



# CALIFORNIA NOW

2016 PAC

ENDORSEMENT

QUESTIONNAIRE

FPPC # 820364



# California NOW PAC

## 2015 Endorsement Questionnaire

FPPC # 820364

**Please return this questionnaire to:**

California NOW PAC

531A N Hollywood Way no. 215

Burbank CA 91505

Telephone: (916) 442-3414 Fax: (866) 437-6901

Email: [president@canow.org](mailto:president@canow.org)

Thank you for your interest in being considered for an endorsement by the California NOW PAC. Please complete this questionnaire and return it as soon as possible.

We realize that our questionnaire is much more extensive than those used by most endorsing organizations. However, California NOW is a multi-issue organization and, as such, it is essential that candidates we endorse fully understand those issues. We've adopted a new format whereby we offer background on the topic before you are asked to answer the question. This is designed to reveal your core values and beliefs and, if necessary, educate you on the issue. To indicate where you stand on each issue, you will be asked to choose a number (1-5) that best describes your opinion, as outlined below:

- 1 (indicates a strong NO response) You will take a leadership role against this issue.**
- 2 (indicates NO) You will vote against this issue.**
- 3 (indicates Undecided) You will require more information before deciding.**
- 4 (indicates YES) You will vote in support of this issue.**
- 5 (indicates a strong YES response) You will take a leadership role in support of this issue.**

You will note that some questions may be relevant to federal and not state law. We include these questions because it is our assumption that a candidate we endorse may someday run for higher office.

All questionnaires are for internal use only. Be honest with your responses. If you would like to elaborate upon any position, feel free to attach additional pages.

If you are running for federal office, your responses will be used by CA NOW PAC to make a recommendation on your endorsement to the National NOW PAC.

Please feel free to contact California NOW at (916) 442-3414, if you need further information to answer a question.



# Candidate & Campaign Information

Please list the "top" three women and "top" three men on your staff and their positions.

This can include paid and unpaid staff (Please include compensation, if any, as this is public information):

**Please include name, position and compensation**

**Women:**

- 1.
- 2.
- 3.

**Men:**

- 1.
- 2.
- 3.

**Attached Endorsements Received**

Describe How Your Campaign will work with California NOW and how your campaign intends to Utilize the California NOW logo and endorsement if received

What is the budget allocation for fully utilizing the California NOW logo and endorsement if receive

# Human Rights

*California NOW believes that all human beings are born free and equal in dignity and rights and must enjoy the equal protection of the law against discrimination based on their sexuality, sex, gender, race, color, age, ethnicity, disability, language, religion, immigration status, national or social origin, or other status.*

Our California Constitution provides the following:

## **ARTICLE 1 DECLARATION OF RIGHTS**

**SECTION 1.** All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.

The California Supreme Court in *Straus v. State of California* (Prop 8 case) held that the California Constitution, including the fundamental principal cited above can be altered by majority vote in the initiative process stating that California does not have exclusions like the one's cited by court:

The constitutions of a number of other states contain express provisions precluding the use of the initiative power to amend portions or specified provisions of those states' constitutions (see, e.g., Mass. Const., amend. art. XLVIII, pt. II, § 2 ["No proposition inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative . . . petition: [listing a number of rights, including the rights to just compensation, jury trial, and protection from unreasonable search, and the freedoms of speech, assembly, and of the press]]; Miss. Const., art. 15, 10 § 273, subd. (5) ["The initiative process shall not be used: (a) For the proposal, modification or repeal of any portion of the Bill of Rights of this Constitution"].) In contrast, the California Constitution contains no comparable limitation. In the absence of such an express restriction on the initiative power, and in light of past California authorities, we conclude that the California Constitution cannot be interpreted as restricting the scope of the people's right to amend their Constitution in the manner proposed by petitioners.

More specifically, here is the language used in its entirety found in the Mass constitution.

No proposition inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative or referendum petition: The right to receive compensation for private property appropriated to public use; the right of access to and protection in courts of justice; the right of trial by jury; protection from unreasonable search, unreasonable bail and the law martial; freedom of the press; freedom of speech; freedom of elections; and the right of peaceable assembly.

No part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition; nor shall this section be the subject of such a petition.

# Human Rights

Justice Moreno stated in his dissent in the Prop 8 case, "But even a narrow and limited exception to the promise of full equality strikes at the core of, and thus fundamentally alters, the guarantee of equal treatment... Promising equal treatment to some is fundamentally different from promising equal treatment to all. Promising treatment that is almost equal is fundamentally different from ensuring truly equal treatment. Granting a disfavored minority only some of the rights enjoyed by the majority is fundamentally different from recognizing, as a constitutional imperative, that they must be granted all of those rights."

These issues bring up some fundamental questions for every candidate seeking office, including judicial candidates:

1. Do you believe all human beings are born free equal in rights and dignity and must enjoy the equal protection of the law against discrimination based on their sexuality, sex, gender race, color, age, ethnicity, disability, language, religion, immigration status, national or social origin, or other status or do you believe that all human beings only have rights as granted by the government and can be altered by the majority?
2. Since the California Supreme Court has held that the California Constitution's Declaration of Rights can be amended by majority vote, do you favor a Constitutional Initiatives that A) declares that all human beings are born free equal in rights and dignity and must enjoy the equal protection of the law against discrimination based on their sexuality, sex, gender race, color, age, ethnicity, disability, language, religion, immigration status, national or social origin, or other status; and B) excludes from the initiative process propositions inconsistent with A?    YES                      NO

Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

3. Do you believe the California Constitution should continue to ensure equal marriage rights for same sex couples?
4. Do you believe that every aspect of local, county and state government should provide the necessary data to the public to assess whether governmental programs and policies discriminate against anyone based on their sexuality, sex, gender race, color, age, ethnicity, disability, language, religion, immigration status, national or social origin, or other status?

# Reproductive Justice

California NOW is a human rights based intersectional feminist organization that believes among other rights, every human being has the right to control the terms and conditions of their reproductive, mental, and physical labor.

Reproductive Justice, at its most basic, is a woman's right to control her own body. This right involves so much more than the freedom to have (or not to have) children. Reproductive Justice includes access to equitable reproductive health services, including access to pap tests and pre-natal care, access to comprehensive, accurate and unbiased and culturally competent reproductive health information, including information about contraception, family planning and sexually transmitted diseases, and the freedom to exercise these rights regardless of who you are or how much money you have.

California has the strongest reproductive rights laws in the nation – even broader and more protective than those provided under the United States Constitution, but even here in California access is severely restricted due to hospital and clinic closures, as well as, takeovers by Catholic Hospital System, among other private hospital corporations that refuse to provide full reproductive health care based on religious objections.

Do you believe the state of California should ensure the full reproductive rights of every human being? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

Do you believe:

That women have the right to decide the number and spacing of her children?

That taxpayer funding should go to a hospital, clinic, or doctor who is knowingly delivering substandard care, by refusing to provide comprehensive reproductive health services?

That all women have a right to full reproductive health care, including pre-natal, maternity, contraceptive and abortion services?

That healthcare providers should be mandated to disclose to potential patients any and all services not provided by the healthcare provider prior to treatment?

Do you support guaranteeing access to full reproductive health services, including abortion, birth control, emergency contraception, and preventative health care in all private and government insurance plans?

Do you support government funding of full reproductive health services, including abortion, birth control, emergency contraception, and preventative health care?

California has in recent years defeated three different ballot initiatives to restrict young women's access to abortion services.

# Judicial Transparency and Accountability

Currently the California Supreme Court fails to ensure that lower court decisions are both transparent, by that we mean the courts fail to provide open public inspection of court documents and decisions, and accountable, by that we mean, the court failing to provide a plaintiff in a civil case with a mandatory right to appeal an appellate court decision overturning a jury verdict on the facts and failure to mandate that judges write statements of decision that apply law to facts including, but not limited to the value given particular facts and the basis for that value.

Do you believe that every level of the judiciary should be both transparent and accountable to the public? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

More specifically, do you believe that judges should be mandated to write statements of decision that apply law to facts, including stating the value given particular facts and the basis for that value?

The substantial evidence rule mandates that a jury trial is upheld unless review of the evidence presented at trial, with all presumptions going in favor of the verdict, the court finds there is no substantial evidence to support the verdict. When an appellate court overturns a jury verdict based on lack of substantial evidence, the court, in effect, is substituting the jury's judgment of the facts with its own judgment. Consequently, the Supreme Court's refusal to oversee appellate court decisions based on lack of substantial evidence fails to ensure California citizens' constitutional right to a jury trial.

Do you believe that jury trials, are the foundation of our democracy and should be protected from judicial override, by that we mean, ignoring or rejecting the substantial evidence rule?

Do you believe the California Supreme Court should ensure that judicial override of jury verdicts does not occur, by that we mean, plaintiffs should be granted an automatic appeal right when an appellate court overturns a jury verdict based on lack of substantial evidence just as the defendant has a right to appeal a jury verdict?

Recently, the California Supreme Court found that family courts were not using the evidence code as mandated by law. In keeping with the principals of transparency, accountability and equity family court judges should be held to the same standards of law as any other court. Do you believe that family law courts should use the evidence code in family law cases?

Do you believe that an automatic right to appeal should be granted from a decision based on evidence in violation of the evidence code?

Although family court has the profound obligation to act on the best interest of the children, the issue of professional responsibility carries over to all civil and criminal matters. Should there be rules of professional responsibility regarding banning an attorney from assisting a client in asset hiding in order to avoid an accurate distribution of assets?

# State Implementation of CEDAW

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

- to incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women;
- to establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.

The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election -- as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.

Do you believe that the United States Senate should ratify CEDAW? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

Do you believe that the state of California, counties and municipalities should adopt, implement, and fund CEDAW principals irrespective of federal ratification?

# Health Care

## Health & Health Care is a Human Right

The first [human rights based principle](#) upon which Health in All Policies rests is:

All human beings are born free and equal in dignity and rights and must enjoy the equal protection of the law against discrimination based on their sex, age, gender, gender identity, sexuality, marital status, sexual history or behavior, real or imputed, race, color ethnicity, language, religion, political or other opinion, national, geographical or social origin, property, birth, physical or mental disability, health status, including HIV, and civil, political, social or other status.

Because political, economic, social, and legal privileges have been and continue to be granted and/or denied based upon membership in dominant status categories, historically and presently individuals experience different barriers to the fulfillment of their human rights. Substantive equality requires these barriers to be removed in order for diverse individuals to enjoy fundamental rights and freedoms on an equal basis with others

These barriers or social determinants of health are the numerous ways that health is impacted by social statuses that advantage and disadvantage individuals, such as race, ethnicity, gender and socio-economic status. Given the above principle and purpose the goal of human rights based HiAP is the elimination of these barriers.

The second human rights based principle is the purpose or role of government and any social, political, economic or legal system given the first principle is to create a favorable environment in which every human being may enjoy all of their rights in order to take an active part in economic, social, cultural and political life.

In other words, one of the purposes of government is to eliminate the barriers that prevent individuals from reaching their full potential.

What we know from the data is that health is a prerequisite for full individual agency and freedom and, at the same time, social conditions that provide people with greater agency and control over their work and lives are associated with better outcomes. This mutually reinforcing relationship has important consequences for policy making. Consequently “a human rights perspective removes actions to relieve poverty and ensure equity from the voluntary realm of charity ... to the domain of law,” The health sector can use the “internationally recognized human rights mechanisms for legal accountability” to push for aggressive social policies to tackle health inequities, since international human rights instruments, “provide not only a framework but also a legal obligation for policies towards achieving equal opportunity to be healthy, an obligation that necessarily requires consideration of poverty and social disadvantage.” ([A Conceptual Framework for Action on the Social Determinants of Health 2010](#), page 13.)

# Health Care

Do you believe Health & Health Care is a Human Right?

Administrative costs consume 31 percent of health spending, most of it unnecessary. Nearly two-thirds of all bankruptcies are caused by medical bills. Three-fourths of those bankrupted had health insurance at the time they got sick or injured. Taxes already pay for more than 60 percent of US health spending with Americans paying the highest health care taxes in the world, yet fail to receive health care. The U.S. could save enough on administrative costs (almost \$400 billion in 2009) with a single-payer system where everyone contributes and everyone is guaranteed full access to the healthcare they need.

Do you support guaranteed healthcare for all in the state of California? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

Health and healthcare is a human right. Do you support a comprehensive Patient Bill of Rights that among other things ensures full access to necessary healthcare services, including reproductive and end life care without religious or other restrictions, choice of doctors, and high quality standards?

Until we have Health Care For All, the price of health insurance in this country continues to skyrocket. Health insurance rate increases (including rising premiums, deductibles and co-payments) are growing much faster than the rates of inflation, wages or medical inflation. The Insurance Commissioner has the authority to reject excessive rate increases for automobile, homeowners and other property and casualty insurance, but not health insurance.

Do you support giving the state insurance Commissioner the authority to reject excessive health insurance rate increases?

Do you support fully funding health disparity data collection across and within all populations at the state, county and municipal levels?

# Economic Justice

Do you believe that public and private employers should pay the legal wage to all women, by that we mean equal pay for equal work? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

Do you believe that public and private employers should ensure fair and comparable wages, hours, and benefits, including defined benefit retirement benefits, for all employees for comparable work?

Do you believe that public and private employees should be free to collectively bargain for fair and comparable wages, hours, working conditions and benefits including defined benefit retirement benefits?

Do you believe public and private employers should undertake concrete, verifiable actions to recruit and retain women and candidates from traditionally underrepresented groups?

Do you believe public and private employers should eliminate all forms of discrimination based on attributes such as gender, race, ethnicity, religion, disability, sexual orientation, gender identity, or cultural stereotypes in all work-related privileges or activities, including wages, hours, benefits, job access and qualifications, and working conditions?

Do you believe public and private employers should prohibit discrimination based on marital, parental or reproductive status in making decisions regarding employment or promotion, including ensuring employment security that allows for interruptions in work for maternity, parental leave and family-related responsibilities?

Do you believe public and private employers should implement equitable policies for non-salaried employees regarding contract work, temporary work and layoffs that do not disproportionately affect women, or other marginalized group?

Do you believe public and private employers should pay a living wage to all workers?

Do you believe all companies should be required to provide sick leave and family leave benefits for their employees?

Do you believe domestic workers and all other in home care givers are entitled to the same basic protections afforded other workers?

Do you believe agriculture should no longer be except from child labor law protections?

# Role of Government in the Economy

Do you believe that the role of government and the economy is to serve the needs and wants of all human beings, while ensuring the human rights of all, by that we mean the measure is whether the policy, action or law benefits individuals without subjugating others? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

## APPLYING CORE VALUES WHEN BUDGETING

### Public Bank – Long Term Budget Reform

California is the eighth largest economy in the world, larger than most European countries. California needs its own central bank, one that is able to do for the state what the Federal Reserve has done for Wall Street and the federal government. Fed Chairman Ben Bernanke declared in January that the Fed cannot make cheap credit lines available to state and local governments, but this was not because it can't find the money. It advanced \$12.3 trillion to bail out large banking institutions, a sum that is 64 times the \$191 billion required to balance the budgets of all 50 states. The reason the Fed can't help with state and municipal budget shortfalls, he said, is that it is not in the Fed's legislative mandate. The state needs its own credit machine to make it independent of an out-of-state banking empire that is not looking out for California's interests. If nothing else, California needs its own independent funding mechanism to protect it from the "bond vigilantes" threatening to lower the state's credit rating and attack its bond interest rates by aggressive short selling.

Do you believe the State of California and major cities or counties in the state should pursue the creation of a public bank?

Budgets are moral documents that represent the priorities and values of the people who enact them. In large measure on-going budget crises are due in large measure to instability and shortfalls in revenue, which have caused massive and unacceptable cuts to safety net programs. There are numerous ways to increase revenue, some of which are listed below. Do you support legislation and/or a ballot initiative that includes some or all of the following revenue proposals?

1. **Enact an Oil Severance Tax at 9.9% (\$1.2 billion)**

California is the only state, and the only place in the world, that does not tax oil production. 9.9% was the rate proposed by Governor Schwarzenegger. Contrary to oil industry claims, California has the lowest tax on oil in the nation—about 60 cents per barrel—when other states are at \$6-\$7 per barrel or more at current prices. This tax will have no effect on the price of gasoline or on oil production.

2. **Enact State Version of Robin Hood Tax .05% (\$ billion)** simply put, the big idea behind the Robin Hood Tax is to generate hundreds of billions of dollars. That money could provide funding for jobs to kickstart the economy and get America back on its feet. It could help save the social safety net here and around the world. And it will come from fairer taxation of the financial sector. This small tax of less than ½ of 1% on Wall Street transactions can generate hundreds of billions of dollars each year in the US alone

# Role of Government in the Economy

### 3. **Close Corporate Property Tax Loopholes (\$2 billion)**

Statutory definitions of change of ownership are thoroughly loophole-ridden. CTRA research has identified numerous cases where properties have not been reassessed at market value following a change in ownership. We estimate that tightening corporate property tax loopholes would raise \$2 billion. The Legislature can act by statute to close this loophole.

After 20 plus years of NAFTA (North American Free Trade Agreement), it is painfully obvious that our trade regime is not working for large swaths of working people in California and the nation as a whole. While “free trade” is constantly being framed as complicated by the media, the outcomes of decades of our trade policies are clear cut, millions of lost jobs and devastating trade deficits year after year. Presently, the United States is negotiating two massive trade deals, the Trans-Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP). These agreements, when combined, will account for nearly 70 percent of global trade and the TPP and TTIP would elevate individual foreign firms to equal status with sovereign nations. Foreign corporations would be empowered to bypass domestic courts and directly “sue” the U.S. government before a tribunal of private lawyers that reside outside of any domestic legal system, attacking the laws we rely on for a clean environment, essential services, and healthy communities.

1. Do you believe that U.S. “free trade” policies such as NAFTA and other trade agreements like the TPP or TTIP should contain human rights enforcement, worker and environmental protections?
2. Do you support granting “Fast Track” aka Trade Promotion Authority without any limits to that authority as a means to implement future trade agreements like the TPP and TTIP?
3. Global trade agreements that trump human rights and other treaties like the TPP and TTIP contain provisions that create a hierarchy of rights that privilege foreign firms and investors over US sovereignty. Do you support trade agreements that allow foreign firms and investors to sue the federal, state, and local governments for profits lost because of enacted environmental, anti-discrimination, or labor law protections?

# Voting Rights

The 19th amendment to the U.S. Constitution, ratified in 1920, guaranteed American women the right to vote, although many women of color did not win full voting rights until 45 years later under the 1965 Voting Rights Act. Currently women surpass men both in the proportion and numbers of women who vote. Instead of advocating a 21st century voting system that is inclusive, conservative legislatures in 30 states are attempting to turn the clock back to the 19th century when only privileged white males were allowed to vote. Newly imposed ID requirements target students, people of color and women. As many as 32 million women of voting age do not have documentation with their current legal name.

A statewide voter registration database (VoteCal) is not expected to be fully functioning until 2015. Sadly since the Help America Vote Act, passed in 2002, California has yet to receive bids for the project let alone create the database. This disturbingly inefficient and ineffective government procurement process is being used to justify delay of same day voter registration. ? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_\_ (1-5)

Do you believe in ensuring that the VoteCal database will be fully functional and available to California voters no later than 2015

Do you believe voter registration should be automatically done with driver's license applications?

# Environmental Degradation

The absence of Comprehensive Immigration reform at the national level, along with a lack of federal enforcement of labor, environmental, criminal and civil rights laws at the national and state level in the last decade has produced deplorable living and working conditions for California's Farm Workers and their families.

1992 Farm Labor Housing Protection Act that allowed growers to build parks of up to 12 units without obtaining zoning and land use permits. Unscrupulous landlords have erected an estimated 400 unpermitted parks, still known as "polancos" that skirt basic health and safety regulations, including the placement of wells, septic systems and safe electrical wiring. The result is Duroville, a postcard of government neglect and corporate irresponsibility.

Do you believe that legislation should be introduced that acts to ensure the California Department of Toxic Substances Control adequately monitors and enforces the state's environmental laws? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

Do you support passage of the Safe Cosmetic Act?

Do you believe that California should mandate labels for genetically engineered food?

Water and sanitation are essential for life, for health, for dignity, for empowerment and prosperity. They are human rights, fundamental to every person.

Millions of people lack access to safe, sufficient and affordable water, sanitation and hygiene facilities that are accessible and within easy reach for all. This has a devastating effect on the health, dignity and prosperity of these people, especially for the most disadvantaged. This lack of access also has significant consequences for the realisation of other human rights.

By recognising water and sanitation as human rights, people are defined as rights-holders and States as duty-bearers of water and sanitation service provision. This means that the provision of water and sanitation is not a matter of charity – but a legal obligation. Rights-holders can claim their rights and duty-bearers must guarantee the rights to water and sanitation – like other human rights – equally, without discrimination and on the basis of participation and accountability.

Do you believe that water and sanitation is a human right?

Do you believe that every person has the right to sufficient, safe, accessible and affordable water and sanitation?

Do you support passage of the Aqua Act, which deals with safe drinking water?

# Violence Against Women

California's 1.2 million farm workers, over thirty-five percent of whom are women, comprise one of the largest labor forces in the United States. This group participates in an employment situation that is unlike any other in this country. Farm laborers work longer hours, earn lower wages, face more hazardous work conditions and receive fewer benefits than any other labor group in the United States. These workers are predominantly from Mexico (96%) and limited-English proficient, speaking either Spanish or an indigenous Mexican language. Refugees from an oppressive political and economic situation in their homelands, farm workers turn to agricultural work as one of their few opportunities for employment, becoming targets for exploitation by labor contractors and growers. Because of limited access to the information, innovation, trade, services and financial resources that drive today's economy, they languish devoid of the opportunities to share in our nation's prosperity.

Despite the high incidence of a number of social ills associated with poverty - such as poor health, substance abuse, domestic violence and deteriorated housing - farm workers are often unable to access the preventive and safety net services they need to live healthy and productive lives. In rural areas, municipal infrastructure, including transportation systems, utilities, public institutions and other services, is inadequate. Educational organizations, health and human service agencies and other institutions often do not provide quality services in remote areas due to unavailability of trained, culturally competent staff, transportation difficulties as well as undercounting, isolation and transience of rural farm worker populations.

For a number of reasons, farm worker women are especially disenfranchised and suffer from high rates of sexual assault and domestic violence. 17% reported abuse by a husband, boyfriend, family member or companion (California Women's Health Survey, 1994). They are likely to confront particular barriers rooted in the intersection of gender with race, immigration status, lack of knowledge about the criminal justice system, and culture which contribute to their victimization and trap them in abusive relationships.

In communities where sex role stereotyping and internalized oppression are strong, the sexual exploitation of women takes on epidemic proportions.

# Violence Against Women

From childhood Latinas are raised to be submissive and dependent, and are especially vulnerable to verbal and physical harassment and domestic violence up to and including rape. At the workplace, farm worker women face the specter of sexual harassment and sexual assault. At home, they are at high risk for domestic violence and sexual assault. These facts are borne out through crime statistics. (Please note that crimes of sexual assault and domestic violence are much underreported, and that the following information reflects this reality: actual rates are thought to be much higher.)

Crimes against women constitute a higher percentage of crimes in the counties that are in our service area. For example, 85% of the total reported crimes in Merced County are rape and assault, 77% for Kern County, 78% for Madera County, 75% for Fresno County, 69% for Ventura County, 86% for Tulare County, 84% for Pajaro Valley, 73% for Salinas Valley, and 80% for the Coachella Valley. (In California, the statewide average is 70 %.)

Current resources are not meeting the needs of California's farm worker women in the proposed service area. The suffering of victims who are migrant farm worker women is exacerbated because so often they are isolated in rural communities with little real access to social, legal and other supportive services. In particular, there is a dearth of community-based assistance that is sensitive to particular barriers and issues and would help them to prevent and recover from sexual assault and domestic violence. Also, victim's health and safety can be greatly increased with information about the Violence Against Women Act of 1994 (VAWA) which, was reauthorized in 2005, significantly expands the legal rights of battered immigrant women and their children, helps more women file for legal immigration status without their abusers' cooperation and helps them access public benefits for themselves and/or their children. Because few farm worker women are currently able to access this relief, survivor advocates must know the legal rights of battered immigrant women. Alternative remedies that address the unique needs of the farm worker women's community, and that do not depend upon the formal legal and social service systems, must be developed and tested. Farm worker women's advocates must then work together at state community levels to educate others and to change the way farm worker women are treated when they seek help.

In California farm worker women play an active role in ensuring awareness of and access to existing protections. Farm worker women, through Lideres Campesinas help reform laws, policies and practices in their communities that cut victims off from systems of relief.

Advocacy and support is needed to ensure that police, courts, shelters, crisis centers, public benefits, immigration, legal aid, and health care systems do not fail farm worker battered/exploited women who are legally entitled to help. Most employees working in these systems are unaware of the special legal protections open to battered/exploited immigrant women and farm worker women. This lack of information, coupled with widespread anti-immigrant sentiment, has a devastating impact on battered and exploited farm worker women who turn to the legal or social service system for help.

# Violence Against Women

Women are turned away by shelters and public benefits providers even when seeking services to which they are legally entitled.

Police often do not respond when called to an incident of violence against a farm worker woman. In some instances police, prosecutors or judges have turned abused women into the U.S. Citizenship and Immigration Services (USCIS) rather than prosecute their abusers. At times, because an officer on call refused to take a police report, the survivor does not have documented proof of abuse. Farmworker Women Labor, Health and Domestic Violence Issues Fifty-fourth Session of the Commission on the Status of Women. Mily Trevino-Sauceda

Do you believe that the State of California should ensure equal access to preventative and safety net services throughout California? Please indicate a value between 1 and 5, with 1 being a strong NO (you will take leadership against this issue) and 5 being a strong YES (you will take a leadership role in support of this issue): \_\_\_\_ (1-5)

Do you believe that the State of California should have a role in ensuring that local police, prosecutors and judges adequately enforce laws against domestic violence, sexual assault and all other forms of violence against women?

Do you believe adequate funding should be made available to eliminate the rape kit backlog?

On April 4, 2011, Vice President Biden announced that the Administration has issued a 'Dear Colleague' letter withdrawing a 2005 interpretation of Title IX policy, returning to a more thorough test for assessing compliance with Title IX. Under the new guidelines any school, college or university receiving federal funds has the legal obligations under Title IX of to respond promptly and effectively to sexual violence.

On October 9, 2011, the California Education code was amended to require local educational agencies to prohibit discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics, such as disability, gender, gender identity, gender expression, nationality, race, ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

Do you support funding gender norms training like those provided by [TrueChild](#)?

Do you support ensuring a school environment that is free from physical and psychological harm?

Do you support legislation requiring curriculum promoting healthy relationships and preventing teen dating violence?

Do you support the establishment of a US Department of Peace and Nonviolence charged with decreasing violence against women and girls?

# Education is a Human Right

Education is a fundamental human right and essential for the exercise of all other human rights. It promotes individual freedom and empowerment and yields important development benefits. Yet millions of children and adults remain deprived of educational opportunities, many as a result of poverty.

Do you believe education is a fundamental human right?

Do you support free access to publically funded education?

Do you support the original college and university master plan that provides free or near free college education to California residents?

Do you support discharge of student loan debt?

Do you support training for teachers, administrators and staff regarding elimination of implicit stereotype bias based on sex, gender, gender identity, gender expression, race, ethnicity, sexuality, other status and their combination?