

Your Right to Know
Is the Key to All Your Liberties

SUNDAY, DECEMBER 18, 1960

A Need for Reform

Although Proposition 15 earned a thumping 250,000 plurality in Los Angeles county at the general election, it was defeated by voters in the state at large.

Supervisor Frank G. Bonelli, who so ably spearheaded the campaign for Proposition 15, should retain the support of those who favored his program at the polls Nov. 8 and should gain many more in a second attempt.

As Mr. Bonelli points out in a letter to this newspaper which supported Proposition 15:

"All is not lost as a result of the defeat of 15 as I believe we have spotlighted the need for some basic reform in the present makeup of the State Senate and that it shall be incumbent upon our leadership statewide to heed the wish of a substantial portion of the electorate."

The spirit of Proposition 15 is not dead. The wrong it sought to correct is as much alive today as ever.

Christmas in Action

If you long to express your Christmas spirit by direct action, and don't know how to go about it, the Salvation Army has the answer.

As usual the Army will be in the vanguard of those good people who transform their Christmas greetings into deeds by trying to make the Birthday of Christ cause for rejoicing among the poor and the miserable.

Your contributions addressed to the Salvation Army will enable you to enjoy your Christmas day knowing you have helped bring a measure of happiness to someone less fortunate than yourself.

Out of the Past

From the Files of the HERALD

The week before Christmas, according to HERALD files of 20 years ago, brought three days of rain that totaled 3.84 inches.

Plans were going forward for the 21st annual children's Christmas party then sponsored by the Torrance fire department. The event was scheduled for the evening of December 23 with a band concert and Christmas carol program in the civic center building.

A front page picture portrayed residents of the city's Pueblo colony parading in honor of their patron saint, Our Lady of Guadalupe. The colorful procession was led by Monsignor Josef Gutierrez and featured a huge portrait of the saint carried by women in Mexican costumes.

A special feature story announced proudly that "California had come of age"

with announcement that its \$973 million in defense contracts led the nation for the first time. "The Christmas story for California," the HERALD concluded, "is a very happy one."

A building permit was issued to the National Supply Co. for a new office building at 1525 Border Ave. to cost \$40,000. The new wood and stucco structure later became office headquarters for the company supplanting the original Los Angeles facility.

There were only 4537 registered voters in the entire city in 1940 and during that year 826 had failed to vote in either the primary or general election which saw the reelection of Franklin D. Roosevelt for a third term.

The Safeway ad listed coffee "freshly ground to order" as low as 12 cents a pound. Ham was selling for 24 cents and a pork loin roast could be had for 19 cents a pound.

CROSSWORD PUZZLE

Crossword puzzle grid with clues for Across and Down. Includes a small word search puzzle at the top right.

Follow The Leader



Group Asks for Changes In State Juvenile Laws

By JAMES DORAIS
After three years of careful study, a Special Commission on Juvenile Justice headed by Mrs. Mildred Prince of San Francisco, appointed by former Governor Knight and reappointed by Governor Brown, has issued a report containing recommendations for statutory revisions which, if adopted, will have far-reaching effects.

In essence, the report calls for a return to common sense. Stemming from the fact that juvenile court law is grounded on the philosophy that protection for the juvenile offender takes precedence over the protection of the individual or community injured by the offense, widely varying practices have developed over the years which have the paradoxical effect of unjustly punishing children for trivial or unproved offenses.

Because some juvenile authorities maintain, through a strained interpretation of the protection philosophy, that all juvenile offenders, in the Commission's words, "should be regarded as unfortunate children despite their varying degrees of delinquent sophistication or the social injury created by their actions," a juvenile guilty of jaywalking may be detained and subjected to the same rehabilitation procedures as a juvenile guilty of felonious assault.

Among the specific recommendations for revisions in the Juvenile Court Act, the Commission urged that the right to counsel for minors be guaranteed, and that differentiation be made among types of juvenile problems by establishing three categories of juvenile court jurisdiction: minors who are dependent, neglected or abandoned; minors whose behavior clearly implies a tendency towards delinquency; and minors who violate criminal laws or court orders.

Other important recommendations would curb the existing practice of unnecessary detention for minor offenses, which the Commission described as "shocking." In some communities, it was found that "virtually every juvenile referred by law enforcement officers to the probation department was detained, notwithstanding the fact that some minors were apprehended in error, many committed inconsequential offenses, and many others had responsible parents able to control the minor pending the juvenile court appearance." Although nearly half of all juveniles held in juvenile halls or jails are released without any further action, some agencies defend indiscriminate detention as having therapeutic value, while others admit the practice is merely an administrative convenience.

Law in Action

Hearsay Evidence

In our daily work we often rely upon what others tell us. We have to. We trust some people, but not others; we may rely on news stories even though we do not see the events which took place. In short, we rely on "hearsay" to get on with our work. But not in a court. There your life, liberty, and property may be at stake. There we can use only the "best" evidence.

Ideally a court should hear only what the witness saw and heard himself. Thus one litigant tried to use a fireman's report to prove how a fire started, but couldn't. This "hearsay" rested on what other persons had told the fireman. Not what he saw. The court said, in effect, get these witnesses into court where they can testify and answer questions.

Businessmen rely on reports on the standing of buyers and sellers. Though widely used in business, credit reports seldom stand up in a court; they rest on hearsay whose sources you cannot cross-examine.

If acted upon, the Special Commission's sensible suggestions would seem to go a long way toward affording better protection both for juveniles and society as a whole—as well as protection from a kind of bureaucratic sadism that sometimes operates under the guise of kindness.

Little Chats

On Public Notice

WHAT IS A NEWSPAPER? (No. 4 in a Series)
There are times when what looks like a newspaper may not qualify as such for legal purposes. In many places there are what are known as "shoppers" or "throwaways." They contain more or less news, they serve a purpose, but their primary purpose is advertising.

STAR GAZER - Your Daily Activity Guide According to the Stars. Includes zodiac signs and their characteristics.

Chapel Begins Work to End Electoral College

By CHARLES E. CHAPEL
Assemblyman, 46th District
The Legislative Counsel's Office has advised me that as a Member of the California State Legislature I should introduce during the January, 1961, regular session two resolutions which may lead to the elimination of the Electoral College and the election of the President of the United States by the direct vote of the people.

Assembly Joint Resolution Relative to Memorializing the Congress of the United States to Adopt an Amendment to the Constitution of the United States Abolishing the Electoral College and Providing for the Election of the President by Popular Vote.

WHEREAS, The present system of having the Electoral College elect the President and the Vice President of the United States is outmoded, unfair, uncertain, and undemocratic; and WHEREAS, The Electoral College is inherently inaccurate and does not reflect the true will of the people; and WHEREAS, The members of the Electoral College are not legally bound to cast their votes for the candidate whom they are pledged to support; and WHEREAS, The system is unfair to both minority and majority parties; and WHEREAS, It is essential that the popular will of the people govern if our Democratic system of government is to be preserved, now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the Congress of the United States to adopt an Amendment to the Constitution of the United States to abolish the Electoral College System and to provide for the election of the President and Vice President by popular vote; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President of the United States, to the President pro tempore of the Senate, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

The above resolution calls for a Constitutional Amendment. The only other way to provide for the direct election of the President is for Congress to call a Convention, as set forth in the second of my two resolutions, set forth below:

Assembly Joint Resolution, An application to the Congress of the United States to call a convention for proposing an Amendment to the Constitution of the United States to abolish the Electoral College.

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California, pursuant to Article V of the Constitution of the United States, hereby makes application to the Congress of the United States to call a convention for proposing the following Article as an Amendment to the Constitution of the United States, in lieu of Paragraphs 1, 2, 3, and 4, of Section 1, Article II of the Constitution, and the Twelfth Article of Amendment to the Constitution:

Section 1. The Executive power shall be vested in a President of America. He shall hold his office during the term of four years, and together with the Vice President, chosen for the same term, be elected as provided in the Constitution.

The Electoral College System of electing the President and Vice President of the United States is hereby abolished. The President and Vice President shall be elected by the people of the several States. Congress shall determine the time of such election, which shall be the same throughout the United States. Unless otherwise determined by the Congress,

such election shall be held on the Tuesday after the first Monday in November of the year preceding the year in which the regular term of the President is to begin.

Within 45 days after such election, or at such time as the Congress shall direct, the official custodian of the election returns of each State shall make distinct lists of all persons for whom votes were cast for President and the number of votes for each, which lists he shall sign and certify and transmit sealed to the seat of the government of the United States, directed to the President of the Senate.

On the sixth day of January following the election, unless the Congress by law appoints a different day not earlier than the fourth day of January, the President of the Senate shall in the presence of the Senate and the House of Representatives, open all certificates and the votes shall then be counted. The person having the greatest number of votes for President shall be President.

The Vice President shall be likewise elected, at the same time and in the same manner and subject to the same provisions, as the President, but no person Constitutionally ineligible for the office of President shall be eligible to that of Vice President of the United States.

Section 2. Paragraph 1, 2, 3, and 4 of Section 1 of Article 11 of the Constitution and the Twelfth Article of Amendment to the Constitution are hereby repealed. Section 3. This Article shall take effect on the tenth day of February following its ratification. Section 4. This Article shall be inoperative unless it shall have been ratified as an Amendment to the Constitution by three-fourths of the States.

Do not write to me because I am introducing these resolutions. Write to State Senator Richard Richards, State Capitol, Sacramento, California, and if you do not live in the 46th Assembly District, write to your own Assemblyman.

Professors Advise Cops On Sticky Wicket Cases

So you think the Way of the Transgressor is tough? Then just consider the tightrope walked by the Cop on the Beat. For instance: You are the cop. You are attempting to write a traffic citation for a woman driver caught speeding. Although her car has been pulled over, she has rolled up the windows, locked the doors and set the brakes. At the moment she is just sitting there in the car, her arms folded adamantly. Her car is her castle.

She is something less than cooperative. She isn't even communicative. But you're the cop. What do you do now?

Mindful that police officers from Bangor to Burbank are

confronted daily with situations their basic training did not cover, two Los Angeles police science professors have studied thousands of such circumstances and come up with the answers for them in terms of police procedure.

The professors have something more than an academic interest in these matters. Both have themselves been police officers and had practical experience on the beat before they took their experience and their knowledge to the police science classrooms of the School of Public Administration of the University of Southern California.

There Profs. John P. Kennedy and John B. Williams, with the aid of their police officer students, have identified 3000 practical police problems and drafted answers for them.

The problems read like pages from the nation's police blotters: ... A woman complains that her boy friend borrowed her car a week ago and she hasn't seen him since. Can she make a stolen car report? ... A vice officer, attempting to make an arrest, kicks in the door of the wrong apartment.

... An individual is found in a drunken stupor in the front seat of his automobile. During the investigation, the man's wife comes out of a nearby house claiming the husband consumed his drinks in their home and that she sent him out to the car to sleep it off.

These are just a few of the problems which confront the police of Elm City, U.S.A. Having probed countless of these problems in their classes, Profs. Kenney and Williams have gone a step beyond. They have detailed some 400 of these situations together with their solutions in a book "Police Operations," which may well become a police-training Bible from Tucuman, N. M., to Twin Lakes, Mich.

"Police Operations," its authors say, has been developed to provide guidelines for the patrol officer, detective, juvenile, vice and traffic officer in meeting his day-to-day problems.

Sections of the book have been designed to assist a Chief of Police with all management, organization and training problems.

"It has been our observation," write Profs. Kenney and Williams, in "Police Operations," that most police departments have not provided their personnel with adequate directives, orders and operational information with which to meet their respective day-to-day problems.

"Communication of legal and policy information to the field police officer is often inadequate and resources by which the officer may be aided are lacking." Perhaps this is why many a police officer might have a problem knowing what to do when ... A woman complains that, while taking sunbaths, she is spied upon by a man with binoculars who stations himself on the roof of the apartment a few doors up the street.

In the case of the woman, her arms folded adamantly while the police officer attempts to give her a traffic citation, Profs. Kenney and Williams suggest having the car towed to a garage where a window wing could be forced, the door unlocked and the woman arrested.

"Police Operations" proposes, in the case of the complaining sunbather, that the woman possibly may be in violation of the laws relating to indecent exposure.