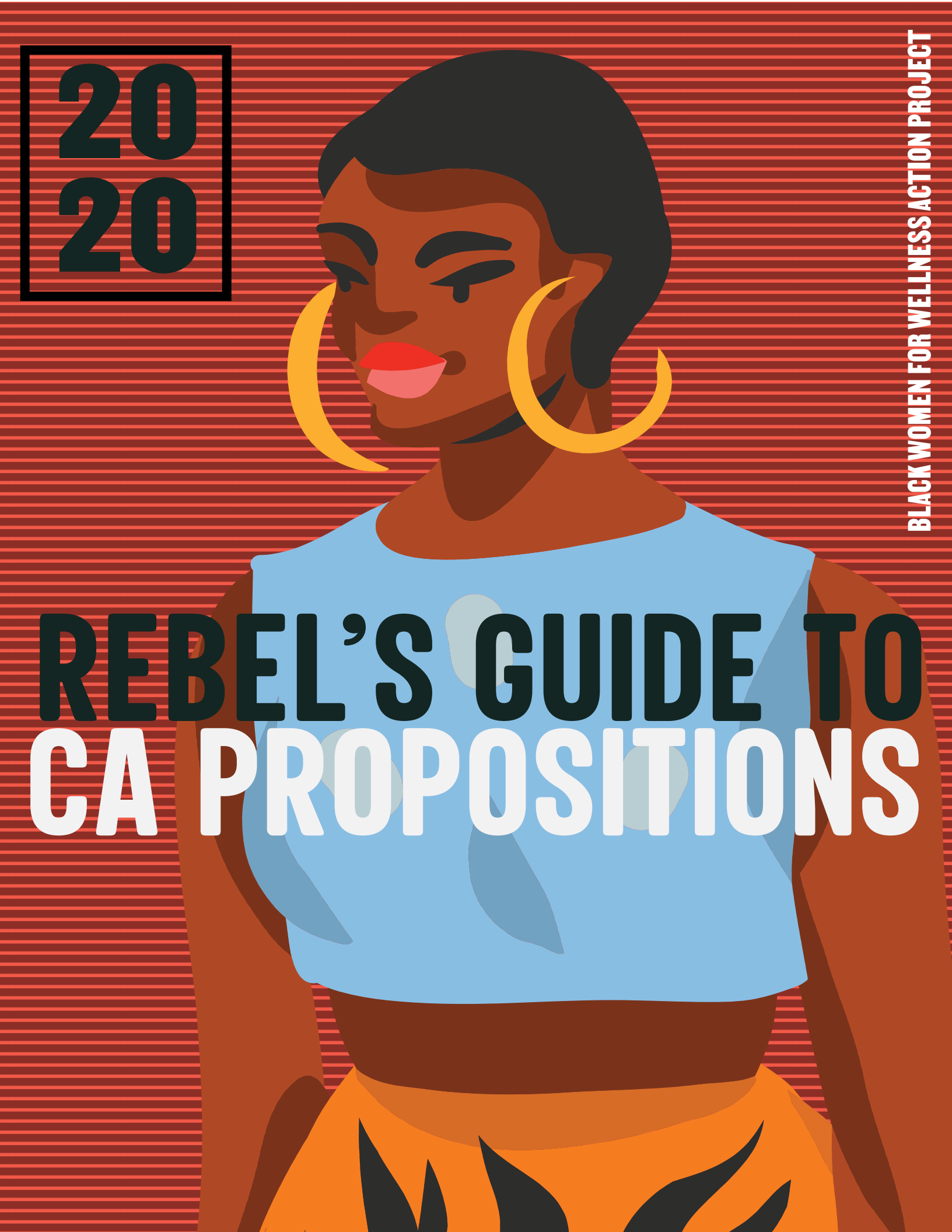
2020

BLACK WOMEN FOR WELLNESS ACTION PROJECT



REBEL'S GUIDE TO CA PROPOSITIONS

IT'S ELECTION SEASON AGAIN, AND THIS ELECTION YEAR IS A DOOZY. WE HAVE SEVERAL IMPORTANT BALLOT MEASURES THAT WE, THE VOTERS WILL BE DECIDING.. BELOW IS BLACK WOMEN FOR WELLNESS ACTION PROJECT HANDY GUIDE TO THE 2020 BALLOT MEASURES.

OUR ANALYSIS

Propositions and laws can deeply impact our community which is why we offer this guide. Our recommendations come from a place that centers Black women and girls in our analysis, we are unapologetic about the community that we serve. Because so much has changed in 2020, please be sure to check out our voter information guide if you have any questions about how to vote this fall.

BLACK WOMEN FOR WELLNESS ACTION PROJECT

Black Women for Wellness Action Project is the first Black women's reproductive justice 501(c)4 in the country. We are on a mission to build the political and electoral power of Black women throughout California.

WHAT ARE PROPOSITIONS

Over 1,200 propositions have been put in front of California voters since 1912. California was the 10th state to adopt the initiative process in 1911. Twenty-six states have some form of citizen initiatives/proposition initiative. Propositions are a double-edge sword, on one hand they are a way for everyday citizens to supersede the legislative process and go straight to the voters to enact change; on the other hand they allow for really wealthy people and organizations to make dramatic changes to California residences without due process.

In addition to changing laws the proposition process serves another purpose. The California Constitution requires that general obligation bonds of $300,000 or more be referred to voters for approval. Between 1993 and 2018, California has had 39 bond measures to vote on, and we approved 31 of them.

Any changes to a ballot initiative whether it is a bond or a proposition, requires another vote of the public unless specifically outlined in the proposition itself.

PROPOSITION 14: STEM CELL RESEARCH INSTITUTE BOND INITIATIVE

What does it do: In 2004 voters authorized $3 billion in bonds to fund stem cell research, but that money has almost been exhausted. If passed, this initiative would authorize an additional $5.5 billion in bonds for stem cell research with a few additional changes to how funding grants would be awarded. With interest, the total cost for the bonds is expected to be closer to $7.8 billion.

What's the tea: Although BWWAP supports ethical stem cell research, we do have hesitation about using public dollars to fund private research. This proposition is a follow up to proposition 71 passed in 2004. Prop 71 was passed in response to a lack of federal funding because of an order from the George W. Bush administration. We, unfortunately, are in another time where the federal executive branch is anti-science, leaving the States to fend for themselves when it comes to innovation. With that being said, with all the bond measures, which are terrible ways to fund projects, we should ask the question of who benefits from the investment. Although there is a collective pain with taxpayers sharing the cost of paying back the bond, there are no guarantees of equitable access to the research and innovation that comes from this proposition's funding. On the other hand we know that science is under attack, and the funds from Prop 71 are almost depleted, leaving this innovative field without proper public funding. This is why we don't have a recommendation on this Proposition. We are neutral.

PROPOSITION 14: NEUTRAL

PROPOSITION 15: TAX ON COMMERCIAL AND INDUSTRIAL PROPERTIES FOR EDUCATION AND LOCAL GOVERNMENT FUNDING INITIATIVE AKA SCHOOLS AND COMMUNITY FIRST

What does it do: In 1978, Californians passed Proposition 13, which froze property taxes based on the purchase price for residential, commercial, and industrial properties. If passed, this initiative would create a California Constitutional Amendment that would require commercial and industrial properties to be reassessed to market value on a periodic basis rather than when ownership of the property changes hands. It is expected to raise $11.4 billion annually.

What's the tea: The original law was intended to keep older folks in their homes, so they won't have to pay crazy high property taxes as their homes went up in value. Proposition 15 is fixing a huge loophole in Proposition 13

that commercial and industrial properties have exploited for years. Currently, big corporations like Apple and Chevron are able to pass down ownership of the property, so they end up paying greatly reduced taxes on brand new business campuses. This has essentially cost Californians billions of dollars in tax revenue that can go to our schools and roads. Proposition 15 is super important to the health of our economy, to our schools, and our community's future without increasing residential taxes. It's an easy yes recommendation.

PROPOSITION 15: YES

PROPOSITION 16: REPEAL PROPOSITION 209 AFFIRMATIVE ACTION AMENDMENT

What does it do: In 1996, California passed proposition 209, that prohibits the use of race, sex, color, ethnicity, or national origin in public employment, public education, and public contracting remedies that reduce the underutilization of women and people of color in public employment, contracting, and education.

What's the tea: So at first read, Proposition 209 sounds fair, it prohibits discrimination right? Wrong, that can't be further from the truth. Proposition 209 stopped programs that were specifically put in place to address racial and gender inequality in government programs and education otherwise known as Affirmative Action. Although Affirmative Action has gotten a bad rap over the years, it was one of the best tools we had to actively look at how racism and sexism impacted communities, and create programs that would mitigate the impact of these historic barriers. Furthermore, after Prop 209 passed, it ended up limiting opportunities for women and people of color including; the University of California reporting that it caused a 12% drop in underrepresented communities[1], an annual loss of $1 billion dollars in revenue for organizations owned by women and people of color[2], and a decrease in women and people of color employed by the state proportionately. We are one of only 8 states in the nation that have a law like this. Proposition 16 repeals 209 and gives our State the power to address inequality in our public institutions and contracts head-on.

PROPOSITION 16: YES

PROPOSITION 17: VOTING RIGHTS RESTORATION FOR PERSONS ON PAROLE AMENDMENT

What does it do: Currently California does not let former felons vote until they are off of parole. This would make it possible for them to vote.

What's the tea: In California, almost 50,000 people who served their time and pay taxes are not allowed to vote because they are on parole. It is no secret that Black folks are disproportionately impacted by the criminal "justice" system. Disenfranchising parolees dates back to the Jim Crow era, and has historically been a systemic way to disenfranchise people of color. Our current legal system is vastly more likely to convict people of color of felonies through over-policing of marginalized communities and harsher sentences. Although this proposition doesn't directly impact the numbers of people who are being incarcerated, it does offer the opportunity for folks who were formerly incarcerated to fully participate in the civic process. Currently, there are 19 States that allow felons on parole to vote.

PROPOSITION 17: YES

1 https://www.ucop.edu/institutional-research-academic-planning/_files/uc-affirmative-action.pdf

2. https://equaljusticesociety.org/wp-content/uploads/2019/10/ejs-impact-prop-209-mwbes.pdf

PROPOSITION 18: PRIMARY VOTING FOR 17-YEAR-OLDS AMENDMENT

What does it do: This proposition will permit voters who are 17 years of age but will be 18 years of age by the general election be permitted to vote in the primary and special elections.

What's the tea: It's a pretty straightforward proposition. If you are going to be 18 by the time of a general election, but happen to be 17 during the primary, this proposition gives you the right to have a voice on who your options are in the general election.

PROPOSITION 18: YES

PROPOSITION 19: PROPERTY TAX TRANSFERS, EXEMPTIONS, AND REVENUE FOR WILDFIRE AGENCIES AND COUNTIES AMENDMENT

What does it do: Prop 19 would amend the Constitution to allow homebuyers who are age 55 or older or severely disabled to transfer their tax assessments, with a possible adjustment, from their prior home to their new home regardless of the home's market value. Parents would be able to transfer primary residential properties to their children or grandchildren without triggering a reassessment so long as it is used as a principal residence including a rental home.

What's the tea: This is another attempt from the California Realtors trying to pass a measure that would double down on the residential portion of Prop 13 (see Prop 15) and hopefully run them some more money. The argument is that because of a "moving penalty" almost three-quarters of homeowners 55 and older haven't moved since 2000, and Prop 19 would be a catalyst to make that happen. It's hard to say exactly what the benefits are, there is no way to guarantee that this will be positive for homeowners, wildfire victims, or differently-abled people, but we do know that it could absolutely exacerbate the wealth gap, that absolutely impacts Black women.

PROPOSITION 19: NO

PROPOSITION 20: CRIMINAL SENTENCING, PAROLE, AND DNA COLLECTION INITIATIVE

What does it do: This proposition would allow prosecutors to charge repeat or organized petty theft as a felony, require probation officers to seek tougher penalties for those who violate the term of their parole multiple times, expand DNA testing for people convicted of theft or domestic violence, and revoke parts of Prop 47 passed in 2014 and Prop 57 passed in 2016 that relaxed rules to allow certain people convicted of non-violent offenses an increased chance at early parole.

What's the tea: This is a law enforcement backed proposition seeking to bring back the Tough on Crime or shall we now say Law and Order mentality back to California. It can not be understated how terrible this proposition could be for communities of color and for the overall criminal "justice" system. In 2011, California's imprisonment rate was 431 inmates per 100,000 residents, one of the highest rates in the world. In 2019, due in large part to criminal justice reform, it fell to 317 per 100,000. And just for reference, California is at a historic low in crime, with all major and minor crimes decreasing between 2018 and 2019. This proposition will set California back.

PROPOSITION 20: NO

VOTE FOR JUSTICE

PROPOSITION 21: LOCAL RENT CONTROL INITIATIVE

What does it do: Prop 21 would allow local governments to enact rent control on housing that was first occupied over 15 years ago, with an exception for landlords who own no more than two homes with distinct titles of subdivided interests.

What's the tea: This proposition is a remix of one that failed in 2018 to address rent control throughout the State. Currently, many Californians live in cities that have no rent control, which means the landlord/ management company can raise prices whenever they see fit. Rising rent cost is the number one reason for homelessness, and because of the economic turmoil from COVID-19, we can only expect homelessness to go up. Proposition 21 gives cities the opportunity to opt into passing rent control. Over 50% of renters in CA are cost burden, meaning they are paying more than 30% of their income on housing. This is particularly important for Black moms, who on average pay over 70% of their income on housing. Allowing cities to choose how they want to regulate some of the biggest management companies and how they are engaging in displacement and gentrification is an essential first step in addressing the housing crisis in CA.

PROPOSITION 21: YES

PROPOSITION 22: APP-BASED DRIVERS AS CONTRACTORS AND LABOR POLICIES INITIATIVE

What does it do: Prop 22 would create a carve-out for rideshare companies like Uber and Lyft and delivery drivers like Doordash and Postmates to be classified as independent contractors.

What's the tea: This proposition is a carve out for rideshare organizations to not give benefits to their employees. California passed a bill, AB 5, that would specifically address companies that have employees but treat them as independent contractors, with the intention, in most cases, to get out of providing employees with benefits and employment protections. There are some flaws AB 5 itself that need to be addressed, however, that is not what the app companies are doing with this proposition. The app companies are wanting to create a two-tiered system, one for their employees that work at corporate and the other for the workers on the ground. The workers at the corporate office get to enjoy benefits and other worker protections, while the drivers have none. This is particularly important with more and more people turning to rideshare/delivery as full-time work. AB 5 attempted to make sure people who are doing work as an employee, get the benefits of being an employee, and this proposition is the attempt for App-Based companies to get out of that obligation.

PROPOSITION 22: YES

VOTE FOR EQUITABLE HOUSING

PROPOSITION 23: DIALYSIS CLINIC REQUIREMENTS INITIATIVE

What does it do: California's 600 dialysis clinics would need to have at least one physician on site at all times, report patient infection data to California's health officials, and end discrimination against patients based on whether their insurance coverage is public or private. This initiative was placed on the ballot by SEIU-UHW West.

What's the tea: This is the second dialysis clinic-related initiative in as many cycles, and reflects the ongoing battle between SEIU and the dialysis clinics like DaVita. However, the policies going before the voters are very different. Proposition 8 would have capped profits and required refunds from clinics, whereas this year's initiative would address minimum physician staffing, data reporting, and clinic closures. Unfortunately, dialysis is something alive and well in too many communities of color throughout California. Whether it was from lack of access to good food, lack of education around health or nutrition or lack of access to good health care, many folks across California spend three to four days a week in a dialysis center. This proposition aims to address some of the unhealthy standards in dialysis clinics as well as the unfair policies of turning away people who have insurance the dialysis clinics can't make a profit from.

PROPOSITION 23: YES

PROPOSITION 24: CONSUMER PRIVACY ACT CONSUMER PERSONAL INFORMATION LAW AND AGENCY INITIATIVE

What does it do: Prop 24 would expand on the Consumer Privacy Act of 2018, which would add new mechanisms under the definition of data "sharing" that limits the ability of businesses to share personal information and make it easier for consumers to correct misinformation they have identified about themselves online. It also increases the penalties as a further deterrent for companies to share information, especially if the information is about minors. Additionally, a new consumer protection agency would be established within the state government. The measure would cost $10 million annually for the new agency, and other enforcement costs are currently unknown.

What's the tea: The California Consumer Privacy Act (CCPA) is one of the strongest consumer protections against online data sharing in the country. This is super important given how much time many of us spend online. If you're surfing the web in CA, and see something pop up that asks you "Do You Accept This Cookie" that is this law in action. Cookies are strings of code that both help your browsing experience as well as can be used for targeted ads. Californians can now go in and change if they want their data to be sold to a private seller or not because of the CCPA. This proposition theoretically builds upon that. However, the devil is always in the details. Some folks have interpreted that this proposition leaves huge loopholes for corporations and can possibly inadvertently make the law we already have weaker. And because propositions are so hard to change, it would need another proposition to change it, unlike legislation that can be tweaked the very next year. This is all to say, our recommendation is leaning no, it's a good idea, but we think this should be something handled in the legislature.

PROPOSITION 24: LEAN NO

PROPOSITION 25: REPLACE CASH BAIL WITH RISK ASSESSMENTS REFERENDUM

What does it do: Unlike the other propositions, this is a referendum, which means it's challenging a law that we already have on the books. In this case, it is challenging SB 10, a piece of legislation that was passed in 2018 to remove cash bail and replace it with a risk assessment. If passed, this proposition would keep in place SB 10, California's law that got rid of the cash bail system in California.

What's the tea: This by far is the toughest most complicated proposition on this ballot. SB 10 started off as a great bill but the legislation that got signed into law ended up being a pretty terrible piece of legislation. At the 9th hour, the Elected official carrying the bill struck a deal that ended up giving Judges a whole lot of power in deciding who gets let out pretrial. Because institutional racism is alive and well, we know that anytime a system is left to the discretion of people, both their implicit and explicit bias shows. We already know that biases end badly for Black, Brown, Indigenous and other people of color as well as gender non conforming and trans people. In some test runs of this system, it is showing that people of color are getting the short end of the stick, being held without bail and no recourse. At least with the cash bail system, if families were able to come up with the money they are able to get their loved one's out.
Now here is the tricky part. SB 10 absolutely needs to be modified but is doing it through this referendum the best way forward? Black Women for Wellness Action Project thinks no. The bail bond industry put this on the ballot to save their industry, not to address the deep inequality that is happening in our justice system. Removing SB 10 in this manner will end up having us start right back from square one, to again remove the cash bail system in our state, that hurts poor people and people of color hard. However, without additional legislation, many of those same communities will be stuck behind bars during their pretrail with no recourse. That is something that BWWAP does not take lightly. With all that being said, our recommendation is a yes to keep SB 10 on the books. We think it's easier to fight to make improvements on SB 10 than to fight with the bail bond companies, judges, law enforcement and other actors all at the same time when trying to remove the racist, transphobic, classist system of cash bail.

PROPOSITION 25: LEAN YES

CHEAT SHEET

PROPOSITION 14: NEUTRAL
PROPOSITION 15: YES
PROPOSITION 16: YES
PROPOSITION 17: YES
PROPOSITION 18: YES
PROPOSITION 19: NO
PROPOSITION 20: NO
PROPOSITION 21: YES
PROPOSITION 22: NO
PROPOSITION 23: YES
PROPOSITION 24: LEAN NO
PROPOSITION 25: LEAN YES

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