

★ ARGUMENT IN FAVOR OF PROPOSITION 16 ★

16

YES on Prop. 16 means EQUAL OPPORTUNITY FOR ALL CALIFORNIANS.

All of us deserve equal opportunities to thrive with fair wages, good jobs, and quality schools.

Despite living in the most diverse state in the nation, white men are still overrepresented in positions of wealth and power in California. Although women, and especially women of color, are on the front lines of the COVID-19 response, they are not rewarded for their sacrifices.

Women should have the same chance of success as men.

Today, nearly all public contracts, and the jobs that go with them, go to large companies run by older white men. White women make 80¢ on the dollar. The wage disparity is even worse for women of color and single moms. As a result, an elite few are able to hoard wealth instead of investing it back into communities. Prop. 16 opens up contracting opportunities for women and people of color.

We know that small businesses are the backbone of our economy. Yet, Main Street businesses owned by women and people of color lose over \$1,100,000,000 in government contracts every year because of the current law. We need to support those small businesses, especially as we rebuild from COVID-19. Wealth will be invested back into our communities.

YES on Prop. 16 helps rebuild California stronger with fair opportunities for all.

YES on Prop. 16 means:

- Supporting women and women of color who serve disproportionately as essential caregivers/frontline workers during COVID-19
- Expanding access to solid wages, good jobs, and quality schools for all Californians, regardless of gender, race, or ethnicity
- Creating opportunities for women and people of color to receive public contracts that should be available to all of us

- Improving access to quality education, both K–12 schools and higher education, for all of California’s kids
- Taking action to prevent discrimination and ensure equal opportunity for all
- Rebuilding an economy that treats everyone equally
- Investing wealth back into our communities as opposed to continuing to allow the rich to get richer
- Strong anti-discrimination laws remain in effect
- Quotas are still prohibited

We live in the middle of an incredible historic moment. In 2020, we have seen an unprecedented number of Californians take action against systemic racism and voice their support for real change.

At the same time, our shared values are under attack by the Trump administration’s policies. We are seeing the rise of overt racism: white supremacists on the march, the daily demonization of Latino immigrants, Black people gunned-down in our streets, anti-Asian hate crimes on the rise, women’s rights under attack, and COVID-19 ravaging Native communities.

By voting YES on Prop. 16, Californians can take action to push back against the Trump administration’s racist agenda.

By voting YES on Prop. 16, Californians can take action to push back against racism and sexism and create a more just and fair state for all.

Equal opportunity matters. Yes on Prop. 16.

VoteYesOnProp16.org

CAROL MOON GOLDBERG, President
League of Women Voters of California

THOMAS A. SAENZ, President
Mexican American Legal Defense and Educational Fund

EVA PATERSON, President
Equal Justice Society

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 16 ★

TOM CAMPBELL: “This proposition will allow California’s public universities to keep students out because of their race, in order to help students of another race get in. That’s currently illegal. Berkeley’s business school was rated among the best for recruiting minority graduates, and we did it without using race. We also gave no favoritism to children of donors, alums, or politicians. We were strictly merit-based. That’s how it should stay. (I’m neither a Democrat nor a Republican.)”

LEO TERRELL: “I’m a black man, civil rights attorney for 30 years, lifelong Democrat, now independent. Proposition 16 is a scam to use government money to benefit politically connected HIGH-BID contractors who are supposedly ‘minority’ or who hire a so-called ‘minority’ as window dressing. Taxpayers get shafted. Also, we certainly don’t need to favor one race over another in government jobs, promotions, or layoffs. And for education, let’s help those who need it, regardless of race!”

KALI FONTANILLA: “My father was a Jamaican immigrant, but I was raised in poverty by my single mother. My husband is Mexican/Puerto Rican: we are proudly multiracial. An honors multi-degreed University of California graduate, I tutored black students in Compton; now I help Latinos enter UC on MERIT (like I did), NOT quotas! Proposition 16, a giant step backward, would hurt the very students we want to help. There is no need to lower standards! I love teaching, but Proposition 16 would totally disrupt K–12.”

Don’t divide us. Unite us. Vote NO!

TOM CAMPBELL, Former Dean
Haas School of Business, University of California, Berkeley

LEO TERRELL, Civil Rights Lawyer

KALI FONTANILLA, Public School Teacher

★ ARGUMENT AGAINST PROPOSITION 16 ★

The California Legislature wants you to strike these precious words from our state Constitution: *“The state shall not discriminate against, or grant preferential treatment to, any individual or group, on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.”*

Don't do it! Vote NO.

Those words—adopted by California voters in 1996 as Proposition 209—should remain firmly in place. Only by treating everyone equally can a state as brilliantly diverse as California be fair to everyone.

REPEAL WOULD BE A STEP BACKWARD

Discrimination of this kind is poisonous. It will divide us at a time we desperately need to unite. Politicians want to give preferential treatment to their favorites. They think they can “fix” past discrimination against racial minorities and women by discriminating against other racial minorities and men who are innocent of any wrongdoing. Punishing innocent people will only cause a never-ending cycle of resentment. *The only way to stop discrimination is to stop discriminating.*

HELP THOSE WHO REALLY NEED IT

Not every Asian American or white is advantaged. Not every Latino or black is disadvantaged. Our state has successful men and women of all races and ethnicities. Let's not perpetuate the stereotype that minorities and women can't make it unless they get special preferences. At the same time, our state also has men and women—of all races and ethnicities—who could use a little extra break. Current law allows for “affirmative action” of this kind so long as it doesn't discriminate or give preferential treatment based on race, sex, color, ethnicity or national origin. For example, state universities can give a leg-up for students from low-income families or

students who would be the first in their family to attend college. The state can help small businesses started by low-income individuals or favor low-income individuals for job opportunities.

But if these words are stricken from our state Constitution, the University of California will again be free to give a wealthy lawyer's son a preference for admission over a farmworker's daughter simply because he's from an “under-represented” group. *That's unjust.*

GIVE TAXPAYERS A BREAK

Prior to the passage of Proposition 209, California and many local governments maintained costly bureaucracies that required preferential treatment in public contracting based on a business owner's race, sex or ethnicity. The lowest qualified bidder could be rejected. A careful, peer-reviewed study by a University of California economist found that CalTrans contracts governed by Proposition 209 saved 5.6% over non-209 contracts in the two-year period after it took effect. If the savings for other government contracts are anywhere near that, repealing this constitutional provision could cost taxpayers *many BILLIONS of dollars.*

EQUAL RIGHTS ARE FUNDAMENTAL

Prohibiting preferential treatment based on race, sex, color, ethnicity or national origin is a fundamental part of the American creed. It's there in our Constitution for all of us . . . now and for future generations. *Don't throw it away.*

VOTE NO.

WARD CONNERLY, President
Californians for Equal Rights

GAIL HERIOT, Professor of Law

BETTY TOM CHU, Former California Constitution Revision
Commissioner

16

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 16 ★

Stand for Our California Values. Stand Against Discrimination.

Californians agree everyone deserves equal opportunity to succeed—regardless of their gender, what they look like, or where they were born. We agree that women should be paid the same as men; that all children, regardless of their background or skin color, deserve access to a great school.

The opposition uses deceptive language to claim that they care about California's future. In fact, their approach would take us backwards.

Businesses owned by women and people of color lose \$1.1 billion each year because lucrative contracts are given to a wealthy few. Women make 80 cents on the dollar, and women of color make even less.

The only way to move California forward is to pass Proposition 16—extending equal opportunity for all and actively combating systemic racism.

By passing Proposition 16, Californians can:

- Tackle all forms of discrimination, removing barriers to equal opportunity

- Fight gender wage discrimination
- Give women of color an equal shot at job promotions and leadership positions
- Expand career and educational opportunities in science and technology for girls

California can join 42 other states in taking action towards equal opportunity for all by voting Yes on Proposition 16.

As Californians, we value diversity and fairness, we know that ending discrimination and promoting equality is the right thing to do.

During this uncertain time of COVID-19, we can build a future California that reflects our values by *voting YES on Proposition 16.*

Get the facts at VoteYesOnProp16.org

E. TOBY BOYD, President
California Teachers Association

NORMA CHAVEZ-PETERSON, Executive Director
ACLU of San Diego and Imperial Counties

DR. BERNICE A. KING, CEO
The Martin Luther King, Jr. Center