

## **An Oral History of Senator Richard Polanco**

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**Interviewer: Dan Morain (DM)**

**Subject: Richard Polanco (RP)**

### **Section II**

#### **A Seat at the Table**

Once established in the Legislature, Polanco sets out to get more Latinos to follow his footsteps.

**Dan Morain:** A long time. Yeah. So one of the other issues that I know you got involved in early was gun control. And we didn't talk about this so much when you were talking about growing up in Maravilla, but I've read that some of your neighbors didn't make it out, that they were shot. So you talk about that a little bit and then how that plays out when you become a legislator.

**Richard Polanco:** Growing up, where I grew up, a tough neighborhood. Gangs were prevalent. I had a couple of friends who I went to elementary school, played football in the street, played baseball, yada yada, who became very much involved in the gang world and didn't get to see their 17th birthday, the Figueroa family, Ronnie and Bobby. I saw the impact that it left to the family and friends. A couple of years later, the Yannis family who lived on the same block, Angel, left on his doorstep, stabbed to death; his brother, shot with a shotgun. There was a time when unincorporated East LA had more murders than any city in LA County in one year. It left the parents, the brothers and sisters, and friends. Those were painful. From a personal perspective, personal point of view or experience, I should say. My younger brother was walking out the front door and lucky, was it .22 that went through his leg. And he was a youngster. He was not involved in gangs.

**DM:** Was the shot intended for anybody or was it just, was it random? What was it? Or do you know?

**RP:** I'd rather not know.

**DM:** Ah, yeah.

**RP:** And so this was too common, to the point where the mothers who had sons who had died through gang violence from all these different neighborhoods came together. And on Fridays and weekends, they would basically walk neighborhoods to be the barriers and to let them know that they wanted it to stop. It reached the point where the guys from Arizona couldn't go to school. So the mothers went to Our Lady of Soledad Church and asked, I forget the father, but Brother Modesto, who was there to assist them in having a classroom, so that they can get educated. And as a result of that, Soledad Enrichment education program was developed. It's a state, it was back then in the '90s, the first charter school in LA County, of which I authored. It dealt with high risk, not at risk. High risk, court-referred, on probation.

**RP:** And it offered two courses. One, to get your credits back up and return to your high school or graduate; very successful program. But for the mothers, Rita and the Figueroas and the Yannises and the Lopezzes, had they not come together and then assist and maintain, they became like an advisory group too. SEA, Soledad Enrichment program that provides probably at the height, almost 3000 students, in different non-traditional settings, because you had to go to where they are at. And so the traditional requirements of school requirements are different. And in addition to the school operate, education component, wraparound services. And so community schools became a reality with SEA. Today, you have that whole concept of community schooling.

**DM:** So, one of the issues that you got behind was gun control. I know that one of the candidates you recruited, Louis Caldera, was chair of a subcommittee that came up with a bunch of bills, one of which you, well, all of which you got behind. But one in particular that you authored when you were on the Senate side had to do with Saturday Night Specials. Why don't you talk about that and why that mattered to you and what is a Saturday Night Special?

**RP:** Saturday Night Specials were these cheap guns that were being manufactured and exported all over the country that were showing up in robberies, in shootings. And...

**DM:** When you say all over, they were 80% of the crime guns according to the ATF, Alcohol Tobacco and Firearms.

**RP:** Yeah, they were everywhere and...

**DM:** And they were manufactured...

**RP:** Manufactured in Orange County.

**DM:** And LA.

**RP:** And LA, the Ring of Fire as they refer to them. And I remember going out to a protest, there was this, a husband and wife dentists who I believe were very active back then and came to the office and engaged me in a protest. And that protest was out in Orange County with students who, in this cul-de-sac, laid themselves out to portray the number of deaths or deaths that had been occurring. And so, the bill basically began... I attempted like twice under Pete Wilson, who vetoed two bills on the issue of gun control.

**DM:** On the issue of, well tell us... What did you seek to do with Saturday Night Specials?

**RP:** Get them off. Get them off the street.

**DM:** You wanted to ban them.

**RP:** I wanted to ban... I think we were successful in banning them because if they failed a drop test, you would then not be able to manufacture them.

**DM:** And when you say a drop test, you hold a gun at a certain level, and if you drop it and it fires, it fails the drop test?

**RP:** Yes, yes and so, that standard was already in play.

**DM:** How did you come up with the notion of a drop test of all things?

**RP:** Well, it became a product safety issue. And the minute you look at it as a product safety issue, then you go to, okay, what are the standards... Because we had product safety issues for children's seats and rattlers, and all sorts of other standards. So it was like, he kept... The veto messages from Governor Wilson, you gotta narrow it. No, I mean, he just kept giving me excuses and it was like peeling the onion. Finally, a new governor comes... [laughter]

**DM:** Gray Davis.

**RP:** Gray Davis, and by then you have independent labs certifying rather than self-certification. It's narrow, it needs to meet the test and we're able to get law enforcement now behind it. There was some talk that at times... Or the governor's argument was that you're going to make this gun unavailable to women for safety and others who are looking for safety.

**DM:** And also poor people.

**RP:** And poor people. Yeah. But who cares about the safety? So what if they blow up in your hand?

**DM:** Well, the argument on the part of opponents of this bill was that this was taking guns out of the hands of poor people.

**RP:** Well, I would not... I would say, it was good taking them out of the hands of poor people, rich people, medium class people, but certainly banning them from being manufactured so that they don't even get into the market. And that to me was the critical part.

**DM:** And so this... So Governor Davis signs that bill in, I think 1999, his first year in office. And these Ring of Fire manufacturers close up and they move out of state. Now, no doubt, they employed a certain number of people, blue collar workers, I guess. What'd you think when they declared bankruptcy, closed up?

**RP:** Well, they saw it coming. They had opportune time to do an exit strategy. There are available resources that they could have tapped into if they chose to. The consequence of continuing this operation of illegal... The fact that they closed speaks volumes to it, that they did not really care about human tragedy. And so I'm glad, I'm very fortunate that we got a new governor and that he saw that this was narrowly focused.

**DM:** So all these... So none of this you do on your own. You do this in part because you get elected in 1986, there aren't that many Latinos in the legislature at the time. You said about...

You set about changing this. And you become, as they say, the architect of Latino Caucus. So walk us through how this begins, how this happens.

**RP:** So I come to realize that, if you win the primary in a Democratic seat, you're coming. It's over. Now, back then you had primaries... Republicans get to support theirs, right? And then the two run. And so realizing that, I saw it from this point of view. Two things happened in 1986. One, Ronald Reagan signed IRCA.

**DM:** IRCA, Indian...

**RP:** No, I'm sorry, not IRCA... Immigration Reform.

**DM:** Oh, Immigration...

**RP:** Yes.

**DM:** Okay.

**RP:** Yes.

**DM:** Alright.

**RP:** Immigration Reform. And in that body of law, if you are here for five years and do not become a public charge, you will be eligible to begin the naturalization process. 1996, I'm also elected to office and my...

**DM:** '86.

**RP:** '86, excuse me. In '86. And I'm visited, either the following year, in '87 or '88 by... He was the chief of staff to Ed Roybal, Congressman Edward Roybal, patron, professor at USC. And he lays out and crystallized the opportunity, that in five years this population can become naturalized. Okay?

**DM:** And these folks are almost all Latinos.

**RP:** 80%, I will say, back then. So knowing that we have that in play... I'm realizing I have that in play, I know that we need to get them to become naturalized. So what do we do? We end up funding through the Department of Community Services.

**DM:** California Department of Community...

**RP:** California. Dollars that go to community-based agencies who have a history already of providing naturalization services to the unions who have a history, to the churches. And so that process begins to occur. Now, the ability... Or I should say the quality of the candidates that I was able to recruit in that first round were phenomenal folks, Martha Escutia...

**DM:** Georgetown Law School graduate.

**RP:** USC undergrad, travelled three buses to get to school, grew up in East LA, Our Lady of Lourdes. Speaks three languages, plays the piano. Had a conversation with her at a restaurant, gave her 48 hours to think about it. She came back and she said, "I'm in, but I have a question, Richard." "What's that, Martha?" "What if I lose?" I look at her. We're at Barragan's Restaurant...

**DM:** Over on Sunset.

**RP:** Yes. "Martha, you're worried about getting a fucking job with the credentials you have, [laughter] if you lose?" She goes, "Oh, okay. Okay. I'm in. I'm in." And so she was... Now, I had met her through an introduction by Nancy Peña, who happens to be my sister-in-law. Louis Caldera. Louis Caldera had ran for Whittier Community College and lost. His pedigree was phenomenal. Harvard JD, Harvard MBA, West Point grad, single mom, grew up in Boyle Heights. But couldn't get any volunteers.

[laughter]

We did a great stealth campaign. They were five and what we did is, Gloria had her candidate, who had deep roots in the community, and she was the Executive Director to the Pico-Union Neighborhood Program. And we just surrounded the house and their entire precinct with Louis Caldera signs. And we did some incredible mail, him and his grandmother with... graduating from West Point. It was like... Then there was Grace Napolitano Grace she had already been council member, so she already was, and she was in the race, but she had a mail on the dock. She needed postage money. And I get the call and she needs about 50 grand. And remember back then, the rules were different. Back then you could transfer, you disclose, you can transfer. Now it's all so complicated. Unless you're rich, you can give yourself a loan and pay it back with interest, which is a lot of bullshit.

So Grace runs, she gets elected. Joe Baca, this is his third attempt. And we go out and we walk and we raise money for him and he gets elected. And so the one race that I did not support and did not support because Sally Tanner, if you remember, decided to retire due to health issues. And Willie Brown convenes a meeting in his office with her and a couple of other members. I'm invited, and she is pitching that Ed Chavez, her district director, be the individual that we support. My gut tells me Eddie is too mellow and is not hungry enough. Hilda was hungry.

**DM:** This is Hilda Solis.

**RP:** Hilda Solis. So Hilda runs. Beats Eddie, and then...

**DM:** And she was a Molina-supported candidate.

**RP:** Yes, yes. Then there was... I think what we did that year, I remember going to Willie, and I said, "Hey, Willie, I'm going to play in the primaries. Here's my assessment." Right? Because we all got assessed. Here's my assessment. Because I realized...

**DM:** Oh, your assessment, you have to...

**RP:** As a part of the leadership...

**DM:** Give an amount to the Democratic party.

**RP:** There you go. Yeah.

**DM:** Yeah, Yeah.

**RP:** So you meet that obligation. And these are good people. And so...

**DM:** And they're going to vote for the speaker.

**RP:** I've never leveraged that. I've never said that to any of the candidates. My conversation with Willie was, "Hey, Willie, these are good people. When they get here, I strongly believe they'll support your leadership. But I want you to know I'm not doing that for any other reason than we can win." And they're Democrats. And so that night, I'm getting calls as the results are coming in from Willie Brown, David, myself, and Bill. We're in the car. And...

**DM:** Bill Maibe, David Lizárraga.

**1:16:01.2 RP:** Yeah. Right. And Willie's calling, "Hey, Polanco, looks like so-and-so's coming." "Yeah, man, it looks like." Right. So boom. Then we go to another, "Hey Polanco, boom!" He must have called me at least three times. And so we were, that kind of just changed almost overnight, the presence of... Latino communities' presence in Sacramento.

**DM:** So you have to thank in part, Ronald Reagan for signing...

**RP:** Oh yeah.

**DM:** Immigration.

**RP:** Oh yeah.

**DM:** Reform.

**RP:** Absolutely.

**DM:** Which helped increase the number of voters. You had the population, you just didn't have voters.

**RP:** Exactly. And so what we ended up doing as a caucus, we created a manual on how to become naturalized. And we would go to community colleges. I travel up and down the state.

**DM:** And you tried to get Pete Wilson to put money in the budget for this.

**RP:** I tried to get Pete Wilson, I got the bill to his desk. He vetoed these centers that would allow, that would be funded to do naturalization, basically. Yeah.

**DM:** And yet, you got money into the budget.

**RP:** Yes.

**DM:** How did this happen?

**RP:** I think there was, I think...

**DM:** Because these were tough budget times.

**RP:** They were, they were. But...

**DM:** This was a recession at the start of the '90s.

**RP:** Yeah. Yeah. I think we, and you know, we had to have had some Republican support. Because remember back then, I think it was still two-thirds vote. And...

**DM:** Absolutely.

**RP:** And so, it'd be interesting if... We had to have worked it out with the administration. I know we did. And we leveraged it with the federal dollars as well. So that was, there was federal money, so that could have sweetened the pot.

**DM:** Yeah. Okay. Well, so Clinton was president. He probably would've supported that.

**RP:** Nah. Clinton screwed us. Remember? Well, he took away the services to immigrants, who were legal immigrants and Cruz ended up carrying a bill.

**DM:** Cruz Bustamante.

**RP:** Cruz Bustamante, the Speaker at the time, ends up carrying a bill to ensure that those legal immigrants did not lose those services that they had been entitled to at the federal level.

**DM:** Okay. So walk us through how Clinton screwed California [1:18:43.6] \_\_\_\_\_.

**RP:** So during the height of this whole immigration stuff, he had welfare reform, if I'm not mistaken. And in that bill, he had language that negatively impacted legal immigrants, seniors. So it was not... I mean, we got it from both, right?

**DM:** Yeah. Interesting. Well, so anyway, so you did, this is 1992, right? This is when Caldera is elected. Martha Escutia is elected.

**RP:** Reapportionment lines have taken place.

**DM:** Right. And were you involved in helping to draw the lines in LA?

**RP:** Not in that one, I believe. I was involved in, let's see. When did Denise (Ducheny) ... No, Denise, when she ran for the Senate is when I got to...

**DM:** Denise Ducheny.

**RP:** Ducheny. Yes.

**DM:** Okay.

**RP:** So, the other thing that we did as a Caucus is we did subscribe to the notion that if you're Latino, you can only run and win in a Latino seat.

**DM:** Right. So, I don't believe, well, I don't know what Cruz Bustamante's district would be today, but when he won election, was it viewed as a Latino seat? And you recruited, you helped recruit him. Right?

**RP:** Here's the story with Cruz. It's kind of like Sally. Bruce Bronzan, chair of Health, decides to step down due to the proposition term limits at the time, I believe. So Willie calls the meeting and this is a meeting that has Phil Isenberg, myself, Bronzan, (Jim) Costa, and he brings...

**DM:** Jim Costa.

**RP:** Jim, yes. Congressman. And then Jackie Speier, Gwen Moore, Marguerite Archie Hudson, powerful women, right?

**DM:** Mm-hmm.

**RP:** And the purpose of the meeting is Cruz had been given the caucus endorsement, and the women felt that they could... Women felt that a woman could win, and they were squeezing Willie. And, and Willie wanted to... He did acquiesce to the squeeze, in the sense that, he said, "Okay, here's what we're going to do. We're going to bring both the candidates in and the caucus will interview them, and we'll go from there." So they both come in, she comes in first, she test... Gives her testimony...

**DM:** And she was, do you remember her name?

**RP:** I forget her name.

**DM:** I don't remember her name.

**RP:** I forget her name. She was, anyways, anti-choice, pro-life, conservative, yada, yada, yada.



And I walk out of Caucus and I go to Cruz and I say, “Cruz, you’re pro-choice, your next thing you say is you’re pro-choice, the next thing you say you’re pro-choice.” And so they had failed to do some due diligence on her. And that’s how Cruz kept the endorsement.

**DM:** So, Cruz Bustamante goes on to become speaker and then lieutenant governor. So that’s a pretty big deal. And made a play to become governor, that didn’t work out so well. And then Martha Escutia came, as I understood it, one vote shy of becoming President Pro Tem. So not...

**RP:** On Martha?

**DM:** Yeah.

**RP:** It was not a good move by John Burton, what he did.

**DM:** Yeah.

**RP:** So, historically, historically, the vote for President Pro Tem is voice in caucus. For the very first time, Johnny decides to do by ballot, secret ballot. And Martha’s going in, I think with like sufficient votes. And because of that process, she got double-crossed.

**DM:** Do you know who double-crossed her?

**RP:** There’s speculation and a couple of names always pop up. But it’s all speculation. I couldn’t tell you.

**DM:** Well, so not all the people who you supported voted for... I mean, the Latino Caucus did not vote in lockstep at all. Your...

**RP:** Couldn’t.

**DM:** Your bill to ban Saturday Night Specials, Ducheny and Joe Baca voted against it.

**RP:** Well, they did. And were very strong... They were strongly supported by the NRA. And that NRA support years later is what defeats Joe Baca from becoming or continuing his presence in Congress.

**DM:** Right.

**RP:** So you’re right, you’re right.

**DM:** Well, the politics change, but the Latino Caucus was part of the change in gun control and the politics of gun control in California, I think.

**RP:** Yes, we were. We were. I was there when Mike Roos had the ban on the assault weapons. I remember that. And so...

**DM:** So this was 1989, after the massacre at Stockton, in Stockton, the Cleveland Elementary School. Mike Roos, assemblyman from LA, carried legislation, he and Senator Roberti, that George Deukmejian signed. And you were an aye vote on that...

**RP:** Yep.

**DM:** And so this was the nation's first ban on assault weapons.

**RP:** Right. And then Dianne, I think, did something in...

**DM:** Dianne Feinstein.

**RP:** Feinstein, Senator Feinstein did something in in Washington. And then that expired. That had a sunset. Yeah.

**DM:** Sunset. Yeah. So anyway, so back to recruiting...

**RP:** So we were going to Liz Figueroa.

**DM:** She was in Fremont.

**RP:** In Fremont, that was Lockyer country and Johan Klehs' country. They had said to her, "We're not supporting you. We have another candidate." I forget who that might have been. I met with her. At all the Democratic conventions, she was present, connected. She was a businesswoman in the rehab of workers, very successful business. I felt that we could put together a support team for her. And lo and behold we were right. She broke the glass ceiling, being the first Sarah Lorena coming from Fremont. Deborah Ortiz is the other.

**DM:** Sacramento.

**RP:** Sacramento. Phil Angelides and all the power structure in Sacramento were against her from the time she ran for City Council to Assembly, to the Senate. And I remember when she ran for City Council, she was my chief of staff, and she came one day and I could see she was upset. She began to cry and she was sharing with me what she was going through. And I looked at her and I said, "Look, you do two things," which is what I tell all the candidates. "You walk and you raise money. If you're not raising money, you're walking. Nothing else matters because all things being equal, people are going to remember the person that came to the house and asked, because that shows you care about them."

And she blew everybody out of the water. She made a believer of many. She was a classic. After Cruz left, you had Reyes, I think she was the first Latina to be successful in the Central Valley area. I guess it's not just about... It wasn't just about having numbers. It was more about being able to make a difference, having a strategic plan for policy. When we were in the height of this anti-immigration stuff, we did a 13-point plan from the caucus on how to deal with the immigration issue, even though it was a federal issue.

Well, yeah. I mean, let's talk about 187. So this is 1994. It's a very bad year for Democrats nationally. Gingrich takes over Congress. In California, the Republicans gain a 41 to 39 seat advantage in the assembly. First time in a very long time that Republicans have won. Pete Wilson's won re-election. Prop 187 has passed. You obviously were opposed to that.

**RP:** Oh, absolutely.

**DM:** And talk about that time and talk about what the impact was on you as a person, but also on California politics.

**RP:** Let me start with what the initiative attempted to do. If you were a teacher, you were required to report if you suspected the child to be undocumented. If you were a doctor, a nurse, the same. It was a horrible attack on the most vulnerable. And why? When you're 23 points behind in the polls and Kathleen Brown is ahead, shame on those who use those kind of wedge issues to gain...

**DM:** So Pete Wilson was behind?

**RP:** Totally.

**DM:** Totally behind.

**RP:** Totally behind it. Totally. And it wasn't by accident. Remember, Richard Mountjoy was trying to amend bills in the assembly before it even became an initiative. And we were there tabling, making sure it didn't happen. Then this accountant in Orange County teams up with the regional guy of INS and they put together language to end up creating the initiative. And the initiative then gets circulated. It qualifies and it's Save Our State. Right?

**DM:** Well, well, it was Pete Wilson who was behind in the polls. He was losing to Kathleen.

**RP:** He was losing bad. He was at 23 points behind Kathleen. And, but for this issue, it propelled him to victory.

**DM:** Do you think he would've lost?

**RP:** Had that issue not been there? Absolutely. Absolutely. I think so. One, historically qualified woman, private sector experience, Constitutional officer, absolutely. Very qualified.

**DM:** And well, so what was the impact on politics?

**RP:** Well, the impact was twofold. One, thank you for a U.S. Constitution and a California Constitution because it was ruled unconstitutional. And so thank you to Gray Davis who did not ask the Attorney General to continue the appeal. And thank you to the last governor that ends up removing any language of enforcement that remained on the statutes of California. So to your question, what did it create? It created a lot of... it created a lot of distrust to the Republican party.

**DM:** On the part of immigrants or on the part of...

**RP:** I think on the part of many across the board, predominantly Democrats, if you're looking at it from a party perspective, but even in some of the polling, Republicans felt that it was overstepping. And from... So when you look at 187, the Anti-Affirmative Action Initiative.

**DM:** That was 209 of (1996).

**RP:** 209 and then the English... I mean, these are all being driven by Republicans. All of these, and they're aimed at people who look like me. And that's wrong. That's not acceptable. So anyways, Martha, you know, goes to bat and I did the same when Tirso Del Junco, he was, Dr. Del Junco is the California Assembly Republican Chair of the party. And he is a board of Trustee.

**DM:** UC Board of Trustee.

**RP:** UC Board of Trustee. His term is up. And I remember giving a speech at UCLA at a graduation, and I end up like just, I end up making a declaration that there's no way that 209 of 1998, Dr. Del Junco was going to be reconfirmed as a trustee. And my basis for it was he not only supported 187 publicly, he has to go to write me a letter asking for, you know what? That's... I don't want to get there. That, I'm going to leave that out. It's... Anyways, because he took those public positions, I had to go to work just like Martha and we denied him his third term or his second term. People who you gotta give... there's consequences to people's action. My good friend George came to see me on that appointment and asked if I would reconsider. And I looked at George and I said, "George, there's gotta be consequences because let me tell you, the next time something like this, an issue like this happens, it's going to be easier for them to do it to us."

**DM:** And this is George who?

**RP:** Pla.

**DM:** Oh, George Pla. Okay.

**RP:** Yeah. So, it was, you know, a time where you gotta tell your friends no.

**DM:** Well, so Prop 187, you know, the history's been well documented on it. It was declared unconstitutional and a generation of Latinos primarily became Democrats in California. Is that your assessment?

**RP:** The answer is yes. And in so doing it, in that particular process, the Republican party became toxic among Latinos.

**DM:** In California.

**RP:** In California.

**DM:** Not nationally, but maybe we can get to that. So you were a pretty tough campaigner. Your first race or your second race, the race you won against Mike Hernandez, became a City Councilman. It was pretty, pretty tough. You butted heads with some powerful interests in Sacramento, not the least of which was the California Correctional Peace Officers Association. So also in 1994, Californians passed Prop 184, which was the Three Strikes and You're Out initiative, which led to a lot of, far more people getting sentenced to prison, which CCPOA backed. Why don't you talk a little bit about how you viewed prisons and the union that represented the officers who worked there.

**RP:** So to me, sending a person to prison can be and should be for punishment, but also for rehabilitation because ultimately they're coming out and they're coming out to our communities. And I believe that a correctional system should ensure that when they do come out, that it's a public safety issue for us. Instead, it's \$200 with no re-entry, no preparation. It's just like out of here, room for the next one. And it just becomes a revolving door. And when they're out here, it's just as much of revolving door with the rates of recidivism. And so there's very little that is done in those areas, which I found during my time of serving there, to be wrong, to be corrected. And so when you have an institution that is run pretty much by a union, even though it has appointees who are there, as wardens, who you don't get the appointment of a warden unless you have the support of the union. And by... I mean, all the hierarchy needs the support of the union. They are effective CCPOA, they play hard. They play to win and I can respect that. What I don't subscribe to is when you play to win even when there is injustice, even when there is a wrongdoing, such as what was occurring at Corcoran (State Prison).

**DM:** So why don't you talk a little bit about what happened at Corcoran.

**RP:** I have oversight committee hearings. I'm the chair of the select committee on prison operations and construction. And so Corcoran had these... What we come to learn were called gladiator fights. These were inmates, sworn enemies, who were in the highest security called the SHU in a prison who were led out in skivvies and slippers to a yard, the size of a medium size handball court with the tower and the guard with a rifle. And they would go at it and the guards would bet as to who was going to win. Thus the gladiator fights. Well, there was one particular whistleblower, Richard Caruso. Richard Caruso was about 6'4", 6'5", buffed. And he came and insisted to meet with me. And he came in and gave me his story of what was going on.

**DM:** He worked for the prison.

**RP:** He was a prison guard. It was his turn, at that point in time, there were these killings of inmates who were in this SHU.

**DM:** Killings by?

**RP:** By the guards.

**DM:** They were shooting.

**RP:** They were shooting at them.

**DM:** Right.

**RP:** They didn't have to do that. If you wanted to break it up. They... And the rationale is break it up. Break it up, and then bang, if you didn't break it up, rather than send in a squad of folks to... And it was prevalent. It wasn't like an isolated incident. These gladiator fights were like a sport for these guys and for the guards and those who participated. And so we had the hearings. Richard Caruso shares the story, testifies, and the FBI gets involved. The FBI begins to investigate what's going on. Caruso talks about, or shared with me, I should say that at night, he and his wife, and his little girl, they sleep in the bathtub, for fear of retaliation. There's a saying in CCPOA or in CDC, if you're... Is he in the car or out of the car? If you're in the car, you're going to be okay. If you're out of the car, you're going to have issues, problems.

**DM:** So Caruso was out of the car.

**RP:** So Caruso was out of the car, found snakes in his mailbox. There's... There was testimony about a chase with him being chased. And so to your original question, yes, they're powerful. Like all unions, they have an opportunity to be at the table, they should be at the table. But when you have this kind of blatant abuse of authority and you are a peace officer under the color of the law, you need to deal with it and we did that.

**DM:** So you hold oversight hearings on Corcoran. There are officers who are indicted for, as I recall it, civil rights violations, face trial, and ultimately are acquitted. And there was some effort to put money in the budget to cover their expenses. Tell me what happened with that.

**RP:** So, I come came to learn that (CCPOA President) Don Novey has been able to negotiate, to have all the legal costs be paid by the California taxpayer for all the wrongdoings that had occurred, even though they were acquitted. And I said, 'No fucking way is that going to happen. We are not going to let the taxpayer foot \$10 million or whatever the dollar amount was for the behavior, misbehavior.' The injustices that were perpetrated on human beings, be they behind bars or not. And so, I went to John Burton and...

**DM:** He's President Pro Tem...

**RP:** He's President Pro Tem and I said, "Johnny, no fucking way is this going to happen. You can't let this happen. I will have a press conference and I will expose this." And sure enough, it gets pulled out of the budget and it was just the goal, I mean, it was like...

**DM:** And do you recall any conversation with Mr. Novey after this happened?

**RP:** He's coming out. We're in the hallway and...

**DM:** And this is outside the President Pro Tem's office?

**RP:** Yes. He's coming out the President Pro Tem's... No, I'm coming out of the President's Pro Tem's office. It looks like he's coming into it. And we meet right as you enter the rotunda, and we eyeball each other and he gives me his CCPOA gangster look, and I give him my own Maravilla look.

[laughter]

**RP:** I've been there, done that, buddy.

**DM:** Yeah, yeah. Okay.

**RP:** Yeah, don't let the suit and I don't wear it on my sleeve, but...

**DM:** Yeah, okay. So there was an oversight hearing, I believe it had to do with prisons, where you spent the bulk of that reading the newspaper.

**RP:** I think that one had the FBI agent woman testifying, who had been asked to review all these shootings and for whatever reason, she wasn't giving a straight answer. Was this a clean shot or not? She'd say it for some, but when it came to others... And so I had just reached the point having... I just reached the point where I was not going to believe what was being said. The director was real clear, who made it, stated, "I don't work for the legislature, I work for the governor."

**DM:** This is Jim Gomez?

**RP:** This is Jim Gomez, and I remember that. But it was... I... If I was doing that, I probably was just like, "I've heard this before," right? As being the chair of the budget sub-committee you have a lot of oversight, a lot of inquiry. You could really peel the onion, right? And I've heard them all. And so I was probably just not wanting to listen to some more malarkey.

**DM:** Was there something about CCPOA that set you off? Or was it just about Corcoran? Was it the leadership structure, was there...

**RP:** No, I think it was the combination of it all. I mean, when you see and you hear a lot of the abuse... When I toured facilities, which I did regularly.

**DM:** Prisons.

**RP:** Prisons and I remember hearing, "Hey, I'm a lifer, but I didn't kill anybody. I'm a lifer, but I didn't kill anybody. I'm a lifer..." "I'm thinking to myself, how could you be a lifer if you didn't kill somebody?" Wow. The whole felony murder rule, which is, you and I go to a store, unbeknownst to me, I don't know you're going to rob it because I'm with you, somebody gets killed, I'm in it with you. Even though it was not my conduct, it was your conduct. And even though I had no knowledge of it. Wow, that to me led to creating a sentencing commission. Let's begin to review these things and that didn't get anywhere. I mean, and so, how they measured capacity, when they reach capacity. Well, it was a nice... I called it a shell game because each

cell has two bunks, but it's counted as only. And therefore, you have some fudging of numbers.

**DM:** Well, they were at 190% capacity because they were double bunked or they were... That was part of the argument for building new prisons.

**RP:** Well, ultimately they were, but lo and behold, I would never dream of the day when prisons are being closed. When I first heard the governor...

**DM:** Governor Newsom.

**RP:** Governor Newsom. Wow. I embraced [AB] 109, something that was important and necessary, which are the re-entry programs that non-profits can set up to ensure its public safety and a transition to a better way of life when you're coming out with... Like I said, 200 bucks and you become institutionalized for some. So a lot has changed in the corrections arena and I see a lot of it for the better.

**End of Section II**