



The Voter

LEAGUE OF WOMEN VOTERS OF SAN JOAQUIN COUNTY

Fall 2023

Kickoff Meeting Highlights

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President Mary Kenefick engages League members at the Kickoff Meeting

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President Mary Kenefick welcomed League members and guests at the Kickoff for the 2023-2024 League year, held on September 30th at the Del Webb/Woodbridge facility in Manteca. She called the upcoming election cycle “critical” and set the stage for a year that will focus on the many aspects of voter service, beginning with speaker Jessica Martinez, the Voter Outreach Coordinator in the San Joaquin County Registrar of Voters office.

Ms. Martinez outlined the many outreach strategies the Registrar’s Office is employing to reach voters ahead of the March Primary Election, including the use of social media, attending community events, making ballots available in 12 languages, and pre-registering high school students who are 16 or 17 to vote. The Registrar’s Office will also hold a Candidate Filing Workshop on November 14, 2023, for office seekers in the March Primary Election.

She also answered questions from the audience about whether unhoused individuals can register to vote (yes), whether released felons can vote (yes), and what to do if people



Jessica Martinez, Outreach Coordinator, Registrar of Voter’s Office

receive mailers without the required “paid for by” information on them. The ROV is revamping its web site, which will be source of much voter and election information.

The Registrar’s Office is working with our League to encourage candidates to supply information to the VOTE 411 (previously Voter’s Edge), a major resource for voters in learning about local candidates.

Why the Constitution Still Matters

In the News

Should a group objecting to Drag Queens reading at library storytimes be allowed “equal time”? Should a single complaint lead to taking a book off the shelf in a library?
(First Amendment)

Can assault weapons be banned?
(Second Amendment)

Should a candidate for office who advocated insurrection be allowed to run?
(14th Amendment)

Although the Constitution was written over 230 years ago, it continues to impact daily lives today. From an artist declining to design a website for a same-sex wedding to affirmative action in university admissions to a state’s redistricting plan that conflicts with the Voting Rights Act banning racial discrimination in voting policies — the Constitution is at the center of some of the most critical societal issues today.

League members are invited to our November member event where Judge Erin Guy Castillo will lead us in an engaging conversation on “Why the Constitution Still Matters.”

Judge Guy Castillo was appointed to the San Joaquin Superior Court in April 2021.



In addition to her community work with the Mary Graham Children’s Foundation, the San Joaquin County Bar Association, the Leadership Stockton Alumni Association, and the Greater Stockton Chamber of Commerce, Ms. Guy Castillo is very involved in the “Judges in the Classroom” project which teaches high school students how both sides of recent landmark cases were argued. Ms. Guy Castillo is a strong advocate of education for all ages, a focus the League shares.

“Why the Constitution Still Matters” will be held at the Maya Angelou Library on **Saturday, November 18, 2024** beginning at 1 pm. The Library is located at [2324 Pock Lane](#) in Stockton.

There is ample parking. Join us!

President’s Message - Mary Kenefick



In the roiling waters of current events, it is difficult for any of us to decide which of the world’s crises (foreign and domestic) should rightfully claim our greater attention. It should therefore be of some comfort that even though the ship of state is struggling under high winds from all sides, many segments of our government seem to be quietly functioning pretty much in accord with both the touchstones of the past and the demands of our extraordinarily complex and fraught present.

During these times, what can the League do? Focus on the local, remember our mission, and pour energy into those things that support now and strengthen for the future the foundations of our democracy. Encourage others to do the same. Register voters, one by one. Inform voters when we can and reach out to those who want to be informed. Encourage all to vote with an understanding of the promise of our Constitution and a fierce concern for our collective future.

Our democracy is precious and fragile. We must not take it for granted.

Questionnaire: Our Members Respond



- Suzy Daveluy

The LWVSJC Board of Directors surveyed members in August 2023 regarding Issues for Education and Advocacy, topics that most interested them, and what community issues were of greatest concern.

Twenty-eight (28) surveys were received, with a majority interested in Voter Service, including voter registration, candidate forums, eliminating voter misinformation, election security, voter fraud, voter suppression, increasing voter turnout, and collaborating with other organizations.

Regarding the Issues for Education and Advocacy adopted in June 2023, survey results showed continuing interest in land use, air quality and warehousing as well as funding equity for school facilities. Fewer members were interested in post-COVID impact on high school students.

Several other topics grabbed member interest: water recharge, flood mitigation, and water rights; engaging a more diverse audience, including youth, in LWV activities; and AI's possible impacts on elections.

Local issues elicited several thoughtful ideas: participation in the civic process (e.g., establishing an Observer Corps), homeless crisis (affordable housing impact on homelessness), and education (e.g., Stockton Unified School District operations and equity). Other issues mentioned included economic development, climate change, book banning, and walkable neighborhoods. League members obviously have a wide range of interests.

Going Forward

At its October meeting, the LWVSJC Board decided to focus our programming efforts this year on voter services. We will offer Candidate forums and Pros and Cons for the March Primary Election. Voter registration opportunities for high schools students are being pursued. The Voter Service Committee is discussing with the Registrar of Voters how to encourage candidates to work with the League to get their information to local voters. [See accompanying article on Voter's Edge.]

The Advocacy Committee will focus on air quality and other impacts of warehousing in our county. Information on the other Issues for Education and Advocacy adopted by the membership at the Annual Meeting in June will be shared with members as information becomes available.



To Replace Voter's Edge

- Bea Lingenfelter

With the 2024 election season just around the corner, the League of Women Voters of California received the unexpected notification of the loss of funding for Voter's Edge. While this is a disappointment to those of us who have been preparing to work with our county Registrar of Voters to encourage candidates to submit their information for this League web site, LWVC pivoted quickly and contacted LWVUS to begin moving to their **VOTE 411** site for the 2024 election cycle.

According to a recent email, "LWVC staff, along with a lead group of volunteers, will be fine tuning the [Vote 411] platform to ensure that it is ready on time for candidate outreach and that we have a fully functional voter guide for the Primary Election in March." LWVC in partnership with LWVUS will offer Zoom training to supplement existing training videos for VOTE 411 volunteers.

Regardless of the platform, LWVSJC is determined to get candidate information to local voters. We anticipate that the time involved (a few hours per week from about 6 weeks out from the Primary in March and the same timeframe out from the November General Election) and the ability to do most work from your home computer will remain similar.

Please contact Bea Lingenfelter at beaal@comcast.net or 209-765-0576 for information on how to be involved.

League Calendar 2023-2024

Member Events/Activities

November 18	<i>Why the Constitution Matters</i> — Judge Erin Guy Castillo
December 9	Holiday Gathering
December-February	Legislative Interviews
January	Candidate Forums (to be scheduled)
February 3	Focus on March Primary
February 15	Susan B. Anthony Dinner
February 24	Stockton Women's Collaborative/ Black History Lunch
March 5	Primary Election
March 16	Membership activity (TBA)
April 13	Membership activity (TBA)
May 18	Membership activity (TBA)
June 1	Annual Meeting
June 27-30	LWVUS Convention/ Washington, D.C.

Iron Jawed Angels **Focused on voting rights struggle**

The film *Iron Jawed Angels* was shown at the Maya Angelou Library in Stockton to kick off this year's emphasis on voting. The film highlights women's struggle for the right to vote that culminated in the passage of the 19th Amendment in 1920. The Constitution initially gave the right to vote to white male property owners. The 15th Amendment expanded the franchise to newly emancipated former Black male slaves. American women's struggle to be allowed to vote stretched from the Seneca Falls Convention in 1848 until 1920. The film covered the struggle from 1912-1920.



Banned Books Week ***October 1-7, 2023***

Never, in the history of the world, have the people burning or banning books, turned out to be the good guys.

Attempts to ban books are on the rise, almost doubling in the last year from the previous one. This trend is alarming: it is not just books but ideas that are being challenged. One of the most proactive ways to meet these challenges is to read.



Two women, ages apart and with disparate experiences, seek a do-over in their lives in a small New Hampshire town. Their lives are narrated separately—one in chronological

order, the other going backwards in time. Their lives intersect through Olivia's son who is Lily's lover.

Mad Honey, a collaboration between best selling authors Jodi Picoult and Jennifer Finney Boylan, starts with a death and features a trial, but this is not a mystery but a story of love: sought, betrayed, misunderstood, embraced. A story of warmth and acceptance, joy and wrenching loss, with each character coming to know what it means to be who you are and living with the consequences.

October Lunch and Learn

- Terri Mercer

LWVSJC launched the first in our *Lunch and Learn* series at Papapavlos Restaurant in Stockton on October 16th. First Vice President Terri Mercer's presentation focused on the history and reach of institutional, systemic, and structural racism in the United States embedded in our culture through federal government policies as well as in practices of respected national secular and religious organizations.

Her presentation aligns with the League of Women Voter's position: "We are committed to ...educating ourselves and our children on the historic and ongoing systemic racism that plagues this country..."

Implicit in this statement is the responsibility to educate ourselves on the political, economic, and societal elements which have perpetuated a system of de facto economic inequality, from our country's inception through the modern day. As Toni Morrison said: "If you can only be tall because somebody is on their knees, then you have a problem. And my feeling is: White people have a very, very serious problem, and they should start thinking about what they can do about it. Take me out of it."

Explicit in the League's position is the "we." It our responsibility – as a majority white, middle class, older, well-educated, Caucasian League – to educate ourselves and not

call on underserved peoples to do that job for us.

Terri shared definitions along the racist continuum – intrapersonal, interpersonal, institutional, systemic, and structural racism.

"Institutional and systemic racism: policies or behaviors within an organization **intended** to discriminate against people of color. Systemic racism occurs when racially unequal opportunities and outcomes are intrinsic to the operation of a society's structures."

Example abound: from court decisions such as Plessy vs Ferguson (1896), the foundation of the "separate but equal" doctrine, to the policies of the Federal Housing Authority that began insuring home mortgages that *required* properties be in White-only neighborhoods through the 2015 legislative attempts to roll back the Bureau of Consumer Protection's regulations ensuring equal protections under the law.

Terri also shared a lengthy list of web sites to help anyone who is interested to pursue related information. This bibliography will be made available on our web site.

One web site that might be of particular interest is the Implicit Bias Tests created at Harvard: <https://implicit.harvard.edu/implicit/takeatest.html>. Check it out.



At its founding over 100-years ago, the League of Women Voters did not embrace diversity and inclusiveness, a practice sadly reflective of a society that continued to segregate and discriminate against non-white members of the community. The League, as it looks to be both transformative and to address historic racism, is today committed toward working forward on diversity, equity, and inclusion (DEI) in principle and in practice and weaving this throughout our organization, our work and our actions.

— *LWVC Diversity, Equity, and Inclusion Guide* (November 2021)

From LWVUS

Diversity refers to population groups that have been historically underserved in socially, politically, or economically powerful institutions and organizations. Equity means that resources may be divided and shared differently to make sure that each person has a fair chance to succeed. Inclusion refers to the degree to which a diverse set of individuals are able to participate fully in collaboration, strategizing, and decision-making within an organization or group.

League Policy: *The League of Women Voters is an organization fully committed to diversity, equity, and inclusion in principle and in practice.*

Diversity, equity, and inclusion are central to the organization's current and future success in engaging all individuals, households, communities, and policy makers in creating a more perfect democracy.

Reproductive Healthcare and the Equal Rights Amendment

— Liz Jordan, Sacramento AAUW

(Note from LWVSJC member Jane Wagner-Tyack: I wanted to share with you articles by my friend Liz Jordan, a member of a Sacramento area branch of AAUW. AAUW, like the League, supports choice in determining one's reproductive life and increased access to health care and family planning services.)

In October 2023, at a meeting of Sacramento branches of the American Association of University Women (AAUW), dramatic readings of women's stories from pre-Roe v Wade (1973) and since June 2022, when the *Dobbs decision* was handed down, were shared. Several important points emerged:

California is *one of 4 only states* labeled *Very Protective* for reproductive healthcare protections on the Guttmacher Institute interactive map. We are one of 14 states are considered *Protective*; on the other hand, *36 states are considered Restrictive to Most Restrictive* because they limit or ban abortion. <https://www.guttmacher.org>

Neither healthcare records, nor providers of reproductive care, are safe from prosecutions, even in states where many women travel to get reproductive care. Nineteen states (19) have challenged a Health and Human Services Department order protecting healthcare records of people who travel to another state for healthcare services; they cite that these records might evidence of a crime in the patient's home state.

Reproductive Healthcare providers are leaving many states to practice where their actions are not considered felonious until proven innocent. According to the *New York Times*, 75% of Oklahoma's OB/GYNs are either leaving or considering leaving the state.

A growing number of U S counties are considered "maternity deserts" where there is limited or no access to birthing hospitals, birth centers offering obstetric care or obstetric providers. For example, in Texas 53% of counties are considered Maternity Deserts! [Where You Live Matters: Maternity Care Deserts and the Crisis of Access and Equity | March of Dimes](#)

Nearly 60% of medical students are avoiding practice in states with abortion restrictions.

The Gender Equity Policy Institute reports that women living in states with abortion bans are three times more likely to die during pregnancy or childbirth; their babies are 30% more likely to die in the first month of life.

We need clear gender protection in the U. S. Constitution. Why?

Because the simple language in Section 1 of the Equal Rights Amendment says "Equality of rights under the law shall not be denied or abridged by the United States or any state on account of sex."

Specifically, the *Dobbs* decision in 2022 says that states can decide if their citizens have a "right to privacy in their personal decisions." So, a woman living in New York has a right to privacy in her personal decisions that she makes for herself, but a woman living in Idaho does not have that right. The women in Restrictive States have fewer rights than women living in California. Under the Equal Rights Amendment, individual states would *not* be allowed to decide a woman's rights.

The equal protection of the 14th Amendment protects people from discrimination based on race, religion or nationality. Gender is not a protected class and therefore not entitled to "strict judicial scrutiny." This results in a lower success rate when bringing gender discrimination suits before the Supreme Court.

In 2011, the late Justice Antonin Scalia said there is nothing in the U. S. Constitution that protects women against gender-based discrimination. In order for women to become a "protected class" under the Constitution, women must be added, specifically, in clear language.

Yearly, thousands of women swear an oath to protect and defend the Constitution, but nowhere in the Constitution is a woman *protected by the Constitution*. Gender should also be a *protected class* entitled to "strict judicial scrutiny."

Reproductive Healthcare and the Equal Rights Amendment (continued)

— Liz Jordan, Sacramento AAUW

Women living in every state should have equal access to all reproductive healthcare and their lives and liberty should be protected by the Constitution.

THE ERA

The only two requirements for an amendment to be adopted, as stated in the U.S. Constitution, have been met: passage by 2/3 of both houses of Congress (1972) and ratification by 3/4 of the 50 states (38 reached in 2020). Unfortunately, an arbitrary deadline of seven years, followed by a 3-year extension, was imposed on the ERA. Deadlines for ratification only started to be applied in the last 100 years.

Congress has proven to be incapable of removing the deadline. For four years, and over three successive Congressional Sessions, legislators have unsuccessfully attempted to remove the deadline by three Joint Resolutions. No state has ever successfully rescinded its ratification after it voted for an amendment. The ERA should stand.

WHAT CAN WE DO?

Let's ask some hard questions.

Ask the President, our Senators and our Members of the House of Representatives:

what has she or he done, is doing, will do to secure equal protection for women in the Constitution?

Ask every woman working for a major television and/or radio news channel:

when will she create programming around the predicament of the Equal Rights Amendment, especially relating to unequal access to healthcare?

Questions we could ask:

Why isn't the 28th Amendment part of the U. S. Constitution?

Why doesn't President Biden tell his new Archivist, Colleen Shogan, to publish the amendment? *[The Archivist of the U.S., who heads the National Archives and Records Administration (NARA), is responsible for administering the ratification process for a proposed constitutional amendment and for publishing the amendment as part of the Constitution.]*

Would we have the Dobbs decision if the Equal Rights Amendment was part of our Constitution?

Why don't national news reporters ask Biden about the ERA at news conferences?

If women political leaders and military members swear to protect the Constitution, why aren't they protected by it?

Write letters and/or emails to:

Margaret Brennan, *Face the Nation*, CBS, 2020 M Street NW, Washington, DC 20036; (202) 457-4481; facethenation@cbsnews.com

Lindsay Davis, *ABC News Live Prime*, <https://www.linseytdavis.com/contact/>

California Congressional Leaders Senators

Alex Padilla
112 Hart Senate Office Bldg
Washington, D. C. 20510
501 I Street, Suite 7-800
Sacramento, CA 95814
<https://www.padilla.senate.gov/contact/contact-form>

Laphonza R. Butler
G12 Dirksen Senate Bldg.
Washington DC 20510
<https://www.butler.senate.gov>

Representative

Find your representative:
www.house.gov/representatives/find-your-representative



From LWVUS

One Year After Dobbs: Women in Democracy Will Save Reproductive Rights

There is only one way we can ensure that the promise of democracy is kept: by fervently participating in our nation's political processes, ensuring our voices are heard.

- Deborah Turner, LWVUS Blog
August 25, 2023

Informed citizens are democracy's best defense.

- Brennan Center for Justice at NYU School of Law

San Joaquin County Water 101

Local Water Review and Update

— Jane Wagner-Tyack

A review and update on the effects of California water management on the Delta, a significant portion of the county that our League represents

For most of California, San Joaquin County is of interest primarily as an axis for moving people, commercial products, and water to someplace else. “Hub” is the term used habitually by the California Department of Water Resources (DWR) to refer to the Sacramento-San Joaquin Delta, the vast expanse of waterways, wetlands, and farms that makes up most of San Joaquin County west of I-5 and covers portions of four other counties.



For over half a century, we’ve seen various versions of state efforts to divert Sacramento River water that would naturally flow through the Delta and out through the Estuary beyond Antioch and Pittsburg. DWR calls the current version of this effort—a tunnel—the Delta Conveyance Project: “an essential climate adaptation strategy [that] protects against future water supply losses caused by climate change, sea level rise, and earthquakes. It also helps ensure that the SWP can capture, move

and store water to make the most of big, but infrequent, storm events.”

“SWP” refers to the State Water Project, 29 urban and agricultural water districts, almost all of them south of the Delta, that rely on transferred water; DWR is indeed dedicated to sustaining this transfer system.



The coalition of five counties that share the area occupied by the Delta—Contra Costa, Sacramento, San Joaquin, Solano, and Yolo—work collaboratively as the Delta Counties Coalition (DCC) “to give one voice on behalf of the Sacramento-San Joaquin River Delta and its 4 million area-wide residents.”

The DCC advocates for three goals:

- to improve the Delta
- ecosystem
- to provide a more reliable water supply for the State
- to protect and enhance Delta communities.

This Coalition is not happy with the State’s plan for delta conveyance and is not persuaded by claims about conveyance benefits.

<https://mavensnotebook.com/2022/07/26/delta-counties-forum-delta-tunnel-opponents-express-their-concerns-push-for-alternatives/>

Many water users outside the Delta—especially agricultural users—assert that water that doesn’t make its way to them is wasted, essentially just flushed out to sea. This argument seems to be bolstered by the growing unpredictability of annual flows of water resulting from climate change.

By contrast, an October op-ed in the *LA Times* <https://www.latimes.com/opinion/story/2023-10-16/new-orleans-saltwater-california-delta>

compared the freshwater situation we face in our Delta region to that in Louisiana, where insufficient freshwater flows down the Mississippi River are allowing a “saltwater wedge” to move inland from the Gulf of Mexico, threatening the drinking water supply for New Orleans. Large amounts of flows into the Delta are already pumped south to agriculture and Southern California cities, and those users don’t want that water to be salty. But conveying additional freshwater flows under the Delta would, notes the *Times*, leave “even less freshwater in the delta to push bay water back. . . . [Intruding] San Francisco Bay brine could wreck groundwater supplies and make cities in the middle of the state, including Stockton, unlivable.”

San Joaquin County Water 101

(Continued)

Warehousing Win in Tracy



Even the existing system doesn't provide adequate flows for our region. The Sacramento River has 27 direct and indirect tributaries; the San Joaquin River has 43. Almost all of them have at least one upstream dam managed for local water needs or—in the case of Hetch Hetchy on the Tuolumne River and Camanche and Pardee on the Mokelumne—for the needs of Bay Area urban users. Most freshwater in the Sacramento-San Joaquin River watershed that originally created the Delta and Estuary never makes it to the Delta anymore.

Beginning in 1978, the State Water Resources Control Board was charged with creating a Bay-Delta Water Quality Control Plan to establish water quality objectives to protect beneficial uses in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary. This Plan was to be regularly updated. That hasn't happened for almost 30 years,

Every attempt by the Water Board to establish percentages of natural (unimpaired) flows necessary to maintain the health of the Delta and Estuary has been met by resistance from upstream users reliant on diverting water before it gets to the Delta. Many agencies representing these users have proposed alter-

native Voluntary Agreements—VAs—to allow adequate flows; VAs are supported by the Governor. Environmental and fishing groups condemn them for failing to provide the necessary protections.

The most recent update of the Bay-Delta Plan, a 6,000-page draft, is already controversial. <https://www.latimes.com/environment/story/2023-10-08/california-bay-delta-water-quality-plan>

For a local perspective on the situation, see “Delta science vs. Delta betrayal” by Michael Fitzgerald writing in *Stocktonia*. <https://stocktonia.org/news/opinion/2023/10/11/a-delta-dr-kevorkian/>

An upcoming *Voter* will have an update on water management efforts in the north county, including balancing local agriculture and urban water needs with the dominant water rights of the East Bay Area to Mokelumne River water. We'll also look at groundwater management and at flood risk in the County and ask why more funds aren't being invested in levee maintenance.

Jane Wagner-Tyack is the Program Director and Legislative Consultant for Water for LWVC.

The Tracy Alliance Warehouse project that would have severely impacted the community of Banta was defeated by a vote of 3-2 at the Tracy City Council meeting on November 7th. LWVSJC has been part of a coalition opposed to increasing the number of large warehousing projects in the county.

Eric Parfrey, retired city planner, and League member Margo Praus spoke representing the Sierra Club, noting serious air quality issues connected with warehousing and the importance of solar to bolster the electrical grid in the face of increased use. Other members of the audience commented on the loss of prime ag land, increased traffic, the proximity to the school, air pollution, the potential for water pollution, the health of the children, and the change in character for the city. The project developer had requested a continuance for a decision on the project so was not prepared to give an extensive presentation, though he had done so in past meetings. After lengthy discussion and community input, the Tracy City Council voted to stop the project, at least for now. The developer can reapply in the future. Council action was a win for those concerned about the impacts of warehousing in our communities.

On December 5th, the Stockton City Council will hear a recommendation from its Planning Commission on warehousing. Contact Margo Praus for more information.

Lunch and Learn

October 16th	Institutionalized Racism Speaker: Terri Mercer
November 14th	Family Promise: the Faith-Community's Response to Homelessness Speaker: Jory Gwasdoff
December 12th	Supporting Literacy in Grades K-3: Rotary Read-In Speaker: Sharon Tweedy
January 9th	Opportunities for Lifelong Learning: UOP'S OLLI Program Speaker: Jennifer Juanitas

Calendar of Board Meetings

October 17	Board/ Ed Fund Board Meeting
November 21	Board Meeting
December 19	Board Meeting
January 16	Board Meeting (instead of 1/15 - MLK Day)
February 20	Board Meeting (instead of 2/19 – Presidents' Day)
March 18	Board Meeting
April 15	Board Meeting
May 20	Board/ Ed Fund Board Meeting
June 17	Board Meeting

Board meetings are the 3rd Monday of the month, except as noted above.

Members are welcome to attend Board meetings. If you wish to attend Board meetings, please contact Jane Wagner-Tyack: janetyack@mac.com for the Zoom link to the meetings.

2023-2024 LWVSJC Board of Directors

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The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government, works to increase understanding of public policy issues, and influences public policy through education and advocacy.