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Live fact-checking of the comments from Thursday night's forum featuring Gov. Schwarzenegger and opponents to propositions on the Nov. 8 ballot

The Tribune

Tribune reporters fact-checked the statements of Gov. Arnold Schwarzenegger and his opponents during their televised forum at the Madonna Inn Thursday night.

While the participants stayed largely clear of flat-out deception, many of their statements are better understood in context, or were simply exaggerated.

Following is the full text of the fact-checking, excerpts of which appeared in Friday's paper.

Proposition 74 -- Changes public school teachers' tenure eligibility to five years from the current two.

Statement: "The issue that we're really looking at is quality teaching," said San Luis Obispo County schools Superintendent Julian Crocker. "Proposition 74 does nothing about that."

Fact: It is true that Proposition 74 does not explicitly address training or other quality issues. It does, however, provide for removing poor-performing teachers based on two consecutive unsatisfactory performance evaluations. Proponents argue that that will improve the quality of the teaching pool overall.

Statement: Gov. Arnold Schwarzenegger said teacher tenure is the equivalent of a "lifetime guarantee" for a job.

Fact: This is not entirely true. Under the current system, permanent teachers can be dismissed for unsatisfactory performance. They also can be fired for a variety of other reasons, such as dishonesty and unprofessional conduct, according to the state Legislative Analyst's Office. The current dismissal process consists of about a dozen stages and can be appealed.

Statement: "We are short of teachers," Schwarzenegger said. "We need more teachers. It is part of the infrastructure that I have been talking about."

Fact: By talking about the issue of a teacher shortage, Schwarzenegger sought to co-opt his opponents' arguments that prolonging the teacher-tenure period will discourage new teachers from entering the profession. He did not, however, clarify how Proposition 74 would help to recruit or retain teachers.

Statement: Schwarzenegger said that if Proposition 74 passes schools will have the ability to oust teachers who, for example, show R-rated movies in class or verbally abuse students, no matter how long they have taught.

Fact: The ability to remove teachers who are dishonest, unprofessional or abusive already exists. It is, however, a complex process that can take time and includes many appeal rights.

Proposition 75 -- Forbids public employee unions from using members' dues for political purposes without annual written consent

Statement: Capt. Lew Stone, a firefighters union leader, said Schwarzenegger recently put \$3 million of his own money into the campaign, and that Stone wouldn't be able to do that. Stone said he would have to go to his firefighters and ask for the money, implying that he has no ready source for such a large amount of cash and would have to implore workers for it.

Fact: Unions get their political money primarily from dues rather than by asking members to contribute.

Statement: Stone said that he can't compete against big oil and pharmaceutical companies.

Fact: Unions are powerful organizations. For example, unions have raised about \$80 million to battle the initiatives, while the governor has raised about \$38 million.

Statement: Gov. Arnold Schwarzenegger said Proposition 75 is needed because it would require public employee unions to ask for permission from members to use dues money for political purposes.

Fact: Union members already can opt out of having their money spent on politics by notifying their union, but union members must take the initiative to do so. Under Proposition 75, unions would have to ask their members each for written consent to use dues for political purposes.

Proposition 76 -- Gives the governor power to make budget cuts in a fiscal emergency.

Statement: State Superintendent of Public Instruction Jack O'Connell said California is 8th from the bottom among all 50 states in education spending.

Fact: Overstated. It was 8th from bottom in one magazine ranking that factored in cost of living. According to some of the most objective statistics available, from the National Educators Association, the state's per-student spending is about 30th of the 50 states, at about \$7,800 per student. The range is from less than \$6,000 to more than \$15,000

Statement: Schwarzenegger said the state government's financial situation has pushed it almost to bankruptcy.

Fact: Not true. California's government has accrued billions of dollars of debt in recent years, and Wall Street has lowered the state's credit rating. The state has not been in danger of going bankrupt, however.

Statement: O'Connell said Proposition 76 would "eviscerate" Proposition 98, which set a minimum amount of funding for school spending each year.

Fact: Partially true. Under Proposition 76, Proposition 98 would remain, but the minimum amount of funding would decrease as years pass. Nevertheless, that does not necessarily mean actual school spending will be reduced, because lawmakers can still give more money to education in any given year.

Statement: O'Connell said Schwarzenegger has yet to propose a balanced budget and that his budgets have been heavily reliant on borrowing.

Fact: The governor's budgets have been balanced, but he has had to borrow billions of dollars. That's because he inherited huge budget deficits from years past. Proposition 58, passed in March 2004, says the governor cannot sign an unbalanced budget.

Statement: Schwarzenegger said Proposition 76 protects education funding and doesn't take money away.

Fact: Schools may lose money because over time because Proposition 76 will lower the minimum amount of money the state is required to spend on schools, according to the nonpartisan state Legislative Analyst. However, lawmakers could decide on their own at any time to spend more than that minimum amount despite the initiative.

Statement: Schwarzenegger blamed state lawmakers for raising taxes when he said, "If they want to raise taxes, our legislators can raise taxes by a two-thirds vote." In his campaign literature, Schwarzenegger said Proposition 76's failure could cause Californians to face higher taxes.

Fact: What Schwarzenegger omits is that he would have to sign off on any tax hike, except one passed by a voter initiative. Based on his history in office, he does not intend to approve any tax increase.

Statement: Gov. Arnold Schwarzenegger said the state has a "lousy" credit rating. He said "Let's not go and create more debt."

Fact: This was overstated. According to the California State Treasurer's Office, the state's \$37 billion general obligation bond has been upgraded from "medium risk" by Standard and Poor's to "low risk" since 2003. Investors in government bonds heavily prefer the highest-rated investment-grade securities, which are two grades above California's state bonds.

Proposition 77 -- Takes away power to draw districts for state and federal seats from the Legislature and turns it over to a panel of three retired judges.

Statement: An unnamed interviewee during the televised introduction to Proposition 77 said he doesn't want "white senile" judges creating legislative districts.

Fact: The pool from which candidates for the three-judge panel would come is drawn randomly. It's true that a large percentage of retired state and federal judges in California are white. However, contestants for the three-member panel are narrowed down by legislative leaders, who may have an incentive to pick minority or female judges. According to the California Judicial Council, nearly 90 percent of retired judges in the state are male. According to a poll by the nonpartisan Rose Institute, about 75.5 percent of retired judges are white.

Statement: O'Connell said "this (Proposition 77) is inherently going to politicalize the judiciary."

Fact: While under Proposition 77 judges are chosen in part because of their party affiliation -- under the ballot measure, the panel must include a representative of each of this state's two biggest parties -- they are required to have limited political experience. They must pledge to not run for office for five years after participating in the redistricting. They must not have changed their party affiliation while in office and they are forbidden from working for politicians or state committees. They are not, however, precluded from donating to campaigns.

Statement: "The bottom line is it is very well written," said Schwarzenegger, in response to a question about whether or not Proposition 77 could pass legal challenges.

Fact: Proposition 77 is already scheduled to end up in court should it pass, but not because of the way it was written. Supporters gave one version of the proposition to the state attorney general, while passing around a different version to voters as they gathered signatures to get it on the ballot. The California Supreme Court decided to allow voters to decide on the issue, but will revisit the difference between the language of the two proposed initiatives.

Statement: "They (lawmakers) drew the districts to protect themselves," Schwarzenegger said, implying that Proposition 77 would lead to more competitive districts.

Fact: Proposition 77 requires the three-judge panel designing districts to try to avoid splitting counties. However, that may make for less competitive districts because most counties are not politically divided. Out of 58 counties, in 49 of them voter registration for a single party is greater than voter registration for the other by more than 5 percent.

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