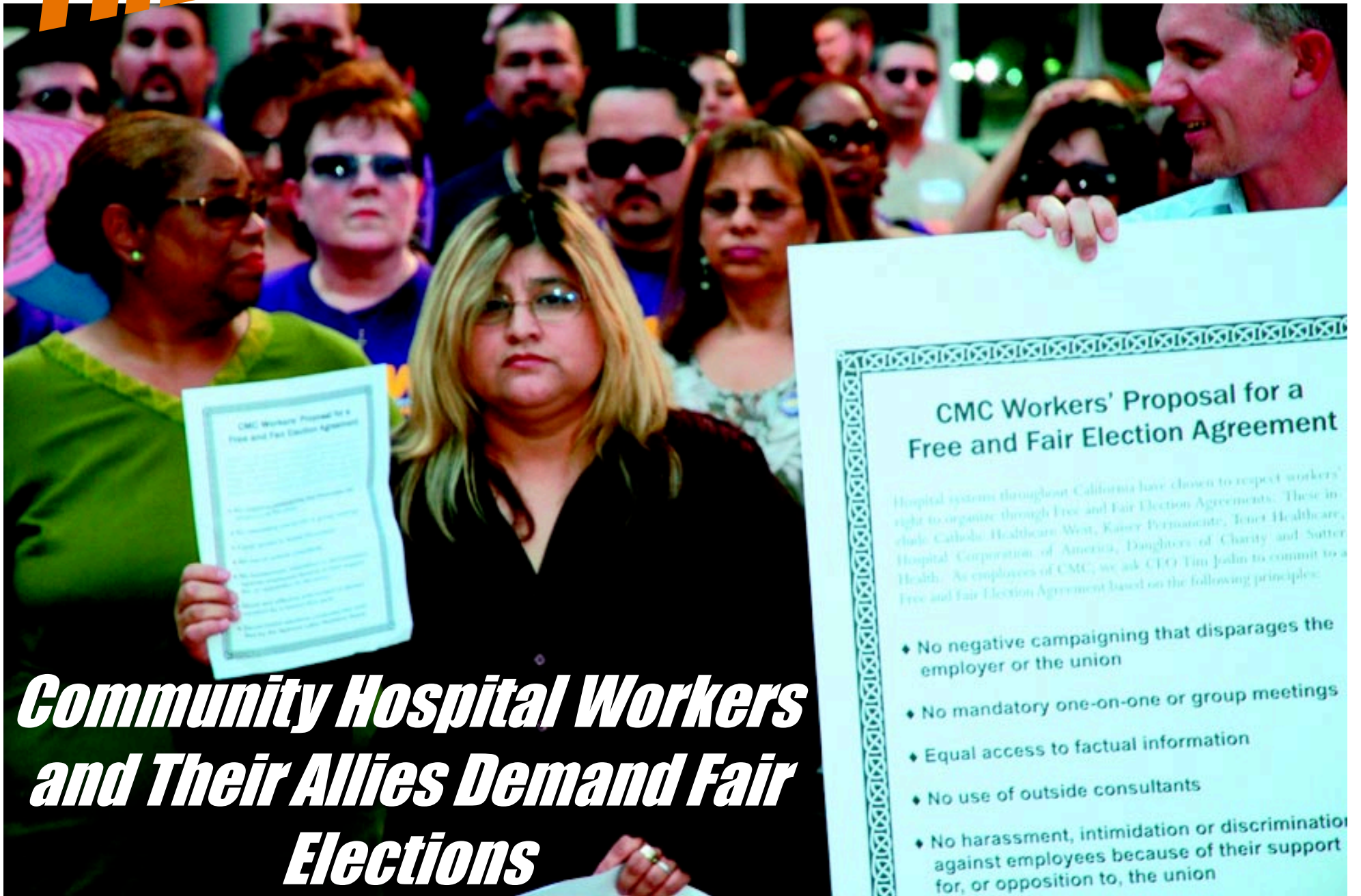


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Community Hospital Workers and Their Allies Demand Fair Elections

Union Organizing Drive at Community Hospital Heats Up

By Mike Rhodes

Workers at Community Medical Center (CMC) in Fresno are fed up with low pay, disrespect by management, understaffed departments, and an anti-union campaign they say has violated Federal labor law. Latisha Jones, speaking at a public hearing before the Fresno Fair Election Commission, said CMC security guards told her not to hand out flyers supporting the union. Jones said the guards told her “that if we did not leave they would call police and press charges against us.” Jones was there on her own time, was not blocking access to the hospital, and had a legal right to be there. She and her co-workers stayed and handed out flyers - they refused to be threatened and intimidated.

Workers like Jones are standing up for their rights and organizing a union because they want better working conditions at CMC. Workers at CMC know that employees doing the same job at Kaiser Hospital, which is union, are making twice as much money. They also know that under a union contract they will have job security, bet-

ter benefits (like health care, which some workers don’t currently have for their family members), and a work environment that gives them dignity and respect.

The Fresno Fair Elections Commission is a local coalition of elected, community, medical, and religious leaders who have stepped forward to establish a free and fair election at CMC. They invited both workers and CMC management to the October 17, 2007 public hearing. Over 200 CMC workers and community members attended the public hearing at the College Community Congregational Church, but the management of CMC refused to participate.

What management would have heard, had they attended, is that workers at the hospital feel they are being threatened and intimidated because of their support for the union. These workers have filed a series of charges against management over ongoing violations of labor law. They talked about the incidents that led to the unfair labor practice charges and about why they are organizing a union.

Lydia Martinez, who is a licensed vocational nurse at Community Medical Center, was the first speaker at the hearing. She said “Community Medical Centers’ management has responded by systematically creating an atmosphere of fear and confusion with regard to our efforts to form a union.” Martinez said “under current

labor law, our boss is allowed to give us misinformation and half-truths. They’re even allowed to hold mandatory anti-union meetings. They can pull us off the floor and make us go to meetings, and we have no choice in the matter. Our managers can pull us into their offices for one-on-one meetings, which can be very intimidating. They’re also allowed, under the law, to take money that should be used for patient care and spend it on hiring outside groups who come in and try to stop us from forming our union.”

Letty Mendoza, a sterile processing technician at CMC, is a union supporter. Mendoza said she wants a union to improve patient care at CMC. At the standing room only hearing, she told co-workers and community members, “I had to attend a mandatory labor education meeting. We were in the middle of a very busy day, but everyone had to attend the meeting which put us even further behind. In the meeting the anti-union buster claimed that we had about 20 people at the press conference (which announced the union organizing drive at CMC). I raised my hand and said ‘no, that’s not true - it was about 200 people. As a matter of fact I was one of them’ I told him. For the next five minutes I kept talking and raising my hand and every time he told lies I raised my hand but he never called on me. A few minutes later a charge nurse came and made me leave the meeting. Management says they want us to have all the facts but they won’t even let

Continued on page 14

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The Community Alliance is an independent voice for workers and progressive groups in the Central San Joaquin Valley. The goal of this monthly newspaper is to build a powerful progressive movement that will support social, environmental, & economic justice; immigrant rights; and a living wage for all working people. We seek to expose social and political injustices and to link the diverse network of activists working in our community.

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Carol Bequette • Floyd Harris • Pam Whalen
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(559) 978-4502 (voice) • (559) 226-3962 (fax)

E-MAIL:
AllianceEditor@comcast.net

WEB-SITE:
www.fresnoalliance.com/home

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From the Editor

What is so important about employees at Community Medical Center (CMC) organizing a union at their workplace? Why did we put this story on our front page and why will we continue to follow developments month after month? The answer is simple: Economic justice is a core value in the progressive community and workers who join together and improve their working conditions are inspirational. We want our readers to know what it is like when workers organize, stand up for their rights, and form a union.

CMC workers are setting an example by organizing a union that will in some cases double their salaries, provide health insurance for their families (can you believe that some CMC workers do not get medical coverage for their own families), and bring dignity and respect back to the workplace.

That is why the employer is fighting back so hard. They want to maintain the uneven playing field that works to their advantage. Instead of paying workers a fair wage, CMC management has hired a union-busting firm. Management is taking the money that could be used to improve patient care and workers lives and they are giving it to a group of thugs who workers say are trying to threaten and intimidate them into not supporting the union. At a hearing on October 18, held by the Fresno Fair Elections Commission, I heard sto-

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ries about economic coercion, violations of free speech rights, and how management forces employees to attend mandatory anti-union meetings. Pro union employees are threatened when they simply hand a co-worker a flyer.

The Fresno Fair Elections Commission has tried to get CMC to adopt principles for a free and fair election. You can see this modest proposal and a list of commission members on page 14 and 15. CMC arrogantly ignored the commission until two days before the hearing when CMC chairman Kevin Follansbee sent a terse letter to commission chair John Donaldson, who is a former Fresno County Supervisor. Follansbee's letter said he was "unfamiliar with the organization you purport to represent" and he refused to participate in the public hearing.

The hearing, as you can read about in our front page story, was a damning condemnation of the ham fisted policies the management at CMC has used to stop the union. The article also goes into some depth about the limitations of the National Labor Relations Board election process. This is information anyone organizing a union in their workplace needs to know.

I have always found it interesting how the corporate media (in Fresno - The Bee, KMJ, and TV news) always cover business stories from the perspective of the business owners and ruling class. You can't go a day without hearing a "stock report" or news that is only of interest to people who have a lot of money. When was the last time you saw a report in the corporate media about how to organize a union? When was the last time you read an article in the Bee that was sympathetic to workers who are organizing a union?

Covering news about workers struggling for justice is one of the things that sets this newspaper apart from the corporate media. Giving significant coverage of the union organizing drive at CMC helps build a movement for peace, social, and economic justice. Supporting the people who are building a better world is why this newspaper exists.

In addition to the lead story about CMC, this month's paper includes an interview with investigative reporter Dahr Jamail. The interview, conducted by Amy Goodman on Democracy Now! (heard m-f at 6 and 9 AM on KFCF 88.1 FM), is about Jamail's experience as a journalist in Iraq. Jamail will be in Fresno on November 12. See page 4 & 5 for details.

Civil liberties are under attack in this city and this month we have three articles addressing various aspects of the struggle to defend our rights. Two of the articles are written by staff members of the ACLU and the third is by the new Fresno area ACLU chapter chairperson. If these articles don't outrage and motivate you, you are not paying attention.

The City of Fresno's shifting policy on how to eliminate the homeless has transmogrified as they now want to force them into tool sheds. Mayor Autry says they are doing this because they care about the homeless. The truth is something less altruistic. You can find out what this new development is really about on page 8 & 9.

As always, we have the latest news from Peace Fresno, the Fresno Center for Nonviolence, and Women's International League for Peace and Freedom. This month, we also have an article from the Fresno Teacher's Association clearing up some of the attacks they are under in the corporate media. FTA, WILPF, and the FCNV all pay us for the space they use in this newspaper. Their articles are unfiltered and un-censored.

From the Editorial Board

We are glad to report that, thanks to enthusiastic support from our public, at this time the Community Alliance is not in danger of disappearing. However, to maintain our present scope of operations, we need to be generating \$12-15,000 more per year of income. We see this amount as potentially available from a combination of ad revenues, new subscriptions, sustaining gifts, fundraisers and grants. If you value this paper, and want to see it continue undiminished, consider how you can help—or call us and ask.

Please note: if we are not showing increased revenues by the end of the year, we will have to make reductions in size and/or distribution. We will be giving monthly reports on our progress—stay tuned.

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Celebrate Native American Heritage Month

By Michael Black Bull

In the early morning hours of February 12, 1979, flames consumed an unassuming house on the Duck Valley Reservation in Nevada, killing a young mother, her three small children and their grandmother. Just twelve hours earlier, the husband, father, and son-in-law of the dead, John Trudell, national chairman of the American Indian Movement, had led a protest in Washington D.C. and burned an American flag on the steps of the FBI building in protest of the treatment of Indian peoples. Trudell had received warnings his activism could result in “these crazy bastards [the FBI] – they could kill your wife and children.”

“John Trudell has paid a heavy price for his advocacy of Indian rights, but has never backed down,” said Tawanish Wyatt, Chukchansi, president of the Native American Inter-tribal Student Association at Fresno City College. “We’re very honored that he is coming to our campus.”

Trudell, activist, poet, artist, musician and actor, is the center of NAISA’s celebration of Native American Heritage Month at FCC. He will be featured as the keynote speaker during the NAISA Scholarship Dinner, 6 p.m., Thursday, Nov. 8 in the FCC Cafeteria. Music will be provided by contemporary Indian musicians Lance Canales and Ben Cline with traditional drumming and singing performed by the Painted Rock Singers of the Tule River Reservation. Tickets for the dinner are \$20, and reserved seating is encouraged. “The proceeds from this dinner will go toward the education and empowerment of Native American students at FCC,” said Wyatt.

The celebration of American Indian peoples kicks off with an Opening Procession and Powwow Exhibition,



“I’m just a human being trying to make it in a world that is very rapidly losing its understanding of being human.” - John Trudell. Photo credit: Gregory Bayne

10 a.m.-2 p.m. Thursday, Nov. 1 in the Free Speech Area. Traditional dancers, ornamented horses and American Indian veterans will proceed from the main fountain to the Free Speech Area. The film, “Sweating Native Style” will be shown 11 a.m., Friday, Nov. 2 in the Student Lounge. This film is co-sponsored by the Anthropology Department. “The John Trudell Story” will be shown 2 p.m., Monday, Nov. 5 and Tuesday, Nov. 6 in the Student Lounge. Cornell Pewewardy, PhD, Kiowa/ Comanche, will speak on “Being Native in the 21st Century,” 11 a.m., Tuesday, Nov. 13 in the Student Lounge. Michael Black Bull, Lenni Lenape/ Caddo/Ottawa/Mandan/Sioux, will present “The Real Story of Thanksgiving,” 12:30p.m., Wednesday, Nov. 14 in the Student Lounge.

Demonstrations of basketry, beading, pottery, plants, herbs and acorn preparation will take place 10 a.m.-1 p.m., Thursday, Nov. 15 in the Free Speech Area. A panel presentation, “Preservation and Revitalization of Native Languages” will be held 1 p.m., Thursday, Nov. 15 in the Student Lounge.

“Join us as we recognize, celebrate and honor the importance of American Indian culture and integrity – past, present and future,” said Wyatt.

For Scholarship Dinner tickets or further information, please contact Tawanish Wyatt at wyatt.78@att.net or Judy Ramirez, Wukchumni, NAISA advisor at 442-8231 or Judith.ramirez@fresnocitycollege.edu.



Stop Police Brutality, Repression and the Criminalization of a Generation

The family of Everardo Torres (photo on the left) attend the 12th National Day of Protest to Stop Police Brutality, Repression and the Criminalization of a Generation. On this day thousands of people across the country acted to STOP police brutality, repression, and the way our youth are treated like criminals. It is also a day to resist the increasing moves towards a police state. Fresno joined over 30 cities nationwide who held actions of resistance on October 22.

Everardo Toreres had his life stolen on the night of October 27, 2002. Torres was arrested, handcuffed, and put into the back of a Madera police car. A short time later, police officer Marcy Noriega came over to the car that Torres was in, pulled her service revolver and shot him to death. Noriega says it was all a big mistake, she thought she was using her Taser gun. Torres’s family says Everardo was murdered by the police and they want justice.



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DEMOCRACY NOW!

Interview with Dahr Jamail

[Editor’s note: Amy Goodman interviewed Dahr Jamail on Democracy Now! on October 15, 2007. Jamail will speak in Fresno on Monday, November 12. He will tell his compelling story at the Islamic Cultural Center of Fresno, 2111 East Nees Avenue at 7 PM. Democracy Now! Can be heard Monday - Friday on KFCF 88.1 FM at 6 and 9 AM]

AMY GOODMAN: Dahr Jamail is an independent unembedded journalist who has been reporting from the Middle East for over four years. He spent months reporting unembedded from Iraq and is out with a book on his experiences. It’s called Beyond the Green Zone: Dispatches from an Unembedded Journalist in Occupied Iraq. Dahr Jamail joins us from our firehouse studio today. Welcome to Democracy Now!, and congratulations on the publication of your book, Dahr.

DAHR JAMAIL: Thanks very much, Amy.

AMY GOODMAN: As you watch and listen to these witnesses talking, your thoughts? [Amy is referring to an earlier segment about the killing of Iraqi civilians by US military forces]

DAHR JAMAIL: It brought back memories of countless days I spent similar to that, interviewing people under those similar circumstances, people completely outraged at the massive loss of civilian life, usually women, children, elderly people bombed in their homes. It reminded me of when I went into Fallujah after the April 2004 siege and interviewing people whose homes had been completely flattened by bombs, many of their family members still trapped under the rubble. It reminded me of similar interviews I had done in places around Baghdad, where attacks and home raids had occurred, where this is just standard operating procedure for the US military, whether we’re talking about home raids or massive aerial assaults or massive military operations, that the leading — that the highest number of civilian casualties, of course, continues to be generated by the US military in Iraq, particularly using air power, as that situation just showed us very clearly, where, as usual, it’s the civilians paying the highest price.

AMY GOODMAN: Let’s talk about Fallujah in April of 2004, a key turning point in the US occupation and war in Iraq. But before we go to Fallujah, describe how you ended up in Iraq.

DAHR JAMAIL: I was living in Alaska when the selling of the war commenced during the fall of 2002. And I remember clearly Andrew Card, for example, White House Chief of Staff, talking about, well, we don’t launch a new product until the fall. And I was outraged in hearing this, the discussion of launching a war being used in the same sentence as a PR campaign. And I was completely outraged. And I, like — I think millions of other Americans were also.

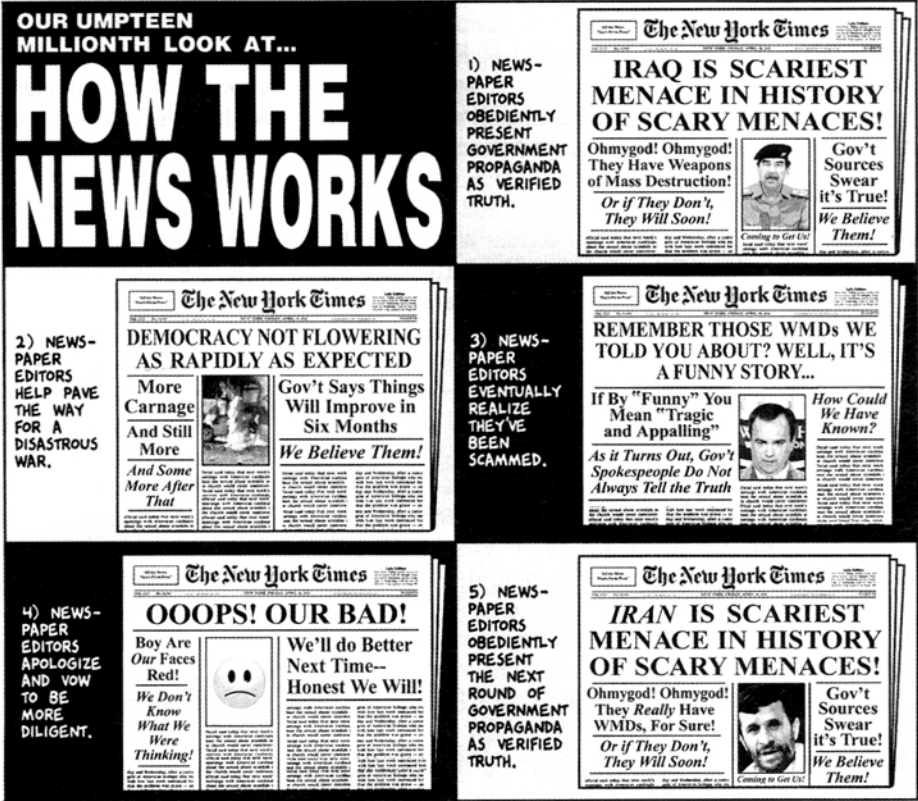
AMY GOODMAN: You were living in Alaska?

DAHR JAMAIL: I was living in Alaska at that time. I was spending my summers working as a guide and a rescue ranger up on Mount McKinley. And — but I was really watching the media closely. I had read enough to know that there were no weapons of mass destruction, of course no links to 9/11, and to see right through the lies being used to justify the war.

And then, when the war actually broke out and the coverage of that, really more like watching a video game, if you watched the corporate media with the high-tech weaponry being sold on the TVs, etc., and the coverage into the occupation, and I hit a point where I saw, of course, dissent in the country being swept aside, written off as a focus group, according to Mr. Bush, and I hit a point where I decided that it was time to take a risk and go do what I could to try to report on what was actually happening, because I felt that the mainstream media coverage of it was nothing more than — they were doing nothing more than acting as a parrot for

the Bush administration. And I figured the best thing I could do as a US citizen would be to go in and try to counter what they were doing by showing the real situation on the ground.

AMY GOODMAN: You know, it’s interesting; if you look at what the corporate media did around the war, the whole trumpeting of the allegation of weapons of mass destruction, they might say a person like you, who didn’t have journalistic training going into Iraq, well, if you had gotten it very wrong, repeated allegations over and over again of something that wasn’t true, that’s why you need training in journalism. But it actually was the other way. Here you were, coming from Alaska, just an informed citizen concerned about what the country was doing, and it was they, with all of their training and experience in the networks or in the major news-



papers, who got is so wrong. How, when you got to Iraq, did you deal with the other journalists who were there?

DAHR JAMAIL: Well, that’s an important point that you make, Amy, because the fact that I didn’t go to journalism school and hadn’t worked professionally as a journalist before, I think, worked to my advantage. And colleagues of mine, like Christian Parenti and Jeremy Scahill, have said the same thing. They said, “You’re doing the job the right way because you didn’t go to journalism school and because you’re not reporting for CNN, that you’re basically just going out and interviewing people and telling the truth.” And that’s really all there is to it; it’s not rocket science. There is no need for this type of formal training. It’s go out, learn the basic skills, and then tell the truth and tell what you see. And that’s the magic formula of what I did.

I wrote a story for the Independent that they wrote that essentially forced the Pentagon to admit that they used incendiary weapons, white phosphorus, inside Fallujah. And then, of course, none of the mainstream newspapers here ever reported the story. . .

And if a guy like me, a mountain guide from Alaska, can get a laptop and a small digital camera and go to Iraq and start reporting on what’s happening and do things like break stories about home raids and torture and white phosphorus being used in Fallujah, then why can’t the corporate media, with their millions and millions of dollars and all the advanced high-tech equipment available to them, why can’t they do it? And that’s the unanswered question.

AMY GOODMAN: So, describe just the nuts and bolts of the trip. You just got your computer and camera and got on a plane. And where did you go?

DAHR JAMAIL: I — through contacts I had met online through a couple of different independent media listservs, I found someone in Baghdad and basically followed their instructions on going to Amman, Jordan, which hotel to stay at, how and where to hire a car to go into Iraq from there, and then some contacts in Baghdad, once I got in. And once I started going, it was rather serendipitous, because along the way I kept meeting the right people at the right times, running into filmmaker James Longley in Amman, and he helped me find my first interpreter, and then getting into Baghdad and meeting people along the way and starting to work with them. And so, once I got in there and started working —

AMY GOODMAN: And that was when?

DAHR JAMAIL: That was in November 2003. And I stayed nine weeks that first trip. And once I got in there and started working and went out and started interviewing Iraqis and meeting people, it was clear to them that I was there to report what they were going to say and then actually report it.

AMY GOODMAN: And who were you reporting for?

DAHR JAMAIL: At the time, I started out only sending out emails to people back home. I had no — I didn’t even know what blogging was. I didn’t have a website or anything like that. I had about 130 people, mostly back in Alaska, that were curious to see what I was seeing. And so, each day I would go home to my hotel and write up what I saw and send it back to these folks. And then a couple of weeks into it, I met someone who suggested I write for a website, electroniciraq.net, which I started doing. And then, from there, I started getting picked up by BBC and a website out of Syracuse called “The New Standard.” And it became clear, oh, I could actually start working as a journalist and then come back here for another trip.

AMY GOODMAN: Dahr Jamail, describe Fallujah, how you ended up actually going into Fallujah unembedded in April of 2004.

DAHR JAMAIL: I was en route back to Iraq for my second trip, when March 31, 2004, the killing of the four Blackwater USA mercenaries in Fallujah occurred. And so, I knew going in that it would be quite an intense trip to begin with. And I went into Baghdad, and the day I went in, on April 4th, was the day that Fallujah was sealed, and I went in on a bus carrying humanitarian supplies into the city.

AMY GOODMAN: This was right after the four Blackwater operatives were killed in Fallujah.

DAHR JAMAIL: Right. That occurred on March 31st, and I went into the city on April 9th, and I went in with some other colleagues. And we chose that day because, according to the US military and the corporate media, it was a ceasefire. And so, we knew it would be dangerous, but we figured, well, if it’s a ceasefire, at least our odds will be a little bit better. And we went in, and it was anything but a ceasefire. There were F-16s dropping bombs in the city. There were helicopters strafing. We could hear sporadic fighting all over the place. And we got into the city and took our supplies to a small makeshift clinic in the middle of the city.

AMY GOODMAN: What do you mean, your supplies?

DAHR JAMAIL: It was — we were on a bus that was set up by an NGO in Baghdad that was carrying in like blankets and rubber gloves and gauze to one of the hospitals inside Fallujah. And they

were going — it was a bus, because they were going to try to bring out as many wounded as they could. And so, we basically hitched a ride on that bus, and that’s what granted us safe entry into the city. And at that clinic, when I was there, it was one of the most atrocious things I’ve ever seen in my life. There was, one after another, women, children, elderly being brought into the clinic, all of them from different parts of the city, coming in at different times, all of them telling the same story, that they were being shot by American snipers. And I watched that all through the day and through the night. The doctors were reporting the use of cluster bombs. And this was going on during the quote/unquote “ceasefire.” And that was just one day in that siege, where over 700 civilians died in April, and that set the stage for the November siege.

AMY GOODMAN: The US military was denying that civilians were dying?

DAHR JAMAIL: They did during the first siege, and then the second siege, which occurred in November 2004, where approximately 70% of the city was completely destroyed, according to an Iraqi NGO in the city, 5,000 civilians died. The US military claimed 1,200 people were killed in Fallujah, and all of them were militants. So, such is their denial and such was the reports from the corporate media.

AMY GOODMAN: Dahr Jamail, three years after you reported the illegal use of white phosphorus in Fallujah, the US government and the New York Times continued to deny its use. I want to play a clip of our interview with you on November 29, 2004, shortly after that second US military attack on Fallujah that year.

DAHR JAMAIL: I have interviewed many refugees over the last week coming out of Fallujah at different times from different locations within the city. The consistent stories that I’ve been getting have been refugees describing phosphorus weapons, horribly burned bodies, fires that burn on people when they touch these weapons, and they’re unable to extinguish the fires, even after dumping large amounts of water on the people. Many people are reporting cluster bombs, as well. And these are coming from different camps that I’ve been to, different people who have emerged from Fallujah, anywhere from one week ago up to on through towards near the very beginning of the siege.

AMY GOODMAN: That’s Dahr Jamail in November of 2004. Explain further what you learned then and what the official US government and press line was at the time.

DAHR JAMAIL: As I said, at that time there were — I was interviewing refugees and doctors coming out of Fallujah, since I was unable to enter the city during that siege. And so many different people coming out at different times from different parts of the city were telling the same story, that these incendiary weapons were being used. And I reported that to you, and there were a couple of other Arab media outlets that touched on it — I believe Al Jazeera reported it — but basically no one else in the United States reported it. And then, it wasn’t until a year later when the RAI TV, the Italian television, documentary was aired that brought up the subject again that basically the debate was reopened. And then I wrote a story for the Independent that was a series of several that they wrote that essentially forced the Pentagon to admit that they used incendiary weapons, white phosphorus, inside Fallujah. And then, of course, none of the mainstream newspapers here ever reported the story outside of a few editorials.

AMY GOODMAN: What was it like being inside Fallujah, seeing the US military from an unembedded point of view? And how did US soldiers deal with you, an American citizen?

DAHR JAMAIL: Well, inside Fallujah, I didn’t run into any US soldiers. It was just far too dangerous to get anywhere near the front lines. But outside of Fallujah, whenever I would run through checkpoints and run into American soldiers, mostly they were just relieved to see me and happy to have someone around that spoke English. They didn’t know who I was. I was just any other American reporter to them. They were relieved, because they didn’t have to worry about me attacking them or anything like this, because the reality on the ground in Iraq today is that anyone anytime could be a militant, someone launching an attack against American soldiers.

And this is why the situation has degraded into, as the psychologist Robert Jay Lifton describes, an atrocity-generating situation, where when you take young soldiers and put them in a no-win situation, such as Iraq, similar to as Vietnam was, and don’t have any end in sight for when they’re going to leave and get to stay home, then they become desperate, and they’re afraid, and they’re going to start shooting anything that moves. And that is exactly the situation in Iraq today. And if we look at even just the first six months of this year alone, there has been more airpower used by the US military than any other six-month period in the occupation. And so, we have a dramatically escalating incidence of civilian casualties. And I think this horrible trend is only going to continue as the occupation grinds on.

AMY GOODMAN: The US increasing bombing.

DAHR JAMAIL: Right, because it’s indicative of the fact that they’ve lost just about total control of the situation on the ground. I mean, I don’t even know if we should call it the Green Zone anymore, because it’s mortared almost every single day. My last trip in there, over a ninety-day period, I think there were maybe three days that it wasn’t mortared. And it’s called the Green Zone because it’s theoretically a totally secure

area. And the reality is that it’s not. So — and the rest of Iraq, therefore, by default, is known as the Red Zone, and the reality is that the US military is being attacked thousands of times every single month. They’re not letting up. The situation, over time — the one constant thread we can point to is that it will continue to get worse over time, not better.

And then, back home, of course, we have a Congress and a Senate that keeps passing whatever funding the administration asks for, sometimes even more than they ask for, and then so-called Democratic candidates that

It’s almost a repeat, an exact repeat, of the same PR strategy that they used to sell the invasion of Iraq: well, there’s weapons of mass destruction, etc., etc., except now there’s a little bit of a slant, where if a US soldier stubs his toe in Iraq, well, it’s Iran’s fault. And that’s clearly the trend that they’re taking now.

won’t even have it on the table for a complete withdrawal until at least 2013. So, so much for total withdrawal, so much for compensation being paid to Iraqis, so much for taking care of the soldiers and supporting the troops.

AMY GOODMAN: We’re talking to Dahr Jamail, independent reporter, was in Iraq for many months, as well as Lebanon, Syria, Turkey, Jordan, and has just written a book about his experiences, Beyond the Green Zone: Dispatches from an Unembedded Journalist in Occupied Iraq. Back with him in a minute. AMY GOODMAN: Our guest is Dahr Jamail, independent journalist, his book just published today, Beyond the Green Zone: Dispatches from an Unembedded Journalist in Occupied Iraq.

Dahr, you continue to write about the situation in Iraq and most recently wrote for Foreign Policy in Focus about the issue of Iran and this drumbeat for war with Iran. Can you talk about Iran’s role in Iraq and the justification that the Bush administration is now using, going from saying they were developing weapons of mass destruction to Iranian soldiers are in Iraq?

DAHR JAMAIL: I think it’s important to start any discussion on this topic with the fundamental hypocrisy of the US thinking that they’re in any way positioned to claim, well, Iran is meddling in Iraq and Iran is causing problems in Iraq. The US has 169,000 soldiers in Iraq today, more than at any time so far in the occupation. There’s even greater-than-that number of private contractors, security contractors and their support workers, inside of Iraq. So, that, coupled with the fact that if we’re talking about weapons of mass destruction, the United States has over 10,000 nuclear weapons. The United States has chemical weapons, biological weapons. I mean, this country has the largest military arsenal on the planet, and we’re talking about Iran maybe trying to get nuclear power, not even one nuclear-weapon.

So all of these allegations are essentially baseless, particularly if we talk about, well, there’s — Iran is sending troops into Iraq or Iran is training people and sending them into Iraq. Well, that might be happening in Iran, but there is no evidence whatsoever to support that the Iranian government has anything to do with that. The borders have remained almost wide open since the beginning of the occupation, and that is clearly the responsibility of the US military, because as an occupying power, their primary responsibility is security of the civilians inside of Iraq, and that would, of course, entail securing the borders, which they absolutely have not done. As far back as my first trip to Iraq in November ’03, I went across the border from Jordan into Iraq — not one single US soldier. Same thing when I came out, same thing when I went back in my second trip. And that trend has continued today.

So if the US is going to make these allegations, well, first of all, they need some evidence. And the second thing is, they’re not being creative when they’re looking at selling a war to the American people, or let alone to the world, against Iran. It’s almost a repeat, an exact repeat, of the same PR strategy that they used to sell the invasion of Iraq: well, there’s weapons of mass destruction, etc., etc., except now there’s a little bit of a slant, where if a US soldier stubs his toe in Iraq, well, it’s Iran’s fault. And that’s clearly the trend that they’re taking now.

AMY GOODMAN: What about the LA Times piece looking at who are the foreign fighters in Iraq, and, in fact, there are far more Saudi fighters in Iraq than Iranian?

DAHR JAMAIL: That’s correct. And I mention that in the piece that I did for Foreign Policy in Focus, because I tied it in with the fact that not long ago, as we recall, there was a \$60 billion arms deal for the Middle East. Of course, Israel got \$30 billion for their quote/unquote “strategic advantage” to be maintained, but Saudi Arabia received \$20 billion. And talking about hypocrisy, that’s on top of the fact that, according to that LA Times piece, that half of the foreign fighters being held in US detention facilities were actually Saudi Arabian. There were no Iranians. They were over — at least half of them Saudi Arabian.

And what has the Bush administration done to stem that? Instead of — I mean, if we can just imagine, instead of having this bellicose rhetoric towards Iran, what if that had been aimed at Saudi Arabia? Shouldn’t it be aimed at Saudi Arabia? Well, of course not, because the Bush administration is in bed with the leadership of Saudi Arabia. So what we have happening is militants coming in from Saudi Arabia attacking US troops, and, of course, a blind eye is being turned to-

Dahr Jamail Comes to Fresno!
Monday November 12 7 PM
at the Islamic Cultural Center of Fresno, 2111 East Nees Avenue.

As the occupation of Iraq unravels, the demand for independent reporting is growing. Since 2003, unembedded journalist Dahr Jamail has filed indispensable reports from Iraq that have made him this generation’s chronicler of the unfolding disaster there. In these collected dispatches, Jamail presents never-before-published details of the siege of Fallujah and examines the origins of the Iraqi insurgency.

Dahr Jamail will tell his compelling story at the Islamic Cultural Center of Fresno, 2111 East Nees Avenue. He will be discussing his book, Beyond the Green Zone: Dispatches from an Unembedded Journalist in Iraq.

This event is a must for anyone who wants a more realistic appraisal of the stark realities in Iraq than Americans are getting from managed news reports and political spinning. The event is sponsored by KFCF radio and the Fresno Free College Foundation. Tickets are \$10 general and \$5 for students. More information at 559.233.2221.



AMY GOODMAN: You traveled extensively through the Middle East and also talked to Iraqi refugees displaced within Iraq. Talk about the refugee crisis today.

DAHR JAMAIL: The refugee crisis is staggering. We're looking at, today, one out of five Iraqis is now a refugee either inside of Iraq or outside of Iraq. I was in Syria a few months back, and I talked to Sybella Wilkes, the UNHCR regional spokesperson there, and she said at that time that there was probably over 1.5 million Iraqis in Syria alone, that she admitted that UNHCR couldn't even — they didn't even have enough manpower to have people on the borders tabulating how many people were coming out. But before the recent visa restrictions were added, we were looking at 50,000 people a month coming in from Iraq into Syria. So we're looking at least 1.5 million in Syria alone, probably another million in of Jordan. And then, inside of Iraq, we're looking at well over two million people that are internally displaced within their own country. And now they're in a position where most of them are completely unable even to leave the country. That, on top of the fact that we have a minimum of 655,000 Iraqis that have been killed so far during the occupation, according to the most recent Lancet report, so we're looking at — we're getting at well over one-third of the entire population of the country is either dead or a refugee.

AMY GOODMAN: Dahr Jamail, today on Democracy Now! we reported on the Iraqi journalist, a writer for the Washington Post, who was shot dead in Baghdad on Sunday. He was thirty-two years old. His name was Salih Saif Aldin, worked for the paper since 2004. Iraqi police officers say they believe Saif Aldin was killed by members of the Sunni tribal group the Awakening Council, which is aligned with the US military. Your response when you hear about journalists? Of course, now it is largely Arab journalists, media workers, who are dying in Iraq, over 118 by the estimates of the Committee

to Protect Journalists.

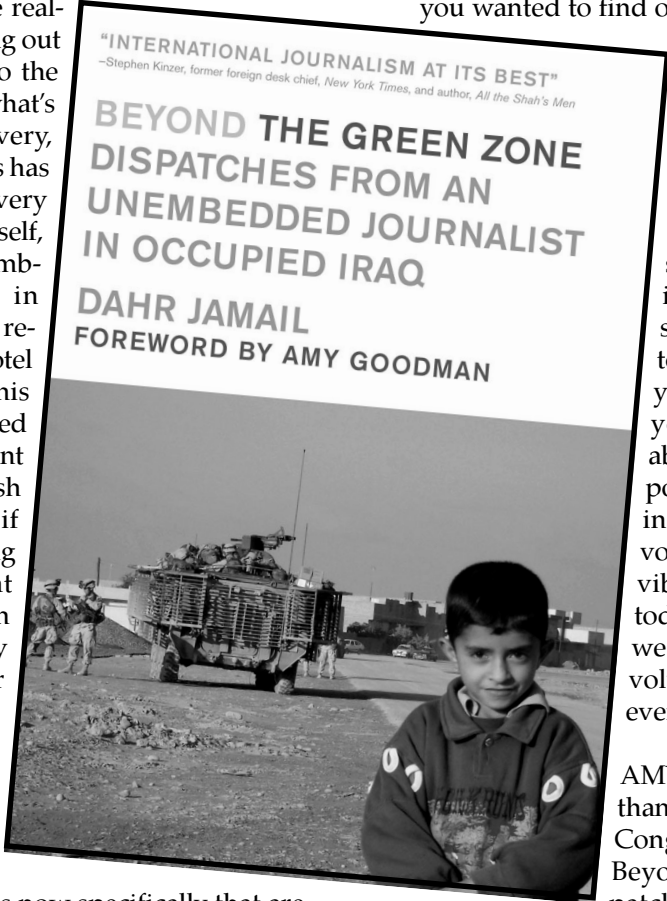
DAHR JAMAIL: Right. And I think that number is far too low. If we look at, for example, the figure from the Brussels Tribunal group, which actually has a complete list of dates, names, and what occurred at the time of death, the total is actually closer to 300, if not a bit over that now. And the reality is that any reporter going out on the streets and going to the frontlines and reporting what's actually happening is in very, very grave danger. And this has been the trend from the very beginning of the invasion itself, with the US starting by bombing Al Jazeera, both in Baghdad and shelling the reporters at the Sheraton Hotel down in Basra. I mean, this trend — that's how it started off. That was the message sent to anyone not toeing the Bush administration line, that if you're going to be reporting something we don't want you to be reporting, then we're not going to basically do anything to secure your safety.

And that trend has continued to a point where more journalists have been killed in Iraq than any other modern conflict. And it's the Iraqi journalists now specifically that are really the only ones able to go out and about without being embedded with the US military or militia. They literally are taking their lives in their hands to get the information out. They are the front lines now of the journalism in Iraq. And we're all reliant on them for

this information. And this was — the incident you just spoke of is just another case in point that underscores how dangerous it truly is. AMY GOODMAN: Finally, to young people today weighing what to do with their lives, would you recommend doing what you did, a citizen journalist just reading about what is happening and then deciding you wanted to find out with your own eyes and ears, your own experience, what was happening in Iraq?

DAHR JAMAIL: I would not hesitate to recommend that. Of course, I wouldn't suggest that they go racing into Iraq, as I did, at this stage of the game. But pick a topic that people are — that you're passionate about, that you want to know more about, that you think is important for people to get that information, and go get involved. The time for an active, vibrant, independent media today, it's more important that we support that and get involved in it today more than ever before.

AMY GOODMAN: Dahr Jamail, thanks so much for joining us. Congratulations on your book Beyond the Green Zone: Dispatches from an Unembedded Journalist in Occupied Iraq. Today begins his thirty-five-city tour. You can go to Dahr's website at beyondthegreenzone.org to find out where Dahr will be.



Peace Fresno Keeps the Pressure On

Scott Key

Fall is upon us and the war continues to drag on. While many hoped the occupation of Iraq would be over, Peace Fresno has not given up and wants to keep the pressure on our government.

We continue to act for peace. Hundreds came to the San Francisco Mime Troop's performance at Roosevelt High School. Responses on the peace corner are increasingly positive. The Central Valley Counter-Recruitment Coalition has resumed visiting high schools to provide students with alternatives to military service.

As you read last month, Peace Fresno teamed up with Codepink, MoveOn and WILPF to pressure Congressman Jim Costa to change his position on Iraq by cutting off funds. While the three week action has ended, we want constituents to call Costa and demand that he change his position. In fact, we encourage everyone to contact their members of Congress (i.e., Representatives and Senators) to demand troop withdraw and an end to funding. It is crucial to keep the pressure on.

November promises to be a busy month as we continue our work to end the occupation of Iraq and draw attention to our government's drive towards war with Iran. Now is the time to prevent the next war. Join us on the peace corner (first Friday of every month at 4:30 pm at Blackstone and Shaw), call your members of Congress, work against military recruiting and bring new ideas to share at our meetings (every Tuesday at the Fresno Center for Nonviolence, 1584 N. Van Ness at 7 pm).

Let's continue the struggle for peace together.

Scott Key is the new president of Peace Fresno. He can be contacted at president@peacefresno.org or 487-2515.



Peace Fresno demonstrates for peace on the first Friday of every month. For more information about Peace Fresno, go to: www.peacefresno.org



Community Alliance Advertising Director Dan Yaseen handing out copies of this newspaper on Peace Corner (Shaw and Blackstone).

Under the Watchful Eye

By Mark Schlosberg and Nicole A. Ozer

Three-thousand video-surveillance cameras forming a “Ring of Steel” in lower Manhattan; plans for a camera on every corner in Chicago by 2016; an amendment by Sen. Joseph Lieberman, I-Conn., in the Homeland Security appropriations bill to develop a national strategy for closed-circuit television; camera programs being rolled out and planned in jurisdictions throughout Northern and Central California.

Stories about new video-surveillance systems have been in the news in the past several months, but the proliferation of public video surveillance is certainly not new. For several years, the federal government has been doling out hundreds of millions of dollars to local governments for surveillance cameras and networks.

Government-run video surveillance can radically alter the relationship between law enforcement and the public. By itself, pervasive video surveillance threatens privacy rights. But even more disturbing, the threat multiplies when government combines cameras with emerging technologies such as automated identification software, face and eye scans, radio frequency identification (RFID) tags, and databases accessible to law enforcement. In that context, video surveillance provides a critical pillar of a surveillance infrastructure. It creates the potential for the government to monitor people in public space, in a way envisioned only in futuristic novels.

Video surveillance cameras are a familiar sight at automated banking machines and other private businesses, but government-funded camera systems in public spaces are a recent development. Some jurisdictions experimented with surveillance systems in the 1990s, but several cities eventually rejected the systems because of their cost, ineffectiveness, and impact on civil liberties.

However, the events of September 11, 2001, radically changed perspectives toward privacy and security and there is now a homeland security bureaucracy that is flush with money and eager to support the efforts of local governments to adopt new surveillance technol-

ogy. The Department of Homeland Security has offered hundreds of millions of dollars in grants to local governments for video surveillance systems.

While the federal government has been handing out money for new surveillance systems, cities and counties throughout California are grappling with the very real problem of violent crime in their communities. Residents facing rising homicide rates have demanded solutions from police departments and elected officials. Security companies have engaged in active marketing to capitalize on general concerns about safety and on the resources available since September 11. Seeing new opportunities to address the public’s fears—and using Department of Homeland Security funding in some cases—the local government has responded, in part, by installing surveillance camera systems.

Residents in high-crime areas, their political leaders, and police officials often see surveillance systems as an obvious solution to crime. Often, however, little consideration is given to the significant evidence demon-

strating that camera surveillance is ineffective, especially when compared with other alter-

natives. Studies consistently show, for example, that video surveillance is ineffective in reducing crime—particularly violent crime in city centers, while other programs such as improved lighting and increased foot patrols are much more effective and less invasive. Even less consideration is given to the expanded surveillance infrastructure’s long-term impact on privacy and on the relationship between the government and the people. Cities throughout California have approved and implemented camera systems without guidelines to guard against abuse and, in most circumstances, with little or no public debate.

Video surveillance has been rolled out in Fresno as fast as anywhere in the state. In the last couple of years, the City has allocated over \$1.5 million towards a comprehensive video surveillance program. While there has been some debate at the council level during the budget process, there has not been a comprehensive evaluation of the privacy impacts and regulations that have been drafted are insufficient to guard against abuse.

Fresno is not alone. According to a recent survey by the California ACLU affiliates, over 35 jurisdictions have

some type of video surveillance program and another 10 jurisdictions are considering programs. Few have policies regulating the use of the cameras and not a single jurisdiction has done a comprehensive study of the cameras’ effectiveness.

As cities throughout California move quickly to approve and install video surveillance, we strongly urge local governments to pause and consider the impact of these systems. Surveillance cameras will not improve public safety, and limited funds can be better spent on programs that are both proven effective and less invasive, such as improved lighting, foot patrols, and real community policing.

As former Oakland Mayor (now California Attorney General) Jerry Brown said in 1999 when the City of Oakland rejected proposed video surveillance cameras: “Reducing crime is something the community and police must work on together. Installing a few or a few dozen surveillance cameras will not make us safe. It should also not be forgotten that the intrusive powers of the state are growing with each passing decade.”

This article is a slightly modified version of the executive summary of a recent ACLU report on video surveillance entitled *Under the Watchful Eye*. To read the entire report and find out more information on video surveillance, please visit the ACLU of Northern California’s website at www.aclunc.org.



New ACLU of Northern California Report Argues Video Surveillance Invasive and Ineffective



Video surveillance cameras are sprouting up like mushrooms all over Fresno. Before long, “Big Brother” will be able to follow you everywhere you go. When that project is complete, they will put video surveillance cameras in your home. After all, if you are not doing anything “illegal,” you don’t have anything to worry about, right? All photos on this page by Mike Rhodes

And People Say Nothing Happens in Fresno

By Bill Simon

The newly reformed Greater Fresno Area Chapter of the ACLU-NC (Fresno, Madera, Kings, and Tulare Counties) kicked off with 11 board members at its initial meeting on March 22, 2007, elected officers in May, and grew to a 16 member board at its first annual meeting on September 19. And we’re off and running! Unfortunately, there’s a lot of running to do in Fresno.

Before we could blink, we were involved in the River Park Teen Curfew (which now seems to be a dead issue), with the \$75 fee charged for registering voters on Fulton Mall (which has been waived), with the permit and \$2 million insurance requirements for even a student to make a film in Fresno (which seems to be momentarily in limbo, but let me know if it becomes a problem), with the need for an Independent Police Auditor in Fresno, with video surveillance, and now with the local ‘war on terrorism’, gangs, that is. And there is the problem of the homeless which in my experience has only gotten much worse over the last forty years and spotlights our official mistreatment of veterans and of the mentally ill. Now the homeless problem also reflects an economy in which there are not enough living wage jobs.

which can offer legal expertise. However, if you think you need legal help with a civil liberties issue, call the ACLU Civil Liberties Counselor at 415-621-2488. And join us either online or with an application form you can get from Board Members. \$20 annual dues or \$5 for students. And volunteer to help! Especially today we all need to be involved in preserving our Constitutional rights.

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Bill Simon is the Chairperson of the Greater Fresno Area Chapter ACLU-NC



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To know what is going on with the ACLU, keep an eye on the Community Alliance Community Calendar. You can also check out the ACLU-NC website, <http://www.aclunc.org>, and even the Fresno Area Chapter page on the website, http://www.aclunc.org/action/chapters/greater_fresno_chapter.shtml. The next project is to keep that page up to date! You can also reach me at simonaclu@sbcglobal.net.

As a local chapter, we are primarily involved in educating the public and in lobbying public officials. We are not a group

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The City of Fresno’s New Plan to Eliminate the Homeless

By Mike Rhodes

After months of discussing plans on how to help the homeless in this community, the Fresno City Council came up with a bold plan - they are going to set up 44 tool sheds. The cost? \$360,000 for the first year’s operation.

The tool sheds do not have running water, indoor toilets, or any heating or cooling. If you put one of these tool sheds in your back yard and tried to move your mother in-law into it, you would probably be in violation of numerous building code violations. But, 44 tool sheds is the Fresno City Council response for what to do about the issue of more than 8,000 homeless people on the streets of Fresno. Stack them like cord wood in tool sheds!

The good news is that nobody on the City Council really believes this will end homelessness. The bad news is that the City Council does not have a long range plan that will address the issue of homelessness in Fresno. The plan to build these tool sheds is more complex than it at first appears. When the authorization to build the tool sheds came up, Assistant City manager Bruce Rudd explained how this was part of a larger plan to clear out homeless encampments in the downtown area.

City Council member Jerry Duncan asked Rudd what the plan was to get the homeless to move into the tool sheds. Rudd said that “the plan is that once this goes into place, we will start looking at the Monterrey street bridge and G street encampments. The G street encampment would be the first location in which we would go out with the county department of health and human services to encourage people to take advantage of what I refer to as the south campus. At that same time, we will be providing notice that they are on city property and we will go through the same process we have been directed to go through as a result of the court ruling as far as how we deal with encampments. They will be given every opportunity to make that choice, but the first location that will be identified for removal of the encampment will be the G street location. Those folks who are there will be given every opportunity to take advantage of moving to the south campus.”

Duncan asked “if they choose not to move, what are we going to do?” Rudd responded “then as that area is cleaned out then we will start focusing on the Monterrey street bridge area.” Rudd went on to say that they wanted to see how much “voluntary participation” they get. If homeless people do not move voluntarily into the tool sheds Rudd said they had ordinances, including a pending “no camping” law that they will use to force the homeless people to move.

Duncan pressed Rudd on how many people will be put into the tool sheds, saying there are hundreds of homeless people in the downtown area. “What happens when that fills up,” Duncan asked. Rudd, with a cynical smile on his face said “based on my discussions with both Rev. Arce (director of the Rescue Mission) and Mr. Connell (the executive director of the Poverello House), they don’t believe and I don’t believe that camp is going to fill up completely, voluntarily.”

The 4-3 vote in support of building the tool sheds was not enough to provide funding for the project. That is why mayor Alan Autry held a press conference next to the Monterrey street bridge encampment (the homeless call it New Jack City). Autry said “We simply can’t let a political process stand in the way of something that must be done right away.” The next day, The Fresno Bee criticized the three City Council members who opposed the tool sheds (Sterling, Perea, and Dages) suggesting they did not want to help the homeless. The Bee, in an editorial wrote that these council members opposition to the tool sheds was “cross-eyed leadership.”

The Bee printed my response as a letter to the editor,

which in part said “I was dismayed to read The Bee’s recent editorial about the homeless. Your criticism of city council members Perea, Dages, and Sterling was short sighted and misguided. These elected officials were taking a principled stand to develop a long term plan to address the homelessness issue in Fresno. They were saying that business as usual is not enough and that storing the homeless in tool sheds was an inadequate response to this significant social issue.”

The proposal to build 44 tool sheds sparked a significant debate before the vote was taken. About a dozen community members addressed the council on this issue. The first speaker, Kiel Schmidt said he was “concerned about using these pre-fabricated sheds that are for storage rather than for living. I believe many of them come with a disclaimer that they are not for habitation, and that could be a legal issue.” Schmidt also pointed to homeless communities in Atlanta (the Mad Housers) and Portland (Dignity Village) that included homeless people in the planning. Schmidt said “one thing that sets those apart from this approach is that the homeless have been involved through the process in the planning and in the construction of the dwellings. So, they really buy into this as where they’re going to stay, not just a concentration camp - where there is security watching their every move.”

Al Williams, a homeless man from the Roeding Park area, said “there is lots of money being spent, but it is accomplishing zero. It is making some people rich.” Williams said “what we need is for money to be spent to give a person a job, to get a person a house, and we can take care of ourselves.” He opposed the proposal to put homeless people into tool sheds.

The next speaker was Jose Luis Barraza from the Center for Independent Living. Barraza said “the fact is that living in a tool shed is not the answer, it is supportive housing.” Speaking about disabled homeless people, Barraza said “that they do not need to be on the

Al Williams, a homeless man from the Roeding Park area, said “there is lots of money being spent, but it is accomplishing zero. It is making some people rich.”

streets, they need a home, they have a right to live independently, and ladies and gentlemen this (tool sheds) is not the answer.”

Speaker after speaker demanded that the city develop a long term strategy to deal with homeless people in a respectful manner and that the proposed tool sheds were not the answer. But, the condemnation of the tool sheds was not unanimous. The Rescue Mission’s Larry Arce agreed that the tool sheds were not a solution to



Jose Luis Barraza, speaking before the City Council, said the proposed tool sheds were not a solution to homelessness.

homelessness but he wanted to see them installed anyway. The Chamber of Commerce spokesperson Debbie Hunsaker supported the tool sheds but also urged the city to work towards a long term solution.

After community input, the issue returned to the City Council for discussion. Cynthia Sterling, who represents the district where the tool sheds will be located, said “to extend the process without actually taking the opportunity as a city to look at some of the solutions that have been brought before us - I have a drawer full of information on every project throughout the nation concerning the homeless and what people have done for permanent facilities for them and how they went about doing it - but it seems to keep falling on deaf ears.” Sterling said that instead of considering the tool sheds the council should discuss converting abandoned hotels and motels into affordable housing. She also



Al Williams, a homeless man from the Roeding Park area, took his message to the mayor’s “hood” in North Fresno (not far from the Starbucks where mayor Autry) is known to hang out.

suggested establishing a “Homeless Tsar” that would oversee developing plans to address the homeless issue.

City Manager Andrew Souza brought up a joint meeting between Fresno County officials and the City of Fresno which is scheduled to take place on November 7. Souza said their plan “is not to just sit around and all talk about this but to get a firm commitment to implement the ten year plan (to end homelessness) and see how that document works, how that plan will work, and who are the appropriate community stakeholders involved. We are trying to do a lot of behind the scenes work in preparation for that meeting so that on November 7 we walk out of there . . . with a very firm game plan on how we are going to move beyond just the temporary solutions.” Souza said he saw the tool sheds as a temporary fix but that he realized the goal was to look for long term solutions.

Blong Xiong, the City Council member who represents the west Fresno district (north of Olive), asked Souza about the Homeless Tsar. Souza said “if we are going to engage in the level of solution that we are talking about, including the ten year plan to end homelessness, we’re going to have to have a dedicated staff person whose sole purpose for being here is to address the issue of homelessness.”

City Council member Mike Dages said the City of Fresno has \$4.1 million in this year’s budget to address long range homeless issues. He asked the city manager what was being done with that money. Souza said he would get him a status report. Dages said “I have a real problem with the idea of creating a tool shed, a shed like I have on the side of my house, for people to live in. I wouldn’t ask my relatives to live in it and I have a real difficult time asking the homeless to live in it. I think the quality of the city really depends on how they treat their poor, their working poor, and their homeless. I don’t think we are treating them with respect, in my personal opinion. We are struggling with affordable housing, we are struggling with this homeless situation, and it just shows to me a lack of respect by the City of Fresno.”

Councilmember Henry T Perea said that he would support the plan if it was a part of a bigger program. “If there was a plan to say OK, we are going to take this money (the \$4.1 million in the city budget for homeless issues) and build transitional housing, provide some real opportunity and some real hope for these people and we had a plan that said this transitional housing will be built in the next year or two and this (the tool sheds) was going to be a stop gap measure until we can get these people into those homes, I could probably go for it. The problem is - we are not doing that.”

The vote was 4-3 with Duncan, Westerlund, Xiong, and Calhoun voting yes. Perea, Sterling, and Dages voted no.

The City of Fresno may have problems if they use the tool sheds as a legal fig leaf to destroy homeless encampments in the downtown area. In a settlement between the City of Los Angeles and the American Civil Liberties Union (ACLU) it was agreed that the police



Last year, attacks on the homeless led to a lawsuit against the City of Fresno and Caltrans. A preliminary injunction was issued to stop them from taking and immediately destroying homeless peoples property. The photo above was taken during a sweep in August 2006 on G street just south of the Rescue Mission. These are disciples from the Rescue Mission taking and destroying homeless peoples property who were living on public land. Assistant City Manager Bruce Rudd says that the city will sweep this area clean of homeless people as soon as 44 tool sheds are installed at the Poverello House.



Austin Simon lives at New Jack City which is near H and San Benito street in downtown Fresno. After the city installs 44 tool sheds at the Poverello House and dismantles the homeless encampment on G street, they will turn their attention to New Jack City. The city's plan to end homelessness does not include providing people with adequate and affordable housing - just tool sheds and sweeps on existing encampments. Austin asked me why the city shut down the overpass (above New Jack city) because it was unsafe, but they still allow several hundred homeless people to live underneath it.



Poverello House employees installed the first tool sheds in 2004. If tool sheds were the answer to ending homelessness in Fresno, the problem would be solved by now.

would not arrest homeless people who are camping on city property. LA made this agreement because they do not have enough housing or shelters for the large number of homeless residents. People simply have nowhere to go other than to camp on public property. To arrest them would be to criminalize poverty.

The agreement allows people to sleep on sidewalks from 9 PM - 6 AM in all parts of the city, except within 10 feet of a driveway, building entrance, or driveway. The deal prohibits the police from making arrests until the City of LA has built 1,250 new affordable housing units for the homeless. City of Fresno officials are already making the argument that building 44 tool sheds (for over 8,000 homeless people) gives them the right to clear out the already existing homeless encampments. They probably won't get away with that without a legal challenge.

What would end homelessness in Fresno? Lets start with a plan to provide affordable housing, job training, drug and alcohol rehabilitation services for those who need it, adequate mental health services, and jobs that pay a living wage. We have the resources to address this important issue. \$360,000 for 44 tool sheds? We can do better than that!

For a list of articles and documents about the struggle for civil liberties for homeless people in Fresno, see: <http://www.fresnoalliance.com/home/homelessness.htm>

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Mike Rhodes is editor of the Community Alliance newspaper. He can be contacted by email at MikeRhodes@Comcast.net



If You Want to Help the Homeless...

By Tina Baskins

No one wants to be cold and hungry. Unfortunately, more than 8,000 people were homeless in the city of Fresno in 2005, according to the City of Fresno Consolidation Plan. These homeless residents have the same basic human needs as other Fresno residents, including food, shelter, safety and warmth. While shelter and safety needs are haphazardly addressed in the lives of many of Fresno's homeless, food and warmth can be found through the aid of several local humanitarian organizations. The Sleeping Bag Project is one of the groups that try to make the lives of the homeless a little better.

The Sleeping Bag Project's mission is to provide sleeping bags and blankets for the homeless during the winter months. That's it. A seemingly simple task that can make a literal life or death difference to someone who has nothing. The mission gets harder with the increase in Fresno's homeless population and the overall decline of the economy.

Jean Chipp is the director of The Sleeping Bag Project (a nonprofit, all volunteer effort). She has been involved with the organization since 2000. Every Saturday at the Food Not Bombs meal in Roeding Park she takes down the names of people who need sleeping bags. The bags get distributed the following week. In 2003, over 400 bags and blankets were given out. Considering the number of people sleeping outdoors, this is just a drop in the bucket.

Some sleeping bags are collected from drop-off sites around town; others are purchased from local stores, thrift shops, and yard sales. Chipp says that the organization will take "gloves, socks, jackets...anything warm."

A sleeping bag used occasionally for camping trips could last someone a lifetime. The average life span of sleeping bag being used outdoors on a nightly basis is approximately 30 days. This is due to many reasons. Exposure to the elements creates wear on the bags. The bags get wet in the rain and the owners are unable to dry them out. Working homeless who leave their belongings at their site while at work can have the bags stolen. For these reasons, it can be expected that a homeless resident will go through two to four bags per Fresno winter.

Blankets are handed out to those who have shelter but may not have the resources to pay for extra heating during the winter months.

If you would like to help out The Sleeping Bag Project by donating blankets or bags, there are three drop-off locations: 1) Wesley United Methodist Church, 1343 E. Barstow; 2) Unitarian Universalist Church, 2672 E. Alhulial and 3) Art Craft Dental Lab, 37184 Avenue 12 #103 in Madera Ranchos.

If you can donate money, please send your tax-deductible check to:

The Sleeping Bag Project
4974 N. Fresno St. #366
Fresno, CA 93726
All donations will be greatly appreciated.

For more information, please call (559) 226-1356 or visit on the web: www.sleepingbagproject.org

###

Tina Baskins is a volunteer with Food Not Bombs. She can be contacted at tbaskins@hotmail.com.

Grassroots Profile

By Richard Stone

Kevin Hamilton understands the problem because he lived it...and he's devoted to his work because others doing similar work helped him.

The problem is homelessness, and Kevin is a respiratory therapist who now runs a program providing free medical services to the homeless through Sequoia Community Health Center.

As a young Viet Nam vet with a wife, Kevin found himself—seduced by easy credit and a hankering for the way of life “everyone” seemed to have—deep in debt, unable to pay his rent. “We slept on friends’ couches, until I could get through school and get a decent job.”

But a big difference between then and now was the ubiquity (at least in California) of free clinics. “The State actually supported them in the 70’s, places you could just go without documentation, get medical and dental care, and pay what you could. Then Deukmejian got in and slashed the budget.”

Two aspects of those experiences imprinted themselves into Kevin’s philosophy. One is this country’s prioritizing of “credit-worthiness” as an individual’s most important attribute. “It’s crazy: if you make mistakes and get into debt, you lose the right to obtain housing and health care...not only for yourself but for your family.”

The other is the conviction that health care is a right. “I took jobs at for-profit facilities and couldn’t get it to work. Now I seek out situations that offer unrestricted access to services.”

At Sequoia, Kevin’s program offers low-cost care(\$30-60)for most services including lab work, x-rays and mental health care; and free services to homeless...upon “self-avowal” i.e. no proof needed. It is Kevin’s conclu-

sion that homelessness is mostly a matter of circumstances and bad choices which can be overcome by interim assistance and guidance. Get them healthy and off the streets, get them work and a chance to pay off bills, give them another chance to build a life instead of crushing them below insuperable debt. He especially wants to get out the message that “the label of homelessness shouldn’t deny anyone the right to healthcare.”—and his program is there to prove it.

Kevin has found staunch allies in his work. Dr. John Maffeo, the CEO of Sequoia, has embraced the concept of “access to all”; and Johnie Belford, of Fresno County Eligibility, is that rare civil servant who will make things happen to assure services to people who need them. “Too often bureaucrats only pass the buck, are unwilling to make the dollar-decision or find the way past obstacles. Johnie gets it done.” Kevin also commends Fresno Metro Ministry, under Rev. Walt Parry’s leadership, for their supportive work providing nutritional resources, and lobbying about the environmental impacts on health; the Sierra Club for their environmental health work, and FIRM for their understanding that among their clientele (mostly southeast Asian refugees)so-called “doubling up” (like elderly parents living with their children, without adequate space or resources) is a kind of homelessness that requires attention.

Kevin says he is sometimes frustrated at the lack of regional cooperation to approach the issues at the base of homelessness, and its attendant problems. “There seems little willingness to allocate resources for planning and staffing. Other areas are way ahead in this process.” But he cites a little progress in the work of the Fresno-Madera Continuum of Care, which has created a phone referral list and has worked on a discharge plan for hospitals to discourage “dumping.”

In the meantime, Kevin keeps up the good fight—scratching for the federal funds needed to keep the program afloat, advocating in the community for the rights of the homeless, and providing attention and services to the individuals who come to Sequoia as much in

need of having their worth affirmed as of having their medical problems treated.

For readers interested in helping Kevin with this work, donations of money, winter clothing and blankets are gladly accepted at their business office, 2129 Divisadero at Clark St., near Community Hospital, between 8 a.m. and 5 p.m. Kevin can be reached at his e-mail address: kevinh@sequoiacommunity.org ; or by phone at 457-5947.



IDENTITY BOX

Name: Kevin Hamilton
Birthplace: Youngstown, Ohio
Primary identity: white boy
Political affiliation: independent
Frequented areas: the office, the homeless shelters
Inspirations: “My grandfather John Duff—he taught me that everyone should be valued.”
Motto: It is what it is (accept it and move on)
Non-work interest—fishing in the mountains
Unexpected pleasure—“I love rocks.”



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Hog-Tied The Transferring of Sophanareth Sok

By: Boston Woodard

(This is a follow-up to “Foreign National Prisoners, Targeted For Out-Of-State Transfers” which was in the October *Community Alliance* newspaper)



While state prisoner Sophanareth Sok was visiting with his wife Samantha, four heavily armed and secured prisoner transport buses rolled into Solano State Prison to begin forcibly transferring “foreign nationals” to out-of-state private prisons.

In July the California Department of Corrections and Rehabilitation (CDCR) began forcing foreign national prisoners to a private prison in Mississippi in a weak (some say illegal) attempt to relieve overcrowding throughout the California prison system.

According to official information handed out to those foreign nationals directly affected, there are several reasons why some prisoners would not be transferred. Those with medical holds or mental health issues and those with a life sentence are exempt from transferring. Also, foreign nationals with “demonstrated family ties” would not be forced to transfer, according to information given to them. You’ll have a hard time convincing Sophanareth Sok of that.

On September 17, 2007, Sophanareth, a young Cambodian prisoner, demonstrating no resistance, was forced face down outside the visiting area at Solano State Prison and handcuffed behind his back. His legs were then hog-tied with nylon “flex-cuff” restraints. A half dozen guards carried Sophanareth to one of the four waiting buses queued for the Sacramento International Airport to take a nonstop, one-way flight to the Tallahachie County Detention Facility in Tutwiler, Mississippi.

Back in August, Sophanareth took it upon himself to do something in an attempt to stop the transfers. He was mostly concerned about his wife Samantha and his other family members. He was also concerned about the families of other foreign national prisoners who were being threatened by the transfers. It wasn’t fair to them that Governor Arnold Schwarzenegger and CDCR officials chose to make the discriminatory choice to transfer only foreign national prisoners to the other side of the country.

Sophanareth organized approximately 80 foreign nationals of various nationalities to take part in a “Group Appeal” in accordance with the rules governing state prison operations in the California Code of Regulations (CCR) Title 15, §3084.2.(l).

The appeal was filed under the “emergency appeal” statute, CCR-3084.7 § (l)&(2). The prisoner appeals process (law) was implemented more than thirty years ago to allow prisoners to appeal any departmental decision, action, condition or policy which they can demonstrate to have an adverse effect upon their welfare.

All the rules and policies with regard to filing the group

Appeal were followed to the letter by Sophanareth. His attempt to legally register the objections to the transfers in a Group Appeal was met by the abusive handling of the grievance inherent in Solano’s appeals office.

With time running out, Sophanareth inquired as to the status of the appeal after waiting more than two weeks. On September 10, 2007, the prison’s Appeals Coordinator M.D. Corioso informed Sophanareth, in writing, that his office had “no record of receipt” of the Group Appeal. Approximately four days after Corisoso lied about having no knowledge of the first Group Appeal, that very appeal (submitted 8/22/07) surfaced from the appeals office. Appeals Coordinator Corioso illegally held the initial Group Appeal until it was too late for the merits of the appeal to be heard. This is a convenient tactic frequently used by prison appeals officials and is a flagrant violation of the law.

A second appeal was immediately filed with a simultaneous letter to Solano State Prison’s Warden D. K. Sisto. Log Number #CSP-S-07-02937 was issued approximately 48 hours before Sophanareth and dozens of other foreign nationals were to be forcibly transferred to Mississippi. The very next day, the appeals office (no doubt because of the warden’s letter) sent S. Cervantes, CC-II Appeals Specialist, to try to make a silent deal with Sophanareth in order to annul the group appeal he filed.

Sophanareth was told by Cervantes that if he would drop the group appeal and make it an individual appeal, he would be removed from the transfer list. When Sophanareth expressed his concerns about the 80 other signers of the group appeal, Cervantes spewed, “We’re talking about you, don’t worry about them!” Sophanareth told Cervantes that he was already transpacked (personal property packed in boxes for shipping) and officially endorsed to transfer by the Institution Classification Committee (ICC). According to Sophanareth, Cervantes stated very clearly, “Don’t worry, we’ll go to a higher authority and get you pulled off the list.”

Cervantes’ offer (probably at the behest of Appeals Coordinator Corioso) was declined by Sophanareth. These dirty back door or silent deals offered by the Appeals Coordinator are the easy way out when they are confronted with powerful, merit-filled appeals such as Sophanareth’s that oppose the discriminatory transferring of foreign nationals.

On September 14, 2007, in a “Second Level Appeal Response,” Sophanareth’s Group Appeal was denied on baseless claims by Warden D. K. Sisto. In a not-so-surprising move, Appeals Specialist Cervantes refused to discuss the merits of the appeal, as he is required to do according to the California Code of Regulations 3084.2.(l). Maliciously ignoring the rules, Cervantes would not allow Sophanareth to represent the other signers of the Group Appeal as required by the rules governing Group Appeals under Title 15 policy.

A Writ of Habeas Corpus was filed in the Solano County Superior Court describing the abusive and illegal tactics practiced by Appeals Coordinator Corioso and Appeals Specialist Cervantes and condoned by Warden Sisto. The Writ asks the court to compel the warden to order Corioso to issue a log number on another appeal that would rewrite the entire appeals section of the Title 15, affording prisoners their right to a level playing field after filing an appeal.

California’s Inspector General Matthew Cate has been notified of the appeals abuses at Solano State Prison. Inspector General Cate has been asked to intervene and launch an investigation into the abuses. More than forty pages of evidence were forwarded to the Inspector General to benefit an anticipated investigation by that office.

Sophanareth Sok stepped up to the plate in a noble effort to right a wrong that was leveled against a group of prisoners who were targeted for these discriminatory transfers. For his efforts, Sophanareth’s transfer was put on the fast track to further impede his ability to legally fight the transfers. He vowed to continue his fight (as difficult as it will be) from Mississippi to get back to California, his family and everything he has worked for to fulfill his desire for a successful release from prison.

###

Boston Woodard is a prisoner/journalist.

Boston Woodard, B-88207
CSP-Solano, 13-F-8-L
P.O. Box 4000
Vacaville, CA. 95696-4000

Other Inquiries and investigations are continuing regarding the forced (some say racist) transferring of California’s foreign national prisoners. The following highly regarded prisoner advocacy groups have expressed their opposition to these bogus transfers:

UNION
(United for No Injustices Oppression or Neglect)
Dr. B. Cayenne Bird
P.O. Box 340371
Sacramento, CA. 95834

TIPS
(Taxpayers for Improving Public Safety)
Matt Gray, Director
P.O. Box 255456
Sacramento CA. 95865

Prison Law Office
Donald Spector, Director
General Delivery
San Quentin, CA. 94964—0001

ACLU (American Civil Liberties Union)
Northern California
39 Drumm Street
San Francisco, CA. 94111

Central Valley Progressive Political Action Committee

cvppac.org

PO Box 5845, Fresno, CA 93755

559-435-7360

Free Speech in Fresno

By Michael Richer

Do you want to make a movie or a video in Fresno? Maybe a documentary about life here? Or about the City government? The City Film and Entertainment Commission invites you to do so. But first, you'll need a permit. And two millions dollars in liability insurance. And don't bother to apply if your documentary might make the City looks bad: "it is the intent of the COF to not consider requests that may reflect poorly on the City." It says so right on the front of the permit application.

This summer, the City of Fresno made two decisions that raised serious questions about the City's commitment to the principles of free speech and free expression that are so crucial to our system of government. The first was the film permit system mentioned above, which severely curtails the rights of students and other amateur filmmakers to make films within the City limits. The second was an attempt to charge a \$75 daily fee for using a table to register voters and distribute political materials on the Fulton Mall. Both of these issues raises serious concerns about who in the City government is supposed to insure that the City respects the First Amendment rights of its people.

Film Permits. In early July of this year the Fresno Film and Entertainment Commission released a new permit requirement for making a movie in the City of Fresno. The permit states that it applies to "all film activity occurring within the Fresno city limits, with the exceptions of News media coverage, Studio Filming, and 'incidental' filming/taping for private use." It applies to activities that "create zero . . . interference to citizens" and to filming on private property. The Commission's July 17 press release makes it clear that a permit is required even for "the smallest student film," although students who are filming on school grounds are exempt.

Although the permit itself does not cost anything, applicants must provide proof they have obtained at least \$2,000,000 in liability insurance. Finally, the first page of the permit application concludes with the chilling warning that it is "the intent of the [City] to not consider requests that may reflect poorly on the City."

This permit requirement raises serious free-speech concerns. Making films is expressive activity, protected by the Constitution, just as making a speech or staging a play is. And commercial studios and the media are not the only ones who are allowed to make movies, for good reason — consider the importance to our history and to our national consciousness of the Rodney King video or the Zapruder film, which captured the assassination of President Kennedy. Closer to home, amateur video footage showing Fresno city workers taking and destroying the personal possessions of this City's homeless people was crucial to our recent success in getting a federal court to order the City to stop violating the constitutional rights of its homeless residents. Would the City's permit policy prohibit these types of filming without a permit? What is "incidental/private use"? Does the answer to that question depend on what the videographer intends to do with the film? Part of the problem with the permit policy is that it does not answer these questions. Even the Film Commission does not think that these types of projects require a permit, how is a filmmaker to know that? How many people will choose not to bother trying to make a small documentary about Fresno once they see the permit application and start to consider the costs of obtaining an enormous insurance policy?

On August 29, ACLU of Northern California and Fresno civil rights attorney Catherine Campbell sent a joint letter to the head of the Film Commission to inform him of our concerns: that the policy is unconstitutionally vague, that it violates the First Amendment because it burdens expressive activities that do not have any significant adverse effects on the City or its residents, and that it does not appear to be authorized by any law. We also objected to the blatant threat of viewpoint-based censorship against projects that "reflect poorly on the City."

The letter requested that the City provide us documents relating to the policy under the California Public Records Act and also that it inform us whether it intends to modify or clarify the permit requirement to address our concerns. Although the City did send the requested documents, it did not say that it would change the policy in any way. We are continuing to monitor the situation to try to determine whether the City is actually enforcing the policy against small-scale amateur and student filmmakers.

The voter-registration problem raises different concerns. In mid-August of this year, Mr. Jason Carns of the Fresno

County Democratic Central Committee (FCDCC) contacted the City to see what he needed to do before setting up a voter-registration table on the Fulton Mall. The response from the Parks and Recreation Department was surprising — he would need to obtain a permit at a cost of \$75 per day. Mr. Carns's arguments that the fee was illegal under our state constitution's protections of free-speech got nowhere.

The ACLU of Northern California sent a letter to the City, explaining that the free-speech provisions of the First Amendment to the United States Constitution and Article I, § 2 of the California Constitution protect the right to register voters and distribute literature on a public pedestrian mall. The letter also noted that it does not appear that the Fresno City Council has ever passed a law to authorize the City to require a permit or demand fees for this type of non-commercial, constitutionally protected activity.

The City responded on October 8, acknowledging that the "[FCDCC] may use a table to register voters and distribute political literature on the Fulton Mall without paying a fee or obtaining a permit." But the letter did not say that other groups who wanted to express themselves on the Fulton Mall would get similar treatment; to the contrary, it suggested just the opposite by asserting that the City "may waive [the fee], on a case by case basis, if an entity is engaged solely in constitutionally protected activity." Thus, while this addressed the FCDCC's immediate problem, it left the larger issue unresolved.

These two problems suggest that Fresno lacks an adequate process to ensure that it takes the free-speech rights of its residents when it makes policy decisions. And they also show that even when residents make a compelling case that a City policy is wrong, illegal, or unconstitutional, the City will do only the minimum it must do to avoid the threat of litigation, rather than fixing the problem. Thus, in the voter-registration matter, where we were advocating on behalf of specific persons whose constitutional rights were being violated, the City responded by giving the FCDCC what we were asking for but at the same time suggesting that they would not respect the rights of others in the same position. And in the film-permit matter, where we were not writing on behalf of a specific person who might be in a position to take legal action, the City did not modify its position in any way.

What does this mean for civil liberties in Fresno? First, if the City government is not going to ensure that it does not violate its people's rights, the people of Fresno must keep careful watch over their elected and appointed officials so that these types of violations do not go unnoticed. Second, when the City does make decisions that fail to respect civil rights and civil liberties, the people should let the City know that they will not stand by as their rights are violated. This advocacy must include people whose rights are being affected most directly, rather than just the usual advocates for civil rights and civil liberties. Advocacy by the people directly affected is both more effective, in that it helps make the impact of these types of policies clearer to the government decision makers and also presents more of a threat of legal or political action. And the more people involved in discussing and arguing the importance of our constitutional rights the more likely it is that the government will not only be more responsive to complaints about violations of these rights, but will also take steps to make sure that City policies respect these rights in the first place.

###

Michael T. Risher is a staff attorney with the American Civil Liberties Union of Northern California. Copies of the letters mentioned in this article, as well as documents relating to *Kincaid v. City of Fresno*, the class-action suit that Fresno's homeless residents have brought to stop the City from taking and destroying their personal possessions, are available at www.aclunc.org.



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Speaker—**Dr. Cornell Pewewardy**

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For more information, contact:
Tawanish Wyatt, NAISA President at wyatt.78@att.net
or Judy Ramirez, NAISA Advisor at 442-8231 X8554 or judith.ramirez@fresnocitycollege.edu

Word On The Street

by Wendy Russell

This time next month I will be a resident of Sabilito, Costa Rica. Every morning I will wake up at 5:30am and walk in the mountain tropical forest and fog of *Tres Aguas* (we named it for the three natural springs on the property), looking for the common birds, like brilliant blue turquoise dacnis, Blue-crowned Motmots and Fiery-billed Aracaris. Mark will sleep in, then prepare breakfast (one of my blessings, remember, is that my husband loves to cook, and that will be his main ‘job’ in retirement). We will eat an entire luscious pineapple (I don’t even like pineapples in the U.S.) or sweet soft papaya over the morning’s time as I work turning the property and its buildings (the house used to double as a church) into our new home. We plan to have a pet pig and I will learn to make cheese and to harvest our shade-grown organic coffee. Mark and I will garden, I will raise chickens and keep goats. Maybe each of us will write a book.

So I will not be here to write this column.

And you can see that I have it all planned out. Well, plans also need to be made regarding this column. I will author one more column from Costa Rica - but after that, who will step up and take up the pen - or key strokes - to continue? It’s a lot of fun for a few days’ exploration, both online and around town, meeting five people. You take the five photos that accompany the peoples’ answers to each month’s Question. You have to watch people a bit; you should use the words gathered from the first five people you choose, so you don’t have to leave someone out, later. You will need a good camera, a notepad or recorder, pens, a computer to send in both the words and the photos - and sometimes, past issues of Community Alliance. You will need a big smile; useful when approaching strangers. You get to delve deep or tread lightly on any subject important to Fresno. Often, you - the author - get to choose the topic. Sometimes Mike Rhodes, the editor, has a theme in his mind. Such as this month’s Question:

Are you treated decently here at Community Medical Center and do you get the care you need?

But I also have a second, sub-question in my mind, (you can do that when it’s your column), about fulfilling your dreams and making your life as you want it:

Are you on the path to living the life you choose?

It was a crisp Fall day as I head to Community Hospital, marveling again at how this piece of the original Fresno landscape has changed. The expanded, remodeled and sprawling complex now squats in the middle of houses and streets, blocking arteries that lead into downtown and breaking up decayed neighborhoods into pockets of slums around its edges. There is lots of activity, with people coming and going. I see a woman on crutches, standing with another woman, and decide to ask her the Question. Thirty-one year-old SHANNON LAWRENCE answers:

“I got really good care. They were humane and I never felt like a number - and they were quick!”

I ask how she hurt herself. Shannon laughed, “I was on a two-wheeled scooter free-styling and hurt my foot doing tricks but I didn’t get it checked. Then, last night while digging a grave -” now we were all laughing hard “ - decorating for Halloween, I heard a pop! and I had to come in.”

Shannon and her friend are waiting for their ride back to where they live. Shannon explains, “My son and I are in a resident program that takes really good care of us, the *Spirit of Women*. It’s a good program - our success rate is 78%.”

I ask Shannon what was the success rate concerning?

“Staying sober,” Shannon answers, strong and sure, and I could see that she was on a path to something better. We talked awhile about the tools to live by that such programs provide, until their ride showed up.

Next I stop a man going fast somewhere, with his arm in a sling, to get his answer to this month’s Question:

Are you treated decently here at Community Medical Center and do you get the care you need?

TONY ROCCA answers, “Yes. I was treated decently -” Then he adds; “ ...for County. It was quick; about two hours. I think they are doing ok - like I said - for County.”

And on his way he went, before I could ask if he was happy with his path in life.

Sitting and waiting for his friend, is the next person who answers this months’ Question. They had just brought the friend’s ill wife to the hospital’s emergency room. He too, had received care at the hospital before. He spoke spanish but we still had a nice talk about fishing in these parts, from Mendota to Lost Lake - that’s what he likes to do best, “tranquilo (peaceful)” he says, and then JAVIER HERNANDEZ answers our Question:

Are you treated decently here at Community Medical Center and do you get the care you need?

“Si. Hospital es bien. Inside, good. The service is good con respecto. Rapido!”

So again we hear that Community Hospital’s help comes fast and with respect. That’s good to hear. With all the talk about God and country I am glad to see that - at this hospital at least, they might be hearing the Bible’s words about nations being judged on how they treat ‘the least amongst you’ while also following the Hippocratic Oath about ‘working for the benefit of the sick’; ‘to treat the sick to the best of one’s ability, preserve patient privacy and to teach the secrets of medicine to the next generation’ and so on. ‘Course in the original ancient document’s words, such secrets were to be taught for *free* and concerning the Bible’s words, well, it’s easy to see our government in power does not believe in caring for the weakest, nor in that book’s Commandment, *Thou shalt not kill*. I am not sure if there is, or is not, a God, but I also don’t claim religion as my moral authority publicly, casting around judgments based on that authority - and then, in my heart and actions, do the opposite.

See? When you write the column you can say what you want - whatever you think it might take to inform and lead the readers to a new position. Are there subjects you want people to think about? There is a small power having words in your hands. Does that sound good to you? If so, then maybe writing this column is for you.

I decide to use this column to get close to a cute baby and so I walk over and ask his mom and dad the Question:

Are you treated decently here at Community Medical Center and do you get the care you need?

Let’s hear the answer from seven-month-old Rockton’s father, RYAN:

“Yes. It’s not normally where we go but we were referred here by our pediatrician, to see a specialist here. I’m not sure we’d come here for -” He searches for the

word; “ - *everyday* care - it’s not our choice. Normally we go to Valley Childrens’, but we are happy with the specialist’s care. They are all very nice here.”

Our next words from the street come from a young expectant mother. She is wearing a sweatshirt, pajama bottoms and zories because lately she is “always tired and doesn’t feel well.” I told her of my grandma’s remedy for morning sickness; keep grapes by the bed to nibble on when you wake in the night to go to the bathroom and in the morning, before you even get out of bed. It’s something about your blood sugars.

Then DER THAO gives her answer:

“Yes. I actually like it better here than anywhere else.” (She’s from Long Beach). “I’m pregnant so I looked around and I’m going to stick here. I like the way they are. I feel more comfortable, more welcome and they pay more attention to me. I like how they treat me.”

Der Thao found her way to what is best for her and her baby. Mark and I are moving to Costa Rica to forward our dream of a better life. It feels good to move forward! To try something new! I’m looking for the person that will write the column beginning January. Is it you?



Shannon Lawrence



Javier Hernandez



COMMUNITY HOSPITAL WORKERS AND THEIR ALLIES DEMAND FAIR ELECTIONS

Continued from page 1

me speak about the real facts.” Mendoza said that after this incident she was told by a manager not to talk about the union while she was working. “I felt like he was trying to silence me, like my freedom of speech is being taken away” Mendoza said. Her manager then changed her schedule so she can no longer pick up her child after school. Mendoza believes this is retaliation for her support of the union.

Latisha Jones, who has worked for CMC for 8 years in the medical records department, said she was also forced to attend a mandatory anti-union meeting held by management. In the meeting, Jones said her manager “talked about union organizers as if they were stalking the employees in the parking lot and forcing them to sign a petition. Needless to say, the meeting did not provide any information except re-affirming that our boss did not want us to join a union.” Jones found it hypocritical that CMC management demanded the right to give workers their negative views about the union but then threaten and intimidate union supporters when they talked to co-workers about the benefits of joining a union. Jones showed a photo of the security guards who tried to stop her from handing out flyers.

Sylvia Martinez is a patient care assistant in the Emergency Room at CMC who says she supports the union because she wants to see staffing levels increase. Martinez says they are so understaffed at CMC that sometimes after working a 12 hour shift, she returns 12 hours later and sees the same patients in the ER still waiting for a room. She says they ask management to help “but all they ever say is ‘we are working on it.’ Why we are so short staffed is because our pay and benefits are so low that many of us can’t afford insurance for our families . . . we can’t get our children insured. So, what do we do? We turn to state programs, it is not right working in these conditions, new hires don’t stay long.”

In the mandatory “labor education” meeting Martinez was forced to attend, she was told that if she supported the union she might not get a raise in October. The instructor also told workers that if they go out on strike they will be replaced. Martinez challenged the instructor who admitted that she would not be fired, but just replaced for the day(s) she is on strike. The management instructor did not tell the workers at the meeting that their salary might double if they voted for the union.

Suzanne Sanchez works in the nutritional dietary department at CMC in Clovis. She also testified at the Fresno Fair Election Commission hearing. Sanchez supports the

union because she wants to see working conditions improve. Sanchez said that “we are always short of staff, not only because of the heavy work load and lack of respect, but also because you could make a better living working at In and Out Burger.”

Sanchez said “on October 4 I passed out union flyers to my co-workers outside of the Clovis campus along with my co-worker Vic Bencomo. Security came out and told us that we weren’t allowed to be on the property handing out flyers. We informed him that we have the legal right to be there. Later on my manager came out. I handed a co-worker a flyer and as she walked away my man-

ager snatched the flyer from her hand and gave it back to me telling me that you can’t give that to her. Two other co-workers came by shortly after that and asked me what I was doing. I told them I was giving out union information and they asked for a flyer. As I tried handing them one a security guard stepped between us and physically blocked me from handing them a flyer. My co-workers asked ‘why don’t they want a union’ and I told them I will talk to you later tonight. At this point, my manager, several other bosses, security, and the CEO of the Clovis facility stood by watching and



Mary Hilman from CHW Mercy Hospital in Sacramento spoke at the hearing. Hilman said “when we tried to form our union without a fair election agreement, our management engaged in a campaign of misinformation and fear. They pulled us into meetings where their anti-union consultants portrayed a union in only viciously negative terms.”

taking photographs. They made me feel like I was doing something wrong - because we refused to leave and assert our legal right to be there. They called the police on us. The Clovis police came out and they defended our right to be there. At this point, our employer backed down.”

In addition to the workers testimony at the Fresno Fair Election Commission hearing, several experts spoke, including Gordon Lafer, a Ph.D. from the University of Oregon. Lafer is an expert on labor law reform and has recently testified as an expert witness before Congress on this issue. He has done extensive research on the National Labor Relations Board (NLRB) process for holding labor elections and comparing that to the democratic elections we are familiar with when we elect representatives to political office. Lafer said “when most people

hear there is something called a union election, everyone assumes they must work more or less the same way as elections to Congress or the presidency or other elections that we know about. Unfortunately, nothing could be further from the truth.”

Lafer said “some people believe that as long as an election ends in a secret ballot, it doesn’t matter what happens before.” He said that it is important for people to know that “the American democratic tradition from the founding fathers to the present fundamentally rejects this view. In the American system, while a secret ballot is critical, there is a series of other things that have to

make an election fair. Some of those things are equal access to the voters for both sides, equal access to the media, freedom from economic coercion, and free speech for the voters. Our government regularly condemns elections in other countries as undemocratic, when there is no question that they ended in a secret ballot. Saddam Husein had secret ballots when he used to get 98% of the vote, the Soviet Union had secret ballots, North Korea and Iran - all of the Axis of Evil has secret ballots.”

What happens before an election is critical. Lafer said that the goal of anti-union firms hired by companies like CMC is to prevent there ever being a secret ballot. According to Lafer, if you look at the website of the company CMC hired, “they say they specialize in union prevention, which includes successfully preventing pre-petition organizational activity, which means they don’t want there to ever be an election. What they count as a

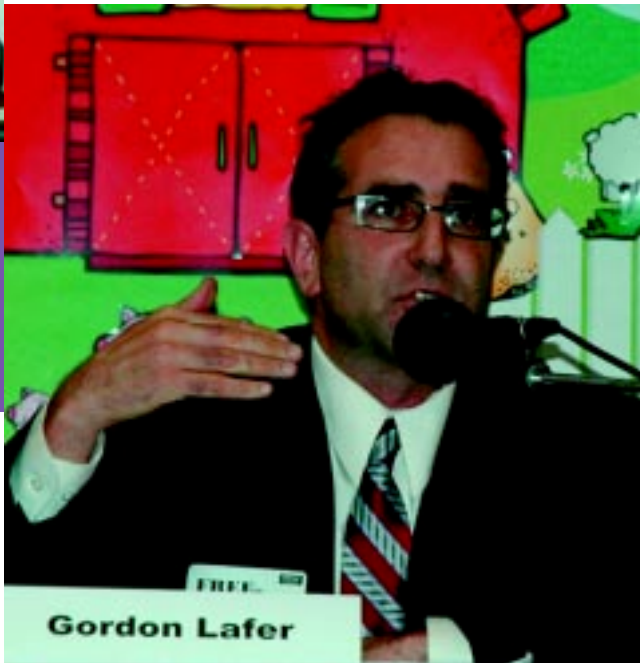
success is not that workers have a free right to choose a secret ballot. . . it is that they never have a right to choose at all. The whole thing gets killed before there ever is an election.”

If they can’t prevent a free and fair election, Lafer says the union-buster’s back up plan is to have an NLRB election. Why? Because NLRB elections are stacked against the worker. Lafer said “the first most basic thing that happens in any election is that both sides have to have equal access to the voter rolls.” Unlike the elections we are familiar with, NLRB elections are not set up on a level playing field. The employer has all of the employees contact information but unions do not get access to any information until after they have signed up at least 30% of

workers and after all of the employers legal objections have been exhausted. Lafer said that “the last federal government commission to study this found that on average the pro-union employees only got the list of eligible voters 20 days before the vote. If you think about running for public office and imagine that everything is the same in our current system except that one candidate got the list of eligible voters two years before the election and the other got it only 20 days before the election . . . none of us would think that was a free and fair election.”

Lafer said “the second principle of free elections in America is that both candidates have equal access to the voters.” He said that under NLRB elections management is free to put up posters on the walls, anti-union banners hanging from the ceiling, and leaflets are distributed daily. This is done, according to Lafer, while management “tells pro-union employees that they can’t put up anything on the walls, nothing on the bulletin boards, nothing hanging from the ceiling, and can hand out leaflets only when the person handing them out and the person receiving them are on break time and in a break area.”

Another sign of a free and fair election would be that a person is able to vote without the threat of economic coercion. In other words, a person should not be threatened with termination or that they will not be promoted because they vote for or against the union. But, according to Lafer, this happens all of the time under NLRB elections. Lafer said “to any normal human being there is no difference between saying ‘a union could hamper your personal relationship with this company’ and saying ‘if you ever want a promotion, don’t let me see you signing a union petition.’ To the NLRB, one is illegal and



Gordon Lafer, a Ph.D. from the University of Oregon, said “the sad fact is that our government now forces higher standards of democracy on the voters of the Ukraine... than for workers at workplaces anywhere across America.”



Over 200 people attended the October 17 Fresno Fair Election Commission hearing that was held at the College Community Congregational Church.



Fresno Fair Election Commission members listened carefully to the testimony at the hearing.
All CMC photos by Mike Rhodes

one is completely legal.”

Lafer concluded, “the unfortunate fact is that our government enforces higher standards for voters in other



Latisha Jones, who has worked for CMC for 8 years in the medical records department, hands a photo to Fresno Fair Election Commission members. Jones said the guards told her “that if we did not leave they would call police and press charges against us.”

The Fresno Fair Elections Commission members:

John R. Donaldson, Chair
Former Fresno County Supervisor
Local Healthcare Coalition

Harry Armstrong
Mayor Pro Tem, Clovis City Council

Sengthiene Bosavanh
Attorney at Law

Mary Curry
Former Trustee, Fresno Unified School District

Charles Francis
Former Trustee, Fresno County Board of Education

Anne Jenny
Economist, Multi-party and Community Mediation

Roger Larson, M.D.
Former Chief of Medicine, University Medical Center

Patience Milrod
Lawyer

Rev. Walt Parry
Fresno Metro Ministry

Henry T. Perea
President, Fresno City Council

Fr. James Rude, S.J.
Social Justice Ministry Director, Catholic Diocese of Fresno

Tony Vang, Ph.D.
Trustee, Fresno Unified School District

Pat Wolk
Community Activist

countries than we do at home.” He said that the US condemned the 2002 elections in the Ukraine for many of the same reasons there are problems with NLRB elections - voter intimidation, economic coercion, and unequal access to communicate with the voters. Lafer said “every single one of the reasons for which the Ukrainian elections were ruled undemocratic is completely legal under the NLRB. The sad fact is that our government now forces higher standards of democracy on the voters of the Ukraine. . . than for workers at workplaces anywhere across America.”

Also on the panel was Mary Hilman from Mercy Hospital in Sacramento. Hilman said “when we tried to form our union without a fair election agree-



Lydia Martinez, who is a licensed vocational nurse at Community Medical Center, said “my co-workers and I want to form our union because we believe that, united together, we can work constructively with management to improve patient care, to improve our lives, and to improve our hospital.”

ment, our management engaged in a campaign of misinformation and fear. They pulled us into meetings where their anti-union consultants portrayed a union in only viciously negative terms. They only gave out misinformation and lies. We got our employer to work with us to establish a fair election agreement. After that, there were no more mandatory anti-union meetings, no more misleading information, and we all felt free to talk about the union and make a choice on our own.”

Deborah Byrne, who has

(from the workers website -
<http://www.fresnocmcworkersunited.org/>)

Free and Fair Election Agreement

As part of our effort to form a union and win a voice on the job, workers at Community Medical Centers are seeking a Free and Fair Election Agreement with management at CMC.

What it is

Such an agreement is a commitment from both management at CMC and SEIU United Healthcare Workers-West to “play fair” while workers consider forming a union. It’s a negotiated set of principles that both sides can agree to.

What it does

A Free and Fair Election Agreement sets ground rules for the process by which workers decide on whether to form a union. The proposal from CMC workers calls for the following.

- * No negative campaigning that disparages the employer or the union
- * No mandatory one-on-one or group meetings
- * Equal access to factual information
- * No use of outside consultants
- * No harassment, intimidation or discrimination against employees because of their support of or opposition to the union
- * Quick and effective enforcement of election conduct by a neutral third party
- * Secret-ballot elections conducted and certified by the National Labor Relations Board

Why we need one

Existing federal law does not offer enough protection to workers. Already, management at CMC has created an intimidating work environment and threatened patient care by pulling healthcare workers away from the floor to attend meetings filled with anti-union propaganda. With a Free and Fair Election Agreement, workers can weigh their options and make a decision without facing that kind of negative pressure.

worked as a medical assistant with Kaiser Permanente for 8 years, was the last speaker at the Fresno Fair Election Commission hearing. Byrne said “when we, the employees of Kaiser, work with our management, we reach positive solutions. Kaiser’s recent move to a paperless system for our Medical Records department would have displaced about 2,000 employees. We worked together with management and found a solution where not a single Medical Records worker was let go. We worked with Kaiser to insure that people were put into positions with the same rate of pay or received upgrade training into a higher classification. If we weren’t union, I think those 2,000 co-workers would have been without jobs.

CMC workers are organizing their union with the Service Employee International Union - United Healthcare West. SEIU-UHW is the largest hospital and healthcare union in the United States and represents every type of healthcare worker, including nurses, professional, technical and service classifications. There are about 2,000 workers in the CMC bargaining unit that is currently being organized, making this the largest private sector union organizing drive in Fresno’s history.

For more information about the organizing campaign, see <http://www.fresnocmcworkersunited.org/> or call 559 265-4890.



These Community Hospital security guards told Latisha Jones, who works at CMC, to stop handing out pro union flyers.

Fresno Center for Nonviolence



1584 N. Van Ness, Fresno, CA 93728 - Open M-F 11 a.m. 3 p.m. - (559) 23-PEACE - www.centerfornonviolence.org - info@centerfornonviolence.org

dedicated to PEACE and SOCIAL JUSTICE through
SIMPLICITY - JUSTICE - INCLUSIVENESS - NON-INJURY

Australia at the Crossroads By Angela Price

Merlyn and I visited Australia this past summer to visit my brother and his family who I hadn't seen for fourteen years. We had been to Southern Queensland before and remembered vividly its beauty: golden beaches, parrots, lorakeets, crazy kookaburras and the strange animals found in this part of the world. We were not disappointed this time and spent some wonderful days sightseeing including feeding birds that flew down from the trees, landing on our heads, arms and cameras as we tempted them with their favorite seeds!

Yet, this is a land that has changed dramatically in its politics since our last visit. I attended an event called "Australia at the Crossroads" in the beautiful Brisbane Town Hall which was sponsored by many organizations, including WILPF, Just Peace, Greens, Quakers, Council of Unions, Friends of the Earth. I was told that this slate of speakers on the stage together was unprecedented, and they spoke about human rights, climate change, unions, indigenous people's rights and nuclear weapons.

Julian Burnside, a renowned barrister who pleads human rights cases, spoke eloquently about the dangers of unprecedented executive power of the John Howard government, of foreign and domestic policy that ape the US rather than being in the interests of Australians and about the heartless treatment of people coming to Australia as refugees, representing a failure to observe UN protocols on the rights of refugees.

Helen Caldicott spoke about nuclear weapons and the ever present danger of a nuclear holocaust whether it is accidental or intentional. She spoke about the unhealthy subservient relationship with the United States, leading to Australia's participating in the illegal war on Iraq, rather than pursuing an independent foreign policy and taking principled actions in their region and the world.

Ian Rowe was passionate as he warned the audience about climate change and this was particularly relevant during our visit since Southern Queensland is experiencing a terrible drought. Dams are below 17% of capacity and people are limited to 26 gallons/day for everything which includes washing yourself, clothes, dishes, cooking. But citizens have reacted positively to this crisis and have been using even less than their allotted 26 gallons! People though are very angry that the government took so long to fully appreciate the water situation. (Something we need to take note of in the Central Valley.)

It was Jacqui Catona, talking about the take over of Aboriginal land titles in the Northern Territories that brought people to tears. It is believed that the land grab, part of the government's crackdown of sexual abuse in indigenous communities, is really a ruse by the Australian government to clear the way for the dumping of nuclear waste in remote areas.

One remarkable story told shows that sometimes justice is served. It is about a landmark case concerning an aboriginal man, Bruce Trevorrow, part of the Stolen Generation, who successfully sued the Australian government for emotional damages from being placed with a white family. Julian Burnside, who pleaded the case, won because evidence showed that health professionals at that time claimed that irreparable harm is done when children are taken away from their parents and should be used as a last resort only. Our own Native American Indians suffered a similar fate even as recent as the 1970 but I have the sense that they have fared better in recent years than the aboriginal people.

This was about the only cheery item on the agenda! One hopes that Australians with their passion for fairness change course in the upcoming elections and become a beacon for justice in that hemisphere.

The FCNV is a Host Organization

to many non-profit groups in the Fresno community.
We provide a safe meeting place and media resources
to the groups using our facility, including:

- | | |
|---------------------|----------------------|
| • Youth Link | • Peace Fresno |
| • Project: Male | • WILPF |
| • CVAAS | • CVCRC |
| • CVPPAC | • CCCJC |
| • Teatro Immigrante | • Community Alliance |

NEW TO OUR VIDEO LIBRARY:

- **War Made Easy:** brings to the screen Norman Solomon's insightful analysis of the strategies used by administrations, both Democratic and Republican, to promote their agendas for war from Vietnam to Iraq.
- **When the Levees Broke:** A Requiem in Four Acts (A Spike Lee Film) Director Spike Lee's *When the Levees Broke* is the definitive document of the unmitigated disaster that was, and is, Hurricane Katrina. It's also a contemporary manifestation of an ancient tradition: an oral history, told by the people who lived it, with no narration and only the occasional use of archival cable and broadcast news footage in addition to Lee's own film.

STIR IT UP

Richard Stone has as his guest Larry Mullen who will discuss Instant Runoff Voting.

Wednesday, November 14th- 3 p.m.
KFCF 88.1 FM.

2nd Wednesday Video Series

Electile Dysfunction

This 58 minute investigative documentary film by Penny Little explores the story behind the scenes of the November 2004 Presidential election, showing a complicated and technical subject in lively montage style, interviews interlaced with dark humor, short animations and musical interludes

Is democracy dead? Did the electronic machines count your vote? The chances of the exit polls being wrong were 180 million to one against in 2004. How could this happen? Why are the machines so easily hackable? Why the long lines? Do our votes count?

Wednesday, November 14th
Noon & 7 pm @ the FCNV
(1584 N. Van Ness, SE Corner of McKinley and Van Ness)
Potluck @ 6:30
Discussion to follow evening showing

*Fair Trade coffee,
chocolate, and other gift
items will be sold at the
FCNV booth at the
WILPF Craft Faire*

Saturday, December 1
10 AM - 4 PM
First Congregational Church
2131 N Van Ness.

INSTANT RUNOFF VOTING

Larry Mullen will present his power point presentation on Instant RunOff Voting. Free event.

Monday, November 19 at 7 p.m. at the FCNV, 1584 N. Van Ness



WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM

WILPF Fresno, PO Box 5114, Fresno, CA 93755

Graphic by Lincoln Cushing



Crafts Faire

Saturday, December 1st, 2007
10 a.m. – 4 p.m.

*Free Admission, Entertainment, &
Children's Activities
Visit Old Friends & Meet New Ones
Find Unique Handmade Holiday Gifts
Amazing Arts & Creative Crafts
Fill Your Tummies with Great Yummies
Signature Homemade Soups, Breads & Dessert
Raffle Prizes, Silent Auction &
White Elephant Sale*

*First Congregational Church
(The Big Red Church)
2131 N. Van Ness Blvd, Fresno
between McKinley & Clinton*

The Women's International League for Peace and Freedom sponsors this 1/2 page. They are responsible for all content.

Women in Black Silent Vigil

Taking place at:

The Courthouse Steps
Between Noon and 1:00 PM
Nov. Oct. 7th

The CSUF Campus
Free Speech Area
Thursday Nov. 15th
Noon to 1:00 PM
Women wear black
And bring a sign.

Important Dates:

Raging Grannies
Meeting this Month
November 5th & 19th
Ellie Bluestein's

Peace Craft Faire
December 1st 2007
Big Red Church
2131 N Van Ness

WILPF
Next Meeting
November 26th
At 7:00 PM
Fresno Center for
Nonviolence
1584 N Van Ness

Happenings

WILPF tabled at the Peace Garden for Mahatma Gandhi Birthday and the Inter-mountain Nursery displaying the Clothes Line Project done by women at the Holy Cross Center for Women. This project was also displayed at Take Back the Night held as CSU Fresno October 24. The T-shirt project, organized by Alvora Trujillo, gives expression to the feelings to women who have experienced domestic violence and helps to empower and help them in the healing process.

This last month WILPF members besides writing their representatives in Washington and our State Assembly about the various issues dear to our hearts, peace, water, children's health care to name a few we have been preparing for the Annual Peace Craft Fair. To help you can donate items for the White Elephant Sale bringing them early December 1st or contact Nancy Waidtlow at 224-1738. Call Joan Poss (227-6134), Ellie Bluestein (229-9807), or Earlene Flori (264-0968) and let them know what hours you can be there to help and what soup, bread or desert you can bring.

Special thanks to Alvora Trujillo for the Clothesline Project, Joan Poss, Alvora Trujillo, Jean Hays, Ellie Bluestein and Sylvia Garcia for their tabling efforts. We are looking forward to seeing everyone at Craft Faire.



FRESNO TEACHERS ASSOCIATION



5334 N. Fresno Street • Fresno, CA 93710-6828 ~ Phone (559)224-8430 ~ www.fresnoteachers.org

Fresno Teachers Association Page

By Larry Moore

Recently a lot of newsprint has gone into the dispute between the Fresno Unified School District (FUSD) and the Fresno Teachers Association (FTA). While the focus of this 'journalism' has been the misreported threat of a teacher walkout, the real story here is the threat of a huge teacher shortage that is being downplayed and ignored.

Truth in Numbers

Here are the facts:

1. FUSD is facing a potential retirement of over 500 teachers who are over the age of 60. According to their information, 548 teachers currently working for the District are 60 to 79 years old. This is 12.9% of the current teaching population.
2. Another 458 teachers are 57 to 59 years old. The significance of this group is that the early retirement age for teachers under the FUSD Retirement and Benefits Plan is 57.5 years of age.
3. With this in mind the District could be facing an exodus of 1006 teachers, nearly one quarter of their total number of teachers with in the next 3 to 5 years.

According to the FUSD Human Resources and Labor Relations Department, it is anticipated that 100 to 150 teachers may retire at the end of the 2007-08 school year. We think this is a conservative estimate, and the price of such 'optimism' will be severely over crowded classrooms and under qualified teachers hired for those classes. This is an emergency that will impact the children of Fresno for years to come.

According to the FUSD Human Resources and Labor Relations Department, there are plenty of qualified teachers available in the Central Valley. This is due to the constant entrance into the teaching profession of recent graduates from the several local colleges of education.

Here are the facts:

- Over the last 3 years graduation rates from the CSU Fresno College of Education have steadily declined. In 2004-05, 756 students graduated with their teaching credential (includes general education and special education credentials); in 2005-06 there were 540 new credentialed teacher graduates; and, in 2006-07 there were 517 new credentialed teacher graduates.
- This equates to a 30% decline in new credentialed teacher graduated in 2006-07 from the graduation rate in 2004-05.
- If this trend continues Fresno Unified is headed for the 'Perfect Storm' in terms of potential loss of teachers and lack of new teachers to fill their positions in classrooms.

Truth in Negotiations

As everyone in Fresno is aware, there is a disagreement between FUSD and FTA that has hit a stalemate. We are currently moving into what is called 'Fact Finding'. Fact Finding is a form of mediation where a state appointed 'Neutral' or neutral party and individuals appointed by both sides of the issue (1 person from the District and 1 from the Association) meet with the parties to hear their positions on the issues at hand. This 'Fact Finding Panel' discusses the matter with the parties and among themselves for as long as necessary to gather all pertinent information. The 'Neutral' then does additional research and issues a recommendation to the parties that may be used as the basis for a settlement of the disagreement. This recommendation is not binding on either party. At this point: 1) FUSD and FTA can come to an agreement; 2) FUSD can choose to impose its last-best offer; 3) FTA can accept the imposed settlement; 4) or FTA may then choose to take a job action of some sort. If the latter happens, then and only then can FTA suggest to its members a potential 'strike vote' and was misreported in the Fresno Bee as having already been taken.

Here are the Facts:

- FUSD is required to have a 2% reserve incase of financial difficulties.

- FUSD is projecting a \$93 million reserve (\$63 million general expenditure funds and \$30 million in restricted expenditure funds). This equates to nearly 12% in their reserves.
- FTA is requesting a 6.5% Cost Of Living Adjustment (COLA) salary increase from the 8.1% COLA the District received from the State. The District has offered a 5.5% COLA. The difference between the two numbers is 1% which equates to approximately \$3 million.
- Considering the huge reserve the District is projecting, this amount is almost insignificant.

The Future of FUSD

With the potential loss of highly experienced and qualified teachers looming, and the huge reserves of the District, it would only make sense that they would want to make FUSD as attractive as possible to the relatively small number of credentialed teachers. These same teachers are being offered positions in surrounding districts, some of which have more attractive salaries and working conditions than FUSD. Taking positions which are blatantly employee unfriendly will only hurt the District and the children it serves.

- We believe that the community should be outraged at the position FUSD is placing itself in.
- We believe that the future of Fresno is in the balance.
- We believe that the community should make their feelings on this topic known to the Trustees of the Fresno Unified School Board by attending the next School Board Meeting (Wednesday, October 24, 2007) and addressing these and other issues of concern with the elected officials who represent them in matters pertaining to their children and the future of the City of Fresno.

Larry Moore is president of the Fresno Teachers Association.

The Fresno Teachers sponsors this 1/2 page. They are responsible for all content.

NOTICE TO ALL PERSONS IN THE CITY OF FRESNO WHO WERE OR ARE HOMELESS, WITHOUT RESIDENCE, AFTER OCTOBER 17, 2003, *AND* WHOSE PERSONAL BELONGINGS WERE UNLAWFULLY TAKEN AND DESTROYED IN A SWEEP, RAID, OR CLEAN UP BY ANY CITY OF FRESNO OR CALTRANS EMPLOYEES:

You may be affected by a lawsuit about whether City of Fresno or Caltrans employees took and destroyed your personal property.

The lawsuit is called *Kincaid, et al. v. City of Fresno, et al.*, No. 06-CV-1445, and is in the United States District Court in Fresno. The Court has decided this lawsuit should proceed as a “class action” on behalf of a group of people (the “Class”) that could include you. This Notice is about your rights and options before the trial in this case. If you are in the Class, you have to decide whether to stay in the Class and be legally bound by the results in this case, or ask to be removed from the Class and keep any right you may have to sue the City of Fresno and Caltrans employees on your own. **There is no money available now and no guarantee that there will be.**

THIS NOTICE IS NOT AN OPINION BY THE COURT AS TO WHICH SIDE OF THE LAWSUIT IS RIGHT OR WRONG. THIS NOTICE IS TO TELL YOU ABOUT THE LAWSUIT SO THAT YOU CAN DECIDE WHETHER YOU SHOULD STAY IN OR REMOVE YOURSELF FROM (“OPT OUT” OF) THIS CLASS ACTION.

WHAT IS A CLASS ACTION AND WHO IS INVOLVED?

In a class action lawsuit, people called “Class Representatives” (in this case Pamela Kincaid, Doug Deatherage, Charlene Clay, Cynthia Greene, Joanna Garcia, Randy Johnson, Sandra Thomas, Alphonso Williams, and Jeannine Nelson) sue on behalf of other people who have similar claims. The Class Representatives and all the other people with similar claims are called a “Class,” “Class Members,” or “Plaintiffs.” Any good or bad outcome in this case will apply to the entire Class.

The City of Fresno and the City and Caltrans employees that were sued (in this case the City of Fresno, Mayor Alan Autry, Police Chief Jerry Dyer, Police Captain Greg Garner, Police Specialist Reynaud Wallace, Community Sanitation employee John Rogers, Community Sanitation employee Phillip Weathers, Caltrans Director Will Kempton, Caltrans employee James Province, and Caltrans employee Daryl Glenn) are called the Defendants. One court (in this case Judge Oliver Wanger) will decide the issues in the lawsuit for everyone in the Class.

Pamela Kincaid died during the course of this case. However, the case will keep the title *Kincaid, et al. v. City of Fresno, et al.*

WHO IS THE CLASS AND ARE YOU AFFECTED?

The Class is all persons in the City of Fresno who were or are homeless, without residence, after October 17, 2003, AND whose personal belongings have been unlawfully taken and destroyed in a sweep, raid, or clean up by any City of Fresno or Caltrans employee. The Class includes people who are not homeless now or do not now live in Fresno, as long as they were homeless in Fresno any time after October 17, 2003, AND had their personal belongings taken and destroyed in a sweep, raid, or clean up by City of Fresno or Caltrans employees. People who have never had personal property taken and destroyed by City of Fresno or Caltrans employees are NOT included. People whose personal property was taken and destroyed by City of Fresno or Caltrans employees only *before* October 17, 2003 are NOT included.

If you are still unsure whether you are in the Class, you can get free help by writing to the lawyers in this case at the address in this Notice.

If you are a member of the plaintiff Class or you think you might be a Class member, you should read this Notice because it will affect your rights.

WHAT ARE THE CLAIMS MADE IN THE LAWSUIT?

The Class Representatives sued the Defendants on October 17, 2006. The Plaintiffs claim that City of Fresno and the City and Caltrans employees conducted sweeps (or “raids”) in different locations in the City of Fresno with little or no notice, and took and destroyed the Plaintiffs’ personal property. The Plaintiffs want a court order (a “permanent injunction”) that stops the City of Fresno and the City and Caltrans employees from taking and destroying the personal belongings of homeless people in the future. The Plaintiffs also want the City of Fresno and the City and Caltrans employees to pay for the personal property they took and for the pain and suffering they caused.

How Do All Defendants Answer?

All Defendants deny that they have done anything wrong and deny the allegations in the Plaintiffs’ complaint.

Has The Court Decided Who Is Right?

No. On December 8, 2006, the Court ordered the City of Fresno to stop taking and destroying the personal belongings of homeless people until there can be a trial on this lawsuit.

The Court has not made a final decision whether the City of Fresno and Caltrans Defendants or the Plaintiffs

Who’s Affected?	
All persons in the City of Fresno who were or are homeless, without residence, after October 17, 2003 AND whose personal belongings have been unlawfully taken and destroyed in a sweep, raid or clean up by any City of Fresno or Caltrans employees.	
Who’s Not Affected?	
People who have never had personal property taken and destroyed by City of Fresno or Caltrans employees.	
People whose personal property was taken and destroyed by City of Fresno or Caltrans employees before October 17, 2003 only.	
Your Two Choices	The Consequences
DO NOTHING AND BE A PART OF THE LAWSUIT	Stay in this lawsuit. Wait for the outcome. Give up any right to sue on your own. By doing nothing, you keep the possibility that you will get money or benefits that may come from this lawsuit.
ASK TO BE TAKEN OUT OF THE CLASS or “EXCLUDED” FROM THE CLASS AND THE LAWSUIT	Get out of this lawsuit. Get no money or benefits from it. Keep any rights to sue on your own. If you ask to be excluded from the Class and money is later awarded to the Class from this lawsuit, you get nothing. But, you keep any rights you might have to separately sue the City of Fresno, its employees, and employees of Caltrans about the same claims in this lawsuit.

are right.

By issuing this Notice, the Court does not suggest that the Plaintiffs will win or lose this case. The Plaintiffs will have to prove their claims at a trial that is scheduled to start on June 10, 2008. You do not have to go to the trial in order to be part of the Class. The lawyers for the Class will present the case for the Plaintiffs, and the City of Fresno and Caltrans Defendants will present their defenses. You or your own lawyer are welcome to come at your own expense.

Is There Any Money Available Now?

No money is available now because the Court has not made a final decision in this lawsuit, and the two sides have not settled the lawsuit. There is no guarantee that any money or benefits will ever be won. If the Class gets money or benefits from winning the trial or from a settlement, and you have not asked to be taken out of the Class, you will be eligible to ask for part of that money.

WHO ARE THE LAWYERS IN THIS CASE?

The Court decided that the law firm Heller Ehrman LLP (Menlo Park, CA), the Lawyers’ Committee for Civil Rights (San Francisco, CA), and the American Civil Liberties Union (ACLU) of Northern California (San Francisco, CA), will represent you and all Class Members. Together the lawyers for the Class are called “Class Counsel.” They are experienced in handling similar cases and have been representing the Plaintiffs from the beginning of this case. More information about Class Counsel is available at www.hellerehrman.com, www.lccr.com, and www.aclunc.org.

The City of Fresno Defendants are represented by the law firm Betts & Wright. The Caltrans Defendants are represented by the Legal Division of the California Department of Transportation.

Should I Get My Own Lawyer?

You do not need to hire your own lawyer because Class Counsel is working for you already. If you want to hire your own lawyer you may do so. You will have to pay that lawyer and ask him or her to go to Court for you.

WHAT ARE YOUR OPTIONS AS A CLASS MEMBER?

You have a choice of whether to stay in the Class or not, and **you must decide this now.**

If you stay in the Class

1. You will be represented by the Class Representatives named above and the Class Counsel acting on

behalf of the Class. You may also have your own lawyer represent you, but you will have to pay that lawyer.

2. You will receive notice of any ruling that affects the size of the Class and notice of any possible settlement, dismissal of class claims, or any decision or money award by the Court. If the Class gets any money in this lawsuit, you will be later notified about how to get any part of that money that you are entitled to receive.
3. You will be legally bound by any Court judgment or other final decision of this lawsuit, whether that outcome is good or bad.
4. You will lose any right that you might have to sue the Defendants in a separate lawsuit for taking and destroying your personal property from October 17, 2003 to the present.

YOU SHOULD KEEP ALL RECORDS AND PAPERS YOU MAY HAVE THAT RELATE TO THE CITY OF FRESNO AND THE CITY AND CALTRANS EMPLOYEES’ DESTRUCTION OF THE PERSONAL PROPERTY OF HOMELESS PEOPLE.

You can see and copy the papers filed in the Court and all other records of this lawsuit any time during regular office hours in the office of the Clerk at the U.S. District Court, 2500 Tulare Street, Fresno, CA 93721. **Do not call or write the Clerk of the court with questions. Ask all questions to the attorneys for the Class.**

How Do I Stay In The Class?

To stay in the Class, you do not have to do anything now. If you are included in the Class, you will automatically become a class member unless you choose to exclude yourself from the class by November 30, 2007. If you want to be a member of the Class, you should just make sure the Class Counsel lawyers know who you are and how you can be contacted, as described below.

If you ask to be excluded (removed) from the Class

1. You will not be legally bound by the orders and judgments of the Court or the outcome of the class action lawsuit and you will keep any right you may have to sue the Defendants on your own for the same claims that are involved in this lawsuit.
2. You will not get any money that might be paid to Class members if the Class is awarded money in the trial or from any settlement of this lawsuit.

In deciding whether you want to be excluded from the class, you should talk to your own attorney because there are legal issues that require careful thought.

How Do I Take Myself Out Of The Class?

To ask to be excluded from the class, just sign, fill out, and send the “Election To Be Excluded From The Class” form, provided in this Notice, to the address below, that says you want to be excluded from *Kincaid v. The City of Fresno*. The postage to send this form has already been paid. **This form must be received by the Court by November 30, 2007.**

Clerk of the Court
c/o Class Notice Administrator
Kincaid v. City of Fresno Class Action
P.O. Box 133
Menlo Park, CA 94025

Only send this form if you do not want to be in the Class. You, the sender, are responsible for any delay in delivery and non-delivery.

If you are reading this Notice in the newspaper, you can get a formal copy of this Notice and the attached “Election To Be Excluded From The Class” form with pre-paid postage at the St. Benedict Catholic Worker, the Poverello House, Naomi’s House, the Fresno Rescue Mission, and the website www.aclunc.org/kincaid.

WE NEED YOUR MAILING ADDRESS

If you are staying in the class and have a mailing address, **please send a letter with your correct address to the Class Counsel lawyers so that they can keep in touch with you.** You must send your name and correct address to:

Class Notice Administrator
Kincaid v. City of Fresno Class Action
P.O. Box 133
Menlo Park, CA 94025

THIS IS IMPORTANT SO THAT FUTURE NOTICES REACH YOU. If you do not have a mailing address, please provide whatever contact information you can.

HOW CAN YOU GET MORE INFORMATION?

If you have questions or want more details or other documents about this lawsuit and your rights, visit the website www.aclunc.org/kincaid, or write to: Class Notice Administrator, Kincaid v. City of Fresno Class Action, P.O. Box 133, Menlo Park, CA 94025, or send an email to KincaidAdmin@hellerehrman.com.

NOTIFICACIÓN PARA TODAS AQUELLAS PERSONAS INDIGENTES EN LA CIUDAD DE FRESNO, QUE ESTUVIERON O ESTÁN SIN HOGAR DESDE EL 17 DE OCTUBRE DE 2003, Y CUYOS EFECTOS PERSONALES FUERON ILEGALMENTE TOMADOS Y DESTRUIDOS EN UNA BARRIDA, REDADA, O LIMPIEZA POR PARTE DE LA MUNICIPALIDAD DE FRESNO O LOS EMPLEADOS CALTRANS:

Usted podría estar afectado por una demanda judicial en cuanto a si los empleados de la Municipalidad de Fresno o de Caltrans tomaron posesión y destruyeron sus efectos personales.

La demanda judicial se conoce como *Kincaid y otros, versus la Municipalidad de Fresno y otros*, No. 06-CV-1445, y está en el Tribunal de Distrito de Estados Unidos de Fresno. El Tribunal ha decidido que esta demanda judicial debe proceder como una “demanda de acción colectiva” en representación de un grupo de personas (los “Demandantes”), en el cual podría estar incluido usted. Esta notificación tiene que ver con sus derechos y opciones antes de que se inicie el juicio en este caso. Si usted está incluido entre los Demandantes, usted debe decidir si desea permanecer como parte de la demanda de acción colectiva y por ende quedar obligado a los resultados de este caso o, en su defecto, solicitar ser retirado de la demanda colectiva y así retener todos los derechos que usted pudiere tener para demandar por cuenta propia a la Municipalidad de Fresno y a los empleados de Caltrans. **Al momento no existe la disponibilidad de ningún dinero así como tampoco ninguna garantía de que habrá.**

ESTA NOTIFICACIÓN NO REPRESENTA UNA OPINIÓN POR PARTE DEL TRIBUNAL EN CUANTO A QUÉ LADO DE LA DEMANDA JUDICIAL ESTÁ EN LO CORRECTO O NO. ESTA NOTIFICACIÓN ES PARA INFORMARLE SOBRE LA DEMANDA PARA QUE USTED PUEDA DECIDIR SI QUIERE PERMANECER INVOLUCRADO O RETIRARSE (“EXCLUIRSE”) DE ESTA DEMANDA COLECTIVA.

¿QUÉ ES UNA DEMANDA COLECTIVA Y QUIÉNES ESTÁN INVOLUCRADOS?

En una demanda de acción colectiva, ciertas personas conocidas como los “Representantes de la Demanda” (en este caso Pamela Kincaid, Doug Deatherage, Charlene Clay, Cynthia Greene, Joanna Garcia, Randy Johnson, Sandra Thomas, Alphonso Williams, and Jeannine Nelson) entablan una demanda a nombre de otras personas con similares reclamos. Los Representantes de la Demanda y las demás personas con similares reclamos son conocidos como la Parte Demandante, “Integrantes de la Demanda Colectiva” o “Demandantes.” Cualquier resultado que tenga el caso, ya sea positivo o negativo, aplicará a todos los integrantes de la Demanda Colectiva.

La Municipalidad de Fresno y los empleados de Caltrans que fueron enjuiciados (en este caso la Municipalidad de Fresno, el Alcalde Alan Autry, el Jefe de Policía Jerry Dyer, el Capitán de Policía Greg Garner, el Especialista de Policía Reynaud Wallace, el funcionario de Sanidad Comunitaria John Rogers, el funcionario de Sanidad Comunitaria Phillip Weathers, el Director de Caltrans Will Kempton, el funcionario de Caltrans James Province, y el empleado de Caltrans Daryl Glenn) son conocidos como la parte Demandada. El Tribunal (en este caso se trata del Juez Oliver Wanger) será quien decida sobre los asuntos relacionados a la demanda, para todos los involucrados en la Demanda Colectiva.

Pamela Kincaid falleció durante el transcurso de este caso. No obstante, el caso seguirá llamándose *Kincaid y otros, versus la Municipalidad de Fresno y otros*.

¿QUIÉNES ESTÁN EN LA DEMANDA COLECTIVA?, Y, ¿ESTA USTED AFECTADO?

Los Integrantes de la Demanda Colectiva son todas aquellas personas indigentes de la Ciudad de Fresno, que estuvieron o están sin hogar desde el 17 de octubre 2003, Y, cuyos efectos personales fueron ilegalmente tomados y destruidos en una barrida, redada, o limpieza por parte de los empleados de la Municipalidad de Fresno o Caltrans. La Demanda Colectiva involucra a aquellas personas que no son indigentes al momento y que ahora no viven en Fresno, siempre y cuando estas hayan sido indigentes en Fresno en cualquier momento después de octubre 17 de 2003, Y, cuyos efectos personales fueron tomados y destruidos en una barrida, redada, o limpieza por parte de los empleados de la Municipalidad de Fresno o Caltrans. Aquellas personas a quienes los empleados de la Municipalidad de Fresno y Caltrans no les quitaron y destruyeron sus efectos personales NO están incluidas. Aquellas personas cuyos efectos personales fueron tomados y destruidos por los empleados de la Municipalidad de Fresno o Caltrans *antes* de octubre 17 de 2003 NO están incluidas.

Si usted aún no está seguro de ser parte de la Demanda Colectiva usted puede obtener ayuda gratuita escribiendo a los abogados de este caso, a la dirección que aparece en esta notificación.

Si usted es un integrante de la parte Demandante, o si usted considera que podría ser un integrante de los Demandantes, usted debería leer esta notificación porque incidirá sobre sus derechos.

¿CUÁLES SON LOS RECLAMOS QUE SE HAN PLANTEADO EN LA DEMANDA JUDICIAL?

Los Representantes de la Demanda Colectiva entablaron

: Quiénes están afectados?
Todas aquellas personas indigentes de la Ciudad de Fresno, que estuvieron o están sin hogar desde el 17 de octubre 2003, Y, cuyos efectos personales fueron ilegalmente tomados y destruidos en una barrida, redada, o limpieza por parte de la Municipalidad de Fresno o empleados de Caltrans.
: Quiénes no están afectados?
Aquellas personas a quienes los empleados de la Municipalidad de Fresno y Caltrans jamás les quitaron y destruyeron sus efectos personales. Aquellas personas cuyos efectos personales fueron tomados y destruidos por la Municipalidad de Fresno o empleados de Caltrans, pero sólo antes del 17 de octubre de 2003.

Sus dos opciones	Las consecuencias
NO HACER NADA Y SER PARTE DE LA DEMANDA.	Ser parte de esta demanda. Esperar a los resultados. Renunciar a todo derecho de demandar por cuenta propia. Al no hacer nada usted mantiene la posibilidad de recibir algún dinero o beneficios que podrían provenir de esta demanda judicial.
SOLICITAR LE SAQUEN DE LA DEMANDA DE ACCIÓN COLECTIVA o SER “EXCLUIDO” DE LA MENCIONADA DEMANDA JUDICIAL.	Retirarse de esta demanda judicial. No obtendrá ningún dinero ni beneficios de la misma; pero usted retiene sus derechos de demandar por cuenta propia. Si usted solicita ser excluido de de esta Demanda Colectiva, y luego la mencionada Demanda Colectiva es indemnizada con algún dinero, a usted no le tocará nada. No obstante, usted retiene todos los derechos de demandar por separado a la Municipalidad de Fresno, a sus empleados, y a los empleados de Caltrans en cuanto a los mismos reclamos de esta demanda judicial.

una demanda judicial en contra de los Demandados el día 17 de octubre de 2006. Los Demandantes acusan que la Municipalidad de Fresno y los empleados de Caltrans realizaron barridas (o “redadas”) en distintos lugares de la Ciudad de Fresno, con poco o sin ningún aviso previo, y que tomaron y destruyeron los efectos personales de los Demandantes. Los Demandantes piden una orden judicial (una “instrucción permanente”), que prohíba a la Municipalidad de Fresno y a los empleados de Caltrans, tomar y destruir los efectos personales de aquellas personas indigentes a futuro. Los Demandantes también piden que la Municipalidad de Fresno y los empleados de Caltrans paguen por los efectos personales que se llevaron y por los daños morales que causaron.

¿Qué respuesta tienen los Demandados?

Todos los Demandados niegan haber hecho algo malo y además niegan las acusaciones presentadas en la Demanda Judicial de los demandantes.

¿Ha decidido el Tribunal sobre quién está en lo correcto?

No. El 8 de diciembre de 2006, el Tribunal ordenó a la Municipalidad de Fresno que suspenda y deje de tomar y destruir los efectos personales de las personas indigentes hasta que se ventile el proceso judicial en este caso.

El Tribunal no ha emitido una resolución final para decidir si los Demandados, la Municipalidad de Fresno y los empleados de Caltrans, o los Demandantes, están en lo correcto.

Al publicar esta Notificación, el Tribunal no está sugiriendo que los Demandantes ganarán o perderán este caso. Los Demandantes tendrán que demostrar sus acusaciones durante el juicio que se iniciará el día 10 de junio de 2008. Usted no tiene que asistir al juicio para ser parte de la Demanda Colectiva. Los abogados representantes de la Demanda Judicial presentarán el caso a nombre de los Demandantes; y, la Parte Demandada, la Municipalidad de Fresno y los empleados de Caltrans, presentarán su defensa. Usted, junto con su propio abogado, puede asistir por cuenta propia.

¿Hay algún dinero ahora disponible?

No existe ningún dinero disponible al momento ya que el tribunal no ha tomado ninguna decisión en este juicio y, las partes tampoco lo han resuelto. No existe ninguna garantía de que en algún momento se obtendrá algún

dinero. Si los integrantes de la Demanda Colectiva obtienen algún beneficio o dinero como resultado de ganar el juicio o como resultado de algún acuerdo, y usted no solicitó ser excluido de la Demanda Colectiva, usted tendrá derecho a solicitar una parte de ese dinero.

¿QUIÉNES SON LOS ABOGADOS EN ESTE CASO?

El Tribunal decidió que el bufete de abogados Heller Ehrman LLP (de Menlo Park, CA), el Consejo de Abogados por los Derechos Civiles (de San Francisco, CA), y la Unión Estadounidense para las Libertades Civiles (“ACLU”) del Norte de California (San Francisco, CA) sean quienes le representen a usted y a los Integrantes de la Demanda Colectiva. En su conjunto, los abogados de la Demanda Colectiva son conocidos como los “Abogados Representantes de la Demanda Colectiva.” Ellos tienen experiencia en el manejo de casos similares y han venido representando a los Demandantes desde el inicio del caso. Se puede obtener mayor información sobre los Abogados Representantes de la Demanda Colectiva visitando www.hellerehrman.com, www.lccr.com, y www.aclunc.org.

Los Demandados de la Municipalidad de Fresno están representados por el bufete de abogados Betts & Wright. Los empelados de Caltrans están representados por el Grupo Legal del Departamento de Transporte de California.

¿Debería tener mi propio abogado?

Usted no requiere contratar a su propio abogado debido a que los Abogados Representantes de la Demanda Colectiva ya están trabajando para usted. Pero, usted puede contratar a su propio abogado si así lo desea. Usted deberá pagar a ese abogado y pedirle que vaya al Tribunal en su representación.

¿CUÁLES SON SUS OPCIONES COMO INTEGRANTE DE LA DEMANDA COLECTIVA?

Usted tiene la opción de permanecer como parte de la Demanda Colectiva y **usted debe decidir ahora.**

Si usted permanece en la Demanda Colectiva

- Usted será representado por los Representantes de la Demanda Colectiva según se mencionó antes y por los Abogados de la Demanda Colectiva, en representación de los Demandantes. Usted también puede tener su propio abogado para que lo represente, pero usted deberá pagar por ese abogado.
- Usted recibirá las notificaciones respecto a cualquier veredicto que afecte el tamaño de la Demanda Colectiva y de cualquier acuerdo o anulación de los reclamos planteados en la misma, así como de cualquier dictamen o indemnización monetaria ordenada por el Tribunal. Si los integrantes de la Demanda obtienen algún dinero como resultado de esta acción judicial, usted será más adelante notificado sobre cómo recibir la parte del dinero que a usted le correspondería.
- Usted estará legalmente obligado por cualquier sentencia o cualquier fallo definitivo de este juicio, ya sea que el resultado sea bueno o malo.
- Usted perderá cualquier derecho que usted pudiere tener de enjuiciar a los Demandados bajo una demanda judicial aparte, por haber tomado y destruido sus efectos personales a partir del 17 de octubre de 2003 hasta el presente.

USTED DEBE GUARDAR TODOS LOS REGISTROS Y PAPELES QUE USTED PUDIERE TENER EN RELACIÓN A LA MUNICIPALIDAD DE FRESNO Y SOBRE LA CIUDAD Y LOS EMPLEADOS DE CALTRANS EN CUANTO A LA DESTRUCCIÓN CAUSADA POR ESTOS A LA PROPIEDAD DE GENTE INDIGENTE.

Usted puede ver y copiar los documentos y demás registros relacionados a este juicio, los mismos que están inscritos en el Tribunal, en cualquier momento durante horas normales de oficina, en la oficina del Secretario del Tribunal, en el Tribunal del Distrito de E.E.U.U., en la calle Tulare Street no. 2500, Fresno, CA 93721. **No llame o escriba al Secretario de la Corte con preguntas. Haga todas sus preguntas a los abogado de la Demanda Colectiva.**

¿Cómo puedo permanecer en la Demanda Colectiva?

Para permanecer en la Demanda Colectiva usted no tiene que hacer nada por el momento. Si usted está incluido en la Demanda Colectiva, usted automáticamente se convertirá en un integrante de la mencionada Demanda a menos que usted elija ser excluido de la Demanda hasta noviembre 30 de 2007. Si usted desea ser un integrante de la Demanda Colectiva, usted debe asegurarse de que los abogados representantes de la Demanda Colectiva conozcan de usted y sepan cómo contactarse con usted, según se indica abajo.

Continued from page 19

Si usted pide ser excluido (retirado) de la Demanda Colectiva

- 1. Usted no estará legalmente obligado a las órdenes o dictámenes del Tribunal o a los resultados del juicio relacionado a la demanda colectiva, a la vez que mantendrá cualquier derecho para enjuiciar a los Demandados, por su propia cuenta y por los mismos reclamos implicados en este juicio.
- 2. Usted no recibirá ningún dinero que podría ser pagado a los integrantes de la Demanda Colectiva en el caso de que estos sean adjudicados una indemnización monetaria como resultado del juicio o como resultado de un acuerdo en este mismo juicio.

Al decidir si usted desea ser excluido de la Demanda Colectiva, usted debería hablar con su propio abogado ya que existen asuntos legales que requieren de una consideración muy cuidadosa.

¿Cómo me retiro de la Demanda Colectiva?

Para solicitar ser excluido de esta demanda colectiva sólo llene y envíe el formulario “Decisión de Ser Excluido de la Demanda Colectiva,” proporcionado junto con esta

Notificación, a la dirección que se indica abajo, en el que se dice que usted desea ser excluido del juicio *Kincaid versus la Municipalidad de Fresno*. El franqueo para enviar este formulario ya ha sido pagado. Este formulario debe ser recibido por el Tribunal hasta el 30 de noviembre de 2007.

Clerk of the Court
c/o Class Notice Administrator
Kincaid v. City of Fresno Class Action
P.O. Box 133
Menlo Park, CA 94025

Envíe este formulario sólo si no quiere estar en la Demanda Colectiva. Usted, el remitente, es el responsable de cualquier demora en la entrega o no entrega.

Si usted está leyendo esta Notificación en un periódico, usted puede obtener una copia formal de esta Notificación junto con el formulario “Decisión de Ser Excluido de la Demanda Colectiva,” con el franqueo prepagado, en St. Benedict Catholic Worker, en la Poverello House, en la Naomi’s House, en la Fresno Rescue Mission, y en la página web www.aclunc.org/kincaid.

NOSOTROS NECESITAMOS SU DIRECCIÓN

Si usted va a estar involucrado en la demanda colectiva,

por favor envíe una carta junto con su dirección correcta a los abogados Representantes de la Demanda Colectiva con el fin de que estos puedan estar en contacto con usted. Usted debe enviar su nombre y su dirección correcta a:

Class Notice Administrator
Kincaid v. City of Fresno Class Action
P.O. Box 133
Menlo Park, CA 94025

ESTO ES MUY IMPORTANTE PARA QUE NOTIFICACIONES A FUTURO LE PUEDAN LLEGAR A USTED. Si usted no cuenta con una dirección física, por favor facilite cualquier información disponible para poder contactarlo.

¿CÓMO PUEDE USTED OBTENER MAYOR INFORMACIÓN?

Si usted tiene preguntas o desea mayores detalles u otra documentación respecto a esta demanda judicial y sus derechos, visite la siguiente página web: www.aclunc.org/kincaid, o escriba a: Class Notice Administrator, Kincaid v. City of Fresno Class Action, P.O. Box 133, Menlo Park, CA 94025, o envíe un correo electrónico a: KincaidAdmin@hellerehrman.com.

ELECTION TO BE EXCLUDED FROM THE CLASS

The person who signed this form, _____, has read and understands the Notice of Class Action, and hereby chooses to be excluded (removed) from the Class in *Kincaid, et al. v. City of Fresno, et al* (No. 06-CV-1445).

DATED: _____, 2007

NAME: _____

ADDRESS or LOCATION (where you can be found): _____

TELEPHONE NUMBER (if you have one): _____

THIS ELECTION TO BE EXCLUDED MUST BE RECEIVED BY THE COURT ON OR BEFORE NOVEMBER 30, 2007.

DECISIÓN DE SER EXCLUIDO DE LA DEMANDA COLECTIVA

La persona que suscribe este formulario, _____, ha leído y entiende la Notificación de la Demanda Colectiva y, por este medio decide ser excluida (retirada) de la Demanda Colectiva en *Kincaid y otros Versus la Municipalidad de Fresno y otros* (No. 06-CV-1445).

FECHA: _____, 2007

NOMBRE: _____

DIRECCIÓN o UBICACIÓN (donde usted puede ser localizado): _____

NÚMERO DE TELÉFONO (si lo tiene): _____

ESTA DECISIÓN DE SER EXCLUIDO DEBE SER RECIBIDA POR EL TRIBUNAL HASTA EL 30 DE NOVIEMBRE DE 2007



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First Model Home with Universal Design Features

By Jose Luis Barraza

On a bright Saturday in September this year, Granville Homes held a ribbon-cutting ceremony to show off the first model home built in Fresno with universal design features. Nearly sixty community members, including elected officials, attended this event at Green Park Estates on Church Avenue near Fowler Avenue.

Granville Homes, the first private developer in Fresno to take on the challenge of building a home accessible to everyone—young, old, disabled—has brought fresh air into Fresno with this beautiful example of universal design, a housing trend growing nation-wide. The completed house gives home buyers, housing developers, and planners the opportunity to see and assess universal design, marketability, and cost and should encourage other developers to follow. Universal design requires (1) a no-step front entry, (2) 34-inch wide doorways and passageways, (3) one bedroom and one bath downstairs, (4) 42-inch wide hallways, and (5) an 18-inch high kitchen counter top.

These features will make life easier for an entire family. A mother with twin babies in a carriage or wheeled luggage won't have to lift them up to entry steps. The wider hall provides wheelchair access—and makes moving new furniture in easier. A person with permanent or temporary disabilities can enter easily and participate in home activities. A lower kitchen counter means a seated cook or a child can prepare a favorite recipe. This model is friendly to all users.



Jose Luis Barraza, Systems Change Advocate at Center for Independent Living—Fresno, focus on Housing, Transportation and Public Access

On September 8, 2007, those who have been counting on universal design to make houses like this possible were excited by the opening ceremony but nervous as well. They've been part of the partnership making and supporting universal design features in Fresno. Their nervousness came from trying to read the responses from the public and the media, catching the questions as well as the answers!

So what seems to be the hurdle to universal design features? Everyone is concerned about cost, of course,

but perhaps short-sightedness is a big problem, too. The big benefit of universal design homes is their suitability for people at all ages and stages, in both health and frailty.

Home buyers need to grasp some educational facts that may help them take the longer view when investing in a home. Fifteen percent of Fresno's population have a permanent disability. Each year one out of four people in the United States will have a temporary disability. There are 13,000 elderly living in Fresno, and according to AARP, they want to live in their own homes. As of 2006, the first of the baby boomers have turned 65 years old. (The baby boomers are the largest part of the United States population according to the U. S. Census, and by 2016 they will be a majority.)

In 2003, more than 13,700 people 65 and older died from injuries related to falls; about 1.8 million people 65 and older were treated in emergency departments for non-fatal injuries from fall, with about 460,000 of these patients hospitalized (CDC 2005).

In the next twenty-five years more than 50,000 homes will be built in Fresno, where more people are aging or disabled, soldiers are coming home maimed, and land is scarce. This means smaller lots and higher density homes. Parents will find their children spending more time inside instead of outside the home, with more after school studies, technological systems (such as computers, Nintendo's, play stations, cell phones) keeping them occupied. It seems common sense that universal design features should be part of the smart growth concepts being considered as part of Fresno's housing development.

If you are a home buyer, an investor, or just plain curious about universal design, I recommend that you take the time to visit the Green Park Estates on Church Avenue just north of Sunnyside Avenue.

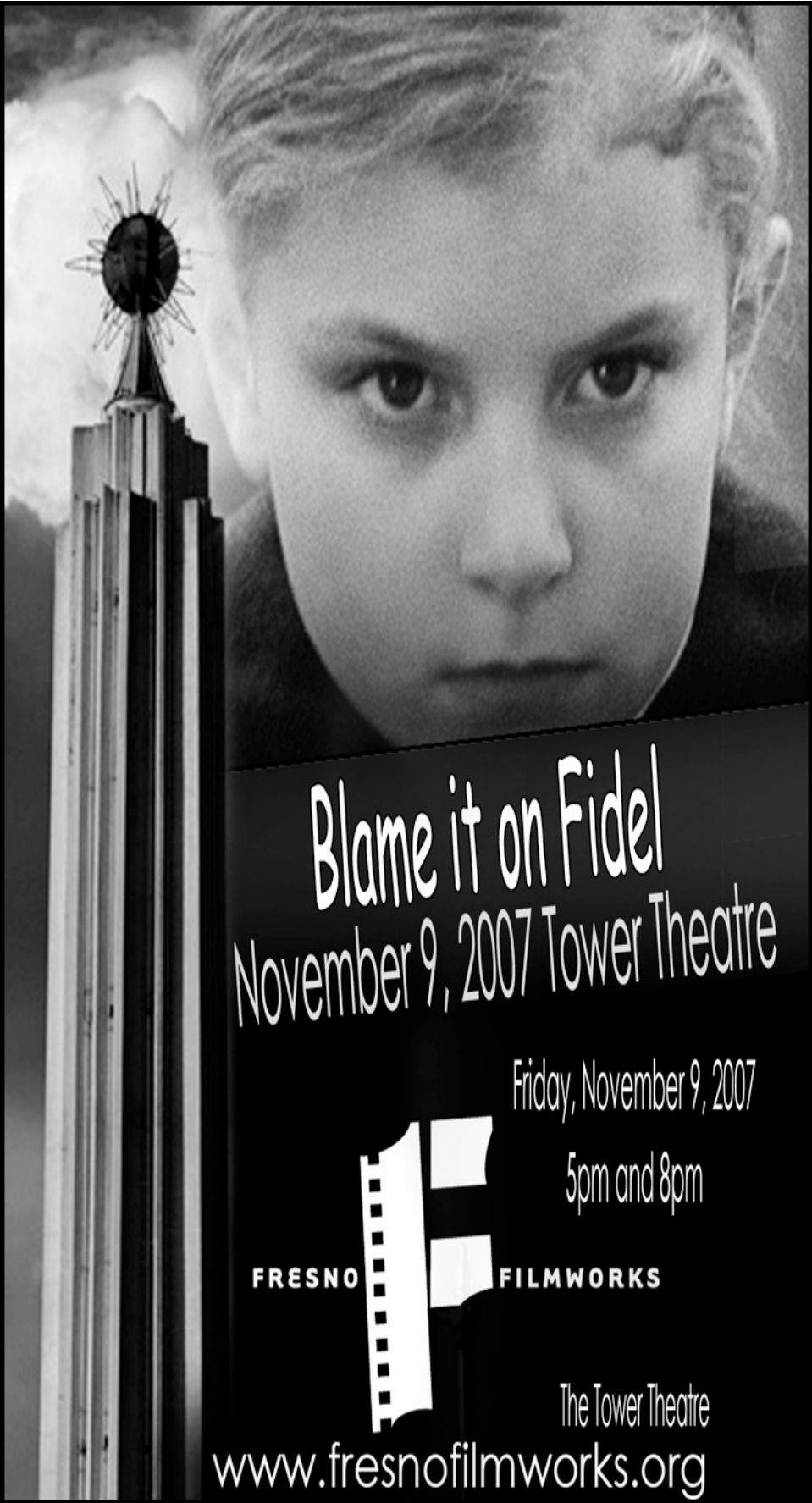
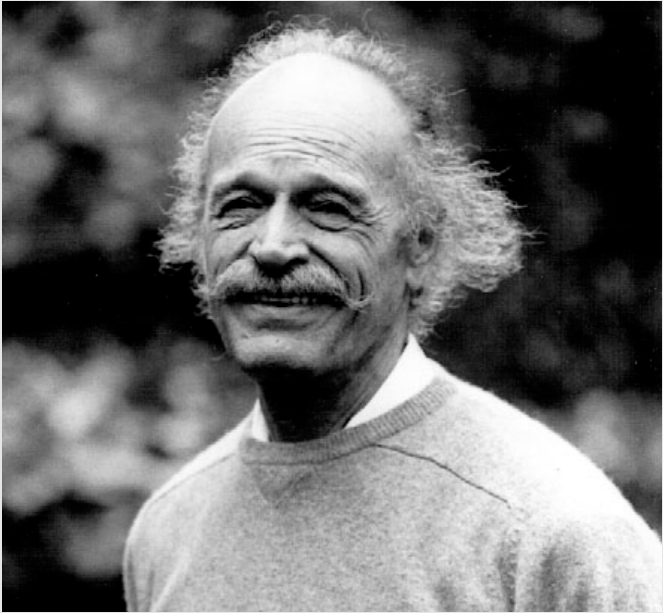
Berry Levon Nishkian

Berry Nishkian passed away on September 21, 2007, at home in the company of his family and friends.

Berry was born in San Francisco on October 22, 1945. He grew up with his parents and siblings Levon and Bonnie in a house built by their grandfather. Berry was proud to have emerged from the kitchens of the CCSF Culinary Program to become an accomplished pastry chef, spending some years stoking the fires at the Bohemian Grove.

Berry's friends say that he made and jarred some of the best damn mustard they've ever tasted. But Berry was an endlessly creative artist, not only in the kitchen, but also as a sculptor working in his favorite media of wood and ice. Berry's work as a photographer and as a member of a team of sculptors participating at Ice Alaska's World Ice Art Championships can be seen at The Silicon Valley Art Museums' online exhibition gallery. Berry's love of all things automotive led him to experiment with, build and become an enthusiastic advocate for the electric car. Berry was honored with a 2007 Way of Peace Award by the Fresno Center for Nonviolence for his long-term peace activism. Berry's most beloved accomplishment, however, was the love he shared with the many good friends he made along the way.

Berry is survived by his wife Fran, his daughter Emily and son Miles, his stepdaughters Jennifer and Johanna, his stepsons Barton, Laurence and Nathan, and his grandson Hayden. Donations to KFCF 88.1 FM or The Fresno Center for Nonviolence are suggested in lieu of flowers.



OPINION & ANALYSIS FROM THE GRASSROOTS

Cheer for Fresno

By Ruth Gadebusch



With so much trouble swirling around us on this planet, it is easy to forget that there is also much for which to be thankful. This month of November is a good time to pause, as the Pilgrims did, to celebrate the good while continuing to seek solutions to the bad.

When the Fresno Philharmonic opened its new season recently with the customary

Star Spangled Banner, the usual emotional thrill instilled by that anthem arose in me allowing for a bit of pride instead of thoughts of war. Despite all that is occurring these days to make us question conditions of nation, we are still able to enjoy a wonderful, classy orchestra with musicians coming from all over the state to perform. For others preferring a different kind of music there are groups ranging from those in our schools, the night clubs of all sorts, up to the productions at the Save Mart Center with its capacity for thousands.

Nor do we lack for sports. That same Save Mart Center is arguably the centerpiece for indoor sports but we also have Selland Arena and the various school gyms. For outdoor sports Chukchansi Park leads the parade as the newest, but CSUF has its own large stadium for football. Numerous high schools lay claim to very good stadiums including Veterans Memorial Stadium, recently renamed from Buchanan. Amidst all the turmoil regarding women's sports CSUF managed to build a creditable women's softball stadium. For tennis one would probably find the best courts in the private clubs but others are available at our schools and parks.

Statistics show Fresno to be short on parks for its population. Nevertheless we proudly show off Woodward with its land donated by a civic minded family. Its rolling hills, its picnic areas, its amphitheater, its duck ponds, its now turning leaves, and, of course, its Japanese Garden are all a wonderful addition. The much older Roeding Park appears to be gaining new life with the renovation of Rotary Playland and Storyland. The zoo is destined to become even better with the tax passed by the voters a year or so ago. The old Harpain Dairy land is now a privately funded sports area. These are just a sampling but, all in all, we can be proud. We even have one of the first parks developed for the handicapped, including blind children.

We may be the largest city in the nation without an interstate highway but we have three large national parks nearby. Our airport sports a beautifully designed addition to its terminal. The only fly in the ointment here is the horrible rates foisted on us by the airlines.

Valley Public Television and Valley Public Radio flourish bringing us programs not otherwise available from the various commercial stations. The long established Fresno Arts Center has companions such as Artes Americas with its new adjacent plaza and the Fresno Metropolitan Museum, currently undergoing a massive renovation. There are exciting art galleries, private and co-op, on both ends of downtown, not to forget the public art at the Convention Center, Courthouse Park and the Fulton Mall. We have Kearney Mansion and the Meux House, this latter right in the heart of downtown. There are numerous theatre venues and other entertainment ranging from the Town Hall series to the gambling meccas.

The institution still known to most of us as Valley Children's Hospital sits right across the county line serving us. The consolidation of the old county hospital and the Community Hospital system forms an excellent medical facility. On the north end of the city, Saint Agnes Hospital has a new addition with other departments spilling over into the surrounding area offering almost any kind of medical service needed. All this is augmented by countless other medical specialists and facilities. Few need look elsewhere for care.

The Fresno Unified School District, and surrounding districts, have opened several new schools this year while continuing to struggle to keep older facilities up to date. The State Center Community College system

has a new satellite north of Clovis along with offering courses in other convenient locations. CSUF now offers doctorate degrees in education while its latest physical addition is a large solar installation.

We have wonderful dedicated people restoring and protecting our river and planting trees in the city, while others work to preserve our heritage of Old Armenian Town, the Eaton Plaza and its Water Tower, the Veterans Memorial Auditorium and stirring up excitement in Chinatown. Redevelopment recently had its billion dollar tour to show off the new buildings, including housing, it was instrumental in bringing to downtown. It is not waiting for some savior to come in with grandiose plans. Though there are those who would tear out our Fulton Mall, we still have it. It may not be as innovative and pristine as it was when built in the sixties but it remains pretty special and has the potential to be more so.

This is only a birds-eye view of a few of the great things about Fresno which sometimes seems to be the best kept secret in the state. Even our own citizens don't appreciate it sufficiently. Of course we have problems, but there are exciting possibilities for solutions — and I don't mean boxes for the homeless, or continued expansion North, or county islands within the city! Matters such as these can be addressed at another time.

In the meantime let us enjoy and appreciate the wonderful opportunities that await us for continued progress toward becoming the community that we need to be. With spirit and perseverance we can do it!

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Ruth Gadebusch is a former naval officer, 13 years as a Fresno Unified School District Trustee, Vice-President of the Center for Civic Education, Community Activist.

A Winter of Dissent for Clean Air

By Alvin Valeriano

Early in December, air quality regulators will start the public process that will determine how soon the Valley's air will be cleaned of a very deadly pollutant known as PM2.5. This is a crucial time for clean air advocacy. PM2.5 is responsible for many premature deaths, respiratory illnesses, and absences from work and school. There are many peer-reviewed studies that attest to this fact.

Readers of the Community Alliance must act decisively to let it be known that delays, weak regulations, and other excuses are no longer acceptable, when it comes down to this pollutant. **In June's state hearing to approve the 2007 Ozone Plan, regulators witnessed the strongest and loudest showing of discontent from Valley residents during a demonstration, which included a good number of LCA readers. As a result, the state air board instructed staff to look further for more reductions of pollutants.** Along with other advocacy efforts, the demonstration forced the state air board staff to successfully find more pollutant reductions. It's an incremental step to cleaner air, a testament to the effectiveness of grassroots democracy. Let's do it again, and louder!

What is PM2.5?

These are microscopic particles about 1/30th the size of human hair, which are formed mostly in late fall, winter, and early spring. PM stands for particulate matter and the number, 2.5, denotes its size limit of 2.5 microns or millionth of a meter and smaller. These are so small that it can pass through the filtering mechanisms of the nose and the body's air passages on its way to the lungs, where it can further penetrate through minute blood vessel openings.

What health effects make it so lethal?

The huge body of scientific evidence describes three different pathways for the effects of fine particles on

the human body, namely: (1) Direct pulmonary effects, (2) Systemic effects secondary to lung injury, and (3) Effects on the heart. These in turn lead to: (1) Low birth weight/preterm birth, (2) Increase in asthma and other respiratory disease in children, (3) Decrease in lung development in children and lung function in all ages, (4) Cardiovascular disease including atherosclerosis in adults, (5) Work and school absences, (6) Respiratory-related hospital admissions and emergency room visits, (7) Chronic bronchitis, (8) Cancer, and (9) Premature death.

How are the effects quantified?

The 2006 study by Hall, Brajer, and Lurmann contains data that can be presented as a range of effects from exposure to Valley air from 2002 to 2004. The most telling statistic is the number of premature deaths: from 460 to 880 every year, which translates to economic costs from \$3 to 5.9 billion per year. Consider that 747 die every year from motor vehicle accidents in the Valley, therefore 460 premature deaths is equivalent to 62% of traffic fatalities.

What about unquantifiable effects?

Some harmful effects obviously don't have price tags, such as: an asthmatic child who cannot play outdoors on bad air days; the loss of beautiful vistas; polluted streams and lakes, making them unable to support significant fish and amphibian populations; or that lingering smell of wood smoke from fireplaces during your morning stroll.

What can concerned Valley residents do?

It would help greatly if people show up at the first workshop in early December for the upcoming PM2.5 Plan. As the District staff make their presentation, key in on the following points: (1) The federal deadline for cleaning up PM2.5 pollution is 2010, and if the District states that extensions are necessary, ask them for justifications and (2) State standards are more stringent and health protective, and ask what is being done to reach these standards.

After the workshop, talk with environmental advocates and let them know that they can count on your support in the future. This simple gesture will mean a lot and sustain their ongoing efforts to bring clean, healthy air for all Valley residents.

For information about the upcoming PM2.5 Planning workshop, call: San Joaquin Valley Air Pollution Control District (ask to be sent a notification or to be included on their email list) 559-230 6000.

Central Valley Air Quality Coalition (let them know you're planning to attend the workshop) 559-486 3279.

Support Independent Alternative Media

By Stanley Poss

Two of our most distinguished broadcast journalists Amy Goodman and Bill Moyers recently spoke about the threats to diversity and tolerance posed by the increasing consolidation of media by a few giant corporations, such as Clear Channel radio and Rupert Murdoch's News Corporation. Why worry? Because the bedrock democratic principles of diversity and tolerance, enemies of closed-mindedness and its kissing cousin fanaticism, are threatened by the homogenization and standardization corporations mandate.

Amy Goodman spoke of the possibility of applying to the Federal Communications Commission for licenses for powerful nonprofit noncommercial stations. We ought to think about a nation full of such stations claiming their share of the public airwaves. What an amazing change this would bring about in the same old same old broadcast world!

Uncensored news stories and commentaries and wonderful hellraising muckraking would serve as IEDs to punch holes in our standardized broadcast media, as in Fresno. With one or possibly two exceptions Fresno's 85 AM and FM stations offer "talk radio" (24/7 right wing stuff),"Christian" radio, sports, pop, or foreign language programming. Except for KFCF (88) and to a

lesser degree KVPR (89) alternative views of politics, culture, news, war, and the rest hardly exist.

To learn more about how to give your community an uncensored local voice check out www.getradio.org.

Amy Goodman would like more full-power FM non-commercial stations rather than a handful. So would Bill Moyers. But his recent PBS program spoke about supplementing them with low power FM stations and the vital role they can play. When Katrina struck, WQRZ on the Mississippi coast, a tiny station operated by one dedicated guy, kept information coming though 90% of the other stations of Hancock County were off the air.

Bryce Phillips had built a 30 foot antenna before Katrina and stayed on the job (though he lost his house) because FEMA had distributed small FM radios. This unrecognized hero undoubtedly saved lives.

Conversely when Michael Powell chaired the FCC the (Republican) majority was sympathetic to big media's desire to eliminate small stations. The media scholar Robert McChesney spoke of Clear Channel's success in taking over 1200 stations. The corporation fired most of the local staffs and pumped in syndicated programs. How long would a Bryce Phillips last at such a station? How could you depend on a Clear Channel station to give you the straight scoop on what was happening in your county or town? You couldn't.

A cloud of chlorine from a rail accident threatened a small Northwest town. The town authorities tried to get the word out on local radio to warn people but no one was home at the station. You won't be surprised to hear the local station was one of the 1200 Clear Channel had gobbled up. As the chlorine approached the station continued to send out canned bromidic music. Don't worry, folks, be happy!

The 800 low power stations are the Mom n' Pop diners of radio. They're faithful to the original 1934 document setting out the guiding principles of media broadcasting that sound quaint now, that is, radio must "serve the public interest." Can this be said of many stations?

Michael J. Copps, an FCC commissioner, wants to see teeth put into the original guiding principles of the 1934 document because excessive consolidation has blanded and made safe and harmless most of our media offerings. We get infotainment, glamor, glitz, scandal, sports, weather, and auto wrecks, unless a mine caves in or a flood wipes out a city. Do we want to get behind or under surfaces at all? Do we want pretty faces anchoring news or do we want investigative journalism unafraid to speak truth to power?

Maybe we don't. Maybe the corporations have got us figured out. Maybe T. S. Eliot was right when he said that humankind can't bear much reality.

Bear it, Fresno! Be brave! Be radical! Support independent nonprofit media that's willing to go where others fear to.

The Old Lefty's Devil's Dictionary

By Andy Hart

1. Asymmetrical warfare: What Republican Congresspersons are doing to Pres. Bush because of what Bush is doing to Iraq and America's youth.
2. Blessing in disguise: Global warming. When conservatives on the US coasts have to row to work, maybe they'll do something about greenhouse gases.
3. Burning Bush: What Jane Fonda, and a lot of the rest of us, would love to do to W.
4. Civil suit: The \$5,000 custom tailored rigs that Bush and Cheney put on when they want to impersonate homo sapiens.
5. Conservative—Type A: A rich person who values money more than people. Type B: A working not-rich masochist who likes Republicans. Type C: A liberal who just sold out and is working for Donald Trump.
6. Executive privilege: Dick Cheney's constitutionally guaranteed right to sell the Statue of Liberty to Halliburton for \$1.95.
7. Free enterprise— Conservative definition: The constitutionally guaranteed right of auto companies to sell cars with exploding gas tanks. Liberal definition: Government subsidized chablis and bris parties. Progressive definition: Full public access to Dick Cheney's psychotropic drug purchase records.
8. Liberal— Type A: Someone who voted for Bill Clinton in spite of his poor taste in mistresses. Type B: A conservative whose mother died of a disease stem cell research could have helped cure.
9. Old age: The time of life when you realize there's so few years left, so many reactionary thugs to criticize.
10. Progressive: Someone who voted for Bill Clinton even though he wasn't progressive enough.
11. Terrorism: What George Bush is subsidizing with the Bush in Baghdad School for Insurgents.
12. Triskaidekaphobia: The completely rational fear that somewhere in Maryland is a secret lab with twelve full-grown Dick Cheney clones.
- 13: The Goodyear Blimp: Rush Limbaugh with new tires on his car.

From the Greenhouse

by Franz Weinschenk

In February of 2005, 141 nations ratified the Kyoto Protocol. Each country that signed said it would do its best to reduce its own greenhouse gas emissions by 7% of 1990 levels by the year 2012. They're all going to try. Most can and will do so. It would be embarrassing not to.

To Mayor Greg Nichols of Seattle it was even more embarrassing that the US, supposedly the leader of the free world, by refusing to sign Kyoto, in effect told 141 nations to buzz off. And this after the scientific community—folks like NASA's Goddard Institute and the National Oceanic and Atmospheric Administration—had provided overwhelming evidence that, gradually to be sure, the globe is in fact warming. For example, they told us that ten of the hottest years on record have happened in the last 14—that the once abundant snow

and ice in places like the North and South Poles, the Himalayas, Mt. Kilimanjaro, the Andes, the Rockies, the Alps, and even our own Sierra are melting at an alarming rate, and that man is at least partly responsible.

Well, since it became abundantly clear that the Bush administration wasn't going to do anything about climate change from the top down, Mayor Nichols figured he would try to work from the bottom up. So, in 2005 he started the "US Mayors Climate Protection Agreement," a group of U.S. cities who, on a voluntary basis, would pledge themselves to do their own "Kyoto thing."

The results of his efforts are pretty amazing. In two and a half years, over 600 American cities (including Fresno), from both red, blue, and checkered neighborhoods have joined. They represent more than 67 million Americans, all come together to try to reduce their own city's greenhouse gases by cutting back on the use of fossil fuels and increasing the use of renewable energy sources like wind, solar, bio-mass, hydro and geothermal. Why? Because the process of burning fossil fuels releases carbon dioxide which, though in and of itself not toxic, acts like a giant insulation blanket around the earth, not allowing the globe's heat to radiate out into space like in the old days before the industrial revolution.

So how are Mayor Nichols's cities doing? Here's a partial progress report:

New York, Minneapolis, and Salt Lake City have all replaced incandescent lights in buildings and at street intersections with compact fluorescents and LED's (light emitting diodes). These use 80 percent less energy and last six to ten times longer. When less energy is used, fewer greenhouse gases are emitted. Meanwhile, these and other cities are saving big bucks every year.

Energy efficiency is huge. Austin, Texas, makes sure that all new buildings adhere to EPA's "Energy Star" standards. Walls, ceilings, ducts, windows, attics, all need to be properly insulated; only efficient appliances are allowed. By 2015, Austin wants to make all new homes "zero energy capable." This means they will draw 65% less energy than homes built today. Homeowners can supply the remaining 35% by installing solar panels on the roof. And speaking of solar panels—News-Flash! A neighbor of ours, Lemoore, just announced that it will be giving \$1,000 + grants to homeowners who install solar panels.

Many cities are converting their vehicle fleets to hybrids and alternative fuels like ethanol, compressed natural gas, or biodiesel. San Francisco will soon be using recaptured fat, oil and grease from restaurants to fuel its garbage trucks. Ever since a guy in Boston followed a taxi around in a hybrid for one day and used only 3.5 gallons of gas while the taxi used 10.2, Boston is promoting hybrid taxis. And then there's Salt Lake City where you get to park your hybrid without having to pay the meter!

Since trees suck up CO 2, cities like Chicago, Denton Texas, and Miami, have extensive tree planting projects under way. Chicago even promotes "green roofs," i.e., plots of grass on roofs that absorb water, help to cool the city in summer and keep it warm in winter.

Anchorage, Alaska, extracts methane from landfills and sewer farms which is uses to generate electricity.

And what about Fresno? The good news is that we covered the Municipal Service Center with solar panels. Both Fresno State and Phoenix University have installed solar-paneled, power producing parking areas. Another solar project is planned at the airport. The not so good news is that in a recent book "How Green Is Your City?" by Warren Karlenzig, Fresno is rated 33rd out of 50 American cities. That's not exactly and F, but it sure ain't an A either.

Who knows? Maybe it would help if the Mayor would show up in the office once in a while.

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Franz Weinschenk has been a teacher and school administrator in Fresno for over fifty years. He can be contacted by email at franzie@scccd.org

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PEACE AND SOCIAL JUSTICE CALENDAR OF EVENTS

Thursday, November 1 • No-host Bar at 6:30 PM, Dinner served at 7:00 PM, Program begins 7:30 PM
Women’s Equality Day Dinner, “Spotlighting Medical Leaders” will be held at Pardini’s at 2257 W. Shaw Ave., Fresno, CA 93711. Featured Honorees: Dr. Helen Jones, Dr. Michael Moffett, Dr. Gayle Newell, viki Wilson, R.N.

Friday, November 2 • 4:30 - 6:30 PM
First Friday peace demonstration/vigil on the corner of Blackstone and Shaw. Join Peace Fresno and encourage drivers to call Congress to stop the war in Iraq and the next war, too.

Friday, November 2 • 5:15 PM
Cineculture present the film Bowling for Columbine (2002) Directed by Michael Moore. 120 min. Rated R for some violent images and language. In this Oscar-winning documentary, Moore’s discussions with various people, including South Park co-creator Matt Stone, the National Rifle Association’s then-president Charlton Heston, and musician Marilyn Manson, he seeks to explain why the Columbine massacre occurred and why the United States has a higher number of violent crimes, especially crimes involving guns. The film looks into the nature of violence in the United States, focusing on guns as a symbol of both American freedom and its self-destruction. Post-screening discussant: Joe Parks (CSUF Professor, Kremen School of Education)

This film will be shown at McLane 121 on the CSUF campus. For a map of the campus, see: <http://mercator.isis.csufresno.edu/campusfac/viewer.htm?Title=Facility%20L>. Parking is relaxed on Fridays after 4PM. Use parking lot D or E.

Cineculture continues to be a film series provided as a service to the Fresno State campus students, faculty, and staff at no charge. However, anyone interested in taking Cineculture for academic credit for the Fall semester, please sign up through Continuing and Global Education: tel. 278-0333. For further information about Cineculture contact Dr. Denise Blum (advisor) dblum@csufresno.edu

Friday, November 2 • 6:30 - 8:30 PM
The Reedley Peace Center presents the documentary: BLACK GOLD: Wake Up and Smell the Coffee. After oil, coffee is the most actively traded commodity in the world. For every \$3 cup of coffee, a coffee farmer receives only 3¢. Most of the money goes to the middlemen. This documentary follows the attempt to secure a living wage for Ethiopian coffee farmers. It shows how ordinary citizens can influence trade and human rights — voting with their dollars for a more equitable relationship between the global north and south.

Light potluck at 6:30. Program begins at 7 pm. This event is sponsored by the Reedley Peace Center and will be held at the Fellowship Hall of First Mennonite Church, on ‘L’ street between 12th and 13th streets in Reedley. Admission is free. Contact Don Friesen by email at dfriesen0@gmail.com

Friday, November 2 • 7:30 PM
“Welcome Home Concert,” Holly Near & Max Bennett Parker, Unitarian Universalist Church of Fresno, 2672 East Alluvial. Tickets are \$20 in advance and \$25 at the door. Advance tickets are available at The Movies on Van Ness, Patrick’s Music, and National Hardware. For more information call Stephen Mintz at 559 360-9515.

Saturday, November 3 • 7:30 PM
Gigante Despierta! (Giant Awake!) will be shown by the Peace and Justice Committee of College Community Congregational Church. “The Giant Awakens: In 2006, a historic mobilization for immigrant rights swept the USA as millions took the streets. Mainstream news media predictably covered the marches with a mix of surprise, racism and ignorance, yet grassroots media activists were also there to document the voices and the stories behind this mass movement”. Join us for the free movie, discussion and refreshments. The movie will be shown in the church social hall at 5550 N. Fresno Street, Fresno CA. For more information about the movie go to www.gigantedespierta.org. For information about the event call the church office 435-2690.

Tuesday, November 6 • 6 PM
National Women’s Political Caucus meeting at Toledo’s, 367 E. Shaw (Shaw and Fresno St.). Dinner is \$15. Speaker: Alice Powell, NWPC Member, Advisory Board Member for Channel 18 (KVPT) University of Washington graduate, Former program director for the Seattle YMCA.

Served as Dean of Women at CSU, Fresno after completing her Masters degree. Former director of counseling for special education pupils at a private school. Also was the Associate Director of the Re-entry Program at CSU, Fresno. Later, was the district office administrator for then Assemblyman Bruce Bronzan. Prior to retirement did private consulting in nonprofit board development and management. Volunteer, former local board president, former state board president, Planned Parenthood. Recently completed 10 years on the San Joaquin Valley Town Hall board. Served on the Fresno County Grand Jury, 2 years (once as foreman pro-tem, once as foreman).

Wednesday, November 7 • 6 PM
Sierra Club Green-Pink Event: “Sex and the Environment.” The fate of the world is in your hands... and your pants. Interactive Presentation at Fresno State. Everyone welcome, free pizza and vegan food provided in AG (Agricultural Building) 109. An event to generate awareness and mobilize action for interconnected issues of access to reproductive health services and environmental protection.

Topics to include: global health and environmental challenges that face our world today, including population growth, poverty and global warming. Most importantly, they will provide students with ways to take action by uniting movements, joining local efforts for reproductive health and rights and the environment, and fighting to change U.S. policies that affect young people around the world!

Sponsors: The Women’s Studies Program at CSU Fresno, and Planned Parenthood Mar Monte. For more information, go to www.sierraclub.org/population, for event details, go to <http://www.sierraclub.org/population/tour.asp> or contact Ronni at (559) 488-4908 x319, or email ronni.ortega@ppmarmonte.org or fresnopa@ppmarmonte.org.

Thursday, November 8 • 6 PM
Celebrating Native American Heritage - the NAISA Scholarship Dinner, featuring Keynote Speaker John Trudell. Trudell is an American Indian Actor, Artist, Musician and former political activist. There will also be performances by contemporary Indian musicians Lance Canales & Ben Cline with traditional drumming and songs by the “Painted Rock Singers of the Tule River Rez.”

Reserved seating encouraged. Tickets \$20. This event will be held at the Cafeteria at Fresno City College. For more information contact: Tawanish Wyatt, NAISA president at wyatt.78@att.net

Friday, November 9 • 1 PM
No War on Iran - demonstration that will start at the corner of Cedar and Shaw avenue and then march to the University Peace garden for a short speech. Dr. Kazem Alamdari from UCLA has been invited and will speak at this event. For more information contact parvinmalek@yahoo.com

Friday, November 9 • 5PM and 8PM
Fresno Filmworks presents “Blame It on Fidel” at the Tower Theatre. Set amidst the radical activism sweeping France in the early 1970s, this charming comedy of manners from Julie Gavras (daughter of famed Greek director Costa Gavras) tells its story of political change from the perspective of its nine-year old protagonist. In French, with English subtitles. Tickets can be purchased at the Tower Theatre Box Office, 815 E. Olive Ave., WineStyles in Fig Garden Village, and at the door, for \$10; \$8, for students and seniors. Tickets can also be purchased online through PayPal at www.fresnofilmworks.org. For more information call the FFW info line, 221-0755, or go to www.fresnofilmworks.org.

Friday, November 9 • 6:30 - 8:30 PM
The Reedley Peace Center presents Speaker: Steve Ratzlaff will speak about his forthcoming book Seven Steps to End the War and Save the Planet.

Light potluck at 6:30. Program begins at 7 pm. This event is sponsored by the Reedley Peace Center and will be held at the Fellowship Hall of First Mennonite Church, on ‘L’ street between 12th and 13th streets in Reedley. Admission is free. Contact Don Friesen by email at dfriesen0@gmail.com

Saturday, November 10 • 9 AM - 4 PM
Uncaging the Valley - Central Valley Prison Conference. This event will be held at the Edison High School gym. For info 559-916-4370 or 559-266-5901; pmpvalle@sbcglobal.net. Sponsored by Prison Moratorium Project.

Saturday, November 10
Luna Fest (2007). (will be held in CSUF Satellite Student Union). LUNAFEST is a national film festival that showcases a diverse selection of short films by, for and about women. The films range from documentaries to animated shorts to dance narratives and cover topics such as women’s health, body image, sexuality, spirituality, sports, relationships, cultural diversity, breaking barriers and the environment. LUNAFEST was created to raise awareness about women’s issues, highlight women filmmakers, bring women together in their communities and raise money for the Breast Cancer Fund (<http://www.breastcancerfund.org>).

Saturday, November 10
Central California Democratic Convention, Victory 2008 - Making the Difference. This all day event will be held at the Fresno County Plaza Building, 2220 Tulare Street. All registered Democrats are invited. All Democratic candidates are invited. Organization tables and vendors are invited. Basic individual pre-registration will be \$30 and \$10 for students (late registration will be \$10 more). Lunch and dinner will be available as optional extras. Organization booths are \$60 for non-profits and \$120 for commercial.




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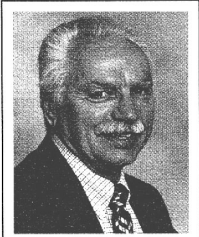
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PEACE AND SOCIAL JUSTICE CALENDAR OF EVENTS

25 COMMUNITY ALLIANCE NOVEMBER 2007

The focus will be on organization development workshops to facilitate precinct operations for voter registration and "Get Out the Vote" in 2008. Hosted by the Fresno County Democratic Central Committee. Co-sponsored by the Tulare and Kings County Democratic Central Committees. For more information call (559) 292-4905, or email jayhubbell@comcast.net. Also see www.fcdcc.org

Saturday, November 10 • 7:30 PM

The Fresno Folklore Society presents Liz Carroll and John Doyle at the Fresno Art Museum's Bonner Auditorium. "There is no better tandem Irish traditional music today." - The Wall Street Journal. "A magnificent balance of virtuosity, drive, and finesse, is firmly upheld. Carroll's bowing and Doyle's picking represent a kind of soloing in sync, each supporting and inspiring the other without a whiff of self-indulgence..." - www.lizcarroll.com. Tickets available online at www.fresnofolkconcerts.com or at National Hardware, Patrick's Music, or the Museum Gift Shoppe. For more information call 559-431-3653

Monday November 12 • 7 PM

Dahr Jamail tells the Iraq story you won't hear on FOX, CNN or the Networks. See page 4 & 5 for more information about Dahr Jamail and event details.

Tuesday, November 13 • 8 - 10 PM

Fresno Coalition for Arts, Science & History next General Meeting. County Supervisor Susan Anderson will speak on Government's Role in Growing a Thriving Cultural Sector and Tree Fresno is doing the Member Profile. Location: Arte Americas at Calaveras and Van Ness. For more information contact Cynthia Cooper at (559) 286-8282 <http://www.fcash.org>

Wednesday, November 14 • 12 Noon and 6:30 PM

Video Presentation – "Electile [sic] Dysfunction" – 58 minute investigative documentary by Penny Little explores the story behind the scenes of the November, 2004 Presidential election, showing a complicated and technical subject in lively montage style, interviews interlaced with dark humor, short animations and musical interludes.

Is democracy dead? Did the electronic machines count your vote? The chances of the exit polls being wrong were 180 million to one against in 2004. How could this happen? Why are the machines so easily hackable? Why the long lines? Do our votes count?

Featured: Greg Palast, Danny Schecter, the Rev. Jesse Jackson, Victor Navasky. William Rivers Pitt, David Dill, the Congressional Representative John Conyers and his Team, celebrities, journalists, civil rights organizations, voting rights watchdogs, international poll watchers, election officials and everyday voters. Evening: Potluck at 6:30, movie @ 7 PM, discussion after evening showing only.

At the Fresno Center for Nonviolence, 1584 N, Van Ness.

Wednesday, November 14 • 12:30 PM

Celebrating Native American Heritage at FCC. Michael Black Bull will discuss The Real Story of Thanksgiving at the Student Lounge at Fresno City College.

Thursday, November 15

Deadline for articles and calendar items to the December, 2007 Community Alliance newspaper. Send information to AllianceEditor@Comcast.net

Thursday, November 15 • 12 Noon - 1 PM

Women in Black vigil for peace at CSUF in the Free Speech area on the speakers platform.

Thursday, November 15, 2007 • Open 6:30 Video 7:00 Discussion 8:00

Progressive Thursday presents "The Other Side of AIDS" at Round Table Pizza, 5763 N. First Street, Fresno, CA [SW corner of First and Bullard]. This event is hosted by the Fresno County Green Party and is free, wheelchair accessible and open to anyone interested in progressive topics. Contact: Larry Mullen 559 227-0293

www.fresnogreens.org

Thursday, November 15 • 7 PM

Women, Education, and the Law Lecture Series presents Professor Erin Buzuvis, Western New England College School of Law. From University of Iowa's Pink Locker Room to the Fresno State Verdict: Title IX as Cultural Resistance. This event will be held at the CSUF Peters Educational Center Auditorium in the new Student Recreational Center at Shaw and Woodrow Avenue Sponsored by the Women's Studies Program at California State University, Fresno.

Reception prior to the lecture for Professor Buzuvis at 5:00pm in the Vintage Room, University Center Building at California State University, Fresno. Donation for reception \$25.00 (checks payable to CSUF Foundation send to address below)

Professor Erin Buzuvis joined the faculty at Western New England College School of Law in 2006. After graduating from Cornell Law School in 2001, she practiced environmental and land use law at Goodwin Procter LLP in Boston. She then clerked for the Honorable Thomas L. Ambro of the Third Circuit Court of Appeals. Professor Buzuvis has published articles about Title IX and college athletics. Her most recent research centered on cultural understandings of Title IX and sports is forthcoming in the William and Mary Journal of Women and Law. She has been a featured commentator on Justice Talking and Democracy Now.

Women's Studies Program, CSUF (559) 278-2858, Fax (559) 278-5230 2225 East San Ramon M/S MF 19 email: womensstudiesprogram@csufresno.edu Fresno, California 93740-8029

Friday, November 16 • 5:15 PM

Cineculture present the film Invisible Children (2003) Directed by Laren Poole and Jason Russell. 60 min. English and Arabic, w/English subtitles. Not rated. Three college students from Southern California went to Uganda in search of a film-worthy adventure. Instead, they found a story that permanently changed their lives. In Northern Uganda, they encountered the thousands of children fleeing the brutality of the Lord's Resistance Army (LRA). They experienced first-hand the fear and pain that enslaves the Acholi people - fear of abduction, death, mutilation, rape and permanent separation from their families. This documentary tells the invisible children's story through interviews with Ugandan politicians, social workers, adults and the children themselves. Over the past 19 years, it is estimated that the LRA has abducted 20,000 children. In response, they started a non-profit organization called Invisible Children. Please check out their website at www.invisiblechildren.com for more information.

This film will be shown at McLane 121 on the CSUF campus. Parking is relaxed on Fridays after 4PM. Use parking lot D or E. For further information about Cineculture contact Dr. Denise Blum (advisor) dblum@csufresno.edu

Saturday, November 17 • 8 AM

Environmental justice and community groups and activists are coming to Kings County the weekend of November 17-18th for the statewide California Communities Against Toxics conference. The conference will be held at the school in Kettleman City, starting with a continental breakfast on Saturday November 17th at 8 a.m. – and it is free (including food!)

This will be a great opportunity to highlight the Kings County issues, in Hanford, Avenal and Kettleman, as well as similar issues across the state. The conference will have workshops, strategy sessions, skills building for local activists, a protest at the Chem Waste toxic dump, and a big dinner and celebration on the Saturday night. Sunday morning there will be more workshops and a plenary session on how communities around the state can support each other.

Saturday, November 17 • 10 AM - 1 PM

The Uprooting Racism Project and the Central Valley Cultural Heritage Institute present the Film *Mirrors of Privilege: Making Whiteness Visible* at the Fresno State University Student Union Room 309 (Registration at 9:45)

Film and discussion followed by light refreshments. Please bring something to share if you can.

Mirrors of Privilege: Making Whiteness Visible is a brilliant documentary and a must-see for all people who are interested in justice, spiritual growth and community making. It features the experiences of white women and men who have worked to gain insight into what it means to challenge notions of racism and white supremacy in the United States. You can learn more about the film at www.world-trust.org.

"Mirrors of Privilege is a moving call, long-overdue, coming from the heart of white people working to restore their own humanity. Undoing the false teachings of racial supremacy, which are all-pervasive and quite subtle, requires a lifetime of work." - Van Jones, Executive Director, Ella Baker Center for Human Rights, Oakland, CA

For RSVP or More Information Contact: Vickie Fouts at UprootingRacism@sti.net or (559) 658-8260. This Event is Free and Open to All - Free Parking.

The Uprooting Racism Project grew out of a book discussion using Uprooting Racism: How White People Can Work for Racial Justice sponsored by the Women's International League for Peace and Freedom (WILPF) and facilitated by Fresno State's National Coalition Building Institute in 2006. We are now a project of California State University Fresno's Central Valley Cultural Heritage Institute. Our mission is to UPROOT RACISM on a personal, institutional and systemic level in the Fresno area.

Sunday, November 18 • 3 PM

The Thanksgiving Festival of Choirs sponsored by Fresno Metro Ministry will be held at the Hope Lutheran Church at the NW corner of Fresno and Barstow. The goal of the event is to bring together many of the cultural and religious traditions represented in our community for this special musical event. For more information call 485-1416 or email michael@fresnometmin.org

Friday, November 30 • 5:15 PM

Cineculture present the film Thirst (2004) Directed by Deborah Kaufman and Alan Snitow. 63 min. Not rated. "By showing how activists in Stockton (CA), Cochabamba and India are all (to paraphrase a slogan coined by environmentalists) thinking globally but acting locally, Snitow and Kaufman give us a provocative look at the current and coming water wars. It is a war, with people on both sides determined to do what's necessary." San Francisco Chronicle

As revealed in "Thirst," the world is poised on the brink of epochal changes in how water is stored, used, and valued. Will these changes provide clean water to the billions of people who need it? Or save the child who dies every eight seconds from contaminated water? Examining water conflicts on three continents, "Thirst" shows that popular opposition to the privatization of water sparks remarkable coalitions that cross partisan lines. When it comes to water, many people demand local control and fear the arrival of multinational corporations with large lobbying budgets and little local loyalty.

Post-screening discussant: Lloyd Carter (Director, Revive the San Joaquin)

This film will be shown at McLane 121 on the CSUF campus. Parking is relaxed on Fridays after 4PM. Use parking lot D or E. For further information about Cineculture contact Dr. Denise Blum (advisor) dblum@csufresno.edu

Saturday, December 1 • 10 AM - 4 PM

The Women's International League for Peace and Freedom HOLIDAY CRAFTS FAIRE will be held at the First Congregational Church, 2131 N Van Ness.

Jacob M. Weisberg Attorney at Law

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Professor Erin Buzuvis
Western New England College
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November 15, 7:00pm
Peters Educational Center Auditorium
in the new Student Recreational Center
at Shaw and Woodrow Avenue

Reception prior to the lecture for Professor Buzuvis
November 15, 5:00pm
Vintage Room, University Center Building
at California State University, Fresno
Donation for reception \$25.00
(checks payable to CSUF Foundation send to address below)

Professor Erin Buzuvis joined the faculty at Western New England College School of Law in 2006. After graduating from Cornell Law School in 2001, she practiced environmental and land use law at Goodwin Procter LLP in Boston. She then clerked for the Honorable Thomas L. Ambro of the Third Circuit Court of Appeals. Professor Buzuvis has published articles about Title IX and college athletics. Her most recent research centered on cultural understandings of Title IX and sports is forthcoming in the *William and Mary Journal of Women and Law*. She has been a featured commentator on *Justice Talking* and *Democracy Now*.

Women's Studies Program, CSUF
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Central California Democratic Convention Victory 2008 Making the Difference

Saturday, November 10, 2007

Fresno, California

Fresno County Plaza Bldg., 2220 Tulare Street 93741

This will be a full day event. All registered Democrats are invited. All of the Democratic Presidential candidates are invited. All Democratic candidates are invited. Organization tables and vendors are invited. Basic individual pre-registration will be \$30 and \$10 for students (late registration will be \$10 more). Lunch and dinner will be available as optional extras.

The focus will be on organization development to facilitate precinct operations for voter registration and "Get Out the Vote" in 2008 as well as the State of the Central Valley, the State, and the Union.

Hosted by

The Fresno County Democratic Central Committee
Co-sponsored by **the Kings, Tulare, Kern, Madera County Democratic Central Committees**

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Public Access TV Comes to Fresno - But Only if YOU Act Now

By Mike Rhodes

You and I have a rare opportunity to alter the media landscape in Fresno and Clovis. If you are tired of the options corporate America gives you on your television, it is time to stop complaining and to do something about it. In the next month or two a decision will be made that will affect local TV for decades to come.

Here is what is at stake. Fresno and Clovis city council members will decide whether or not to take the money that is available from our local cable provider to fund Public, Education, and Government (PEG) access channels. The money, over \$500,000 a year, is there for the asking. The funding is a part of a state franchise agreement which will be accepted by most other communities in California that have cable. But, neither Fresno or Clovis have passed the necessary ordinance to accept the funds. Time is running out.

If Fresno and Clovis elected officials are encouraged by enough residents (that would be YOU) to accept the funding, here is what will happen. A Community Media Center (CMC) will be established that will serve as the hub for producing and broadcasting locally originated programming. The CMC will have a studio, cameras, digital editing equipment, and a staff that can provide training. All of this will be provided to the community by Comcast as a part of the franchise agreement.

There will be new channels on the Comcast cable network - one for the Public access channel, one for Education, and one for Government.

The Public channel will provide programming produced by, nonprofit organizations, community groups and individuals. A program on the public channel could be about tenant rights produced by Central California Legal Services, or it could be a cultural presentation of Hmong dancers. An individual could produce a show about local politics, a local church could cablecast a worship service, or Amy Goodman's Democracy Now! could be broadcast on public-access TV. In short, locally produced, independent, and alternative video will have a home on the cable network.

The Education channels would be used primarily by the schools for education and distance-learning purposes. If you tune in to channel 96 you will see the beginning of the local education/government channel. Channel 96 is the forerunner to PEG. In an agreement reached a couple of years ago between Comcast, the schools, and the City of Fresno, it was agreed to set up this channel. Right now, you can see coverage of Fresno Unified School Board meetings, electronic field trips, University of California programming (UCTV), the NASA Channel, the Annenberg channel, and the entire Fresno City Council session each Tuesday. It is expected that more local education and government programming will be on this channel soon.

The Government channel will broadcast city council meetings, board of supervisors meetings, planning commission meetings, and more. The government channels will be the community's window into what is happening in government. There will likely be permanent video cameras in government spaces, which will be turned on when public meetings are taking place. Interviews with elected officials and city-sponsored events will be available on this channel.

The Community Media Access Collaborative (CMAC) was set up by a broad coalition of community, education, and government representatives to oversee the CMC and PEG access channels. Randy Reed is the chairperson of CMAC. Reed expects the City of Fresno and Clovis to recognize CMAC as the group that will oversee the PEG access channels and CMC.



Randy Reed is the chairperson of Community Media Access Collaborative. Reed said that now is the time for the City of Fresno and Clovis to pass an ordinance that will bring Public, Education, and Government access channels to Fresno.

CMAC will coordinate programming on the PEG channels and run the CMC, which is expected to be located at California State University - Fresno. The plan is to build the facility in the Kremen School of Education. Comcast is in the process of linking CSUF with the fiber optic connection so programming can originate from that location. The connectivity with CSUF was agreed to in the Fresno County/Comcast franchise agreement.

The community was updated on the current situation at the October 18, 2007 CMAC annual meeting. Reed explained that the reason cable providers like Comcast enter into a franchise agreement is because they are using public right of ways. In order to deliver their services "they need to deliver that content over cables that are

laid in the ground and on aerial polls on property that belongs to you and me." In order to use these public right of ways, the cable provider enters a contract that provides the public with, among other things, funding for PEG access channels and a CMC.

Traditionally, franchise agreements were negotiated between cable providers and local government entities like the City of Fresno and the City of Clovis, but last year the State of California passed legislation which changed all that. After January 1, 2008 all new agreements will be standardized and fall under the state franchise. Under the state franchise agreement all local government entities are given 5% of the cable company's gross revenues and can take 1% for PEG access & running a CMC. Reed said "Cities used to be able to negotiate for more compensation and a broader array of compensation items, but the state law now says you can only negotiate for these things."



Sue Buske spoke at the annual Community Media Access Collaborative meeting on October 18, 2007. Buske is the consultant for the City of Fresno and Clovis and has been working hard to bring Public, Education, and Government channels to this area.

Fresno and Clovis have been renewing their old franchise agreements on a month to month basis for several years now. The current agreements do not include PEG funding. If Fresno and Clovis do not negotiate a new franchise agreement before January 1, 2008, the state franchise will be in effect. However, the City Council's of Fresno and Clovis must pass an ordinance in support of accepting the 1% funding for the PEG access channels. If they don't, the cable provider will not provide the funding needed to make this happen.

Sue Buske also spoke at the CMAC annual meeting. She is the consultant for the City of Fresno and Clovis who has been working on the local franchise agreement with Comcast for several years. Sue is the president

of the Buske Group and a nationally known expert on cable franchise agreements. Buske said "all across the country there are thousands of communities, who have in some cases had access channels for over 30 years, and they have had funding coming to support the community's use of the electronic media to do the business of the community. Not just to do the business of business, but to do the business of the church or the community organizations or the library or the school or the neighborhood association or the League of

Women Voters to do a candidate night debate. That is what some people started to see, long before this franchise renewal process ever started here. They saw this happening in other places, they were active with organizations and causes in their community, and they are basically saying - 'here in Fresno, we want to have that too. Here in Clovis, we want to use the electronic media to look at ourselves, to explore our issues. Not to have someone from New York, Manhattan, LA or San Francisco telling us about us, but to have the mirror on our community.' That is what the concept of Public, Education, and Government access channels is all about."

Buske also talked about what Fresno and Clovis must do in order to establish PEG access channels. Buske said "in order for a city to take advantage of the rights they do have under state law... you have to pass a DIVCA (Digital Infrastructure and Video Competition Act) ordinance. This is an ordinance that simply codifies the city's rights under the new law." This ordinance needs to be passed before January 1, 2008 to guarantee funding for PEG access channels.

If you believe that free speech should be for everyone and not just for those who own a television station, you need to act now. Let your elected officials know that you want them to pass the DIVCA ordinance that will guarantee PEG access channels and a CMC. While you have their attention, also let them know that CMAC is the organization that should be designated to oversee the PEG access channels.

Contact your elected officials and tell them you want Public, Education, and Government (PEG) channels. Tell them you want a Community Media Center (CMC) and tell them you want the Community Media Access Collaborative to oversee PEG & the CMC.

City of Fresno

Alan Autry
Mayor
2600 Fresno Street
Fresno, CA 93721
Phone: (559) 621-8000 • Fax: (559) 621-7990
E-Mail: Mayor@fresno.gov

To contact any of the Council Members, please call (559) 621-8000

Blong Xiong
Acting Council President
Councilmember District 1
district1@fresno.gov • FAX (559) 268-1043

Brian Calhoun
Council Member District 2
district2@fresno.gov • FAX (559) 621-7892

Cynthia Sterling
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district3@fresno.gov

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Council Member District 4
district4@fresno.gov • FAX (559) 621-7848

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Henry T Perea
Council President
Council Member District 7
district7@fresno.gov • FAX (559) 498-2541

Andy Souza
City Manager
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Mayor Pro Tem Harry Armstrong
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Kathy Millison, City Manager
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Group shot of some of the participants at the October 18, 2007 Community Media Access Collaborative annual meeting. Photo by Howard Watkins.