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9 State, and Real Parties in Interest Geoff Brandt, State
Printer, and Edmund G. Brown Jr., Attorney General

FILED / ENDORSED
AUG 8 2008
By L. Young, Deputy Clerk

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11 SUPERIOR COURT OF CALIFORNIA
12 COUNTY OF SACRAMENTO
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15 **ZACHARY NORRIS and DANIEL MACALLAIR,**
16 Petitioners,
17 v.
18 **DEBRA BOWEN, in her official capacity as**
Secretary of the State of California,
19 Respondent.
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24 **GEOFF BRANDT, in his official capacity as State**
Printer, EDMUND G. BROWN JR., in his official
capacity as Attorney General of the State of
25 **California,**
26 Real Parties in Interest.

34-2008-80000011
**JUDGMENT GRANTING
PETITION FOR WRIT OF
MANDATE**
(Proposition 6)
Date: August 8, 2008
Time: 11:00 a.m.
Dept: 29
Judge: The Honorable
Timothy M.
Frawley
Action Filed: August 1, 2008

1 This cause came on regularly for hearing before this Court on August 8, 2008, the
2 Honorable Timothy M. Frawley presiding, pursuant to the petition filed by petitioners Zachary
3 Norris and Daniel Macallair.

4 Mr. Thomas Willis appeared as counsel for petitioners, Jeffrey I. Bedell, Deputy Attorney
5 General and Stephen P. Acquisto, Supervising Deputy Attorney General, appeared on behalf of
6 Respondent Debra Bowen and Real Parties in Interest Edmund G. Brown Jr. and Geoff Brandt.

7 The cause having been argued and submitted for decision, the Court being fully advised,
8 having read and considered all the points and authorities, declarations and evidence submitted,
9 and good cause appearing therefore, and having directed that judgment and peremptory writ of
10 mandate be granted,

11 IT IS ORDERED, ADJUDGED AND DECREED:

- 12 1. That the ballot title submitted by Real Party in Interest Edmund G. Brown Jr. be
13 modified as evidenced by Exhibit 1, attached hereto and incorporated herein.
- 14 2. That the ballot label submitted by Real Party in Interest Edmund G. Brown Jr. be
15 modified as evidenced by Exhibit 2, attached hereto and incorporated herein.
- 16 3. That these changes also be made on the summary prepared by the Secretary of State
17 which restates the ballot label.
- 18 4. That Respondent Secretary of State Debra Bowen is directed to forward this ballot title
19 and summary and ballot label, and their translations to the extent possible, for Proposition 6 to
20 Real Party in Interest Geoff Brandt, for inclusion on the November 4, 2008, General Election
21 Ballot Pamphlet and ballot, notwithstanding the twenty day review period provided for in
22 Elections Code sections 9092 and 9054, subdivision (c), and the consultation requirements
23 provided for in Elections Code section 9054, subdivision (b).
- 24 5. That each party is to bear his or her own costs and attorneys fees.

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26 DATED: 8/8/08

27 15/ TIMOTHY M. FRAWLEY
JUDGE OF THE SUPERIOR COURT

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1 **APPROVED AS TO FORM:**

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Dated: August 8, 2008

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Dated: August 8, 2008

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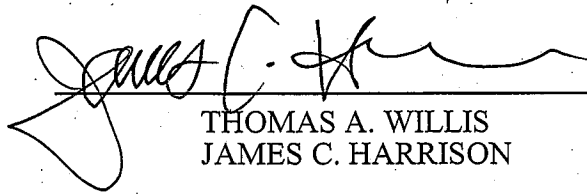
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THOMAS A. WILLIS
JAMES C. HARRISON

**Attorneys for Petitioners
Zachary Norris and Daniel Macallair**



JEFFREY I. BEDELL
Deputy Attorney General

**Attorneys for Respondent Debra Bowen,
Secretary of State of the State of California, and
Real Parties in Interest Edmund G. Brown Jr.,
Attorney General of the State of California and
Geoff Brandt, State Printer**

EXHIBIT

1

Proposition 6
Police and Law Enforcement Funding.
Criminal Penalties and Laws. Initiative
Statute.

Proponents: George C. Runner, Jr., Gary
Ovitt, and Mike Reynolds

July 3, 2008
Initiative 07-0094
SOS 1326

BALLOT TITLE AND SUMMARY

POLICE AND LAW ENFORCEMENT FUNDING. CRIMINAL PENALTIES AND LAWS. INITIATIVE STATUTE.

- Requires minimum of \$⁹⁶⁵95,000,000 each year to be allocated from state General Fund for police, sheriffs, district attorneys, adult probation, jails and juvenile probation facilities. Funding will increase in following years according to California Consumer Price Index. *Some of this*
- Makes approximately 30 revisions to California criminal law, many of which cover gang-related offenses. Revisions create multiple new crimes and additional penalties, some with the potential for new life sentences.
- Increases penalties for violating a gang-related injunction and for felons carrying guns under certain conditions.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact:

- Net increase in state costs that are likely within a few years to exceed \$500 million annually, primarily due to increasing state spending for various criminal justice programs to at least \$965 million, as well as for increased costs for prison and parole operations. These costs would increase by tens of millions of dollars annually in subsequent years.
- Potential one-time state capital outlay costs for prison facilities that could exceed \$500 million due to increases in the prison population.

**SUBJECT TO COURT
ORDERED CHANGES**

EXHIBIT

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Proposition 6
Police and Law Enforcement Funding.
Criminal Penalties and Laws. Initiative
Statute.
Proponents: George C. Runner, Jr., Gary
Ovitt, and Mike Reynolds

July 3, 2008
Initiative 07-0094
SOS 1326

BALLOT LABEL

**POLICE AND LAW ENFORCEMENT FUNDING. CRIMINAL PENALTIES AND
LAWS. INITIATIVE STATUTE.**

Requires minimum of ⁹⁶⁵\$695,000,000 of state funding each year for police and local law
enforcement. Makes approximately 30 revisions to California criminal law. Fiscal Impact:
Increased net state costs exceeding \$500 million annually due to increasing spending on
criminal justice programs to at least \$965 million and for corrections operating costs.
Potential one-time state prison capital outlay costs exceeding \$500 million.

**SUBJECT TO COURT
ORDERED CHANGES**