

★ ARGUMENT IN FAVOR OF PROPOSITION 66 ★

California's elected law enforcement leaders, police officers, frontline prosecutors, and the families of murder victims ask you to REFORM the California death penalty system by voting YES ON PROPOSITION 66!

We agree California's current death penalty system is broken. The most heinous criminals sit on death row for 30 years, with endless appeals delaying justice and costing taxpayers hundreds of millions.

It does not need to be this way.

The solution is to MEND, NOT END, California's death penalty. The solution is YES on PROPOSITION 66.

Proposition 66 was written to speed up the death penalty appeals system while ensuring that no innocent person is ever executed.

Proposition 66 means the worst of the worst killers receive the strongest sentence.

Prop. 66 brings closure to the families of victims.

Proposition 66 protects public safety—these brutal killers have no chance of ever being in society again.

Prop. 66 saves taxpayers money, because heinous criminals will no longer be sitting on death row at taxpayer expense for 30+ years.

Proposition 66 was written by frontline death penalty prosecutors who know the system inside and out. They know how the system is broken, and they know how to fix it. It may sound complicated, but the reforms are actually quite simple.

HERE'S WHAT PROPOSITION 66 DOES:

1. All state appeals should be limited to 5 years.
2. Every murderer sentenced to death will have their special appeals lawyer assigned immediately. Currently, it can be five years or more before they are even assigned a lawyer.
3. The pool of available lawyers to handle these appeals will be expanded.
4. The trial courts who handled the death penalty trials and know them best will deal with the initial appeals.
5. The State Supreme Court will be empowered to oversee the system and ensure appeals are expedited while protecting the rights of the accused.

6. The State Corrections Department (Prisons) will reform death row housing; taking away special privileges from these brutal killers and saving millions.

Together, these reforms will save California taxpayers over \$30,000,000 annually, according to former California Finance Director Mike Genest, while making our death penalty system work again.

WE NEED A FUNCTIONING DEATH PENALTY SYSTEM IN CALIFORNIA

Death sentences are issued rarely and judiciously, and only against the very worst murderers.

To be eligible for the death penalty in California, you have to be guilty of first-degree murder with "special circumstances."

These special circumstances include, in part:

- Murderers who raped/tortured their victims.
- Child killers.
- Multiple murderers/serial killers.
- Murders committed by terrorists; as part of a hate-crime; or killing a police officer.

There are nearly 2,000 murders in California annually. Only about 15 death penalty sentences are imposed.

But when these horrible crimes occur, and a jury unanimously finds a criminal guilty and separately, unanimously recommends death, the appeals should be heard within five years, and the killer executed.

Help us protect California, provide closure to victims, and save taxpayers millions.

Visit www.NoProp62YesProp66.com for more information.

Then join law enforcement and families of victims and vote YES ON PROPOSITION 66!

JACKIE LACEY, District Attorney of Los Angeles County
KERMIT ALEXANDER, Family Member of Multiple Homicide Victims

SHAWN WELCH, President
Contra Costa County Deputy Sheriffs Association

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 66 ★

Prop. 66 is a poorly-written and COSTLY EXPERIMENT that would INCREASE CALIFORNIA'S RISK OF EXECUTING AN INNOCENT PERSON, add new layers of government bureaucracy and create even more legal delays in death penalty cases.

**Read the measure for yourself: According to the state's nonpartisan Legislative Analyst's Office, this measure could cost taxpayers TENS of MILLIONS of DOLLARS.

Prop. 66 is not real reform. Here's what EXPERTS SAY Prop. 66 WOULD ACTUALLY DO:

- INCREASE the chance that California executes an innocent person
- INCREASE TAXPAYER FUNDED legal defense for death row inmates
- REQUIRE the state to hire and pay for hundreds of new lawyers
- LEAD TO CONSTRUCTION of new TAXPAYER FUNDED DEATH ROW facilities
- CLOG county courts, forcing death penalty cases on inexperienced judges
- Lead to EXPENSIVE LITIGATION by lawyers who will challenge a series of confusing provisions

Prop. 66 is a perfect example of SPECIAL INTEREST GROUPS abusing their power and pushing an agenda while claiming to seek reform. Look who's behind Prop. 66: the prison guards' union which has an interest in funneling more money into the prison system and opportunistic politicians using the initiative to advance their careers.

Experts agree: Prop. 66 is a POORLY WRITTEN, CONFUSING initiative that will only add MORE DELAY and MORE COSTS to California's death penalty.

Remember, MORE THAN 150 INNOCENT PEOPLE HAVE BEEN SENTENCED TO DEATH, and some have been executed because of poorly written laws like this.

Californians deserve real reform. Prop. 66 is not the answer. www.NOonCAProp66.org

GIL GARCETTI, District Attorney
Los Angeles County, 1992–2000
JUDGE LADORIS CORDELL, (Retired)
Santa Clara County Superior Court
HELEN HUTCHISON, President
League of Women Voters of California

★ ARGUMENT AGAINST PROPOSITION 66 ★

Prop. 66 WASTES TENS OF MILLIONS OF TAXPAYER DOLLARS.

Evidence shows MORE THAN 150 INNOCENT PEOPLE HAVE BEEN SENTENCED TO DEATH, and some have been executed because of poorly written laws like this one.

Prop. 66 is so confusing and poorly written that we don't know all of its consequences. We do know this: it will add more layers of government bureaucracy causing more delays, cost taxpayers money, and increase California's risk of executing an innocent person.

Experts agree: Prop. 66 is DEEPLY FLAWED.

**** PROP. 66 COULD INCREASE TAXPAYER COSTS BY MILLIONS.**

According to nonpartisan analysis, Prop. 66 could cost "tens of millions of dollars annually" with "unknown" costs beyond that. Read the LAO's report posted at www.NoOnCAProp66.org/cost.

Experts say Prop. 66 will:

- INCREASE PRISON SPENDING while schools, social services, and other priorities suffer.
- INCREASE TAXPAYER-FUNDED legal defense for death row inmates, requiring the state to hire as many as 400 new taxpayer-funded attorneys.
- LEAD TO CONSTRUCTION of new TAXPAYER-FUNDED DEATH ROW facilities. This initiative authorizes the state to house death row inmates in new prisons, anywhere in California.
- Lead to EXPENSIVE LITIGATION by lawyers who will challenge a series of poorly written provisions.

"Prop. 66 is so flawed that it's impossible to know for sure all the hidden costs it will inflict on California taxpayers."—*John Van de Kamp, former Attorney General of California.*

**** PROP. 66 WOULD INCREASE CALIFORNIA'S RISK OF EXECUTING AN INNOCENT PERSON.**

Instead of making sure everyone gets a fair trial with all the evidence presented, this measure REMOVES IMPORTANT LEGAL SAFEGUARDS and could easily lead to fatal mistakes. This measure is modeled after laws from states like Texas, where authorities have executed innocent people.

People like Cameron Willingham and Carlos De Luna, both executed in Texas.

Experts now say they were innocent.

Prop. 66 will:

- LIMIT the ability to present new evidence of innocence in court.
- LEAVE people who can't afford a good attorney vulnerable to mistakes.
- CLOG local courts by moving death penalty cases there, adding new layers of bureaucracy and placing high profile cases in the hands of inexperienced judges and attorneys. This would lead to costly mistakes.

"If someone's executed and later found innocent, we can't go back."—*Judge LaDoris Cordell, Santa Clara (retired).*

**** A CONFUSING AND POORLY WRITTEN INITIATIVE THAT WILL ONLY CAUSE MORE DELAY.**

Prop. 66 is a misguided experiment that asks taxpayers to increase the costs of our justice and prison systems by MILLIONS to enact poorly-written reforms that would put California at risk.

SF Weekly stated, "Combing through the initiative's 16 pages is like looking through the first draft of an undergraduate paper. The wording is vague, unfocused and feels tossed off."

Instead of adding new layers of government bureaucracy and increasing costs, we deserve real reform of our justice system. Prop. 66 is not the answer.

"Instead of reckless, costly changes to our prison system, we need smart investments that are proven to reduce crime and serve victims."—*Dionne Wilson, widow of police officer killed in the line of duty.*

JEANNE WOODFORD, Warden

California's Death Row prison, 1999–2004

FRANCISCO CARRILLO JR., Innocent man wrongfully convicted in Los Angeles County

HON. ANTONIO R. VILLARAIGOSA, Mayor
City of Los Angeles, 2005–2013

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 66 ★

Proposition 66 was carefully written by California's leading criminal prosecutors, the Criminal Justice Legal Foundation and other top legal experts—people who know from experience what's needed to MEND, NOT END our state's broken death penalty system.

The anti-death penalty extremists opposing Proposition 66 know it fixes the system, and will say anything to defeat it. Don't be fooled.

Proposition 66 reforms the death penalty so the system is fair to both defendants and the families of victims. Defendants now wait five years just to be assigned a lawyer, delaying justice, hurting their appeals, and preventing closure for the victims' families. Proposition 66 fixes this by streamlining the process to ensure justice for all.

Under the current system, California's most brutal killers—serial killers, mass murderers, child killers, and murderers who rape and torture their victims—linger on death row until they die of old age, with taxpayers paying for their meals, healthcare, privileges and endless legal appeals.

By reforming the system, Proposition 66 will save taxpayers over \$30 million a year, according to former California Finance Director Mike Genest. Instead of dragging on for decades and costing millions, death row killers will have five to ten years to have their appeals heard, ample time to ensure justice is evenly applied while guaranteeing that no innocent person is wrongly executed.

Ensure justice by voting "YES" on Proposition 66—to MEND, NOT END the death penalty.

Learn more at www.NoProp62YesProp66.com.

ANNE MARIE SCHUBERT, District Attorney of Sacramento County

SANDY FRIEND, Mother of Murder Victim

CHUCK ALEXANDER, President
California Correctional Peace Officers Association