



## Enigma Machine

by Mora Prestinary

*The law enacted by Proposition 47 allowed reclassifications of some non-serious, nonviolent offenses from felonies to misdemeanors.*

The L.A. Daily Journal has published a series of articles dealing with the contentious Prop. 47. The following is a recap of those articles.

**4<sup>th</sup> district offers novel approach to Prop 47 case:** L.A. Daily Journal, July 1, 2015:

Defendants can wait to seek prop 47 relief until their appeals are complete-by which time they may have already served time they're trying to get reduced –or they can give up their appeals altogether to speed up Prop 47 consideration from the trial court.

**Juvenile offenders should have felony sentences reduced under new law, court rules:** L.A. Daily J. July 27, 2015

The 4<sup>th</sup> District Court of Appeal decision could affect hundreds of youth around Ca who faced possible judicial review refusal to reclassify their cases from felonies to misdemeanors.

**Prop 47 blamed by some for rise in crime:** L.A. Daily J. August 12, 2015

After passing of Prop 47, many drug offenses became misdemeanors, and as a result, drug treatment became impossible to mandate and participation in drug court went down---- “The problem that we have with [Prop] 47 is that it takes the safety net away, said SD DA Bonnie Dumanis. In SD, of the more that 4,000 people who were released from custody under the provisions of Prop 47, 24 percent have been arrested again. People that we see coming back are coming back because they haven't been given the tools to succeed-that's the unintended consequence.”

**San Diego DA asks high court for clarity on Prop 47:** L.A. Daily J., Sept. 8, 2015

SD County DA Bonnie Dumanis asked the CA Supreme Court to review an appellate courts determination that a state law reducing some nonviolent property and drug crimes from felonies to misdemeanors applies to juveniles. Prop 47 does not apply to juveniles, only adults.

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## Home Swap for the Holidays

by Elizabeth Harmon

In the 2006 movie *The Holiday*, 2 women – Cameron Diaz and Kate Winslet – wanting to distance themselves from their respective boyfriend troubles, meet online when Amanda (Diaz), on an impulse, visits a home swap website. Iris (Winslet) immediately responds to her query and within minutes they agree to swap their homes in Beverly Hills, California and Surrey, England. In real life, exchanging homes is not quite that easy. Although there are a number of *home swap* or *home exchange* websites, which offer a variety of services, most recommend that their members plan well in advance to insure that they can find dates and locations that match their plans. These home swap websites basically offer the same service, which is to give their members a place to post a description, with photos, of their homes in order to connect with other members.

Almost all charge a membership fee ranging anywhere from \$64.00 to \$408.00, depending on what the exchange site has to offer. One site asks simply for a donation that uses 75% of the member's donation to maintain the website and 25% that goes to a children's charity. Some home swap sites also charge an arrangement or exchange fee. One website, [GuestToGuest](#) is basically free but they do offer extra services that charge members a fee. GuestToGuest is one of the websites that recommend that their members require a deposit from their potential guests. They act as a 3<sup>rd</sup> party between the host and guest, for which they charge a commission. They also offer a verification service and insurance that is designed to cover damage to the host's property. The insurance also reimburses members for travel or hotel costs when an agreed upon swap is cancelled. Cancellation of a home swap is always strongly discouraged, unless the member has a valid reason, because of the obvious problems this causes the other party: With plans arranged and tickets already purchased the cancellation means finding another place to stay and is why a number of websites offer cancellation insurance.

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### Enigma Machine

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#### State appeals court rejects Prop. 47 resentencing: L.A. Daily J. Sept. 30, 2015

State appellate panel rules trial judges can't reconsider sentences for crimes while related appeals is pending.

A superior court judge cannot reconsider a criminal sentence when the defendant is pursuing a related appeal, a state appeals court decided Tuesday, highlighting an issue that experts say is ripe for California Supreme Court Review.

#### High court won't review Prop. 47 case: L.A. Daily J. October 19, 2015

A state appellate court ruling that Prop 47 applies equally to juveniles and adults has become a California precedent after the state Supreme Court declined to grant review of the decision.

#### Drug courts reexamine their toolkits in Post-Prop. 47 era: L.A. Daily J. October 19, 2015

While some insist that when Proposition 47 shrank felonies to misdemeanors it gutted the drug courts' carrot-and-stick toolkit, others argue that the threat of a felony conviction isn't the best or only way to help solve what may be more appropriately dealt with as a public health issue.

Kagan, (director of legal affairs for Impact Drug and Alcohol Treatment Center) hopes to see drug policy guidelines continue to evolve, and to see drug courts find a different way to present their advantages to people in need of help beyond the felony threat. "It's happening now on a case by case basis—but we have to do something creative, or people aren't going to get help"

#### Stanford report concludes Prop. 47 is operating as advertised. L.A. Daily J. October 30, 2015

The controversial measure Proposition 47 is operating "largely as designed and advertised", the Stanford Advocacy Project concluded in a progress report released Wednesday, though skepticism over the efficacy remains.

The report found that Prop. 47 has decreased the population of California's jails and prisons by 13,000 inmates, will save state and county governments more than \$300 million annually, reduced early releases from county jails due to overcrowding by approximately 35 percent, and that less than 5 percent of state prisoners released under Prop.47 have been convicted of new crimes and returned to prison.

It appears that the contention over Prop. 47 is not over. As the machinery makes its way through the court system and the court of public opinion, changes to the design of Prop. 47 are underway. The finished product is yet to be seen.



## Red Velvet-Peppermint Cake



### Peppermint Cream Cheese Frosting

- 1 (8-ounce) package cream cheese, softened
- 1 cup butter or margarine, softened
- 1 (2-pound) package powdered sugar
- 2 teaspoons peppermint extract

Garnishes: Holiday Trees, 6 (5-inch) red and white peppermint candy canes, crushed; 12 (5-inch) green candy canes, broken; 12 round peppermint candies

### Ingredients

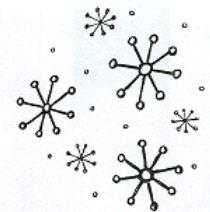
- 1 (18.25-ounce) package white cake mix
- 3 egg whites
- 1 1/3 cups buttermilk
- 2 tablespoons vegetable oil
- 1 (9-ounce) package yellow cake mix
- 1/2 cup buttermilk
- 1 large egg
- 1 1/2 tablespoons cocoa
- 1/2 teaspoon baking soda
- 2 tablespoons liquid red food coloring
- 1 teaspoon cider vinegar

Beat first 4 ingredients according to cake mix package directions.

Beat yellow cake mix and next 6 ingredients according to package directions. Spoon red batter alternately with white batter into 3 greased and floured 9-inch round cake pans. Swirl batter gently with a knife.


Bake at 350° for 22 to 25 minutes or until a wooden pick inserted in center comes out clean. Cool in pans on wire racks 10 minutes. Remove from pans; cool on wire racks.

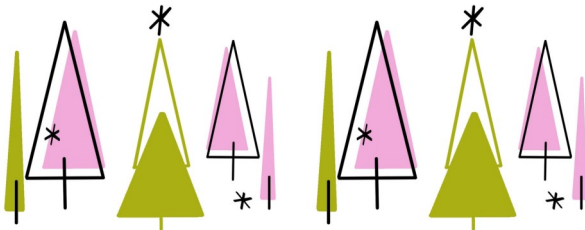
Spread Peppermint Cream Cheese Frosting between layers and on top and sides of cake. (Cake may be chilled up to 2 days or frozen up to 1 month.) Garnish, if desired. Serve within 2 hours.



**Home Swap***(Continued from page 1)*

The majority of websites include legal information under either a "legal info", "terms and conditions", "legal terms and conditions" or a similar tab. Most sites make it clear that they are not responsible for nor do they guarantee the actual exchange of homes; their role is to provide a database of information for travelers to use. However, depending on the website, various additional services are offered to protect their members: some offer customer service to their members and will mediate when there is a disagreement between members. Others offer insurance that may cover interruption of the vacation or cancellation, damage to property or legal costs and many provide some type of exchange agreement form.

Few problems, such as theft or vandalism, have been reported in home swapping but members who are new to the practice are encouraged to use all the tools available on the websites to protect themselves. Verification services; feedback from other swappers; checking Facebook; frequent communication with the other party; and using map sites such as Google to check out the look of the destination are some of the ways to make a sound decision about the other party. All this and mutual trust plays a big role in the success of a home swap. 

**Looking at the Web***by Mora Prestinary*

Country Guide to Home Exchange :

[www.homeexchange guru.com/index.php?page=abouthomeexchange&section=introduction](http://www.homeexchange guru.com/index.php?page=abouthomeexchange&section=introduction)

California:

[www.homeexchange guru.com/index.php?page=abouthomeexchange&section=reference&topic=2#USA](http://www.homeexchange guru.com/index.php?page=abouthomeexchange&section=reference&topic=2#USA)

**ask a  
librarian***by Mora Prestinary***Q**

What forms do I need to adopt my adult (over 18) step children?

**A**

There is information about Adult Adoption on these web pages from Santa Clara Superior Court: [www.sccscourt.org/self\\_help/probate/adoption/adoption\\_adult.shtml](http://www.sccscourt.org/self_help/probate/adoption/adoption_adult.shtml) & From the Sacramento County Law Library: [saclaw.org/wp-content/uploads/sbs-adult-adoption.pdf](http://saclaw.org/wp-content/uploads/sbs-adult-adoption.pdf)

Available in our Library: California Forms of Pleading & Practice, ADOPTIONS volume. 



## Staff News:

Three long-time staff members have retired: Leslie Lacount, our Technical Services Librarian, John Quigley, our Saturday Supervisor and Ayette Loo.

Leslie was hired in 1998 as Extra Help, promoted to Reference Librarian in 1999, and eventually took the position of Technical Services Librarian. She was the previous editor of this newsletter. She retired in March of this year. John was hired by the library in 1988 as Extra Help, eventually being promoted to full time, Saturday Supervisor. He was also the lead writer for this newsletter and contributed many well written, interesting articles. Ayette was hired as Extra Help in 1997 and became our Evening Supervisor. Both John and Ayette's last day with the library was October 29. We wish them all a happy retirement!

The Library has hired two new employees: Diane Whitaker, and Juan Gomez. Diane previously worked at Whittier Law School Library, and will be our Saturday Supervisor. Juan has experience at both La Habra and Anaheim Public Libraries. Welcome Diane and Juan!



See that pile of books over there in the corner? It's not just a pile of books, it's a Christmas tree! The Library's crafty staff has cleverly put together a marvelous tree made of legal tomes, capped off by Lady Justice. The lighted book tree has intrigued many a patron who have commented on its inventiveness and even photographed it. O Christmas Tree, o Christmas Tree thy lights shine so brightly. Happy Holidays!



New



Covers all Federal and State case law; all state statutes and regulations; searchable State Attorney General Opinions for selected states; IRS Revenue Rulings (1954 to current); law journals; full-text treatises in the following subject areas: Bankruptcy, Business, Construction, Consumer Finance, Drunk Driving Defense, Elder Law, Employment Law, Employment Discrimination, Evidence, Family Law, Litigation, Insurance, Personal Injury, Product Liability, Real Estate, Remedies.

Results can be printed/emailed/downloaded to flash.

### Library Holiday Hours

Mon	12/21/15	8 am - 5 pm
Tues	12/22/15	8 am - 5 pm
Wed	12/23/15	8 am - 5 pm
Thurs	12/24/15	Closed
Fri	12/25/15	Closed
Sat	12/26/15	Closed



*The library is closed every Sunday*

Mon	12/28/15	8 am - 5 pm
Tues	12/29/15	8 am - 5 pm
Wed	12/30/15	8 am - 5 pm
Thurs	12/31/15	Closed
Fri	Jan 1, 2016	Closed
Sat	Jan 2, 2016	Closed

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