CRIMINAL JUSTICE LEGAL FOUNDATION

CJLF Advisory

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# CJLF OPPOSES PUBLIC DEFENDER'S LAWSUIT TO OVERTURN DEATH PENALTY

The California Supreme Court has agreed to consider a petition from the State Public Defender seeking a writ of mandate to overturn the state's death penalty. The Public Defender is not representing a condemned murderer or any other legitimate plaintiff and has initiated this suit on its own behalf and on behalf of several anti-death penalty groups. In **Office of the State Public Defender v. Bonta** they argue that the state's death penalty process is racially biased and therefore unconstitutional. To support this claim their petition states,

Attorney General Rob Bonta acknowledges that,

" '[s]tudies show' " the death penalty has " 'long had a disparate impact on defendants of color, especially when the victim is white.' " Governor Gavin Newsom recognizes that "[t]he overwhelming majority of studies" have found that "the race of the defendant and the race of the victim impact whether the death penalty will be imposed."

They also cite multiple studies that have concluded that Blacks and Latinos are more likely to receive a death sentence for murder than Whites. The Public Defender has asked the court to limit the opponents to its suit to Attorney General Rob Bonta, who is clearly opposed to the death penalty. As expected, the brief in opposition from Bonta's office is quite weak.

The District Attorneys of San Bernardino and Riverside Counties have petitioned the court to allow them to participate as parties on behalf of the people of California to oppose the Public Defender in this case. The court has not decided whether or not to allow this.

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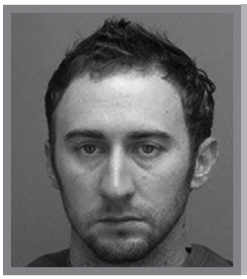
# RESTRICTION OF ENDLESS APPEALS Challenged by Child Molester

The U. S. Supreme Court has agreed to consider the appeal of a Texas child molester who argues that a federal law prohibiting successive petitions challenging convictions and sentences has been misinterpreted to deny him his rights. In 1996, Congress passed the Antiterrorism and Effective Death Penalty Act (AEDPA), which limited most defendants to one federal habeas corpus petition to challenge a conviction or sentence. Attorneys representing Danny Rivers assert that, when Congress passed AEDPA, it intended that a defendant could amend his petition four years after it was rejected by a judge and while the case is on appeal before an appellate court.



*Danny Rivers: Convicted of the sexual abuse of his daughter and stepdaughter.*

The Criminal Justice Legal Foundation (CJLF) has joined the case, **Rivers v. Guerrero**, to oppose Rivers' claim, arguing that after a district judge has rejected his petition, federal law allows a defendant to ask the district judge to reconsider his ruling within 28 days or appeal the ruling within 30 days. If the judge agrees to reconsider, the defendant can amend his petition and the 30-day requirement for an appeal is stayed. After the judge issues a second ruling, the 30-day clock for an appeal starts again. A request to reconsider in order to make new claims four years later is subject to Congress's limit on repeated petitions.

In 2012, Rivers was convicted of the continuous sexual abuse of his daughter and his stepdaughter between 2005 and 2009. They testified that he began molesting them when they were nine years old. After listening to the girls describe what Rivers did to them hundreds of

*continued on page 6*

# SACRAMENTO DA JOINS FIGHT TO BLOCK EARLY RELEASES OF VIOLENT CRIMINALS

The Sacramento County District Attorney's office has filed argument in support of a lawsuit brought by the Criminal Justice Legal Foundation (CJLF) to block the Newsom administration's illegal early release of violent criminals from prison in **Criminal Justice Legal Foundation v. California Department of Corrections and Rehabilitation**.

In 2017, Governor Jerry Brown authorized the California Department of Corrections and Rehabilitation (CDCR) to adopt new regulations increasing sentence reduction credits (called "good time" credits) for inmates that it determined had behaved well and participated in rehabilitation programs. The Governor believed that Proposition 57, adopted by voters a year earlier, empowered the CDCR to award these credits without limits in order to shorten the sentences of inmates. In 2021, to further expedite early releases, Governor Gavin Newsom directed CDCR to increase the number of inmates eligible for credits and the number of credits awarded.

*CJLF urged the court to recognize that a state agency cannot adopt regulations contrary to state laws.*

*The Sacramento DA's office filed in support of the CJLF position, quoting **City and County of San Francisco v. County of San Mateo**, "[O]ne constitutional provision 'should not be construed to effect the implied repeal of another constitutional provision.' "*

Under these regulations, thousands of criminals, including murderers and sex offenders, have been declared eligible for parole and released years earlier than their sentences prescribed.

One example is last year's approval of parole for child murderer Patrick Goodman. Goodman, a repeat felon, beat his girlfriend's three-year-old son to death in 2000. The medical examiner reported that the little boy died of a broken neck, broken ribs, a severed bowel, a severed artery, and 50 separate external injuries. In 2002, Goodwin was convicted of murder and child abuse in San Francisco and was sentenced to 25-years-to-life. Twenty-one years later, after 15 minutes of deliberation, two state Board of Parole Hearings commissioners announced, "We find that Mr. Goodman does not currently pose an unreasonable risk to public safety and is therefore suitable for parole." Following news reports of Goodwin's pending release and a personal appeal by the District Attorney to the Governor, the Board of Parole Hearings rescinded its decision. In most other cases, the public and the media do not know which violent criminals are being released, or when.

In 2022, the Sacramento-based CJLF filed a lawsuit on behalf of the families of crime victims to block these early releases, arguing that Proposition 57 did not override state laws which prescribe who is eligible for "good time" credits and how many an inmate can receive. CJLF urged the court to recognize that a state agency cannot adopt regulations contrary to state laws. On December 13, 2023, Superior Court Judge Jennifer Rockwell held that Proposition 57 did not authorize these new regulations to apply to offenders serving indeterminate sentences such as 25- or 15-years-to-life. Under the judge's decision, a convicted murderer or repeat violent offender must serve the full 15- or 25-year minimum term before the CDCR can award credits and consider parole.

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# B O X S C O R E

*An accounting of the state and federal court decisions handed down over the past year on cases in which CJLF was a participant. Rulings favoring CJLF positions are listed as WINS, unfavorable rulings are LOSSES, and rulings that have left the issue unsettled are DRAWS.*

**Glossip v. Oklahoma**: 2/25/25. U. S. Supreme Court ruling upholding a convicted murderer's claim that "new evidence" invalidates his conviction. CJLF had joined the case to urge the Court to reject the murderer's claim and uphold his conviction and death sentence. In 1997, Richard Glossip hired a handyman, at the motel he managed, to kill the owner. He was convicted on a mountain of evidence, including the handyman's confession. The new evidence is that the handyman had been treated with lithium, a medication for bipolar disorder, something that Glossip's defense attorneys knew, but chose not to introduce because it would have supported the fact that Glossip had manipulated the handyman. This evidence was actually included in Glossip's own appeal in 1998. CJLF argued that the state's highest court had already reviewed and dismissed the new evidence as both irrelevant and procedurally barred, and that the Supreme Court did not have jurisdiction to hear Glossip's claims. A majority voted to overturn the conviction and ordered Oklahoma to give the murderer a new trial. **LOSS**

**City of Grants Pass v. Johnson**: 6/28/24. U. S. Supreme Court decision upholding the Oregon City of Grants Pass's challenge to a federal judge's ruling to strike down local ordinances prohibiting camping on public property. In July 2023, a divided panel of the Ninth Circuit upheld the judge's order, citing its 2019 ruling in **Martin v. City of Boise**. That ruling announced, in effect, that the homeless had an Eighth Amendment right to camp on public property anytime a city had fewer shelter beds than its homeless population. The ruling covered the nine western states in the Ninth Circuit: Alaska, Washington, Montana, Idaho, Oregon, Nevada, California, Arizona, and Hawaii. On January 12, 2024, after the high court agreed to hear the Grants Pass appeal, CJLF joined the case to argue that the Eighth Amendment was adopted to bar the cruel and unusual punishment of convicted criminals, which has nothing to do with cities and counties enforcing municipal ordinances to regulate camping on public land. The CJLF's brief also noted that no other federal circuit had discovered this right. The decision to overturn the Ninth Circuit has restored local and state authority to remove homeless camps from public property. **WIN**

**Smith v. Arizona**: 6/21/24. U. S. Supreme Court ruling upholding a drug dealer's claim that his conviction was unconstitutional. In 2011, Jason Smith was convicted of possession of marijuana and methamphetamine for sale. Prior to trial, testing at the state crime lab confirmed that the drugs in Smith's possession were marijuana and methamphetamine. When the trial began, the lab analyst that did the testing no longer worked at the lab, so, relying on the original lab notes, another analyst testified on the testing process and the findings. Smith claimed that this long-established process regarding the introduction of forensic evidence violated his constitutional right to confront the original analyst. The Arizona Court of Appeals upheld the testimony on the theory that the notes were not introduced for their truth. After the U. S. Supreme Court agreed to hear Smith's appeal, CJLF joined the case to argue that the term "witness" as understood when the Confrontation Clause was adopted does not extend so far as to cover the author of the lab notes. The expert who testified was the witness for the purpose of the Sixth Amendment, and the defendant's right to confront him was honored. The high court rejected the state appeals court's "for the truth" theory and sent the case back to state court for reconsideration. **DRAW**

**People v. Hardin**: 3/4/24. California Supreme Court decision rejecting a murderer's claim that he had a constitutional right to early release from his life without the possibility of parole (LWOP) sentence. The high court utilized CJLF arguments in its decision which held that while several recently enacted state laws do make convicted murderers eligible for parole years earlier than their sentences prescribe, murderers over the age of 18 who are sentenced to LWOP are specifically excluded. The crime of conviction and adult v. juvenile status are sufficient grounds to treat criminals differently. Hardin was convicted in 1990 of the brutal robbery and murder of an elderly woman who had befriended him. Thanks to this decision he and others like him will never see the outside of prison. **WIN**

**CJLF v. CDCR**: 12/13/23. Sacramento Superior Court decision barring early release of criminals sentenced to indeterminate sentences. The decision came in a CJLF lawsuit on behalf of crime victims to block Governor Newsom's effort to award early release to violent criminals and murderers. In 2017 and again in 2021, the California Department of Corrections and Rehabilitation (CDCR) adopted regulations to award good behavior and program participation credits (called "good time" credits) to violent criminals reducing their sentences. CJLF responded by suing CDCR, arguing that the new administrative regulations unlawfully override numerous state laws which specify when and how a prison inmate qualifies for parole or credits. The judge held that, at least with regard to murderers and other criminals serving sentences of 15 or 25-years-to-life, they must serve the 15 to 25 years before they can be eligible for parole. The Newsom administration has appealed this decision. **WIN**

| | | | |
|---|---|---|---|
| **TOTAL** | **3 Wins** | **1 Loss** | **1 Draw** |

# CALIFORNIA DEMOCRATS PLAN TO STARVE PROPOSITION 36 TO DEATH

On November 5, 2024, California voters overwhelmingly adopted Proposition 36: The Homelessness, Drug Addiction, and Theft Reduction Act, a modest reform to restore consequences for thieves and drug dealers and require treatment for addicts. Its adoption was a complete rebuke of Proposition 47, the so-called Safe Neighborhoods and Schools Act adopted in 2014 with major funding from the ACLU and socialist billionaire George Soros. That measure decriminalized theft and drug crimes. It is important to note that Proposition 47 was supported by then Lt. Governor Gavin Newsom and the Democrat supermajority in the state Legislature. Ten years later, these same politicians opposed Proposition 36, although millions of Democrats voted for it.

The problem that arises when voters adopt a ballot measure that the Governor and the controlling majority of the Legislature oppose is that the money to implement the measure must be appropriated by the Legislature and approved by the Governor. On January 10, 2025, Governor Newsom sent his 2025-2026 budget proposal to the Legislature. It included zero funds for additional county jail space and drug treatment programs needed to enforce Proposition 36. When a reporter asked the Governor about this, he replied, "We are absolutely committed to implementing the terms that were established by the voters." At the same time he was telling this lie, Newsom was asking for a $3.4 billion loan to cover the state's shortfall in funds for free medical care for illegal aliens. With no state funding, it is likely that Proposition 36 will simply starve to death.

This has happened in California before. In 1993, the Democrat-controlled Legislature refused to adopt AB 971, the Three Strikes and You're Out sentencing law to crack down on habitual felons. Months later, 12-year-old Polly Klaas was kidnapped from her home in the sleepy town of Petaluma. After two months of almost nightly national news coverage of her disappearance, police arrested habitual felon Richard Allen Davis, who led them to the little girl's raped and murdered body. That tragedy sharpened the public's focus on crime and propelled Mike Reynolds, the father of another girl murdered by a habitual felon, to qualify the Three Strikes initiative for the 1994 general election. In an attempt to head this off, the Legislature scrambled to pass AB 971. But Reynolds went forward with the initiative, knowing that the Legislature could not repeal or amend a voter-adopted ballot measure. It passed with 72% of the vote. One of the primary objectives of Three Strikes was to increase the number of repeat felons sent to prison and keep them there longer. This required the Democrat-controlled Legislature to approve funding for more prison space. The majority refused, and even with Republican Governor Pete Wilson in office, no bill authorizing funding for additional prison beds reached his desk. The same held true under Governors Gray Davis and Arnold Schwarzenegger. As a result, the prisons became overcrowded. Then the ACLU began to file federal lawsuits on behalf of inmates seeking court orders to reduce the "unconstitutional" prison overcrowding. The suits were filed before activist judges in San Francisco and Sacramento who both unsurprisingly ruled for the inmates. In 2010, an activist three-judge panel of the Ninth Circuit rewarded this effort, ordering the release of between 30,000 and 35,000 inmates. A year later the U. S. Supreme Court upheld that order on a 5-4 vote.

The same thing happened after California voters adopted Proposition 66 in 2016. That measure, called the Death Penalty Reform and Savings Act, removed judicially- and bureaucratically-created obstacles to the appeal of death penalty cases. It placed the responsibility for appointing an attorney to represent the murderer with the trial judge and made hundreds of experienced attorneys, rather than a select handful, eligible. It placed a five-year deadline on deciding the direct appeal and directed that attacks on a trial attorney's competence be resolved by the trial judge who watched him perform. The initiative also required the state Department of Corrections and Rehabilitation find and authorize alternative execution methods to reduce judges from staying an execution due to their dislike of one specific method. These changes, if enforced, would have reduced the state's 20+ year post-conviction review process to roughly five years in most cases. But as with Proposition 36 and Three Strikes, the Legislature and then Governor Jerry Brown were opposed to the death penalty and any measure to speed its enforcement. Of course no funding to implement Proposition 66 has ever been adopted, so the reforms the voters demanded are sitting on a shelf.

The same year that the initiative passed, Gavin Newsom, while campaigning for governor, told the Modesto Bee that he would "be accountable to the will of the voters" if elected. "I would not get my personal opinions in the way of the public's right to make a determination of where they want to take us." Prior to his election in 2018, Newsom reiterated his respect for the public will saying he didn't "want to get ahead of the will of the voters." How about that? Another lie.

On March 13, 2019, three months after taking office, Newsom issued an executive order granting a reprieve to every murderer on California's death row, citing his personal opposition to the death penalty.

It is clear that politicians serving in California's uni-party government have no intention in allowing enforcement of any law they do not like, and passing another ballot measure will not solve this problem. It is time to replace these politicians with people willing to give more than lip service to public safety while campaigning.

*Michael Rushford*
*President*

# Case Report

## *A Summary of Foundation Cases Currently Before the Courts*

**CJLF v. CDCR**: Third District Court of Appeal case to review the California Attorney General's challenge to the Sacramento Superior Court decision, won by CJLF, which prohibits the early release of violent criminals sentenced to indeterminate sentences. The decision came from a CJLF lawsuit on behalf of crime victims to block Governor Newsom's effort to award early release to violent criminals and murderers. The year following the 2016 passage of Proposition 57, and again in 2021, Governors Brown and Newsom, respectively, authorized the California Department of Corrections and Rehabilitation (CDCR) to adopt regulations increasing good behavior and program participation credits (called "good time" credits) to violent criminals, reducing their sentences by up to one-half. The Attorney General is asking the Court of Appeal to overturn the Superior Court decision, arguing that Proposition 57 gives the CDCR unlimited authority to award good time credits to any criminal in state prison who is neither serving life without parole nor sentenced to death.

**Rivers v. Guerrero**: U. S. Supreme Court case to consider a Texas child molester's claim that a federal law prohibiting successive petitions challenging convictions and sentences has been misinterpreted to deny him his rights. Convict Danny Rivers argues that when Congress passed the 1996 Antiterrorism and Effective Death Penalty Act (AEDPA), which limited defendants to one federal habeas corpus petition, it intended to allow the convict to add new claims years after the petition was rejected. Rivers was convicted and sentenced to 38 years for sexually abusing his daughter and stepdaughter over a four-year period. After his habeas corpus petition claiming that his attorneys were incompetent was rejected by a federal judge, he waited four years to ask the judge to let him amend it. The Court of Appeal held that it was a successive petition prohibited by AEDPA. CJLF has joined the case to urge the Supreme Court to confirm that the Court of Appeal was correct. A victory in this case would prohibit federal judges from endlessly reviewing a criminal's meritless claims.

**Office of the State Public Defender v. Bonta**: California Supreme Court review of a petition by the State Public Defender (OSPD) and two anti-death penalty groups seeking a writ of mandate prohibiting enforcement of the state death penalty. The petitioners claim that the state death penalty process is racially biased and unconstitutional. They are also asking the court not to allow anybody but Attorney General Rob Bonta, who opposes the death penalty, to defend it on behalf of the people of California. The District Attorneys of San Bernardino and Riverside Counties have petitioned the court to allow them to represent the public in support of the law, but the court has not yet decided to allow this. CJLF has joined the case to argue that the OSPD, a tax-supported government agency, is not authorized to represent itself in a legal challenge to a state law. The CJLF also argues that restricting opposition to the OSPD petition to Bonta, a fellow death penalty opponent, represents collusion.

**Jessica M. v. CDCR**: Lawsuit on behalf of a rape victim and a victims' rights group to block the early release of a brutal rapist and to hold several state laws that provide for the early release of violent sexual predators unconstitutional. Jessica M., joined by Crime Survivors, Inc. and the Criminal Justice Legal Foundation, petitioned the Los Angeles Superior Court to block the release of illegal alien Sergio Linares, 16 years after he received a 50-year-to-life sentence for kidnapping and sexually assaulting 23-year-old Jessica M. at knifepoint. Proposition 83, adopted by California voters in 2006, requires sexual offenders like Linares to serve the their entire base term, in this case 50 years, before being considered for parole. Any amendment to the initiative requires a two-thirds vote of both houses of the state Legislature, but beginning in 2013, the Legislature has passed and the Governor has signed five bills into law that amend Proposition 83. None of these laws were passed with a two-thirds vote. The petition argued that the failure to meet that requirement renders those laws invalid. Last December after a trial judge rejected the suit, CJLF appealed that ruling to the state Court of Appeal on behalf of Jessica M. and Crime Survivors, Inc.

**ADDA v. Gascón**: California Supreme Court review of a June 2, 2022 appellate court decision which upheld the Association of Deputy District Attorneys for Los Angeles County suit to prohibit District Attorney George Gascón from refusing to enforce the state's Three Strikes sentencing law. CJLF has joined the case to argue that a district attorney's policy decisions regarding which laws to enforce does not override a voter-approved initiative mandating that a criminal's prior convictions shall be presented at trial to increase his sentence. The mandatory nature of the provisions at issue has been recognized by the state Supreme Court and multiple courts of appeal from the first years after enactment.

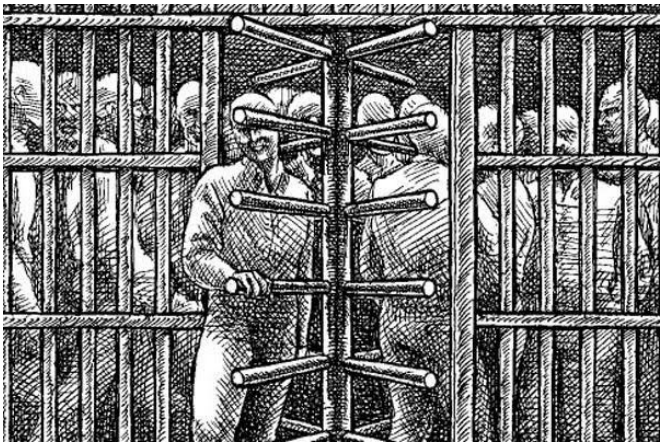
**In re Kowalczyk**: California Supreme Court case to review a criminal's claim that the Constitution requires that he receive a bail amount that he can afford. The case involves the bail set for habitual criminal Gerald Kowalczyk, who was charged with multiple felonies for identity theft and vandalism. Due to his record of 64 prior convictions and 100-page rap sheet, the court set Kowalczyk's bail at $75,000. Kowalczyk appealed, but the appellate court held that the state Constitution gives the trial judge the discretion to deny bail or grant bail based upon the crime, the defendant's record, the threat to the public were he released, and the likelihood he would show up for his trial. Before the Supreme Court, CJLF argues that in 2008 state voters enacted Proposition 9, which spelled out the priorities for setting bail: "In setting, reducing or denying bail, the judge or magistrate shall take into consideration the protection of the public, the safety of the victim, the seriousness of the offense charged, the previous criminal record of the defendant, and the probability of his or her appearing at the trial or hearing of the case. Public safety and the safety of the victim shall be the primary considerations." Affordability was not mentioned.

# "ENDLESS APPEALS"

*continued from page 1*

times over four years, the jury sentenced him to 38 years in prison. Rivers admitted to the sexual abuse of the girls to the three experienced and privately-paid attorneys representing him, according to the attorneys' post-trial sworn testimony. One of his attorneys testified that Rivers said that the girls "wanted it."

Following his conviction and state appeals, Rivers filed a petition in federal District Court on habeas corpus claiming, among other things, that his trial attorneys were incompetent. The District Court rejected the claims and Rivers appealed that rejection to the Fifth Circuit Court of Appeals which also rejected his claims. Rivers then went back to the District Court to ask to amend his petition with a new claim, but that court determined that it lacked jurisdiction and transferred the petition to the Court of Appeals. The Fifth Circuit rejected it as a successive petition prohibited by AEDPA.



Because three of the twelve federal circuits have allowed defendants to amend some or all of their claims years later, the Supreme Court accepted **Rivers v. Guerrero** to settle the conflict.

In a scholarly *amicus curiae* (friend of the court) brief, CJLF Legal Director Kent Scheidegger argues that two earlier Supreme Court decisions laid out when and how a defendant can amend his petition and that Rivers' claims do not qualify. There is an exception in cases where there is clear evidence of innocence, but Rivers does not meet that standard. Although most of the federal courts of appeals would have rejected this petition as well, there was enough uncertainty in this area that the Supreme Court accepted **Rivers v. Guerrero** to clarify the law. The finality of justice sought by Congress 29 years ago when it passed AEDPA would be decimated.

# "FIGHT TO BLOCK EARLY RELEASES"

*continued from page 2*

The court also issued a writ of mandate ordering the CDCR and state parole to halt the releases while the state challenges the ruling on appeal.

In January 2024, Attorney General Rob Bonta asked the Third District Court of Appeal to overturn Judge Rockwell's decision.

CJLF has filed its cross-appeal encouraging the appellate court to extend the bar on increased "good time" credits to all violent state prison inmates. "The law limits violent criminals on fixed sentences to 15 percent credits. CDCR has no valid authority to break that cap," said CJLF Legal Director Kent Scheidegger.

The need for this extension is evident in the case of Devin Calderon. On March 14, 2022, Calderon, a repeat drunk driver, ran her pickup truck into 16-year-old Angel Renteria, who was walking her dog in the rural Sacramento County town of Galt. Calderon drove away with a blood alcohol level three times the legal limit. She was arrested after crashing into a patrol car. Renteria was severely injured and will spend the rest of her life in a wheelchair and unable to speak. Calderon was sentenced to eight years in prison, but, after serving less than two years, CDCR has deemed her eligible for early release.

On February 4, 2025, the Sacramento District Attorney's office filed a brief in support of the CJLF position. In excerpts from the brief, Deputy District Attorney David Boyd writes,

> "[T]here can be little doubt that construing Proposition 57 to grant CDCR plenary authority to grant credits to whomever it pleases, whether or not the voters or the Legislature have agreed, or will agree in the future, renders these constitutional provisions a dead letter…. Effectively repealing such significant parts of our Constitution should require a more direct approach so that it can be unquestionably agreed that is what was intended, especially since CDCR has applied the majority of its increased good conduct credits to the very populations the voters have repeatedly rejected: violent criminals, those who commit repeat serious and violent crimes, habitual sex offenders, aggravated sex offenders, and murderers. '[O]ne constitutional provision "should not be construed to effect the implied repeal of another constitutional provision." ' (**City and County of San Francisco v. County of San Mateo** (1995) 10 Cal.4th 554, 567.) CDCR's claim of the power to do so without the voters explicitly saying so should be rejected."

Oral argument in the case of **CJLF v. CDCR** has yet to be scheduled.

# "DEATH PENALTY"

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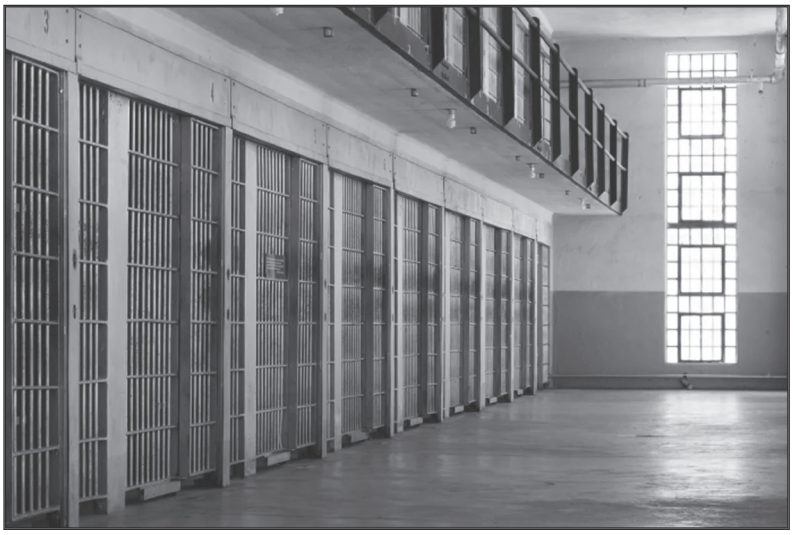
The Criminal Justice Legal Foundation (CJLF) has filed a scholarly *amicus curiae* (friend of the court) brief in opposition, arguing that the Public Defender does not have a legal right (standing) to represent itself in a legal challenge to a state law, especially one that has repeatedly been endorsed by state voters over the past four decades. CJLF Legal Director Kent Scheidegger also notes that the Public Defender's request not to allow someone other than the Attorney General to represent the people of California in this case borders on collusion. The CJLF brief also points out that over the years many "studies" by groups and individuals openly opposed to the death penalty have been exposed for being biased after different researchers analyzed the same data and arrived at different conclusions.



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## CRIME & CONSEQUENCES

**State and federal judges are going to resist** the tougher approach to crime that voters adopted in November. CJLF is fighting that resistance by joining cases to oppose pro-criminal rulings and by initiating lawsuits on behalf of victims to make America safe again. While tough-on-crime DAs and newly appointed U. S. attorneys are doing all they can to reduce crime, we will have to win appellate court decisions to help them. Please help us with your contribution by filling out and returning the card on the right with your check, giving at our website at www.cjlf.org, or calling us at (916) 446-0345 to contribute with your credit card. **Many thanks.**

## THIS IS MY CONTRIBUTION TO CJLF

Please fill out and mail with your check to:

**Criminal Justice Legal Foundation**
2131 L Street
Sacramento, CA 95816

Name: _____

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Winter/Spring 2025

**Criminal Justice Legal Foundation**
**2131 L Street**
**Sacramento, CA 95816**
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# Ted G. Westerman

## January 1, 1936 – December 30, 2024

Ted G. Westerman, a former Criminal Justice Legal Foundation (CJLF) Board Chairman who served as a Trustee for 20 years, passed away in Santa Barbara on December 30, 2024.

Ted was born in Chicago on New Year's Day in 1936 to Walter and Frances Westerman. He received a BA and MS from George Washington University, and he graduated from the Army Command and General Staff College and the National War College.

Ted served or was employed in the Defense and National Security establishment for over 46 years. He served on active duty with the U. S. Army for 22 years, retiring as a Colonel. During the Vietnam War, he commanded combat units in infantry, armored cavalry, special operations, and aviation units from the platoon to brigade. During his three assignments to Vietnam, he was one of the most decorated officers to have served there. He received medals for personal valor 18 times and was awarded among others, the Silver Star, the Legion of Merit with oak leaf cluster, the Bronze Star with Valor and four oak leaf clusters, the Soldiers Medal, the Air Medal with Valor and eleven oak leaf clusters, the Purple Heart, and the Vietnamese Gallantry Cross with gold star and palm.

After his retiring from the military, Ted joined Dart Industries in California as Group Vice President. In 1981, he joined Hughes Electronics and served as Chief Administrative Officer from 1994 until his retirement in 1998.

He joined the CJLF Board of Trustees in October of 1996 and served as Chairman from 1999 to 2004. He retired from the Board in 2014.

Ted was a devoted husband, father, and grandfather who had many friends and admirers. A lifelong pilot, Ted's passions were flying and playing golf at the Bel-Air Country Club. He will be missed for his integrity, wisdom, and great sense of humor.

Ted will be buried with full honors at Arlington National Cemetery among his fellow soldiers of the 5th Infantry.