

Palos Verdes Democrats

Founded 1952



logo by
Paul Conrad

September 2015 Newsletter

P.O. Box 2234, Rolling Hills Est. CA 90274
Visit Us on the Web at www.pvpdemocrats.org
"One of the oldest Democratic Clubs in California"

COMING EVENTS

SEPTEMBER MEETING

DATE: Sunday, September 20th

TIME: 2:30 - 4:30pm

LOCATION: Peninsula Center Library Community Room; 701 Silver Spur Rd, RHE

TOPIC: *Groundswell Rising*, a documentary highlighting the grassroots opposition to fracking

SPEAKERS: Mary Kirches-Wolfberg plus the producer Mark Lichty via Skype

OCTOBER MEETING

DATE: Sunday, October 18th

TIME: 2:30 - 4:30pm

LOCATION: Peninsula Center Library Community Room; 701 Silver Spur Rd, RHE

TOPIC: TBA

SPEAKERS: Chris Cannon, Director of Environmental Management for the Port of LA

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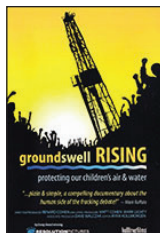
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Social time before our Dem Club meetings

Several of our members mentioned that our meetings are so jam-packed that they haven't had time to socialize. So, our board decided to build in some time prior to the meeting. Our official meeting still starts at 2:30, but our board members will arrive at 2:00 to give anyone who wants to join in, a chance to let us know what's on your minds. So come early on Sept 20th to spend time with other PV Dem members.

September Meeting Screening of "Groundswell Rising"

For those of you who were unable to attend the Environmental Priorities Network August screening of the documentary "Groundswell Rising, Protecting Our Children's Air and Water", you're in luck! PV Dems Vice President, Lynn Bommer did attend that event and was so moved by the film that she arranged for a screening at our September 20th PV Dems meeting.



One review states that "Groundswell Rising captures the passion of people engaged in a David and Goliath confrontation. They stand together, challenging a system that promotes profit over health. We meet mothers, fathers, scientists, doctors, farmers and people from a variety of points along the political spectrum taking a hard look at energy extraction not proven to be safe."

We learn that Dick Cheney while Vice President, joined forces with his former employer Haliburton to support the 2005 Energy Policy Act that exempted fracking from EPA rules that require exact reporting of chemicals used in the process. With the Oil and Gas industry's expansion of fracking seen as a moral issue, this provocative documentary tracks a people's movement, a groundswell rising towards reason and sensitivity, to protect life, today and tomorrow.

Afterward we will be joined by the producer, Mark Lichty, via Skype for an update as well as a question and answer period. Please join us and bring your friends for this very timely program!

August Meeting Report by Connie Sullivan and Carol Moeller

The meeting kicked off with the installation of the 2014-2015 Palos Verdes Democrats board. Mayor Tom Long served as installing officer.

Then we voted on two resolutions relating to the June meeting topics and organizations who presented them. Joe Galliani of South Bay Clean Power Group presented information about Community Choice Aggregation that advocates for more clean energy to be available in our homes through the existing power grid. Edric Guise of Citizens Climate Lobby presented their plan for Carbon Fee and Dividend to attach an increasing fee to carbon as it's extracted from the ground and return the funds to households in the form of a dividend. The club voted to pass resolutions of support for both programs.

2015 Supreme Court Review

Each year the UC Irvine Law School, headed by Dean Erwin Chemerinsky presents a panel of legal experts who describe one or two Supreme Court decisions and analyze them. Our very own Tom Long, attorney at law and former Rancho Palos Verdes mayor provided additional insight and commentary on each case.



Tom Long, Attorney and
former RPV Mayor

Glossip v. Gross Death-row inmate Glossip claimed that the use of midazolam (the drug implicated in previous "botched executions")

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violates the Eighth Amendment because it fails to render a person insensate to pain during the execution. In a 5-4 decision, the conservatives decided this was not cruel and unusual punishment. Song Richardson of UCI Law School found it curious that they used the following reasoning: "Because capital punishment is constitutional, there must be a constitutional means of carrying it out." So any means of carrying it out must be constitutional. Tom didn't think this case would be important historically. In his view, it is just the Supreme Court meddling in minutia. He feels the death penalty is on its way out if legislators would get on it.

Elonis v. the United States In an 8:1 decision that remanded this case back to the lower court, Hon. Jeffrey S. Sutton, U.S. Court of Appeals described how the court looked at what constitutes a threat, and decided that more must be done to show a man's intent than simply posting threats on Facebook. This changes the standard used in the past where a threat is a threat if a reasonable person deems it to be a threat. Elonis is a rapper who posted the following lyrics on Facebook:

*...Took all the strength I had not to turn the bitch ghost
Pull my knife, flick my wrist, and slit her throat
Leave her bleedin' from her jugular in the arms
of her partner..."*

Concluding:

*And if you really believe this s*** I'll have some
bridge rubble to sell you tomorrow [BOOM!]
[BOOM!][BOOM!]*

Tom thinks this opinion expands how the scope of the first amendment is applied especially in domestic violence cases. The defendant said specific things and where he

Membership Dues are now OVERDUE

Dues payments are the lifeblood of small organizations like ours. We operate on a fiscal year from July 1 through June 30. If you haven't paid already, please do so at this time. If you paid in the spring, your dues carry over through this year.

We know it's difficult to remember when dues are due, so we try to remind everyone through the newsletter, emails and by mail. You can pay online at pvpdemocrats.org. Or you can use the paper application attached to this newsletter, complete it and send it in with your check. As always, dues are free for those who cannot pay.

We try to ensure the \$25 per person/\$40 per family fee is well spent. We work hard to bring you quality programs of interest to Democrats that you won't see anywhere else. I think more often than not we hit the mark.

Your dues help pay for the our room rental costs, refreshment costs, donations to Democratic candidates, as well as other necessary fees we must pay to the party and to make necessary reports to the FEC and FPPC.

would go and the layout of his wife's house. Tom disagrees with this ruling and is puzzled by it. He feels the words were unambiguously threatening and he would have found intent. Tom thinks this decision will make prosecution cases harder for victims of domestic violence.

Obergefell v. Hodges Justice Kennedy joined the liberals in a 5:4 decision that affirmed the Constitution guarantees a right to same-sex marriage. Kannon K. Shanmugam of Williams & Connolly LLP mentioned that in three earlier decisions, the court had expanded gay rights, so didn't see this decision as a surprise. He noted that Justice Roberts in his rather pointed dissent stated "Celebrate the decision if you favor it, but do not celebrate the Constitution. It had nothing to do with it."

Tom thinks the most serious problem with this opinion is that in a number of states now, you have a right to marry but can be evicted from your apartment afterwards. Tom's concerned it will become like Roe v. Wade and will be constantly under attack. The Court didn't use the full faith and credit clause, which might have made it more acceptable

to opponents. This is the one Tom thinks will make the history books.

A questioner commented upon Scalia's ridicule of Kennedy's writing style in this opinion, upon which Chemerinsky had issued a pointed critique of Scalia's lack of professionalism as being a poor model for law students to follow.

King v. Burwell Justices Roberts and Kennedy joined the liberals in this 6:3 decision affirming that tax subsidies were being provided lawfully in the three-dozen states that had decided not to run marketplaces for insurance coverage under the Affordable Care Act. Linda Greenhouse of Yale Law School noted that Roberts said the statute was "consistent with Congress' plan" in that the phrase in question "exchanges established by the state" does not have to be interpreted literally.

Tom thinks this case was "ridiculously cynical beyond all belief". The law simply doesn't work without the subsidies and the lawmakers wouldn't have passed a law that could only work in some states but not all.

Williams-Yulee v. Florida Bar Justice Roberts joined the liberals in a 5:4 decision that states may prohibit judicial candidates from personally soliciting campaign money when they are running for judicial office. Chemerinsky stated that there was mention by the court that "judges are not politicians" and noted the irony that the judicial candidate against whom this case was brought, ultimately lost his bid for election and was also fined.

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Tom points out that a lot of states have elected judges. Most in California are appointed, but when the governor doesn't get around to filling a seat, we elect them. This will make it harder for them to mount a campaign.

Although we did not have time to view the discussion of the last case, a member of our audience asked what that case entailed, and Tom Long noted that in **Walker v. Texas Division, Sons of Confederate Veterans 5:4** decision Justice Thomas joined the liberals in agreeing that that Texas was free to reject specialty license plates bearing the Confederate battle flag.

Chemerinsky took time to provide an analysis of the court's last term. They decided 66 cases this term. Fourteen were 5:4 decisions. Kennedy voted with the liberals 9 times and with the conservatives only 5 times. In the past Kennedy voted with the conservatives 70% of the time. He thinks the real story is the cohesiveness of the liberals this term. He doesn't think this is a permanent change for Kennedy. He said if this term was the *Return of the Jedi* next term will be *The Empire Strikes Back*.

Congratulations to Carol Moeller, Woman Democrat of the Year by Connie Sullivan

At their June meeting the 66th Assembly District delegation to the Los Angeles County Democratic Party voted to recognize our president, Carol Moeller as our woman Democrat of the Year.

Carol was recognized for her work as co-chair of the 66th Assembly District Democratic Council for 2 years, her work as president of our club and her work on the campaign to reelect Al Muratsuchi to the Assembly. She put in many hours on that campaign in spite of the fact that she was teaching at California State University, Dominguez Hills.

The male Democrat of the Year is Varo Asorian, co-chair of the 66th Assembly District Democratic Council who is also a member of our club.

The honorees will be given their awards at the annual Roosevelt Dinner in October. We hope many of you will want to attend to cheer for Carol.



2014-2015 Palos Verdes Democrats Board:

Back row: Sheila Papayans, Lynn Bommer, David Hall, Susie Boone, Judy Pang, Marta Liepzig.

Front row: Al Shadbourn, Stacey Michaels, Teresa Savo, Maria Martinez, Carol Moeller, Dee Dee Gonzales

Not shown: Connie Sullivan, Laura Hines-Jurgen

Be a Pre-Endorsement Conference Delegate! by Carol Moeller

Pre-Endorsement Conferences are the first determining step for the California Democratic Party's endorsement process.

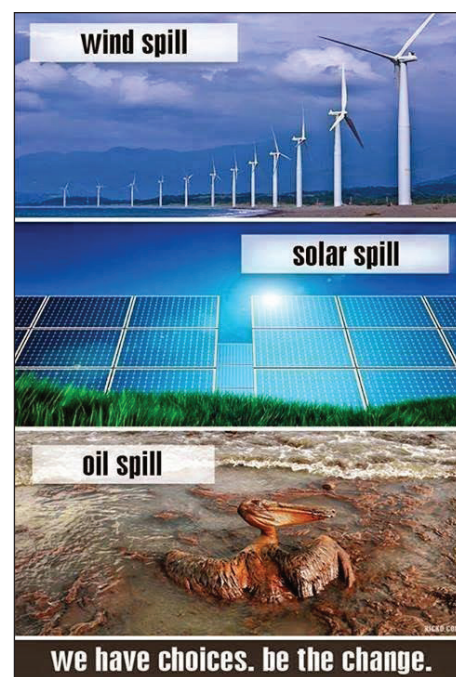
A Pre-Endorsement Conference for our 66th Assembly District will be held in January of 2016, and you do not have to attend the conference to vote. In addition to those delegates elected and appointed last January for two-year terms, each club can also send delegates based on membership.

The PV Democrats have 5 slots for pre-endorsement delegates that we can send this year, based on the club membership roster we submitted this past June. Delegates must be registered Democrats, must live in the 66th Assembly District, and their names must have been on that June roster. It is requested that our candidates be as equally divided between men and women as much as is possible.

Voting by mail is allowed, so delegates do not have to attend the conference to submit their votes. If a candidate receives 70% of the vote, then that candidate is eligible for party endorsement status. If a candidate receives over 50% of the vote but less than 70%, that endorsement may be decided later by a caucus held at the convention.

The pre-endorsement caucus was particularly important in the last election, as we had a candidate miss the 70% threshold by a very tiny margin and many feel this was an important factor in her eventual defeat by another Democrat.

So, YOU have a chance to be a part of this pre-endorsement process. Please submit your name to Carol (mailto:rpvdem@gmail.com) if you fulfill the requirements and wish to be considered as a pre-endorsement candidate.





Palos Verdes Democrats Officers for 2015-2016

President: Carol Moeller 310-541-5526

President Emeritus: Connie Sullivan 310-378-1554

Vice President: Lynn Bommer 310-374-1188

Recording Secretary: Judy Pang 310-375-5783

Corresponding Secretary: Sheila Papayans 310-373-7978

Treasurer: Al Shadbourn 310-326-4953

Parliamentarian: Maria Martinez 310-833-5083

Membership: Susie Boone 310-686-0455

Publicity: David Hall 310-377-7334

Newsletter Editor: Laura Hines-Jurgen 310-544-2424

Hospitality: Marta Liepzig 301-828-8112

Teresa Savo 310-541-1139

Precinct Captains: Connie Sullivan 310-378-1554

Dee Dee Gonzalez 210-367-9727

LACDP Associate Member: Stacey Michaels 310-377-0652

Palos Verdes Democrats

Founded in 1952 - One of the oldest and largest Democratic Clubs in California

www.pvpdemocrats.org

As a member of
the Palos Verdes
Democrats,
you can:

- Meet other Democrats
- Meet and get to know
your elected officials,
raise funds and work for
candidates
- Attend special events
and monthly meetings
- Hear speakers and
discuss issues of local,
state and national
import

Please send your membership form to P.O. Box 2234, Rolling Hills Est. Ca 90274
Please fill in all items to ensure that we have your full and correct current information.

Name _____ ☐ I am a registered Democrat

Name* _____ ☐ I am a registered Democrat

* Fill in if Applying as a Family - two memberships

Residence Address _____ Phone _____

City _____ Zip _____ Cell _____

Occupation _____

Employer _____

E-mail Address _____

*Select One: ☐ Individual: \$ 25.00/Year ☐ Family Membership \$40.00/Year

☐ Young Adult \$10.00/Year

Amount enclosed _____ ☐ Renewal ☐ New Member

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☐ I might offer my home for a meeting or social event