

California State Archives  
State Government Oral History Program

Oral History Interview

with

**John Berry Mockler**

Legislative Assistant, Senator Farr 1965-1966  
Consultant, California State Legislature 1967-1974  
Director, Office of Government Regulations for Department of Education 1974-1977  
Deputy Chief of Staff, Office of Speaker Willie Brown Jr. 1983-1985  
Executive Director, State Board of Education 1999-2000  
Secretary of Education 2000-2001

June 26, 27, and July 24, 2003,  
Sacramento, California

By Paul Ferrell  
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None.

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## INTERVIEW HISTORY

### Interviewer/Editor:

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### Interview Time and Place

June 26, 2003  
Mockler's office in Sacramento, California  
Session of two hours

June 27, 2003  
Mockler's office in Sacramento, California  
Session of two hours

July 24, 2003  
Mockler's office in Sacramento, California  
Session of two hours

### Transcribing/Editing

Paul Ferrell transcribed the interview audiotapes and edited for punctuation, paragraphing, and spelling. Ferrell prepared the table of contents, biographical summary, and interview history.

John Mockler reviewed the verbatim transcript and returned it with minor corrections and clarifications. He also verified dates and proper names.

### Tape and Interview Records

The original tape recordings of the interview are in the university archives at CSU, Sacramento. Master tapes are preserved at the California State Archives.

## BIOGRAPHICAL SUMMARY

John Berry Mockler was born in Chicago, Illinois on October 2, 1941. He moved to California at a young age and grew up in Harbinson Canyon in Southern California. He attended public schools and graduated from El Cajon High School in 1958. For his college education he attended the University of San Francisco, San Diego State and the University of California, Santa Barbara, where he earned a bachelor's degree in economics in 1963.

Mockler was a student intern for the election campaign of San Francisco Mayor Jack Shelley in 1963. He worked with many important political figures in the San Francisco area and participated in several political campaigns, labor union activities and the civil rights movement.

In 1965 Sacramento became the focal point of his career when he became legislative assistant to Senator Fred Farr. After Senator Farr left the senate Mockler worked in the state assembly as a research analyst for the Assembly Office of Research and was a consultant for several important assembly committees. He became widely recognized as an expert on fiscal and education issues. He worked with Wilson Riles in the Department of Education from 1974 until 1977. In 1977 he moved to Los Angeles for about three years to work as the Director of the Independent Analysis Unit for the Los Angeles Unified School District.

After returning to Sacramento in 1981 Mockler began working in the private sector. He created several successful consulting and lobbying firms that dealt with education issues. He twice returned to serve in state government, first for one year in 1983 and later for two years beginning in 1999. In 1983 he worked on education and tax policies with Speaker of the Assembly Willie Brown. In 1999, he served as Executive Director of the State Board of Education and later as the Secretary of Education for Governor Gray Davis.

[Session 1, June 26, 2003]

[Begin Tape 1, Side A]

FERRELL: Today is June 26, 2003. My name is Paul Ferrell and I'll be speaking with John Mockler. This is for the State Government Oral History Project. We're in John Mockler's office just a few blocks from the state capitol building in Sacramento. Currently, John is working in the private sector. He's one of the most important education analyst, expert and lobbyist in California. You've had a long career, a lot of interesting people you've known and worked with, a lot of interesting issues.

Right now you're in the private sector, but you've spent a lot of time in public service, a lot of time with Willie Brown. You were on his staff when he was Speaker of the Assembly. Earlier you worked with LA [Los Angeles] Unified School District, an enormous school district down south, it's the second largest in the country. And you were with the Department of Education when Wilson Riles was there. You spent a lot of time in the assembly, different committees, Education, Ways and Means, and other things, again working a lot with Willie Brown. Before that, you spent about a year with [Senator] Fred Farr

in the state senate as a legislative assistant. Before that, you were down in San Francisco doing some interesting things with civil rights. Again some interesting people down there, the Burton brothers and . . . well, we'll talk about all that later.

Before that you had an academic career. You went to three different schools, University of San Francisco, San Diego State [California State University, San Diego], UC Santa Barbara [University of California, Santa Barbara] where you graduated in '63. And before that you're a high school student, class of '58, El Cajon High School.

Now, you grew up down in Southern California in Harbison Canyon, but you were actually born in Chicago in 1941, a child of William and [Jane]. I thought that would be a good place to start, to tell a little bit about your parents and how they maybe affected the direction that your life took.

MOCKLER: Well, my father grew up in Chicago, he was from this hundred percent Irish, old Irish Chicago family and was sent of to the seminary by his mother to become a priest. Obviously, that didn't take, although he was there quite some time and was fluent in Greek and Latin.

My mother grew up in St. Paul, Minnesota. Interestingly enough, at least she was told she was born there, but when she went to get a passport later in life, she never had a passport until she was about fifty five years old, they couldn't find any record of her birth. It turned out she was born in Canada, so she's probably the first of the part Irish, part Norwegian, part German, illegal immigrants of her time.

And they met in Chicago, got married, had four children. My father then went into the Army in the Second World War, which I think was a very difficult thing for him. He was older. He had tried to sign up a couple times to go in the war. He hit Omaha Beach; remember the movie *Saving Private Ryan*?

FERRELL: Yes.

MOCKLER: He was [a day or so] after that. So he was the second wave of that. He was older; he was like twenty-eight or twenty-nine, which is very old for a soldier, in those days. He got wounded, blown up in the Battle of the Bulge, carried a lot of shrapnel in his body, came back. We moved right after the war when he got back. He was with the bloody buckets brigade, a very famous group, most of the people who went over there died. I think there was of the first initial group, that he was in the first 800 or so, there were three that came back alive. So, it was a quite highly combat group that probably shaped a lot of his life after . . . subsequent to the war.

We moved to San Diego. I was about three years old when we moved, so I don't have a lot of recollection of the East. We moved first to public housing in San Diego, and this was right after the war, so there wasn't a lot of housing around. And then my parents moved us way out in the country, thirty-five miles east of San Diego and about fifteen miles from the Mexican border, a place called Harbison Canyon. We always say Harbison Canyon was created to prove you could create Appalachia in a rural white trash kind of place. Nice people, but functionally anti-intellectual.

My parents, neither of which at that time had graduated from college, nor had anybody in their family ever graduated from college. But my father, being almost a priest that was fairly well educated, went back to school on the G.I. Bill while we were living in Harbison Canyon. He got his college degree when my sister graduated from the ninth grade, I think. And I think I was in probably the fourth or third grade.

FERRELL: What kind of work did he find in that area?

MOCKLER: Well, he started off, interesting enough, in plastics way back. . . . When we came to California he wanted to become a journalist and so he worked for the San Diego Padre baseball team, he did some freelance PR work, and then became a reporter for the *San Diego Union Tribune*. So, he was a reporter for a newspaper, then later a reporter for . . . then called the *El Cajon Valley News*. And then he actually started his own newspapers or bought it. We owned five weekly newspapers and he went bankrupt in about three years, bankrupted the whole family on that adventure, but it was interesting.

FERRELL: I understand he spent a little time as an assistant to the mayor of San Diego.

MOCKLER: Oh yeah, in his career he did the newspaper thing, that didn't work well. Went back to work for the newspapers, and then got a job first as the public relations director for the Port of San Diego. He helped create the original port when Hugo Fisher was the state senator and Pat Brown [was governor]. They came together to unify the Port of San Diego where now they have the port and they have the airport [and trains] all together and the bay development all under one agency. My father left that job and became an assistant of some sort to the mayor of San

Diego who was Mayor Curran, as I recall his name, who was replaced by Pete Wilson, later a senator and a governor. And when Pete Wilson beat Mayor Curran then—I would say it because I know Pete Wilson fairly well—but you know his first job as mayor of San Diego for Pete Wilson was to fire my father. Naturally, it's a natural thing you do, one mayor takes over, it wasn't an evil thing, it's just the way the world works.

FERRELL: Uh-huh.

MOCKLER: [Laughter] So, it's kind of funny.

FERRELL: You mentioned your mother, was she working?

MOCKLER: Yes, she worked outside of the home. She was a secretary. It was fascinating because she did stenotype, which I don't even know if they do, I guess they still do, like court reporters do.

FERRELL: Oh, yeah.

MOCKLER: So, we always thought that was really a fun thing. She did many things. She was a school secretary for a while. She worked for the City of El Cajon and then she worked for a labor union and was later a labor official with the then called the Retail Clerks. Now they are called the Food and Culinary Workers Union, and was actually a laborer official in that union. Yeah, she always worked.

FERRELL: You mentioned neither one of them had *originally* gone to college. Did they encourage you to get a good education when you were a kid?

MOCKLER: Yeah, yeah, they did in a strange sort of way. They were not very directive parents. I have three sisters, all older. One did go to college, which probably had more influence on me going to college than my parents. Two sisters did not and I

did, although I had no idea quite why I was doing that. I actually graduated from high school when I was sixteen, so it's also quite young to make such [important] decisions. But you know, when you lived in Harbison Canyon, if you could read in the fifth grade, they'd put you in seventh. You know, we talk romantically about the fifties as a great . . . you know, education was wonderful in California, but that of course is more mythology than real. We did spend a lot more money than we do now, relatively. But the rural areas were still, as they are today, unserved by quality education.

FERRELL: Well, just how rural was Harbison Canyon? What was it like there?

MOCKLER: Well, when we moved there, 110 people lived there. All around it, by the way, now are kind of rich houses in Alpine, La Cresta, but Harbison Canyon still is essentially a kind of a pocket of poverty. My friend, the sheriff of San Diego says the consistent thing about Harbison Canyon is they still make really good methamphetamine there. They have for years, so that's, you know it's something . . . it's kind of like fine wine, I guess. It grew too, I think it might have had two or three hundred people. We were bused to Alpine to go to elementary school and then into Grossmont first, and then El Cajon later to go to high school.

FERRELL: I've been through the area several times. I'm originally from Southern California. But I've never seen or heard of the place. How far is it from Alpine?

MOCKLER: Five, six miles.

FERRELL: That's all?

MOCKLER: Yeah, south of Alpine.

FERRELL: So you went to Alpine Elementary School.

MOCKLER: Alpine Union Elementary.

FERRELL: That, of course, is a public school.

MOCKLER: Yeah, right.

FERRELL: How was that?

MOCKLER: It was fine. It was very small, relatively. It was a K-8 school. Had one really good math teacher. Don't remember any other teachers very well, so they either were good or didn't impress upon me too much. Well, no, I guess one seventh grade teacher was really profound in literature. People were very nice, you know, rural poor people take care of each other. Our free lunch program was when the lady who ran the cafeteria knew your dad was out of work she just wouldn't charge you for lunch. That's just how they did it, you know, they didn't have any kind of federal script or anything, they just made it up themselves about whose family could afford to buy the lunch and whose family couldn't. It's small in that sense. And one of the funny things, with my eighth grade graduating class, I think there were twenty-six kids, or twenty-seven. Only about seven graduated from high school. And these were all Anglo rural kids. And I think three went to college, I was one of those. A couple of them made the big time, one in Soledad and one in San Quentin. So it was a pretty eclectic group.

FERRELL: I'm sorry. One was at San Quentin and the other was . . . ?

MOCKLER: Soledad Prison.

FERRELL: Soledad.

MOCKLER: It's not . . . that's not as high a prestige as San Quentin, but it's a pretty good prison.

FERRELL: You mentioned a couple of teachers that influenced you way back then. Well, jumping way ahead, I said that you graduated from UC Santa Barbara, but you had a degree in economics.

MOCKLER: Yeah.

FERRELL: But you've spent a lot of career . . . most of your career in education. Did you ever consider becoming a teacher yourself?

MOCKLER: I did actually. I wanted to be a community college teacher and actually did student teaching in a community college when I was in graduate school. And I found I wasn't really very good at it, so it really impressed me how difficult it is to be a good teacher. I gained great respect for the good teachers.

FERRELL: You went to high school in El Cajon. I guess that was a bit of a longer bus ride, wasn't it?

MOCKLER: Yeah, in those days, about fourteen miles. A little shorter now because we've got freeways.

FERRELL: How was El Cajon High School?

MOCKLER: Well, we first went to Grossmont and then they built El Cajon, so then they bussed us to El Cajon.

FERRELL: Uh-huh.

MOCKLER: Well, it was an okay school, I mean we had normal kind of courses. I actually took college bound courses because my parents did insist that, but you need to take algebra, you know, one, algebra two, which is your track. If you don't take algebra one in the ninth grade and still to this day, now it's eighth, you're not going to college. That's how we track people out. We put you in math two and

me in algebra one. If you didn't get algebra one, then you basically had a much harder time ever going to a college.

So, I did that track, but I also took auto shop and electric shop and wood shop. I learned how to work on cars and I remember those things well. An important thing in my life was I got a letter, you know, an athletic letter in wrestling, which was very important to me because I was fairly young when I went to high school, I was twelve. I graduated when I was sixteen, so having an athletic letter was a pretty big deal for just a little pipsqueak.

FERRELL: I understand while you were a teenager, you became a teamster. You joined the teamsters to drive a truck?

MOCKLER: No, actually I was working at an equipment rental yard called the . . . gees, what the hell was the name of that place? But these people rented building machinery; you know, the skip loaders, cement mixers, et cetera. And I had a very important job which essentially was to clean cement mixers, as you know, a high skill job. But the teamsters union came and put a picket line up and closed the place down because building people wouldn't come in to rent the equipment. And they signed a contract without a vote of the workers to make us Teamster Union.

We got a little pay raise, but mind you, I was in school so it wasn't my battle. But one of the clauses in the contract was that if someone left above you they'd have to train you for that job. And so, since I was lowest on the totem pole, if anybody left I had upward mobility. And, so I actually got trained there to be a . . . what in those days we called a class B mechanic, which is like tune-ups and

brakes. So I'm pretty good if your car was made before 1960, I could pretty . . . pretty well fix it [Laughter].

FERRELL: I'm actually having trouble, but we'll talk about that later. I've got an '85 Toyota.

MOCKLER: [Laughter] Nah, don't know anything about it . . . no . . .

FERRELL: You don't work on transmissions, right?

MOCKLER: [Laughter] So the reason [being a Teamster Union Member] was good is that later on in college I got jobs that paid a lot of money. So I could pay for my way through college.

FERRELL: Right. You worked as a mechanic while you were at UC Santa Barbara, didn't you?

MOCKLER: Yeah, yeah. Again, no glorified mechanic, it was brakes, tune-ups, that kind of stuff, you know. The interesting thing is when I went to San Francisco, San Francisco is a union town, and so you can get a job if you have a teamster card. You laid down your teamster card and they'll place you in a job, which was pretty good and also very good pay. So, when I went to college, when the kids on campus were making seventy cents an hour, I was making two dollars and forty cents an hour, almost four times [more]. It would be like sort of making forty dollars an hour now, as it were. So that's a pretty big difference to support yourself in college, so that was a hugely important thing to me.

Santa Barbara is a non-union town. There are basically no union jobs, at least for an auto mechanic or that sort of thing. And so what I did is I took over the back of a . . . entrepreneurially, took over the back of a guy's gas station. He

ran a gas station and he wasn't very good at the tune-up, brake stuff. That's when gas stations did all that kind of work . . . before AM/PM.

FERRELL: Uh-huh.

MOCKLER: And so, I took that over and took a percent of the take and made a lot of money that way.

FERRELL: You said that that the teamsters came into this equipment rental place and they got a contract *without* a vote.

MOCKLER: Uh-huh.

FERRELL: Was there a little coercion there?

MOCKLER: Well, I mean I think what they said was that we're going to . . . the management said we're going to sign up with the union and everybody said fine. But they put the pickets up without any internal activity.

FERRELL: Aren't you required to have a vote to get a union into a place?

MOCKLER: As a matter of . . . yeah, it depends if the management, in those days anyway, if the management resisted, of course. But if the management wished to sign up for a union, then you didn't [have to vote].

FERRELL: Oh, okay. Well, you graduated from El Cajon in 1958.

MOCKLER: Right.

FERRELL: And you went to University of San Francisco.

MOCKLER: Right.

FERRELL: You were saying you were awfully lucky to have that union card up there.

MOCKLER: Right.

FERRELL: In 1959 . . . '58, '59.

MOCKLER: Right [September 1958].

FERRELL: You're at University of San Francisco.

MOCKLER: Right.

FERRELL: Is that where you first met Willie Brown? He was a student there.

MOCKLER: No, he wasn't. He was at San Francisco State. But I did, yes. I met Willie Brown in . . .

FERRELL: Oh, San Francisco State, that's right.

MOCKLER: Yeah. I was at USF it's a Jesuit school . . . Catholic school. The reason I went to USF is first of all it was in San Francisco and I didn't want to go to Berkeley because it was too big, USF was small. Second of all, in the early fifties, USF did a wonderful thing. They were like 9-0 and like number one in the nation, and they were invited to play in some cotton bowl or sugar bowl, or something. And . . . and they . . .

FERRELL: I heard about it. This is an amazing story.

MOCKLER: They refused to go because they were going to take their two African-American players. And they said, well you can't . . . you just leave those home and you guys can go to this bowl. Which is a big deal for a small college because they could make money and prestige. They said no. I didn't know anything else about USF . . . I did know that. And it was small in San Francisco and that they'd told the southern bigots to eat it, which I thought, was terrific.

FERRELL: Yeah, I saw a brief news report on that . . .

MOCKLER: Really?

FERRELL: Just about a year ago.

MOCKLER: I know. Yeah.

FERRELL: There was some kind of reunion of the team.

MOCKLER: Was there really? Well, it was interesting because some of those players later played in the pros and, you know, if you're a fifties person, you know about those. You know, Bob Sinclair and. . . . Anyway, so that's why I went to USF.

FERRELL: Starting out at USF, you hadn't decided on a major of economics had you?

MOCKLER: No.

FERRELL: You were still interested in teaching, or what?

MOCKLER: No, at that point I really didn't know what I wanted to be.

FERRELL: You were in the first year.

MOCKLER: Yeah. I mean, I was quite young and quite naive. I was from a rural place that didn't have any experience with college. Nobody ever sat me down and explained what college was. I had no idea. I was just there. You know, I'd been to high school and that's all I knew about education and so I had no idea what you were supposed to do in college.

FERRELL: Were you living on campus?

MOCKLER: Yes, in a residence hall.

FERRELL: Uh-huh.

MOCKLER: Phalen Hall, it was.

FERRELL: Phalen?

MOCKLER: It's still Phalen Hall. It's still there.

FERRELL: *Notfailing*, but . . .

MOCKLER: No. Phahn. P-H . . . yeah, he was a good Irish guy. Probably gave money to build it.

FERRELL: What kind of student were you?

MOCKLER: The first year, awful. You know, if it hadn't been for ROTC and theology, I probably would have flunked out. I took French one, which I did flunk, but I did very good in ROTC, in theology, and I got an A in accounting. I think I got a B in economics. So, it was sort of, you know, like a two, three or four, but not very good the first year.

FERRELL: You were pretty good in accounting and economics, which . . .

MOCKLER: But I was working. I was basically working forty hours a week and going to school. So I wasn't that disappointed in it. I did feed myself and lasted the year and then ran out of money and couldn't pay the tuition. We didn't have a lot of scholarships in those days, or if there were, I didn't know about them. And so I went to San Diego State for a year, and saved money. Went back where I was working before, saved money and then went back to USF for my third year of college.

FERRELL: You mentioned the ROTC. What were you doing with them?

MOCKLER: We were required to, in those days.

FERRELL: You're required?

MOCKLER: Yeah. Almost all schools, land grant colleges and all. Remember, this was not that far after the war and you were required to take ROTC. I took Army ROTC at USF because we were required to. And I took Air Force ROTC at San Diego

State because you're required to. You were required to pick one; they had a bunch of them you could pick.

FERRELL: I remember reading about Willie Brown. He was Air Force ROTC at . . .

MOCKLER: At San Francisco State. That's where he met John Burton. Yeah, because they were standing right beside each other, right . . . Brown, Burton, if you just think of who was on your . . . if you're lined up by name.

FERRELL: Uh-huh.

MOCKLER: That's how they met each other.

FERRELL: You came back and you got your old job back at the equipment rental place. You made some money and then you went back to San Francisco.

MOCKLER: Uh-huh.

FERRELL: And then in '61 you went to Santa Barbara.

MOCKLER: Right. I was actually driving back to San Francisco, I decided I wanted San Francisco, I'd go to San Francisco State. I couldn't afford the tuition anymore at USF. It's just like I was working too hard to save money, you know, because I would've had to pay my own tuition. So, I said, well I'll go to San Francisco State because the tuition was basically zero.

And I saw this sign that said UC Santa Barbara. I didn't know there was a UC Santa Barbara, honest to God. I knew there was a Berkeley and I knew there was a UCLA. This was like, you know, pretty early. So I was driving up 101 and saw this sign, UC Santa Barbara, so I went out there and saw this campus with, you know, two sides [on] the beach. There were 3,500 students, something like that maybe, less than 4,000. It was predominantly a teacher's college. There were

about three women for every two men on campus, and in the early sixties that was unusual. Now there's more women going to college than men, but in those days there wasn't. And that was because they had a big teacher education program there. It was the, you know, UC Santa Barbara was the Santa Barbara normal school that they converted to a university and it was wonderful for me, I thought. I just loved it. But I had to get a job and there was no union jobs, so I went and worked for this gas station and took over a percent of the operation. Ed Facunda's Texaco, I remember it well.

FERRELL: Now you, in your senior year at Santa Barbara, you were the editor of *El Gaucho*.

MOCKLER: The student newspaper, yes.

FERRELL: How did you like that?

MOCKLER: I liked it a lot. I was actually managing editor the year before and then editor. I got to meet John F. Kennedy, as a managing editor, when he made a commencement speech at Berkeley. It was a wonderful thing. He met with all the college editors and my editor could not go to Berkeley, so I was sort of acting editor. That's why I got to be there.

FERRELL: Uh-huh.

MOCKLER: We were at Berkeley and we met the President of the United States, which was some pretty heady stuff for a poor kid from Harbison Canyon. But we were going to get him, right, because. . . . I always remember the civil rights days when President Kennedy was running, he said in a speech, he could with a single stroke of the pen outlaw discrimination in federal housing, as he could. You know, military housing, public housing, because he owned it, right? He was the

landlord, if you will, and all he had to do was put an executive order out and say, you know you can't be kicking people out or assigning housing based on race. And of course, then he was president and he never did it, so we kind of activist people, we would send him pens and ink . . . bottles of ink, because . . . saying obviously, you didn't do this because you didn't have a pen. That was our little, kind of early civil rights protest.

So I actually asked him in this meeting with the editors. I asked him, well, why hadn't he signed that. And he was *such* a good politician, you know, I don't remember all the details, but he basically turned it around. He said, "Well, I could do that and I'm going to do that, but that's really not the problem. The real problem is how can each of you make your own communities better by doing more reaching out." I mean, he just charmed our socks off. We were going to be really smart-ass student editors, but he just picked us apart. He was quite impressive.

FERRELL: So, you had an interest in civil rights before you went up to San Francisco. Well, why were you interested in civil rights? How did that develop?

MOCKLER: I think it comes from my parents. I remember incidents when I was young. My mother was a school secretary at Alpine and we had separate bathrooms for Indians and whites. It said white boys and Indian boys, and white girls and Indian girls. And this was, you know, it was 1948 or something. And she was school secretary and she made them eliminate that. Of course there was a little brouhaha in the community about that because . . . you know, a lot of people thought that Indians were less than human.

FERRELL: The reservation is Los Viejos. Is that what it is?

MOCKLER: Viejas.

FERRELL: Viejas.

MOCKLER: Viejas Indians go to Alpine. There's also Sequan which is closer to Harbison Canyon, but they went to school in Dehesa, a different school district.

FERRELL: Now they've got quite a casino . . .

MOCKLER: But they went to El Cajon and Grossmont High School.

FERRELL: Uh-huh.

MOCKLER: Well, now they got money there because they got casinos.

FERRELL: A big casino.

MOCKLER: But in those days, you know, you'd have four or five Indian children in your early classes, but very few ever graduated, from even the eighth grade. We talk about drop out rates and there were huge drop out rates, from all classes, but Indians especially in those days. The Teasams who are now the head of the tribe with the casino, they were on our baseball team. They played on the Harbison Canyon baseball team. They're quite good players.

But, then also a family, a Mexican family, the Rivera's, moved into Harbison Canyon. The first visible minority that was there. And of course San Diego Gas and Electric wouldn't hook up their house with gas or electricity—they just refused to. You know, all kinds of bullshit, typical nonsense racist reasons. And really, a white trash couple or family lived maybe 200 to 300 yards from where the Rivera's moved in. And my mother and dad and everyone they all got a bunch of extension cords and plugged them in. And they had this huge protest

and finally San Diego Gas and Electric kind of gave in. This was interesting because the community initially was split on whether or not it was okay to have a Mexican family in our midst. But later on, once San Diego Gas and Electric messed with them, then everybody hated San Diego Gas and Electric more than they hated the fact that there was a Mexican moving into their neighborhood. [Laughter] And actually it was sort of a community building event.

So I think that's the kind of stuff that you kind of get to thinking about— why would people do that? Why would you mess with somebody just because of the . . . you know, that they look different or something? That must come from my parents. It just seemed to me . . . unjust.

FERRELL: Uh huh. Well, getting back to your work in the newspaper. As an editor, you've got some power there. You can . . .

MOCKLER: Oh, it was fun.

FERRELL: You can put a slant to your news or whatever you want to call it.

MOCKLER: Yeah.

FERRELL: I guess you were pushing civil rights.

MOCKLER: Not much, a little. There wasn't much civil rights stuff at Santa Barbara. Santa Barbara was very white toast operation. It still is relative in the university. So we did a bunch of stuff on housing how bad the housing was being built. We did a bunch of stuff on when Richard Nixon was running against [Governor] Pat Brown. Richard Nixon always accused the university of being pink, you know, like a communist. So we actually ragged on Richard Nixon. An editorial got

printed, every campus newspaper printed that editorial, which was entitled "The hint of pink."

FERRELL: In all the UC campuses?

MOCKLER: Yeah, all the UC campuses, and I got a commendation from Tom Stork, who was the editor and publisher of the *Santa Barbara News Press* at the time, very famous man, interesting. So I thought that was pretty big, and that was fun.

FERRELL: Well, for a little while there, you went back and forth between San Francisco and San Diego. But I want to go back a little bit. You said you met Willie Brown up there.

MOCKLER: I met Willie Brown in 1959, yeah. I actually went to his twenty-fifth birthday party. That's why I always know how old he is. He can't fool me because he wasn't lying about it then. [Laughter] Yeah, his mom and I used to say we knew Willie Brown when he thought Tom McCann made a pretty good pair of shoes. [Laughter] He was young. That birthday party also, he celebrated being sworn in as a lawyer. It was both.

FERRELL: He went to Hastings.

MOCKLER: He went to Hastings, yes.

FERRELL: Uh-huh.

MOCKLER: And he'd been, you know, active and stuff. And then we had met in a couple of kind of civil rights, labor kind of things. And then somebody invited me, you know, why don't you come by Willie's because we're having this birthday party. So, I said fine. That's . . . it was as casual as that, so I went by to his birthday party.

FERRELL: So, you say you met in some civil rights, labor sort of things. There was a lot going on in San Francisco '63, '64 and earlier as well.

MOCKLER: Yeah, but this was earlier. This was '59.

FERRELL: This is earlier?

MOCKLER: This is before the big civil rights . . . the big civil rights stuff was later. The early stuff was HUAC, you know, the House Un-American Activities Committee and there was some initial housing discrimination thing where they would not show houses to African-Americans and there was that kind of stuff going on. It later accelerated a lot in the sixties. The sixties, late fifties, it just started. People started coming alive in the late fifties. In San Francisco there was, you know, kind of the beat generation, different kind of left stuff, certainly a lot of hangover from the attacks on labor unions, Harry Bridges. And I got to meet Harry Bridges, which was a cool thing, and he was a big Teamster supporter.

FERRELL: Of course he was the ILWU [International Longshoreman and Warehouse workers Union] leader.

MOCKLER: ILWU, yeah. And so, you know, I was working and I was going to school and that's when I paled around with them. It wasn't real dramatic I wasn't in charge or anything, I was just hanging out. But I got to know people like Willie and Johnny Burton. John Burton and George Moscone used to come to USF and play pick up basketball. John Burton was actually all-coast basketball at San Francisco State but he was older, he was out of school and had become a lawyer and George Moscone would . . . they would come there and we'd play basketball with them.

FERRELL: I think John Burton, while he was in his school, his job was a playground director or something like that.

MOCKLER: Yeah, yeah, he was a playground director.

FERRELL: I guess that's where he learned to shoot hoops.

MOCKLER: Yeah, absolutely.

FERRELL: So you knew John Moscone as well?

MOCKLER: *George Moscone.*

FERRELL: George Moscone.

MOCKLER: They were all young and. . . .

FERRELL: And of course Phil Burton was a little bit older. Did you meet him?

MOCKLER: Yes, I met him then and certainly much later. I actually worked with him when I was a CORO intern and I worked on his campaign for congress as a CORO Foundation intern later on, this was like in '63. After I went to Santa Barbara then I graduated from Santa Barbara I spent most of my summers in San Francisco working because I could make more money. When I graduated from UC Santa Barbara I became a CORO Foundation intern in 1963, in San Francisco. So the CORO Foundation assigns you out to different units of the community; labor, business, et cetera, et cetera. . . . So that was probably *the* seminal year in politics in California, certainly in San Francisco.

FERRELL: Yeah, there was a little bit of musical chairs going on between [Mayor] Jack Shelley and Burton and . . .

MOCKLER: Yeah, and I got assigned to the Jack Shelley for mayor campaign and drove around his little son Kevin [and daughter Katie, Kevin] is now the Secretary of State.

FERRELL: Well before we talk about the politics I want to know a little bit more about civil rights at that time. There was some demonstrations going on, Mel's Drive In had pickets and there was . . .

MOCKLER: Yes, there was auto row.

FERRELL: Auto row, you were involved in that thing.

MOCKLER: My sense is that that was later, my sense is that that was in the sixties.

FERRELL: Sixty-four, the same time, pretty much that same time, as the Sheraton Place Hotel.

MOCKLER: That's right, that's when I was a CORO intern, early on, that was before most of the freedom rides.

FERRELL: The freedom rides were '63.

MOCKLER: Yeah, so we're talking . . . at this time when I first met Willie and John it was '59. This was well before that we talked about stuff like that but we never did it.

FERRELL: You did do a thing or two at auto row. You participated in those demonstrations.

MOCKLER: Yeah.

FERRELL: What was it like? What was it all about? Tell me the story of auto row. It was something to do with a Cadillac dealer?

MOCKLER: They wouldn't hire African-Americans at the dealership. They'd sell them Cadillacs, to African-Americans. That was never a problem, if you had money. But they wouldn't let any work there, no salesmen, no auto mechanics, no

anybody. Same thing on the hotels, they wouldn't hire African-Americans except for porters and that sort of thing. They wouldn't hire them to be waiters or . . . it was just straight up racist stuff. It was very simple.

What I did is I watched, when Willie became a lawyer and Johnny Burton, Phil and George a bunch of them, and Leo McCarthy, they were all lawyers, right? And so they would say, "Well, we'll let Willie participate in the sit-in." But then when the cops started coming and announced that if you don't leave you'll going to be in jail the lawyers would all leave and say, "Hey, we need to bail you guys out and take care of your legal needs." And I'd say, "Good, I'm with you." [Laughter] Willie would say, "Why don't you stay?" I'd say, "I'm staying when you're staying." [Laughter]

FERRELL: Was that the NAACP [National Association for the Advancement of Colored People] that organized these demonstrations?

MOCKLER: Yeah, NAACP, labor, there were a lot of different sub-groups.

FERRELL: I heard about a group call the United San Francisco Freedom Movement. Was that part of that? From what I understand they were freedom riders who came back from the South and . . .

MOCKLER: Yeah, there were some of that with Terry Francious and some . . . but there were . . . what's his name? The ILWU guy, Wes Lester. My information came mainly from union stuff, not so much civil rights.

FERRELL: Well, what were you doing in union stuff up there?

MOCKLER: Nothing, I would just go to meetings and I was working and earning a good living because I was in a union. I was making a lot more money than. One of my

favorite union stories . . . I used to go to union meetings, and I was reading all the stuff and this must have been 1962 or '63 it was '61 I mean. So I go to this meeting and I'm asking all these questions. I'm saying, "What are we doing about this?" And it was the days when Jimmy Hoffa was going to jail and it was always the Senate Rackets Committee.

So I was asking all these, you know, "Who's cleaning up our union?" I was kind of full of vigor. And these guys were kind of looking at me like, "Who are you?" [Laughter] I was some young, little . . . I was like nineteen years old or something. These were like *working guys*.

So after one meeting this guy says, "Hey, why don't you come out and have a drink with us?"

I said, "You know I'm really not old enough to drink."

"Ah, that's okay come with us." So I go with them and I sit there and they go, "What will you have to drink?"

"Well, I'll have what you're having." They had a beer and a shot of whisky. Oh, Jesus. . . . [Laughter]

So the guy goes, "Have you got troubles with the union?"

I said "I was troubled about Jimmy Hoffa . . . money disappearing. I read this thing that said the western states pension fund or central pension fund has three million dollars missing."

He says, "Three million dollars, really?" He says, "How many teamsters are there?"

I said, "Well according to our latest publication there are 1.7 million teamsters in America."

He says, "That's about two bucks a teamster, huh?"

I said "Well, you could look at it that way."

"How much money you making, son?" I made three dollars an hour or something. He said, "How much are the SOBs making?" (That's what we call the Standard Oil boys, the non-union guys, we called them SOBs.)

I said, "Well they make a dollar thirty or something."

So the guy tells me "You know, why don't you work an hour for Jimmy and shut your fucking mouth." [Laughter] So they just looked at it that way, you know, risk, reward, gain . . . they were funny guys.

FERRELL: Well as far as civil rights go, there was a lot of interesting people just starting out in those days, everybody was pretty young in those days you mentioned Leo McCarthy, the Burton brothers . . .

MOCKLER: In the '63 election . . . in San Francisco they have them in the odd years and not even years so Jack Shelley got elected to mayor.

FERRELL: He was a congressman.

MOCKLER: A congressman that opened a congressional seat so Phil Burton could win the seat. And he ran and won that seat, opening up his assembly seat where his brother John ran and won. In the meantime, in local city politics on the board of supervisors, George Moscone got elected to the supervisors in '63, Leo McCarthy got elected in '63. So a bunch of things were happening in that way. Willie Brown in '62 had made a run against a Democratic incumbent named Eddie

Gaffney and lost. But in June of '64 he and Johnny—Johnny was running in the twentieth [assembly district] and Willie was running in the eighteenth—Willie knocked off Eddie Gaffney in the primary, who was a Democrat.

FERRELL: A long-time Democrat, he had the seat a long, long time, didn't he?

MOCKLER: Yeah a union Democrat.

FERRELL: And he was not too friendly to the Black community, was he?

MOCKLER: He was basically an old-fashioned Irish guy who was charming on the one hand but functionally racist on the other. He just couldn't help himself, it wasn't . . . it was nothing personal it just was how he was. [Laughter] And labor, the ILWU and civil rights people and students . . . we organized them all, we had a hell of a campaign, it was fun. So '64, that was fun.

FERRELL: It was fun? What do you do? What did you do in campaigning?

MOCKLER: Well, the work was pretty menial stuff, mainly organizing get-out-the-vote activities. You look at the data to try to know which precincts . . . I think there were 386 precincts in Willie's side and we worked a hundred. We just sort of concentrated mini-max politics in the economic sense.

FERRELL: I'm sorry, mini-max politics?

MOCKLER: In economics there's a thing called the saddle point. It's a curve; it's the minimum of the maximum curve, so the curve's going and the other one is the maximum end of a minimum curve, going up like this.

FERRELL: Okay . . .

MOCKLER: So it's that point where you . . . if you have assets and you work 200 precincts but you only have a forty percent success rate in getting your voters out compared to

working a hundred precincts and getting a hundred percent of your votes out, which is better? Okay, you're trying to figure out a way to get your people to vote.

FERRELL: I understand Phil Burton was good at all that sort of stuff you're talking about, identifying who was . . .

MOCKLER: When Phil got elected to congress we were sitting at this Chinese restaurant at night. It was about three in the morning, he said, "John you're going to Washington with me."

And I go, "No I'm not."

He says, "Yep, you're going to work for me."

I said, "No I'm not."

He was enraged, he said "Why not?"

I said, "Well Phil, you and I would go to a baseball game and Willie Mays would hit two home runs and leap over the center field fence and catch the ball that stopped the other team and throw the guy out at home. I would think it was a great game and you would just want to know whether Willie Mays was going to march in your next civil rights activity." I mean his politics were twenty-four hours a day and there was no other life. It was heady stuff to be around those people who were winning and it was fun.

They sent me off later that year in I think June after the Willie/Johnny primary. I was sent off to do the No on 14 campaign, which was a civil rights statewide campaign.

So they just came up to Sacramento and said "Guess what? You are now the executive director of the Youth against Proposition 14 Campaign."

FERRELL: Executive director? Now the Proposition 14 in 1964, the idea was to nullify the Rumford Fair Housing Act. He was an assemblyman from Oakland.

MOCKLER: Right.

FERRELL: A year earlier they made that law . . .

MOCKLER: They passed a law that said that if somebody had the money and the credit you had to sell them a house.

FERRELL: Regardless of race.

MOCKLER: Yeah, race, creed and national origin. And the real estate association essentially put it on the ballot to repeal that. Our job was to stop that repeal, we lost big time. But it was a fair campaign, I was executive director of the youth campaign but there was a big people's campaign.

[Governor] Pat Brown was against it, the governor of the State of California raised money, we probably outspent the proponents. And California voted two and one-half to one. To me that was so profound that the day after the election I left the country. I thought that that was like. . . I put myself in the place of a Black, Mexican whoever . . . I mean you play by all the rules, you go to college, you get educated, you get a good job and you create a job, you create a whole enterprise, and then you can't buy a house. That's not subtle, I mean if I was that person I would be very, very angry.

[End Tape 1, Side A]

[Begin Tape 1, Side B]

FERRELL: Okay, so now you lost. What were you doing? I know earlier you were just a precinct worker, I shouldn't say *just* a precinct worker, but on Proposition 14 you were in charge.

MOCKLER: Well, I was in charge of the youth thing. I was sent to LA by Willie Brown, John Burton, Phil Isenburg . . . who else? Somebody else. They just said you are now executive director and you are going to go to LA and get an office where the big campaign was, downtown.

I go, "Okay, what do I do?"

"You'll figure it out."

So I went down there and I said, "I'm the executive director give me cards," and they did. It was very strange. They were people running the campaign. And so the first thing we tried to do is raise money and we did. We decided to do a small folk concert. And then it just steam rolled and we ended up actually producing the largest folk concert ever produced in America at that time, at the Hollywood Bowl, September 23, 1964. We got Joan Biaz, Pete Seager, Bessy Griffin and the Gospel Pearls, Heady West, Theo Bikel and Joe and Eddy. It was just like . . . cool. I didn't know anything about running a concert . . . I mean when I was with the Jack Shelley campaign I actually *helped* produce a concert that had the Kingston Trio and a young musician from New York named Barbara Strisand but I was like just helping somebody.

So I just sort of made this stuff up and we got some help from Nat King Coles' agent helped me. He was terrific. He said, "Yeah, I'll go with you kid."

Because I talked to these people with whom we were signing contracts. One of the wonderful things . . . in the end we raised, I don't know, eighty thousand bucks or something, which in 1964 is a lot of money. And the Hollywood Bowl wrote me check for, whatever it was seventy thousand dollars or something, and so I just endorsed the check over to the campaign. But on the record for the campaign it shows that the largest single contributor to the campaign was John Mockler. [Laughter]

So then I left, I went to Europe. My parents [held] my mail and when I got back there must have been a thousand letters from civil rights groups all over America talking to me in this personal, first-person kind of a . . . thanking me for my deep financial commitment. [Laughter] I didn't have a pot to piss in but they thought I was a big donor, that was funny.

FERRELL: So Proposition 14 lost big time and you took off, you just said you . . .

MOCKLER: I took off, I graduated from CORO, I had done this job and so I just took off. I drove somebody's car; they paid me to drive a car across the country. I took a German coal freighter from Newport News, [Virginia] to Antwerp, [Belgium].

FERRELL: You took a coal freighter to Antwerp and then you bummed around Europe?

MOCKLER: Yeah, just bummed around. A friend of mine who I was traveling with was a Jewish guy.

We were down in Marseille, France and he was playing chess with a captain of a ship and he said, "Do you want to go to Israel?" His boat was going to Israel.

And I said, "Sure, wherever that is."

And so we went to Israel on this boat and we only paid like twenty-six dollars because the captain wanted to play chess with him so he let me come along too. We paid some almost nothing fee. We stopped in Genoa, [Italy], Praeus, [Greece] and then we got there. And he said, "Hey lets go to a kibbutz?"

"Right, what's a kibbutz?"

I didn't know what this was. I was an Irish-Catholic working boy. So we ended up going to a kibbutz and I worked on the kibbutz, Dorot. And then we wrote this letter to a guy named Yegil Yadin, who was the commander and chief of the Israeli Army in the '48. But he was running an archaeological dig in a place called Mesada. So I went and dug at Mesada for about six weeks, eight weeks. It was fun; I made eight dollars and eighty cents a week, plus ten packs of cigarettes. That was kibbutz wages. It was kind of fun.

It was interesting for me because on the kibbutz they'd never met a non-Jew. They wanted to know why I could drive a tractor. They'd never met anybody from America that could drive a tractor. The kibbutz were very ideological, they thought, well it must have been that the Irish were oppressed in America because the Jews didn't drive tractors the Irish did. I told them, "No, no it was just where I lived." It was quite interesting how they approached it. I never knew anybody to do that.

FERRELL: How long were you in Israel?

MOCKLER: I was there about three months or more.

FERRELL: What else did you see? Did you go to Jerusalem?

MOCKLER: Oh yeah, I went to Jerusalem. I camped on the beach at Eilat when there was nothing there, now it looks like Miami Beach. There was one four-unit little place and a youth hostel, which was full. So I actually slept on the beach in Eilat. I went all over Israel and went into the Arab countries. I went into Jordan, who didn't care that I had been to Israel. I tried to go to Syria but got thrown out of Syria three times.

FERRELL: Why did you get thrown out of Syria?

MOCKLER: Well, they couldn't prove I was in Israel but they knew I left France and they knew my entrance visa was the Medebaum Gate in Jordan so . . . you can't hardly get there without going through Israel. Nobody else cared, the Lebanese didn't care but the Syrians did.

FERRELL: So at this time Israel was *not* stamping your passport.

MOCKLER: They just handed you a piece of paper and you could throw it away, yeah. And of course Israel was much smaller because the West Bank was still . . . it was before the '67 war. It was '64 - '65.

FERRELL: I understand that Jordan is a pretty interesting country.

MOCKLER: Yeah, I actually liked the . . . I liked Israel a lot it was very. . . . If they hadn't been shooting each other I would have stayed a long time. Yeah, the Jordanians are wonderful people except when you talk about Israel at which case they become crazier than the Northern Irish.

So yeah, Petra is fun, it's beautiful, I went down to Petra. If you look at Lawrence of Arabia about where he came in, he took Petra from the rear, it's only

been taken twice. It's a beautiful city carved in red rock in Jordan, in stone, south of Jordan, a wonderful place.

FERRELL: Well, going back to Europe, of course you mentioned France . . .

MOCKLER: I went to Germany, France, Switzerland. . . . When I left Israel I went back up and went through Jordan and Lebanon and up through Eastern Europe, Yugoslavia, Romania, Hungary. On the archeological dig you meet people, there were like 220 kids. You meet the kids working there, volunteers, and six or seven real archeologist.

We all slept in tents and they'd say, "Well if you're ever in Bucharest or wherever come see me." And so I wrote it all down and I'd go and knock on a door and, "You remember me?" It was always good for a shower and a meal. So I went to Hungary, Yugoslavia, Czechoslovakia, Romania, Germany, East Germany.

FERRELL: East Germany?

MOCKLER: Yeah, I got thrown in jail in East Germany. I met these people who had relatives in this town in East Germany, I can't remember the name. Anyway they said, "If you go there they speak English, go see them." I was in Berlin so I went across to East Berlin. What I would do is I'd always go to a university and I'd find where they are teaching English. Then you'd always find Germans or any other group who would want to talk to you, because they wanted to learn English. That was a cool way to meet people.

So I went there and I met these people in East Berlin at this university and they were like really cool kids, you know, just like I was. We were walking around, we had lunch and then we were going back.

I was going to go back across the gate and we came by this train station and I said, "You know I have this . . . town in Eastern Europe, is it very far from here?"

"No, no, no it's only about sixty miles by train."

I asked, "Is the train expensive?"

"No, it's like a dollar. Come on we'll buy the ticket for you if you want to go."

So I just went merrily and got in the train and off I went into Eastern Germany. Of course I don't have a visa. It didn't occur to me, because you don't have to have a visa to be in East Berlin—stupid American.

So I go and I call these people and "Oh it's delightful that you met my cousin and come see us." And they were young and it was fun and we ended up drinking beer. And we were walking down the road and there were these two guys, I call them Harry Truman suits, you know, they were dressed so badly, kind of the '40s kind. They come up to us and say in German, "Where's your passport?"

So I look at my friends and I say, "Tell them I don't show my passport to anyone."

They say, "No no, you show them your passport." [Laughter]

These are the bad guys. So as soon as I got talking to them—oh shit, I don't have a visa. So they look at me and say, "Where is my visa?" I don't have a visa, so off I go to jail.

There was no intimidation but the interrogation was absolutely wonderful because from their perspective . . . they say, "How long were you in the military?"

"I wasn't in the military."

"Lie."

Because everybody's in the military in Germany, right? I mean East Germany. We were in Vietnam, right? I was in the military. "Obviously you're a spy, you're a lying son of a bitch," they would go on and on and on. I was there for about . . . not twenty-four hours, maybe eighteen hours. It was an afternoon, a night and a morning. Finally my German new acquaintances convinced them that I was just an idiot, not really a spy. So they marched me, the two guys beside me, they were not mean or anything they were just there. And they put me on this train and they bought me a ticket and they say, "You stay in that car, you don't leave." And the train left, I didn't know where I was going, I thought I was going to a gulag or something. [Laughter] I ended up in Denmark. [Laughter] Which was cool, I'm in Denmark I've got to get off the train.

FERRELL: A lng trip.

MOCKLER: A very long trip, well, not that long it was about fifteen hours.

FERRELL: I thought they would have sent you back to West Berlin, but they sent you to Denmark. So how long did you spend in Europe and the Middle East?

MOCKLER: From November until June.

FERRELL: Did you go to Ireland?

MOCKLER: I did not go to Ireland. I did not on that trip. No I did not, I went to . . . I did not go to Ireland on that trip. I always told my Nana, who was allegedly from Ireland, (of course it turns out she lied) that I went to Ireland but I didn't. [Laughter] Because if I'd gone to Europe for my first time [and not gone to Ireland Nana would have disowned me.]

FERRELL: Well, that sounds like a pretty interesting trip.

MOCKLER: Oh yeah. Turkey, I was in Turkey too. I was sick in Turkey. I lost nineteen pounds in nine days in Turkey. I got sick in Jordan but it turn out I had amoebic dysentery, but I didn't know that. I went to Adna, there is an Air Force base there and talk to them and they got me some drugs. They didn't know what it was but they just got them for me. They checked [me] out.

I got on this truck, an American aid truck, they guy didn't speak English I pointed out Ankara and yeah, he was going to Ankara. But half way up he stopped, he turned off and I had to get out of the car and there was nobody there. I walked for like a day, it was snowing, it truly scared me. I finally got to a town with a train and I went to [Istanbul] and in [Istanbul] I found a doctor so it was cool.

The doctor knew one phrase: "One traveler's check." He'd look at you and say, "One traveler's check." I'm lucky I had some. [Laughter] If not I'd probably be sick for a long time.

FERRELL: So that was '65, then.

MOCKLER: 1964 – '65 yeah.

FERRELL: In '66 you . . .

MOCKLER: I went to work for [Senator] Fred Farr [in June of 1965]. I actually was in England and I wired a friend of mine who worked for the state senate and said, "If you don't give me a job I'm going to be working in the Sheffield steel mills with no money."

So he wired back, he had this great job offer. So I sent this telegram to a friend of mine and borrowed some money and came back to Sacramento. But there was no job. He was just a bullshiter. I did actually go around and got a job with Fred Farr, a Monterey County state senator in 1965, who's son, Sam Farr, is now a congressman.

FERRELL: Before we talk about Fred Farr, '65 stands out in my mind because in 1965 my brother went to Vietnam. You mentioned Vietnam; the draft was really going big time '65 through '69. Now you were . . .

MOCKLER: Too old.

FERRELL: Too old? You were twenty-four?

MOCKLER: For the Army? Yeah, that's too old.

FERRELL: Now technically they can get you up to twenty-eight but they never do.

MOCKLER: I went to my draft physical when I was a CORO intern, 1963. In the Oakland Army depot, a very scary thing to do. But remember in '63, even though those of us who probably should have known there was a war going on in Vietnam and were against it, just because of the Geneva Accords and a lot of reasons like the United States signed off on *not* going to war there—go figure. So I went to my physical and they . . . I have a screw in my shoulder, I have cartilage out of my

knee and you know, junk. But they were basically exempting everybody. And so they sent me a thing that said I was a 1Y. And 1Y was for physically infirm, mentally incompetent or homosexual—they didn't tell me which one they thought I was. [Laughter] So I say (although I didn't really do this) I sent a telegram to Robert McNamara saying that, as much as I regret being unable to serve my country in a military fashion, I suggest for the sake of our nation that you keep your standards high. I thought it was very patriotic.

FERRELL: Well now you got here to Sacramento, you didn't have the job your friend kind of implied you might, but you found work with Senator Fred Farr. He's down from Monterey.

MOCKLER: Democrat from Monterey County. This was the time when trees could vote and they voted well. It was when each county could not have more than one senator. The senate was divided kind of like the US senate. And then the Supreme Court ruled that you couldn't do that and so. . . . But in '65 and '66 that's when we had a part-time legislature. Senators got paid five hundred bucks a month. There were very few staff. Each member had like one staff in their office like a professional staff, one secretary, one secretary in the capitol. This was progress, because the year before they only had one half of a secretary. It was a different era in California politics.

FERRELL: Big, big changes, you were there in . . . at least the last year of the old days, a very different time.

MOCKLER: The last two years, '65 and '66.

FERRELL: You were a legislative assistant. What does a legislative assistant do?

MOCKLER: Everything from writing bills and answering constituent mail to driving the senator up and down the state to handling constituent requests, assisting on committee stuff. I was involved in two things that were pretty heady; one was a constitutional amendment to allow open space and farmland to be assessed different than commercial and industrial. The second one was the Farr-Quimby Educational Television Act—which I [twenty years later] got to [help] repeal.

FERRELL: Education was an important part of your career, but before we talk about that, the open space thing, the idea was to lower taxes on open spaces, what was the idea behind that?

MOCKLER: To preserve farmland and to preserve open space. The theory at the time . . . in those days property was suppose to be assessed at its highest and best use. And you had to have a uniform levy so you couldn't tax your property at three percent and mine at two. You had to assess it the same.

FERRELL: You said highest and best use. Would they look at land and say this could potentially grow a crop or something . . .

MOCKLER: Or . . . let's say you had a garden or you had a park and you own it, it's privately owned not government owned. Let's say it was a cornfield. They would assess it as if you built a building on it, because that what is its highest and best use. Then you'd obviously had to sell it for a building, you certainly couldn't pay taxes although a building would bring in more revenue compared to what corn brings in, from a farmer perspective. That was the theory. And the constitution didn't allow it so the constitutional amendment was the tool . . . it didn't say *what* to do it just said you *could* do that.

FERRELL: Fred Farr, he started as one of the first environmentalist.

MOCKLER: Yep, a posy plucker that's what they called them in those days, yeah.

FERRELL: A posy plucker.

MOCKLER: Posy plucker. [Laughter]

FERRELL: He got in there in 1955.

MOCKLER: Special election, yeah. He did two things, he got them to buy Asilomar which was considered by all the press. . . . Asilomar was a religious camp, right? And he got the state to buy the first state park, first one in the system.

FERRELL: In the Monterey area he got them to buy this. . . . What did you call it?

MOCKLER: It's called Asilomar. Do you know where Asilomar is? Now it's a state park, it has a lot of meetings, conventions and it's a quite impressive place. Anyway he was vilified for doing it but now it's the second biggest money raiser in the state park system. And then he got them to buy the old Hearst Castle in '56 or '57, it was before my time. He also was the first guy to win a case . . . well he won a case from somebody calling him a communist. It was a legal case, actually won a judgment.

FERRELL: What was that all about?

MOCKLER: He was kind of a lefty guy and some person, Bramlett, in some campaign called him a communist, which he wasn't. And he sued him for slander and won.

FERRELL: And that was one of the first of that type?

MOCKLER: Yeah, it was the first. The case was interesting it tells you a lot about Fred Farr. The case was *Farr vs. Bramlett* and it's taught in law schools. Fred was very proud it was taught in law schools because it was his case. But what's taught is

not taught in that area of law it's taught in law procedure. He won the case even though he violated every procedure and did it all wrong. And so they use it as an example of how stupid can a lawyer could be. [Laughter] So I actually looked it up and I went, "Fred this says you're an idiot."

"No, it says I won the case."

"Well it says that too, but it says you're an idiot." [Laughter]

FERRELL: Well, another thing I see that he was interested in, he supported a bill to abolish capital punishment back in 1960.

MOCKLER: He was very strong and independent. He was a real progressive. His wife was probably much more intellectually progressive, but he certainly was. Oh yeah, he was real left.

FERRELL: You mention his wife, I know he lost running for reelection, basically due to reapportionment.

MOCKLER: In '66, yeah, I ran that campaign. If it hadn't been for me he would have lost by 20,500 votes, as it was he lost by 20,470. [Laughter]

FERRELL: But seriously that was a pretty tragic year for Fred Farr, his wife died of cancer, his daughter . . .

MOCKLER: Earlier. His wife died much earlier. His wife died in, I could be wrong, but I think in '64. And then his daughter died in late '65 or '66.

FERRELL: She was in the Peace Corps and died in Columbia?

MOCKLER: No, Sam, her brother was in the Peace Corps. She just graduated from high school and they went down to Columbia to celebrate, the children together with their dad. They had a bad year with their mom dying, and the cancer, she had

been sick a long time so it wasn't a tragedy in that sense, except losing their mother. And then they were . . . Nancy fell off a horse and whacked her head and went into a coma.

So that was one of my first jobs with Fred Farr was making funeral arraignments for his daughter. He was broken up by it a lot he was . . . he didn't campaign, the seat was drawn for him to lose so it wasn't. . . It was sad for him but it was hard to win, we won Monterey County, we carried Monterey County, and that was a [Ronald] Reagan landslide. Remember the Reagan landslide was '66 too. So he actually did pretty well relative to registration, he did quite well.

FERRELL: Well, after leaving Sacramento he went to Washington, didn't he? He continued to get involved in environmental . . .

MOCKLER: Yeah, well [President] Lyndon Johnson . . . during the campaign Ladybird Johnson came out and we did a thing at Hearst Castle, she was a big help for his campaign. So he became the administrator for the highway beautification program. Because he wrote the Scenic Highway Act, the Scenic Parkway Act, he was the chairman of what they called in those days the Natural Resource Committee. He did the first inventory of public lands on that committee. He did a lot of stuff. A good guy.

FERRELL: Well, now his son, his son Sam he became an assemblyman and now he is a congressman. How's he doing?

MOCKLER: He's doing fine, apparently. I didn't know if he'd do well back in Washington but he's hanging in there.

FERRELL: What are his interests? Is he also a posy plucker?

MOCKLER: Yeah, a posy plucker, that's what all the bad guys call him.

FERRELL: Back in Washington.

MOCKLER: Yeah, environmental stuff, yeah. But he cares about technology, he's interested in lots of things.

FERRELL: Well, you went to, what was called at that time, Sacramento College.

MOCKLER: Sacramento State.

FERRELL: Sacramento State College now it's California State . . .

MOCKLER: That was after we lost the election, I went back. While I was a CORO intern I spent six weeks up here in May of '64, four days a week, and helped start the Neighborhood Study Center, the after school study center.

FERRELL: What happened with that? You were the coordinator of that, the Neighborhood Study Center.

MOCKLER: Yeah, in 1964.

FERRELL: 1964? I thought it was later.

MOCKLER: That's when it first started, when I was a CORO intern. Then when I came back to go to Sacramento State to get my Master's in economics in '67 then I went back and they hired me half time to work on the job half time while I was going to get my graduate degree. I actually got paid for it, when I interned I wasn't paid for it. I was just . . . I did it because I was a CORO intern. Then in '67 when I came back, which was three years later, they hired me and paid me to coordinate on a half time basis.

FERRELL: Could you describe for me what that is? What is that all about?

MOCKLER: Well we were probable one of the first places in the state that got college kids to . . . Our theory was that if you took poor kids . . . we identified poor schools and then we would go out and recruit college students, some community members, but mainly college students to come and work with these kids after school for a couple of hours. We call it the Neighborhood Study Center Program for kids who come after school. They were located mainly on school campuses but they were also in community centers, YMCAs and stuff. It was quite a big program, we learned a lot. We learned that volunteering by itself didn't work even though the college kids were enthusiastic. This was a good time to get college kids, there was five or six hundred tutors and we had busses coming in from UC Davis to do this. But we learned that just having good intentions and not knowing what you're doing doesn't help. It's good for kids to have adults around that go to college because a lot of these kids never seen an adult go to college. And that's somewhat helpful but we learned that we had to train these kids on how to do reading. You couldn't just read them a book, you have to analyze what's wrong with their reading. So I learned a lot.

FERRELL: What level were these students?

MOCKLER: Mainly elementary and middle schools. Very few high school kids would come, but some. I'd say the bulk of them were from forth grade to ninth grade.

FERRELL: I can't see how this wouldn't work, it seemed perfect . . .

MOCKLER: Well, it worked in the one sense in that it was a good experience for kids. It's just that academically when you look at the scores and stuff it didn't seem to have an effect on them—on the kids academic scores. Some effect, but not very much. So

we began to train, we had a little training program, a little two unit, one unit course. We got a really brilliant lady to teach these [mentors]. All you have to do is change a little bit of what you do to get more power in learning. It's not like you can walk off a college campus and teach kids something. That's very arrogant, we don't do that with medicine, you have to actually know something about . . . especially with reading.

FERRELL: What ever happened to the . . .

MOCKLER: It's still going on. I did that until I was a CORO intern and then I came back here and so . . . For the year of '67 I did that with the Neighborhood Study Center Program and went to Sac State and I finished all my work to get a Master's in economics and I passed all my tests and I never filed a thesis. So I don't have a Master's—nor do I say I have a Master's—unlike many politicians. [Laughter] But it was a great experience for me, good teachers, good program, very highly skilled teachers, I learned a lot. Then I went back to work for the assembly, I was hired.

FERRELL: You went to work for the assembly . . . I know you were a consultant on the Committee of . . .

MOCKLER: Government Efficiency and Economy it was called. Willie L. Brown Jr., his first chair.

FERRELL: That was his first.

MOCKLER: Yep, I was assistant consultant and we had all of the licensure laws, medical licensure laws . . . all the way to cosmetologists, we would work with Consumer Affairs plus any licensure, anything with state licenses. And we did a lot of work,

we actually did a lot of productive work. You know physician's assistant/nurse practitioners we did that [in 1968].

FERRELL: Yeah, you helped create the position.

MOCKLER: Yeah, Gordon Duffy was a Republican, an assemblymember. We finished it actually over a three or four year period. We did foreign-trained dentists, foreign-trained doctors, we did. . . . It was fun. Everybody was working together to break down barriers to progress.

FERRELL: Now you knew Willie Brown, but was this the first time you ever really worked with him?

MOCKLER: Yeah, for pay yeah.

FERRELL: So what kind of boss was Willie?

MOCKLER: He's fun, he's a fun person. He's just about the smartest person or among the smartest you'll ever meet. He is decent, demanding, he listens and he learns quick. He has a philosophy as a context to learning so he knows why he's doing it he doesn't have to . . . some people have a hard time understanding things in context. Why is that important philosophically? Who are you going to help by doing this? What's the nature of this? If you didn't do physician's assistants what would be different? Or if you did what would be different and why?

FERRELL: He had a pretty good interest in education, throughout his . . .

MOCKLER: Yeah, he's always had an interest in education. He's never been . . . education and early health stuff . . . he liked the physician's assistant. We did the Child Health Disability Screening Bill which didn't actually didn't get signed, he carried it a couple of times until '71 when he was in Ways and Means [Committee] and

we had a little power. But prior to that he had done . . . he was on the Education Committee, understood it.

FERRELL: Willie Brown is a pretty interesting character. He liked to drive his car real fast between Sacramento and San Francisco.

MOCKLER: [Laughter] Yeah, there are many stories about this. Yeah, he liked to, he did A favorite story in the Ways and Means Committee he was a . . . Willie Brown loves to clash with stereotypes, the stereotype African-American, well you know they show up late, they're not on time. They're typically slovenly thought the way people think of them, so when he became chair of the Ways and Means Committee. . . . They used to meet at [ten a.m.], he changed the meeting to eight [a.m.] and he was there every time on time. And he berated members who would not be there on time and the members would get pissed because eight o'clock is early from the get go. So he did that and this went on, so one day after three of four months he comes in late. All the members were there on time and they just got all over him for being late. And the first bill up was to give the Highway Patrol a uniform allowance.

So this guy gets up there, a lobbyist for the Highway Patrol, and Willie goes, "You want to bring this bill up before my committee after what your officer did to me today?"

And the guy goes, "Mr. Brown I already talked to the officer. He saw you at 6:15 going 100 miles per hour over the Carquinez Straight [Bridge]. That didn't bother him Mr. Brown because he's seen you do that many times on that stretch, at that time of the morning. But [when] he got up along side you and saw

you reading the *Chronicle* at the same time that pissed him off and that's why he stopped you and gave you that ticket." [Laughter]

Willie started laughing so hard and he said, "The bill's out." That's how the Highway Patrol got their uniform allowance. [Laughter]

FERRELL: Well as far as political maneuvering and all those kind of things, they say Willie Brown learned a lot from Phil Burton.

MOCKLER: Well I think that . . . there's a point to be made there but people over-make that point. First of all, Willie didn't serve with Phil in the assembly. Phil Burton was never an assemblymember when Willie was. So Phil went to congress. So, now Phil certainly had a . . . teaching things, for example in reapportionment and what Phil understood the data, if you will. So he, during reapportionment things, Phil was very good with that.

FERRELL: So Phil knew a thing or two about campaigning but not . . .

MOCKLER: Yeah, and they were friends and colleagues. We used to tease Phil that Willie should run for congress and take him out, because, after all, it was getting to be a pretty black district. But it wasn't like . . . I think he probably learned as much from people like [Speaker of the Assembly] Jesse Unruh, [Senator] Al Cranston . . . those people. But it certainly in San Francisco politics, not that there was an alliance between Phil and Johnny and Willie on sort of, in their view, a more progressive side of the Democratic Party than say, [Speaker of the Assembly] Leo McCarthy or [Senator] Dianne Feinstein, those people.

FERRELL: I heard of reference to the "Burton Machine."

MOCKLER: Yeah, that was the year I told you about.

FERRELL: Yeah, '64.

MOCKLER: 1963, from September '63 to '64.

FERRELL: Yeah, the Burton machine: the Burton brothers, Willie Brown, then Moscone and McCarthy on the board of supervisors. Shelley was . . .

MOCKLER: McCarthy was not . . . Moscone *was* part of the Burton operation but Leo McCarthy was the *antithesis*. He was the other side of the Democratic Party. No, Leo was the brown shoes at the tuxedo party.

FERRELL: Oh, okay. Well, John Burton now he came into the assembly at the same time as Willie Brown?

MOCKLER: Elected in the primary of June of '64, elected in [November] '64 they both were sworn in [January] '65.

FERRELL: Did you do much work with John Burton?

MOCKLER: I helped in his campaign but never worked for him personally. I've known him for a long time.

FERRELL: So you were on the Committee of Efficiency and Economy in '68 and not too much later you were a research analyst for the Assembly Office of Research?

MOCKLER: No I was actually . . . the Assembly Office of Research was just before that. I was there for about two months. In 1968, in January, February something like that. The Republicans took control of the assembly in 1969. They abolished the committee.

So I asked Bob Monagan, who was then the speaker, I said, "Well, that kind of means I don't have a job, doesn't it?"

He says, "Yeah." [Laughter]

No committee, no job. But the Republican chair of the Assembly Ed [Education] Committee, Victor Veysey very conservative man, hired me to be a consultant to the Assembly Ed Committee in 1969 and '70. Which was . . . I thought it was kind of cool.

FERRELL: I want to step back just a little bit to the big change in the legislature in 1966. It went to full-time and everybody got a big raise. An important guy, Jesse Unruh, he made a lot of changes in a lot of things didn't he?

MOCKLER: Yeah.

FERRELL: Okay, tell me about him.

MOCKLER: He came out of Texas, just like Mr. Brown did. He had a notion that legislatures should be an equal branch of government. That was actually fairly . . . you know, we talk about three branches of government but in fact legislatures, state legislatures were mostly weak bodies that had no equal power.

So Jesse Unruh became speaker about '60, '61 something like that and proceeded to try to build up the legislature as a body. He created the Ford Foundation [Fellowship], he got them money to create an internship program to create staff to be in staffing committees doing the research projects. It was interesting that I got to serve during this period but we built the legislature from the early sixties and then we did term limits. So we had a brief period when the legislature was important and now it's less important again.

FERRELL: You used the word built—you *built* the legislature in the early sixties.

MOCKLER: He in the early sixties and then Bob Monagan when he took over tried to even strengthen that and maintained a lot of the things that Jesse Unruh had built. He

did them a little different I think in some ways better. He for example, Bob Monagan in policy sense lessened the number of committees so whatever you were working on you were working a little deeper. But that of course lessened the number of committee chairmen which probably cost him his political power when the Democrats took it so there were the yings and yangs of that, members always like to be chairman of something. I think . . . so Jesse Unruh, the good side of Jesse Unruh was he did professionalize legislative staff. He understood politics very well and he was an incredible politician. His notion was a powerful legislature—collective wisdom being better than individual wisdom like a governor or a court.

FERRELL: You used the word professionalized—he professionalized it.

I saw an interesting quote by him he says, “The special interest’s monopoly of information seems much more sinister than the outright buying of votes that has been excessively imputed to lobbyists.” So he was saying the lobbyists had a monopoly of information.

MOCKLER: Well, because legislatures had very small sources of . . . independent sources of information.

FERRELL: So he created a staff of professionals to give them that information.

MOCKLER: Yeah, right and some people, [Judge] Ron Robie for example, and others . . . when Jesse brought them in . . . there are other examples, I consider myself one of those people. While we were certainly not unaware of politics, our job from the point of view of . . .

Willie Brown would say to me, “You tell me the issues, you tell me the information—I’ll do the politics. Your job is not to do that. That’s my job. Your job is to provide options to my members. Options so we know what would be likely if we do A or B, why it’s right and why it’s not right.”

FERRELL: You were non-partisan.

MOCKLER: Yeah, but I don’t think non-partisan is a very helpful term. We were technically non-partisan. Obviously everyone is registered somewhere. I remember when I was working for Vic Veysey I was a registered Democrat and a colleague of mine, Jim Murdoch was registered as decline to state, DS.. When the Republicans had a big campaign to . . . they wrote Vic Veysey about a hundred letters saying to get rid of Jim Murdoch because he was Democratic staff. They saw the DS there and I’m glad they never noticed that about me. [Laughter]

So there were always tensions there but there were some people who were supposed to do politics, they worked for the members, et cetera. There were some people, professional consultants, who worked for the Assembly Ed Committee or Budget Committee or whatever. Their job was to provide quality information to the members. And there was a distinction and that distinction is less so now than it was before.

FERRELL: Now the Speaker of the Assembly . . . when Jesse Unruh was the Speaker of the Assembly he had this quote: “Money is the mother’s milk of politics.”

MOCKLER: What did he say? “If you can’t drink their booze, eat their food, sleep with their women and vote against them, they don’t belong up here.” [Laughter]

I think there's money in politics, there always was money in politics. There always has been, there always will be money in politics. Politics is about social values and dividing up the spoils, right? The government gives you money, takes money away from you or puts you in jail. That's what it does. Whether it's money by a service, like a park or an overpass or a welfare check or a better school or. . . . It takes stuff away, it takes your money, taxes you, it restricts your behavior. That's all it does, so money is a way we keep score. It's very hard to figure out a way to say money shouldn't count. Theoretically it shouldn't count but it practically always does. The question now becomes: Was the place more or less corrupt as it related to outcomes when Jesse Unruh began to control more, although not totally, how money was distributed rather than the money being distributed without that control? You can argue it either way but my personal view is that the system became less corrupt. Because the members themselves had an internal voice so they weren't themselves influenced as much by the individual contribution. If the speaker gives you \$10,000 you can talk to the speaker about stuff, the speaker knows where you come from, what your philosophy is.

If the special interest gives you \$10,000 you've got to look . . . you've got to say, "Wait a minute, maybe I should deal with this special interest." You see, so you can argue either way, either way there is some influence. So I think what Jesse's theory was if you had good information then the members would then use that to fend off some of the special interests stuff. And he would take care of . . . make sure there still was enough money to run for office. That was the theory.

FERRELL: So he was directing the money, he wasn't . . .

MOCKLER: Sure.

FERRELL: But he was also collecting a campaign chest for himself, wasn't he?

MOCKLER: Yeah, but he never used his campaign chest much for himself, he was in a safe district. Then when he got eliminated he didn't take any money with him, unlike a number of people subsequently. He used it for electing members. Who, obviously were supposed to be then loyal to him, no question about that.

[End Tape 1, Side B]

[Session 2, June 27, 2003]

[Begin Tape 2, Side A]

FERRELL: Okay, we got up to when the Republicans took over both the senate and the assembly.

MOCKLER: Not the senate, just the assembly.

FERRELL: Oh, it was kind of a tie in the senate.

MOCKLER: Yeah, the senate was . . .

FERRELL: It was at forty to forty.

MOCKLER: It was forty-one to thirty-nine in the *assembly*. And the senate, I think it was pretty close, it was twenty to twenty or twenty-one to nineteen. That's when we had a brief time when we had [Republican] Howard Way was pro-tem and then [Republican] Jack Schrade was pro-tem.

FERRELL: Well before we talk about the switch to the Republicans, I remember yesterday you were talking about your trip to Europe and I've been to Europe too and I

always regretted that I didn't go to Eastern Europe. You said you went to Czechoslovakia, Hungary . . .

MOCKLER: Yes, and this was like in the mid-sixties so it was quite different back then.

FERRELL: Yeah, and . . . well, you've been working in our government for a long time, a capitalist system, a democratic government and you were in a communist system with a totalitarian regime. I don't know . . . I was just wondered if I could get your impressions on what it was like back there, in the East, at that time.

MOCKLER: Well I was very young and all I was going there for was to see and meet people so I didn't have a . . . it was not a study tour. The kids I met were basically university kids, university students. They were bright, well educated, like most kids that age they pretty much had disdain for the government. I found most of the places were kind of dreary . . . remember this was only fifteen to twenty years after the war. A lot of West German was that way; a part of France was that way. But I don't have any great impression except that some people were nice to me and they were kids and, you know, we drank and ate. We talked a lot.

It was hard in those days because you had to defend America, Vietnam and race were two things that they would blame America, you know, "You've got this bad race problem, you're in Vietnam." They were very much against that and so you kind of talked to them but, "We don't like your government." So it was . . . we debated about this.

FERRELL: When I was in Europe and I talked to people, everybody kept bringing up the Ku Klux Klan. I'm from the United States and they want me to talk about the Ku Klux Klan.

MOCKLER: I have this French friend who is actually married to a French woman who lived with my family in California. He was very wealthy and a journalist for a communist newspaper and he was just going on about the Ku Klux Klan and race and. . . .

We were at this café and the waiter spilled some water on his shoulder and he leaped up and said, "*pied noire!*" Which referred to this guy, which is sort of a French term like nigger towards Algerians. You know, it was a racial insult.

I go, "Wait a minute, why do yell about all this stuff and you do something like that yourself, not your countrymen, *you* do that?"

He goes, "Oh, that's different they're just Arabs."

So what you discover is that racism and classism are . . . no mater what the system, it's embedded. It's really hard to overcome. It's a good lesson, if you think only America has these problems.

FERRELL: Well you said it was kind of dreary, what about the police presence? Was there a strong police presence?

MOCKLER: Well obviously a brief moment in East Germany there was a police presence. [Laughter] In our country you see a Highway Patrolman or a city cop and you see a soldier and they look different. They seem . . . cops seem to look like soldiers to me, that was my impression of that. So it was more like having the Army directing traffic or having a presence. Like in America you see a different kind of police officer.

FERRELL: Okay, well now let's get back to California state government. When you were in the senate you just caught the last year of Governor Pat [Edmond] Brown, and then you . . .

MOCKLER: Yeah, the last year and one half, yeah, '65 to '66.

FERRELL: So what was Pat Brown like, as a governor?

MOCKLER: Well, I was pretty low on the totem pole. I knew Pat Brown from the civil rights stuff, from the No on 14 campaign in '64. I knew him personally. I knew his family. The night Proposition 14 passed, against our wishes, I was in a room drinking and then Governor Pat Brown came in and was walking up and down oblivious to our presence, talking to himself about how this could happen. It was the most surreal experience because he didn't know we were there, he just came in. And he started walking up and down; this was like November of '64.

He was saying, "I just don't believe it. I don't think the people understood, we are not a racist state. How could they do this?" And he was just talking to himself in this kind of beleaguered. . . . You know, "We had a fair campaign." It wasn't like he was saying like we were outspent or moneyed interests—it was just straight up. He was totally perplexed about it.

And I remember looking up, there was this lady friend with me and she said, "Governor you have to stop talking like that or I'm going to start to cry." And the Governor started crying. Then she started to cry. And he said, "Do you understand it anymore than I do?" And we said no. It was like a surreal . . . I don't know, ten, fifteen minutes of history. I was sitting there going, "Wow, if

the Governor of California is going to cry over something like this, he's a pretty good guy."

I had met Pat Brown when I was the editor of the college newspaper also, so I knew who he was and I was in favor of his defeat of Richard Nixon. So when I became . . . worked for Fred Farr, I knew who the governor was. I wasn't high up in the pecking order so I didn't meet with the governor and that sort of thing.

FERRELL: That's interesting, what you saw that night.

MOCKLER: Yeah, it was fascinating. It just shows how human he was.

FERRELL: Well, you know, they say one of the reasons he lost the election to Ronald Reagan was he was opposed to the death penalty.

MOCKLER: Sure, probably that, the Carl Chessman stuff but that came out in '62 so he ran in '62 the issue was brought up and he still won against Richard Nixon. I think his third term and the riot . . . people were scared of race and Prop. 14 brought out fear we had. Remember, we had the Watts riots beginning in '65 so when we got to '66 there was a lot of troubled campus stuff, Vietnam War, there was a lot of turmoil. And this was Pat Brown's third term, and the public gets tired of people.

FERRELL: So it was social issues, race relations, campus unrest . . .

MOCKLER: Yeah, people felt like society was becoming unglued.

FERRELL: Ronald Reagan was always seen as the enemy of big government, that . . .

MOCKLER: Yeah. [Laughter] Let me tell you something. Ronald Reagan, you know, he was the most progressive governor we've ever seen. He was much more progressive than, say, Jerry Brown. Ronald Reagan signed the first bilingual education act, the most liberal abortion law ever passed and signed by a governor in the history

of America. He [made] the first large commitment, a hundred million dollars, to low achieving schools, to poor kids. The largest and most progressive tax increase, relative to state income, ever passed in the history of this state. His tax increase was more progressive than Jesse Unruh and the Democrats. Because he did things like tax credits, for families rather than deductions and the reason that's better is because credits essentially are kind of equal to income so . . . whereas deductions mean more to high-income people than low-income people. It's much more progressive. I did not vote for Ronald Reagan against Pat Brown, but I'll tell you looking back he was a very good governor. He upped COLA for welfare dependents, COLA on medical payments.

FERRELL: And COLA is?

MOCKLER: Cost of living adjustment. It's statutory, in other words you didn't look at it every year and say, "Do you want to give the poor folks a little more money?" He gave them a cost of living, a statutory cost of living increase. He signed that bill. He signed the bill for the Medical increases. He . . . very interesting man, very interesting staff. And you walk in his office and I'll tell you something, you could say that wall is brown, he'd say it was black. And you left and you go, "Man, that was really a pretty black wall." He could . . . if he was ever a salesman he could make a jillion dollars. [Laughter]

FERRELL: They called him "the great communicator."

MOCKLER: He was amazing.

FERRELL: There's kind of a, I don't know a rumor or an idea that he's a bit of an absentee leader. As president people talked about that.

MOCKLER: Yeah, he was a big picture guy. He was not a nuts and bolts guy. He was big theme. And then he was really good at lines, memorizing lines. We were there one time and he talked about welfare policy and he actually made opening remarks and some of us thought it was pretty good and he really seemed to understand what the issues were, verbally and he wasn't reading off a paper, he was just chatting. Then members were asking him questions and he'd answer them and the answers sounded very coherent. You know, we could disagree with him but there was a rational for them. And then listening real carefully what we discovered is that every answer was a repeat from the opening remark, so it was a line. It was a line but it was definitely not just contemporaneous. Fascinating.

FERRELL: Yeah, well that was '66 and we got a Republican governor come in '68 or I guess it was '69 we had a Republican Speaker of the Assembly.

MOCKLER: Right, Bob Monagan. Bob the brief, as we called him.

FERRELL: Bob the brief, what did you think of him?

MOCKLER: I liked him a lot he's a very decent man. Actually he cared a lot about the legislature being an equal branch and cared about that. He was conservative in true meaning of conservative the way he did not like the disorder. He created this committee, the Select Committee of Campus Disturbance, which I was a consultant to. He was progressive but very conservative. Conservative in the way he didn't want to spend a lot of money, he didn't want to have any radical positions but he was like a typical fair-minded farmer, which he was. He still is, I guess. He reduced the number of committees, which caused trouble he had some recalcitrant members causing trouble. This was in '68 and in '70 he lost the house

and then with reapportionment and Watergate . . . by '74 the Democrats had fifty-five votes it was an astounding switchover. I was a consultant to the Assembly Ed Committee it had Victor Veysey and John Stull and we did tenure reform and a lot of good things, the School Finance Bill A.B. 606 my first major school finance bill [in 1969].

FERRELL: The Schools Improvement Act, 1969, what was that all about?

MOCKLER: It was an attempt, I think, by the Republicans to go after some good issues. The Democrats went and got together, the senate still had Democrat control. Vic Veysey was a bright guy, a Stanford graduate and farmer from Brawley; he was chairman of the Ed Committee. They were trying to focus on equalization, bring . . . because it was well before *Serrano* [*Serrano vs. Priest*], and they created another method for that. Spending some money, they preferred to spend some money on schools.

The interesting thing was the battle between the senate and the assembly. A guy named, Steve Teale, Senator Steve Teale, who was chairman of the Senate Finance Committee by then and he was the senate conferee and Vic Veysey—this was Vic Veysey's first conference committee—as chairman of the committee. We were all inexperienced in the conference committee in A.B. 606. We had an assembly version and a senate version, there were fights going on.

My great story was that Steve Teale, Steve Teale had lost his family in a tragic accident and was just recently dating and remarried a new wife. His new wife was a kindergarten teacher. Prior to 1969 kindergarten was funded, we had double session kindergarten. Kids would go for two and one half-hours in the

morning and then two and one half in afternoon and one teacher would teach both. Two classes, right, in a day, shortened kindergarten. It was voluntary, so not everybody had kindergarten. We had it, we funded it but it wasn't you know, required to offer kindergarten. So Steve Teale wanted to eliminate double session kindergarten and mandate offering of kindergarten. Not every kid had to go but every district had to offer it. It was at a huge cost in those days, I don't know, \$250 million or something in 1969 that would be like two billion dollars today. Vic Veysey and the assembly kept saying, "No, no, no this is a waste of money, this is crazy." And Steve Teale kept holding out.

We were in conference committee for weeks, everything else had been resolved except for this one issue. So Vic Veysey come finally comes back and we talked to him and we say, "Gosh, is there anyway we can compromise?" We said, "Can we try this? Maybe phase it in or maybe just a little now and phase-in and keep the costs down." You know, typical maneuvering.

So Vic goes in and says, "Well senator, I just think your idea is wrong, it's a waste of taxpayer money but I'm willing to compromise and maybe do a phase-in."

Steve Teale says, "Victor, have you ever cut the balls off a tom cat?"

Vic says, "No senator I really haven't."

He says, "Let me tell you something, if you get a tom cat up in your arms you don't just cut one ball off in a phase-in you do and you let him go you'll never get that tom cat in your arms again. I got the tomcat in my arms and I'm cutting them both off. What do you think about that, Victor?"

Victor signed the conference report and that's how you got single session kindergarten in California. [Laughter]

FERRELL: Okay, what . . .

MOCKLER: The Steve Teale data center is still here.

FERRELL: I was just going to say what ever happened to Steve Teale?

MOCKLER: He was a physician . . . he passed away. He died, but he was a smart person.

FERRELL: Now you were . . . there were a couple of sub-committees on the Assembly Committee on Education.

MOCKLER: Four actually.

FERRELL: Four? You were on the staff of two of them, right?

MOCKLER: Right.

FERRELL: Educational Environment and Instruction and Teacher Relations.

MOCKLER: One was John Stull's as the chair and the other was March Fong-Eu, she was the chair of Instruction.

FERRELL: When the famous report on campus disturbances came out, that was in '69, that was pretty interesting. Ronald Reagan wanted to do that, is that right? And he appointed . . .

MOCKLER: The committee was a select committee of the assembly, the Select Committee on Campus Disturbances. It was chaired by Vic Veysey, the chairman of the Senate Ed Committee and John Stull was on it. It was a bipartisan committee; Willie Brown was on the committee, I think, Ken Maddy although I can't be sure. Certainly Craig Biddle who was a DA guy from Riverside County, was a member. I loved the report, I thought it was very balanced.

FERRELL: What about the group that was on the committee? Was Willie Brown brought on there to bring balance to it?

MOCKLER: Yeah, I think this is the typical Bob Monagan who felt that all voices ought to be heard. I mean clearly the Republicans controlled the committee but they were. . . . When they put the report out they wanted a unanimous vote and almost had one. I hope you've read Willie's decent in there, Willie Brown's decent I think it's a pretty good piece of work. I'd worked for Willie just before this and I'd known Willie a long time before that. In those days when you had a report—unlike now you just write them and sign them—you actually sat in executive session with the membership and went over it, the report, line by line and paragraph by paragraph. Members read it with you and then made. . . . So members really controlled that report.

The members had a lot of concerns and stuff and we worked it through and finally Willie Brown started in and he started off and for about an hour and a half he just beat the shit out of me. I mean grammar, spelling, intent, evidence. . . . I thought it was pretty terrible, you know, I really wanted to punch him.

So afterwards I went up to his office about seven o'clock at night I went into his office and I said, "You son of a bitch, you know me better than that to do that kind of evil race baiting nonsense." He started laughing and I go, "What are you laughing at? I'm pissed off."

He goes, "Hey, just remember if I attack you, they have to defend you."

It was a very interesting political play he was making. And he got the report, I mean if you look at the report there's the first recommendation and

Ronald Reagan signed it for E.O.P., Educational Opportunity Program at CSU and UC [California State University and University of California] and [some community] colleges. Just a bunch of stuff along with some tough laws, basically if you did some disruptions on campus you actually were going to serve some time.

FERRELL: Yeah, that was the result of it . . . A.B. 1286

MOCKLER: I don't remember the number but yeah, there were two or three bills about that.

FERRELL: Yeah it would allow for your financial aid to be cut off, and set the rules for calling in the National Guard.

MOCKLER: No, I don't think so, no. It did say that if you were . . . [section] 415 of the penal code was a sort of general disturbing the peace statute and 415.5 was added that said [if] you [did section 415 on campus you spent a few days in jail].

FERRELL: You could declare a state of emergency.

MOCKLER: Yeah, if under that circumstance you then could put kids in jail. See, a lot of kids would go to disturbances and then they would get out to jail and they would see it as a badge or courage so this would say you're here and you're going to serve time. You're not just going in for an hour—after your second or third offence or something.

FERRELL: Well, Willie Brown has some interesting ideas on that.

MOCKLER: Once he had dissented then a couple of others dissented. I think he was the only one who didn't sign the report, everyone else signed it.

FERRELL: Yeah, other people signed it but had reservations on it.

MOCKLER: Oh yeah, well once Willie dissented other people wanted to file dissents too. Before that they tried to get through with no dissents. But in the end even though they made changes to accommodate him, he still would not sign it.

FERRELL: Willie Brown's ideas were pretty interesting. He basically says that the campus problems are society wide. The campuses don't exist in a vacuum so there's not this ivory tower thing. So basically the reasons for it was, what he called, and I quote: "The vile murderous war in Vietnam, pervasively racist nature of our society and our institutions that are resistant to change." And he says there is no outlet but this violence on the campuses.

MOCKLER: Yeah, but he didn't say violence, he said *protest*.

FERRELL: Protest, right.

MOCKLER: He would distinguish between protest and violence. He was definitely anti-violence, but he's okay on protest.

FERRELL: Yeah, he laid out three main ideas as to the root cause of it and as a solution he basically gives three ideas: open up the campuses, redefine the purpose of the universities and to redistribute campus power. He does mention the E.O. P. and he calls it a Band-Aid. He says, "It's only a band aid where surgery is required."

MOCKLER: [Laughter] Good rhetoric.

FERRELL: He's pushing for more.

MOCKLER: Exactly right. [Laughter] Stay on the outer edge, you bet. Somebody's got to be out there to stretch this as far as you can.

FERRELL: Well, when you put together this report did you . . . it took awhile, didn't it?

MOCKLER: Oh yeah, it was a long time.

FERRELL: Did you go out and visit these campuses and . . .

MOCKLER: Oh yeah, we got to visit campuses we got to see . . . actually it was a very good learning experience. I remember visiting Berkeley, San Francisco State and a lot of places and also meeting with FBI [Federal Bureau of Investigation] people.

Their view of the world is really weird and strange. You look at their raw files and they would have like "Somebody told us that somebody else said to them that maybe somebody was . . ." You know, just really tangential stuff and scurrilously whacking at people.

We had one video, and even John Stull did [not like] this one. And the issue was there was a guy on campus, I shouldn't defame him but I think his name was Risco Lazada he was a Cuban-American or something, a known radical at Berkeley and everywhere there was violence he was out there stirring it up, right? And the cops really disliked this guy, because he had a lot of anti-police rhetoric and he was a pretty good organizer. So with Willie Brown and others the moderate position was, "Look if somebody hits a cop a cop has the right to hit him back." The cop shouldn't be restrained because they are cops and this big thing on what cops could do to students because students were allegedly just protesting, but some of them really were quite violent.

You can watch it on videotape this time . . . with film we didn't have videotape in those days. So we had this one film and this was from a reporter who turned it over because the picture of this Risco giving a speech and throwing a rock. He threw something; you could see his arm move forward and a projectile. It turned out the police saw him and their eyes just got this big. They knew who

he was and they were going to get him. They started running after him; it was like five or six cops. They got him, amazingly enough, and one cop reaches out and grabs his arm and spins him around kind of like a movie thing and the other cop grabs him and so he's kind of standing there spread eagle from one cop and the other cop. And another cop comes running up with his baton. This guy just fully whacks him, just really whacks him and even John Stull, the most conservative member and anti-student, and he just said "Well we can't put up with that."

[Laughter] He wanted to put Risco in jail for life but he didn't want them to beat him up.

FERRELL: I was reading a little about the committee's report, Victor Veysey said that he was on the campus of the University of San Francisco, it's kind of a famous incident when S. I. Hayakawa pulled the plug on some speakers . . .

MOCKLER: Yeah, he became famous when that happened. I actually went down to interview S. I., it was funny, after he became acting president—after the famous speech. I had taken his class in CORO and he used to teach a class in semantics and I knew who he was from that part of his life, not the actor. I interviewed him and he had an office behind his office and he had a big piece of plywood and while he was talking to me he was tap dancing. It was his exercise. [Laughter]

FERRELL: Colorful character. He wore that, what do you call it?

MOCKLER: Tam o'shanter. I think [Senator] Jim [Wentworth] was on it and they got gassed when they came in and Jim [Wentworth] was a senator and he was down in I think it was San Francisco when they were running down gas from the helicopters and they gassed a California state senator. [Laughter]

FERRELL: Yeah, it was pretty serious time back then, wasn't a building torched at Berkeley?

MOCKLER: I don't remember, there certainly was a fire bombing in Fresno. Allegedly the Black Panthers fire bomber a computer lab. Which was like 1969, we did a separate report on that.

FERRELL: You did that report.

MOCKLER: Well, me and there were other people involved.

FERRELL: Well, nationwide things were happening . . .

MOCKLER: It started here first in '64 and then it just kind of took off.

FERRELL: That was the free speech movement in '64?

MOCKLER: Free speech but then later it got into racism. Free speech was supported by right wing conservatives. I mean they tried to toss all the political guys off campus. So it was like [Senator] Berry Goldwater's people were outraged. So that was kind of a free speech thing that got amplified by the sub-sects. So as you went forward it became more about racism, you know, lack of an African-American presence which was mostly talked about and third world stuff and Vietnam. So things kept getting . . . more issues so young people kept getting more and more active, which was fascinating, I thought. And I didn't mind the activities, I did not like the violence at all. I'm a progressive, not a chump.

FERRELL: Interesting report and it had kind of nation-wide implications. People all over the country were looking at this California report.

MOCKLER: Yeah, we got some kind of national award, some kind of second place something for that report.

FERRELL: Second place?

MOCKLER: Yeah, second place, I don't know what was first place.

FERRELL: When you were on the Education Committee you were working with your partner, Jim Murdoch.

MOCKLER: Yeah, Jim Murdoch, Dean Miller and John Mockler. I think we called them the 3Ms. We were the three staff of the Assembly Ed Committee in '69 and '70. And then they stayed, well Dean did [leave], but Jim Murdoch stayed on that committee all the way through till 1980, with different chairmen. I left and went to work for the Budget Committee.

FERRELL: Victor Veysey had some good things to say about you guys. He said you did a pretty good job.

MOCKLER: Yeah, Vic Veysey is just one of the truly decent, smart . . . you know the world should be debated around people like Vic Veysey because he's an honest conservative with no malice or need to play games. Highly educated. One of the worst things that ever happened was they . . . I think it was [Governor] George Deukmejian tried to appoint him to the head of [the Department of] Industrial Relations or something. And the senate wouldn't confirm him, that was [Senator Pro Tempore] David Robertti, and that was a very sad day for politics in California, because of his talent.

FERRELL: Well, now back to that report on campus disturbances. Something that came out of that was the Educational Opportunity Program, what was that?

MOCKLER: Basically funding two things; funding outreach and services to low income minority kids.

FERRELL: At what level?

MOCKLER: Community colleges, CSU and UC. Essentially going out and saying we need to give some financial aid to some of these kids who are poor. We need to access some services so when they come on campus they would have like extra educational help, if they're behind, bring them up to speed. That's what it was about.

FERRELL: But this was not affirmative action, or was it?

MOCKLER: Sure it was, it wasn't called that but sure it was, of course. Of course it was affirmative action. I mean, yeah, it was signed by Ronald Reagan, that's where we met.

FERRELL: Okay well let's see you were on that Assembly Committee on Education and I guess you really learned a lot about education starting there, the rest of your career was . . .

MOCKLER: Yeah, I knew a bit before I did a lot of licensure stuff but that certainly was a great experience for me and I think we did a pretty good job. We did some good. Some good legislation came out of that. Smart people, Jim Dent was a Republican, he was a smart guy, we had some really good members. Ken Maddy was on that committee, Willie Brown was on that committee. They talked about issues in spirited, philosophical terms, not like this nonsense: "I'm going to take one from one side and one from the other," and the members are just sitting there. If [we] watch committees now, there's no debate about philosophy, about *why* are we doing this, what *should* we do? [The 1969 group was] a wonderful committee in that sense.

FERRELL: At this time Alex Sheriffs was education advisor to Reagan.

MOCKLER: [Laughter] He was, he was indeed.

FERRELL: What was he like?

MOCKLER: Well, Alex was an old UC official at Berkeley, but liberal and ran for [Berkeley] school board and lost, which was his biggest ego insult in his life. Alex was intelligent, he had a lot of anger in him about how to handle the students. He was very, very upset about the campus disturbances. He was the Education Secretary for Governor Reagan.

He had some interesting proposals, one proposal that I thought was good and Willie Brown didn't like it much and we didn't do it, which was basically outreach down to find a really high achieving African-American males in the junior high school. Some of this outreach we're doing now, but not very much. Back then it was unheard of. There's two philosophies on that, one philosophy you take the best of the African-American students and you'd give special consideration and then you wouldn't change the whole system for everybody, you'd be cherry-picking the better students and some people didn't like that, Willie Brown thought that was dangerous.

Whereas Alex said, "If you don't do something like that we'll really never have a Black intellectual UC-bound students. And by the numbers, by hindsight, Alex Sheriffs was right. If you look at . . . if I was looking at my life, I cared about the participation rates of the underclass of our society, especially African-Americans. I mean not all African-American ought to go to UC but there ought to be twelve percent of them like there's twelve percent of everybody else. We've actually gone . . . it went up a little bit and gone back down again. When I went to

UC there were more African-Americans from Africa going to UC than African-Americans from California. You need to figure out a strategy to fix that and we don't have one so we've actually gone backwards. Especially for African-American males, they're almost extinct in the University of California. It's sad, sad. That's not UC's faults by themselves but it's the manner in which we have not been figured out how to deal with this problem in this country. It's still an intractable, important issue.

FERRELL: Yeah, I think at the time of this report on campus disturbances at UC Berkeley only three percent were African-American at that time, as undergraduates.

MOCKLER: Yeah, and that group all came from Africa. [Laughter]

FERRELL: Yeah.

MOCKLER: They weren't African-Americans they were African . . . they were of African heritage, I think they called it Black in those days. I always say to Willie, "It's interesting career you had, you came up here as a Negro, then became Black and now you're an African-American."

FERRELL: Wasn't he Colored somewhere?

MOCKLER: I think he was before he left, he might have been Colored, but by '66 he was a Negro.

FERRELL: Well, there have been some great advances but then on the other hand there's a lot of . . .

MOCKLER: Yeah, we need to learn from the mistakes we made. I guess one of the problems with the progressive movement was that they don't learn much from their own

mistakes. Conservatives probably don't either but . . . you have to kind of look at the data and see what's working and what ain't and why.

FERRELL: Well, I was just looking ahead in my notes and we're going to be talking about affirmative action and bussing and all kinds of things but let's stick to some kind of chronology here. Completely shifting gears, going to your personal life, 1970 you got married.

MOCKLER: I did.

FERRELL: And later you had a son and a daughter, Robert and Jessica.

MOCKLER: Yeah, it was wonderful.

FERRELL: They were born and raised here in Sacramento?

MOCKLER: They were born here, both of my children were born here. My son was born in '71 and my daughter in '76 and we moved to Los Angeles in late 1977 and then I moved back to Sacramento in 1981. At that point my wife and I were divorced, and so my children were raised in LA and Sacramento both.

FERRELL: And how did . . .

MOCKLER: A product of a broken home.

FERRELL: Oh, are they?

MOCKLER: My son went to Stanford and to Boalt Hall [UC Berkeley] law school and he's a lawyer now in Amsterdam. With his firm here and then his wife/lady friend went to prosecute Milosovich at The Hague. So he went over there. And my daughter went to Stanford and then San Francisco State to become a teacher, taught for a brief time and, from her perspective, left the system. She didn't like the way that she as a bilingual teacher was recruited. Both my children are fluently bilingual;

their mother's family is from Chihuahua, Mexico. And they're bright, committed kids and fluently bilingual and so I'm real proud of them.

FERRELL: What did your daughter do after she left teaching?

MOCKLER: She just left, last year she's now a . . . I think she works some at the Getty [Museum] and she's doing some temp stuff and substitute teaching and that sort of stuff.

FERRELL: Well, speaking of education, after your work on the Committee on Education you went to a . . . you were principle consultant for the Assembly Committee, Ways and Means. Willie Brown was chairman of that.

MOCKLER: Yeah, the legislature turned back, the Democrats took back control in 1971.

FERRELL: After Bob the brief.

MOCKLER: Bob the brief had his two years.

FERRELL: And in '71 the Democrats are back in.

MOCKLER: And Willie Brown gets appointed ways and means chairman and asks me to be his education consultant so I ran the education budget stuff for the Ways and Means Committee, January '71 until about June or so, July '74.

FERRELL: Now that's a pretty powerful committee isn't it? What . . .

MOCKLER: Yeah, well if you look at it from today's perspective you have your Appropriations Committee and you have the Budget Committee. Those were in one committee, in those days. So we did the budget reviews, we also did any bill that had any fiscal effect, it went through that committee. We had a smaller staff then they have now, about half of what they have now. Both committees now have twice the staff that Willie Brown had when he was chairman. That

committee was just startling to me. It was a great experience, it was a good time. Ronald Reagan was governor we had budgets, we had things to do. We went through a little series of . . . you know, the *Serrano* decision [*Serrano vs. Priest*] came down in that period of time, just a whole lot of rock and roll kind of things were happening in the '70s, not to mention Watergate.

FERRELL: And Wilson Riles took over [Superintendent of Public Instruction] Max Rafferty's [office].

MOCKLER: Yeah, he did. [Laughter] Yeah, I worked on the campaign I gave money to that campaign and I'll tell you I would have lost a lot of money because I would bet that he never could win. Here's an African-American in 1970 running against an incumbent, superintendent of public instruction who was a pretty smart politician, Max Rafferty. But Max Rafferty made a serious mistake, he ran in the primary against Tom Keuchel a Republican U.S. senator and he won the primary and lost the election to . . . a . . .

FERRELL: [Allen] Cranston.

MOCKLER: To Al Cranston. And the Republicans gave up a very good United States senator. So the Republican moderates were furious at Max Rafferty. Second of all, I know this because it was explained to me by an African-American, an African-American Bishop in LA. I was talking about, 'could Wilson win' and he said, "You know, you'll be surprised." He said "In 1969 in the city of LA Tom Bradley ran for mayor against Sam Yorty and the people of LA knew that Tom Bradley was a better man and would have been a better mayor but they voted for Sam Yorty out of their racist hearts." He said, "And they feel bad about that." So

he said, "Wilson may get some absolution votes, these people are seeking salvation they are going to come back and vote for Wilson." I don't know, it was funny. We were down in LA doing . . .

FERRELL: Just a second.

[End Tape 2, Side A]

[Begin Tape 2, Side B]

MOCKLER: Okay, we were in LA working on the campaign. We were doing these, in those days thumb polls, they really weren't polls, we call people and say, you know, "Hello Mister so and so there's an election and could you tell us who you'll vote for. Will you vote for the incumbent, Max Raffery, who molests children and robs stores and is an evil person or will you vote for Wilson Riles a man who, guarantees all kids will go to Harvard."

And then they'd say, "Well gee, I haven't figured it out but thanks for the information."

We were calling out in the Valley, the San Fernando Valley, and I called somebody and "Hello Mister so and so." I'd do the pitch and ask, "Will you vote for Max Rafferty or Wilson Riles?"

And he goes, "I don't know. Just a second." He puts the phone down and you can hear him say, "Honey, who's that nigger we're voting for for superintendent?" [Laughter]

And I remember saying to Wilson, "You're going to win. I mean this is a random white guy in the San Fernando Valley and he didn't know your name but he knew he was going to vote for you." It was astounding insight in politics and

Wilson was like, "Wow, that's cool." I still didn't think he could win but that was an incredible thing.

FERRELL: Well, he sure has an interesting background.

MOCKLER: Wilson?

FERRELL: Yeah, I mean his childhood and his work in Arizona and then coming to California.

MOCKLER: First African-American to work for the [California] State Department of Education.

FERRELL: 1958.

MOCKLER: Yeah, the first one, think of that 1958. The first African-American who got a job at the State Department of Education. [Laughter]

FERRELL: And he was always pushing for higher standards. When other people were . . .

MOCKLER: Yeah, he was trying, he was trying.

FERRELL: That's a tough job that he had, as Superintendent of Public Instruction, it's hard to get things done, from what I understand.

MOCKLER: Well, the Superintendent of Public Instruction, the state doesn't run it, we don't teach anybody to read in California at the state level, we do that in local schools. It's hard, the question is how do you get . . . can you get, can you ever get the schools to do more of the right thing than they're doing, that's the difficulty.

FERRELL: Well, you went to work for him a few years later.

MOCKLER: Yeah, I didn't go to work for him until, essentially 1974.

FERRELL: Well now, when you got on that committee, Ways and Means, after Bob the brief we had [Speaker of the Assembly Robert] Moretti.

MOCKLER: Right.

FERRELL: What kind of job did Moretti do?

MOCKLER: Well, Bob Moretti is a pretty conservative guy. He had ambitions to be governor. In fact he ran and didn't make it in the primary. He was very good on some things. As Willie Brown would say he's about the best white man on race he'd ever known, just instinctively understood what racial issues were and their causes.

But I felt, for example, on the implementation of *Serrano*, he got in bed with Ronald Reagan and I thought that, against my advice, and much strong advice [from others], for which he was not appreciative. This was during the struggle for S.B. 90, it was to put revenue caps on school districts, to implement *Serrano*. Recall that Ronald Reagan had put on the ballot a provision to revenue cap on all government, state, local and schools. That had been defeated so cities and counties and state had no revenue caps. Bob Moretti went and gave Ronald Reagan revenue caps on K-12 school districts but on a no other [level of government]. That [was] called revenue limits [for K-12 schools].

Implementing *Serrano* was difficult because the prevailing wisdom was that the *Serrano vs. Priest* decision was for poor children, right? An equal leverage, poor kids shouldn't be disadvantaged against rich kids. Well, nobody had actually talked to . . . they just push a button and say, "Well okay, do poor children live in rich school districts or vice-versa?" And the answer is they live in rich districts. But the entire progressive apparatus, the Western Center for Law and Poverty, Willie Brown himself, John Burton, Phil Burton, Leo McCarthy *all* were pushing for the *Serrano* decision. They filed an *Amicus* brief. The entire

[group of] poverty lawyers went out and said we need the *Serrano* decision. The decision by itself and its implementation *destroyed* urban education and destroyed education for poor kids in the state of California.

FERRELL: Now, you said poor kids live in rich districts.

MOCKLER: We define rich under the *Serrano vs. Priest* decision as property wealth per student. Take all the property in your school district, divide it by the number of kids going to school and if that comes out average or below average you have more kids less poverty or fewer kids higher poverty.

Well, who had high property values? The urban centers; San Francisco, Oakland, Richmond, Los Angeles, San Diego, Long Beach, Pasadena, all high wealth school districts. That is to say their property wealth was higher than say [average].

In those "high wealth" districts resided seventy-nine percent of all kids on welfare or on free lunch. And if you want to get ethnic about it, about eighty percent of all African-Americans and at the time about sixty percent of all Latinos was part of that population. The *Serrano* decision said you had to help low wealth districts and hurt high wealth districts. That's what the court said. And the liberals, the liberals did that. They brought the suit.

There's a group called Western Center of Law and Poverty and I used to call them, when I made speeches, "the Western Center of Law and Fiscal Neutrality." Because they certainly weren't for poor kids, I mean they wanted to be, honestly, you know in their honest heart, they just were lawyers and they weren't analysts. And they never looked up the data. And that's why in the

implementation, S.B. 90, it was Bob Moretti *sino quo non* we got, at least we got ninety million bucks for poor kids in that economic impact they would call now because ninety percent of it was for disadvantaged youth. So we got about \$100 million for it. And even with that Willie Brown and John Burton voted against the bill. Bob Moretti, it was his big issue, because this was when he and Reagan were side by side. The California state senate tried to kill the bill a number of times. Fourteen senators held out, Democrats, and they finally turned. It was [thirteen] Democrats and one Republican, Milton Marx.

FERRELL: Wilson Riles, he supported it didn't he?

MOCKLER: He did.

FERRELL: And was that part of a deal? Because tacked on to that bill was the early childhood education thing, that was [Senator] Mervyn Dymally's and Wilson Riles went along.

MOCKLER: That was his deal, yeah.

FERRELL: Was that a deal he made with Reagan too?

MOCKLER: Um huh, sure.

FERRELL: Is that what they call a trailer?

MOCKLER: No, no, that wasn't a trailer, that was a package, it was in the school finance part of the bill. There were pieces that they did. Willie Brown had this economic impact added, Wilson Riles had his what they called early childhood education, I would call school improvement at the beginning of the, you know . . . or actually the watered-down version but Wilson original early childhood education had preschool, four-year-old education for poor kids. And that got thrown out.

FERRELL: People were scared about . . . what, brainwashing little kids? I heard some references to that.

MOCKLER: Oh yeah, by the right wing, yeah, they were taking over the children . . . oh yeah, it was real weird. [Assemblymember] Ken Cory was carrying the bill as well as [Senator Dymally] in the senate. Ken was more understanding he dropped that piece like a hot rock as soon they put it in. He was scared of it, he thought the right-wingers were going to challenge it in those days, a long time ago. Now everybody is for preschool, but back then it was sort of too progressive.

So anyway S.B. 90 was developed and it was a huge fight and it went on for a long time and they finally passed it. But Bob Moretti one day picked me up, physically and drove me into the wall outside of the Ways and Means office saying he was the speaker and everybody should work with the speaker. Because I said, "Hey Bob, I give you my advice, that's what you're paying me for. If you want bad advice you can get it a lot cheaper." He pushed me into the wall. But he called me the next day and said, "You know John, you're doing a good job, just do your work. I'm just an excitable guy, don't take this as anything bad about me." It was some sort of a great apology from him. Bob Moretti was also the guy that . . . before he was speaker we used to play basketball with he and Jess and a few others at Sac State. And I went up and got a rebound . . . over him, and while I was in the air he kicked me and I went down and broke my ankle and he never smiled or apologized. So I knew then that he would be a good politician.

[Laughter]

FERRELL: Well, looking back on S.B. 90 back in '72 . . . did it work out?

MOCKLER: No. It's awful, it's terrible.

FERRELL: It was terrible.

MOCKLER: Well, look we immediately declined because we. . . . What happened in the '70s? In the '70s we had inflation, this huge economic run up in the early '70s. The war was on so there was a lot of stuff going on. And they were giving education two or three percent COLAs when we had nine or ten percent inflation in economic growth. So every other layer of government under [Governor] Jerry Brown, from '74 on was getting. . . . I mean we were creating new welfare programs and new medical programs and we were paying cops more money than God. Everybody but schools, [because schools] had a revenue cap. All that property tax growth that resulted, in 1978, in the revolution and Prop 13 schools didn't get a dime of that money because every time a property went up for schools the state pulled their money out. State support for education over a two-year period went down, not up, under Jerry Brown the liberal because of the way S.B. 90 worked.

FERRELL: Well, it was the cap's fault, not necessarily S.B. 90.

MOCKLER: Well the cap [was S.B. 90]. It just resulted in the overall diminution of public financing of public schools. So you can say change the cap and that would. . . . true. But the internal distribution of resources, which is to say, San Francisco got higher property taxes relatively and got their revenues and their district pushed down, as did Oakland. . . . as did Richmond.

FERRELL: To equalize it.

MOCKLER: To equalize it. It took money away from. . . . and who'd you give it to? Walnut Creek, Orinda, Pleasanton. . . .

FERRELL: They give it to rural not to urban.

MOCKLER: Suburban, mainly suburban. A lot of kids but no property, all they've got is houses, they don't have any power plants or industrial property. They moved away from that. So that was the greatest transference of wealth away from the dispossessed towards the possessed in the history of the state. Except maybe since we've done now with inheritance tax and estate—it might be bigger. It was a disaster for the schools; we've never recovered.

FERRELL: Well a couple of things were done a few years after S.B. 90, S.B. 220, S.B. 1641 .

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MOCKLER: S.B. 220 actually reduced the state [general funds spent for schools]. After 220 passed we actually spent less money on schools than before. It was bad.

FERRELL: That was to increase revenue.

MOCKLER: Yeah it did about two percent or something. There was S.B. 90 and then 220 and then what did we have?

FERRELL: In 1641, now that took adult school out of the . . .

MOCKLER: Well, 1641 was a separate bill, 1641 "reformed" how we funded adult ed. Adult ed is two packets it's community colleges and K12, it reformed the K12 part of adult funding. Jerry Brown didn't like people taking art courses and stuff like that so he . . . he thought that was an abuse so he cut this. That was carried by [Assemblymember] Joe Montoya, I think. He later went to jail for corruption.

FERRELL: That also did increase K through three, right, from \$25 million to \$100 million?

MOCKLER: Right.

FERRELL: That's a pretty good jump.

MOCKLER: Yeah, it was about \$280 million but they got about half way there. There was little bills that tried to adjust as you went along but they were small adjustments in a big world. And then we finally did the culminating bill, which was A.B. 65, that was 1977, I think. That one and then we had Prop 13 and that crushed . . . because A.B. 65 actually would have broken many of the constraints on . . . that we had with . . . because we allowed local votes for taxes.

FERRELL: Wilson Riles was happy about A.B. 65 wasn't he?

MOCKLER: Yeah, a lot of people. It was a deal that people liked.

FERRELL: It was kind of a compromise between the governor and the assembly and the senate on the bill they worked together and came up with this and it worked out.

MOCKLER: Then it all fell apart. [Laughter]

FERRELL: Well, looking at education issues it all seems to boil down to money. It seems that way.

MOCKLER: Well, we talk the most about money, we used to talk more about policy because money was shared local and state. Now we talk almost exclusively about money because the state controls all the money. Once we did revenue limits it took away local ability to raise taxes. [Then] Prop 13 [completed the job]. Prior to 1978 local districts could raise taxes with majority vote for schools. So once you took that away then . . . when you talk in Sacramento schools have no money that's not controlled by the state. It's all controlled by the state. There are some people that have local overrides or something but . . . except the rich districts who just set up foundations and privatize it's schools.

So we basically took total control with the implementation of *Serrano* first, and then Prop 13 second eliminated local fiscal options for local school districts. And one day they aren't going to have any, the ability to build buildings, none. Prop 13 could not build a building we've got no tax source, none, zero. It wasn't a two-thirds vote, you *couldn't* it was *illegal* to ask for . . . to build a school. So we didn't build any schools in this state, we got some state bond issues and lease purchases and made up a bunch of nonsense but . . . that was huge. That's why the schools look like . . . so ugly.

FERRELL: Temporary classrooms.

MOCKLER: Yeah, that's what you could build. Go to the mall that's where the money is; go to the schools that's where temporary classrooms are. You know what that means, schools are less important than malls.

FERRELL: Well, 1972 that was the year of Proposition 21 and that basically passed, it was to repeal the Bagley Act. The Bagley Act, really didn't mandate bussing it just said you *can* do bussing or race can be considered in balancing . . .

MOCKLER: Seventy-two?

FERRELL: Proposition 21.

MOCKLER: I don't know about Proposition 21. Bill Bagley carried a bill that Ronald Reagan signed because [his] people misunderstood it. Actually Wilson Riles had to apologize to Ronald Reagan because he told Reagan that the bill did something that it didn't do but . . . Prop 21, I don't know what that was.

FERRELL: Yeah, November '72, it basically forbade the consignment of a child to a school because of race, creed or color and it was basically to repeal the Bagley Act of '71. The Bagley Act just *suggested* the elimination of racial imbalance in schools.

MOCKLER: Yeah.

FERRELL: They kind of put an end to bussing before it really got going in California.

MOCKLER: But that didn't matter because we did the Crawford implementation in '78, six years later, in LA bussing so I don't think twenty-one meant a damn thing.

FERRELL: Well, another issue, bilingual education. There was a bill, A.B. 2284, \$5 million to bilingual education.

MOCKLER: Well, more importantly or less importantly, depending on your perspective, which was signed by Ronald Reagan by the way, required for the first time the categorization of pupils by language. It required a home language survey: Do you speak a language other than English in your home? And then we determined by, actually by, a very bad test, whether or not you were limited or non-English speaking. Okay? That was the goal in those days.

FERRELL: Limited English speaking or non-English speaking.

MOCKLER: Non was not, and limited was somewhat. And of course the test was not a very good test, it had nothing to do with what was primarily spoken, but it was what was used in those days. For example that test was given to African-American schools and about eighty percent of the kids were termed non-English speaking. But anyway it was the first. We identified x number of kids, the first was 125,000 no, the first was 80,000, I've got these numbers somewhere. It was 60 or 80,000 kids in California that were either limited English speaking or NEP, non-English

proficient. That was the first start and then it required some answer. This is to implement the *Lau vs. Nichols* decision. It was a [United States] Supreme Court decision.

FERRELL: I read what Wilson Riles had to say for it, an interesting quote, he said it was written too “prescriptively.”

MOCKLER: Um huh.

FERRELL: Too prescriptively, it was just too . . .

MOCKLER: Wilson was never fond of this whole issue of bilingual because if you discovered this in a kid you had to do that, that’s what he meant by prescriptive. Anytime you mandate that if I find a particular. . . . It I look at you and I find you weigh eighty-seven pounds then you *have to* be in this program. Or eighty seven pounds may not be the right standard maybe eighty-seven pounds if you’re six-foot or eight-seven pounds if you’re five two, but kids don’t have just one piece of them. So this bill and all subsequent bilingual acts basically presumed a definition to describe whether a kid need an education. If you were this you than you had to have. . . .

The second thing it did is it required, in the early program—I can’t remember which one it was, 2284 or the next one—you had to balance bilingual courses between English speaking and non-English speaking. That required districts to put kids into bilingual programs who didn’t have a language problem, because they didn’t want it segregated, right? So now if you had Latino kids and Black kids, those Black kids who were good in English had to be put in the

bilingual program because you couldn't have a bilingual classroom that wasn't more than two-thirds non-English speakers, right?

That's what Wilson meant by that it was just crazy. You're forcing a group of kids to get a service that, by definition, said they didn't need. And you had a definition that these kids must have that even though they may or may not. That's bad state legislation and that's what was wrong with it. Not the bilingual notion, it's the nature or how you required it, it's the enforcement of something. Rather than the, "Should you do something for kids who don't speak English?" That's substantively different . . . the answer is probably there ought to be more time to do more language, yeah. But to require a particular pedagogy, from Wilson's perspective, was not good education policy.

FERRELL: Did this set up creating a backlash against bilingual education?

MOCKLER: Not 2284 but you have to make . . . it didn't mandate anything it created options and required us to offer. Later on the Chacon– Moscone [Bill], the bigger one later on, it was like '74 or '76 was the real . . . then there were three or four bills that came along that did that. I think there was a backlash in a lot of communities because of the requirements. Look, if you want a bilingual program you need teachers that are fully trained, that are fully bilingual, but we don't have people like that to fill in. And you could run them through programs and stuff but they don't . . . a lot of people take four years of Spanish but they're not Spanish speakers. So when we became a political movement of services to these kids and they acted it out through bilingual and there was never enough. . . . Things we call bilingual were not bilingual, it was a monolingual teacher with some bilingual

aid who had no education at all and we called it bilingual. Then we blamed bilingual because the kids didn't achieve, because we put them in these classes and there was *no* education going on, it was *non*-lingual. So if you looked at the data, at how many kids were actually in bilingual, it was quite a few.

FERRELL: What's the situation today on bilingual education?

MOCKLER: Well, the people passed this initiative that said you can't offer bilingual unless the kid's parents ask for it, get a waiver that sort of thing. So the number of bilingual kids in bilingual classrooms is [now] quite small. I don't know the exact number.

FERRELL: Now that was in the late '80s wasn't it?

MOCKLER: Nineties, yeah it was during the [Governor] Pete Wilson era. It was [Proposition] 227 it was Ron Unz's English only.

FERRELL: English only, I remember that, that was the name of the proposition, the English only initiative.

MOCKLER: It was one of those that was on the ballot we actually added a constitutional requirement that all our documents had to be in English. Then there was a . . . well the Unz initiative was the one that limited bilingual education.

FERRELL: Uh-huh, well now in '74 you joined Wilson Riles in the Department of Education.

MOCKLER: Yes, [in June, 1974.]

FERRELL: Well, we talked a little bit about Wilson Riles but what were you doing there, in the Department of Education?

MOCKLER: Essentially I was his government relations deputy. My official title was Chief of the Office of Government Relations, I think. And then later, about a year later maybe, I became manager of the School Finance Equalization Project, so I did

twogjobs over there. That was to manage the creation of A.B 65, essentially to try to figure a way that we'd have a plan for school financing in bill form. It was put together . . . how much money do we need? What do we need? How to do it.

FERRELL: You were seeing that A.B. 65 worked?

MOCKLER: Well, [I was creating policies and data to support the passage of A.B. 65]. A.B. 65 would have worked wonderfully well had we not had Prop 13. It wouldn't work at all with Prop 13 because didn't have the local vote money. Oh yes, the schools would have done quite well with that. It was a comprehensive plan it talked about variable costs and such.

FERRELL: The superintendent of education, Wilson Riles' job is actually one of the few non-partisan, technically non-partisan offices.

MOCKLER: Yes.

FERRELL: Important work he's got to do there, he's the director of the Department of Education, he oversees the state board of education, eleven members . . .

MOCKLER: Well, I wouldn't say he oversees it.

FERRELL: Well, he's executive officer and secretary.

MOCKLER: He's executive secretary, right.

FERRELL: Yeah, which sets policy matters.

MOCKLER: The board sets the policy and allegedly the superintendent is suppose to carry out the board's policy except where statute provides differently.

FERRELL: Un-huh.

MOCKLER: That fight had been going on for years. When Max Rafferty was superintendent of public instruction we would pass bills to take power away from him, progressively

and give it to the state board of education which was appointed by Pat Brown. Then when Wilson Riles became superintendent we tried to pass legislation that would take power away from the state board which was appointed by Ronald Reagan and give it to Wilson Riles [Laughter] who was a liberal, right, although he was pretty conservative. The same thing happened under, you know, when Bill Honig was there then they took away power and gave it to the state board. It goes back and forth. Under law the board sets the policy that's to be carried out by the superintendent.

FERRELL: These are important policies, we're talking about textbooks, curriculum . . .

MOCKLER: Textbooks is the constitutional prerogative of the board. The only constitutional requirement for the state board is that they have the sole authority to adopt instructional materials that are used in the K-8 public schools, that's the constitution, not a statute. It's a strange . . . but that's their job. It's in the constitution. And then statutorily it's their job to set policy, to be carried out. Not much policy, it's very restricted because you have to do it under law, the laws are pretty narrowly focused in California.

So your policy options are quite limited, and again, you can't raise any money and you can't pass a policy that costs money because that's like a mandated cost. I mean your policies from federal money, which is powerful, there's power there. You can accept or reject waivers. You can waive any on education code section there is, so the state board gets to do that. There are a lot of things that there's power in and big effect on school districts. And the superintendent and how he approaches things, how he goes after compliance, I

mean he looks how things are going in special ed or services to kids . . . so there's a lot of power in that job.

FERRELL: Well he's also a . . . we're talking about the superintendent of education, he's a voting member of the board of trustees for Cal State and the regent at UC.

MOCKLER: Yep.

FERRELL: And Wilson Riles, he got some guys upset there at UC? He wanted to raise standards? How did he function in that capacity, as a voting . . .

MOCKLER: The issue there was: What requirements should you put on kids that are entered into the university? So it was really having them establish by law . . . UC is suppose to take the top twelve and one-half percent of high school graduates. So if you set your standards so high that you don't attract twelve and one-half percent you're overqualified. Of course, if you set them so low then you have like twenty-five percent qualified then you have to sort things out because, by law, you're suppose to take the top twelve and one-half percent. So what should students take?

Some people felt, we're on the side that, because not a lot of African-Americans and a lot of Latinos were not going to the University of California that the way to solve the problem was to lower the standards. Thereby having a bigger pool of qualified applicants and then allowing African-Americans in with the lower standard. Wilson said that's not the way to do it. We want to have standards go up . . . to have Black kids to meet the standards, not be lowering them down. That was his position and that was not orthodoxy in the Black community. A lot of people in the Black community felt that because of

historical, oppression, you know et cetera, you needed to have “affirmative action” if you will. By establishing a broader standard of what was qualified, a bigger pool, and within that select by race, if you will. That was the solution proposed by many progressives.

FERRELL: So Wilson thought the idea was to . . . the way to fix it is just to have better education?

MOCKLER: Yeah.

FERRELL: Early years, K through high school . . .

MOCKLER: Yeah, it sends the wrong message to tell African-Americans you can do less and still have the [same results.] That was his view.

FERRELL: Something else Wilson Riles did while you were there, he put forth a special education master plan. There had been a master plan for education earlier; this was just for special education.

MOCKLER: Yeah.

FERRELL: What was that all about?

MOCKLER: Well, first of all California funded handicapped kids in many different ways over the years. I think at one point there were forty-eight separate allocations. If your diagnosis was retarded, or severely retarded or . . . there were a lot of labels. With the label came a dollar amount, to help you out, right? So, if you're not certain, if you call them this and I get more money, rather than serving the kid within a context. Second of all there was [going to be a] federal law. P.L. 94-142 was being pushed in congress. So there was going to be a federal mandate to serve

these kids in a profound way. So Wilson, anticipating [these proposed actions] . .

FERRELL: Now, that was a federal mandate using state money?

MOCKLER: No, the feds were supposed to pay forty percent of the cost of special ed when they passed the bill. They never have [provided] more than [thirteen percent.] So Wilson said, "How are we going to do this? How are we going to serve *all* handicapped kids?" A lot of those kids were not being served, and to meet all these new federal requirements, which are immense. So the master plan was a structure and we tried it out in three or four regions first and then we finally implemented it statewide.

When it went statewide they basically destroyed it, because they didn't have enough money to do it, because they tried to do it on the cheap. The first, I think, ten experiments were actually quite good. We learned a lot about how those kids were being served, how much costs there were, how much it costs to do it right. And then Jerry Brown came in under the federal law and just said, "bang" to everybody. He artificially cut the number of kids served from like fourteen percent to ten percent, he just said, "They're not there. I'm only paying for ten." [Laughter] So four percent of the services just disappeared, but with a fully funded the plan. [Laughter]

FERRELL: It looked good on paper.

MOCKLER: It looked *great* on paper. Wilson was always a managerial kind of guy, that if he saw a problem coming he wanted to get an idea of how to solve the whole thing, not just a little piece of it. "How does that fit in context," that's how he thought.

He was a superb writer, people don't understand that, he was a great speaker, he had a great voice and a real charm about him. But I've seen him edit work, papers or speeches or documents he would just beat the shit out of you because he really was a *great writer*. He'd find your stuff and you'd see stuff crossed out and changed—for the better. He was quite good.

But his thought was bigger, so it wasn't just "let's handle special ed," it was, "how does this fit into the context of all the schooling? How do you fund it?" We created these regional entities because, obviously, there was not enough severely [handicapped] kids [in most single districts.] If you had a school [district] with a thousand and you only had one severely handicapped kid, what do you do? You can't have a whole class just for the kid. So they created this kind of regional structure and they could try and figure out to have something for that kid in the region. It was well thought out but again once you go to implementation you're . . . and you cut forty percent of what it costs you ended up badly [Laughter]. A good idea crushed on the bare bones budgets of California's education system.

FERRELL: Now, one of the duties of the State Board of Education is textbooks, the adoption of textbooks for grades one through eight. Textbooks, now that's an interesting subject.

MOCKLER: It doesn't just say adoption it says *adopt for use*.

FERRELL: Adopt for use?

MOCKLER: Which means districts have to use them, constitutionally.

FERRELL: Constitutional requirement.

MOCKLER: Some schools buy materials that aren't adopted.

FERRELL: Why do they do that?

MOCKLER: Well, because they think they know better.

FERRELL: A few weeks back I heard an interesting interview with a woman who wrote a book about school textbooks and saying that California and Texas dominate the way books across the country are created. And she was talking about . . . I guess political correctness is the right word . . .

MOCKLER: Ah, Dianne Ravitch<sup>1</sup>

FERRELL: That is who that was.

MOCKLER: Yeah.

FERRELL: What do you think about that?

MOCKLER: Well, I think there is something to be said for that. We have in California, for example, legal compliance. It's not the adoption process, although it is. Legal compliance means be sure to review the books to make sure that they're not racist, sexist, anti-labor, anti-free enterprise, you know, don't upset the handicapped, the Irish, you know, whatever. When you start looking at great literature like that you can . . . you eliminate them. So if you're writing a history book you . . . the textbook publisher will go, "Oh, geez, here's what happened but I can't say it that way." But you change all references so it's . . . there is a certain political correctness. Literature is exempt from legal compliance, so I think any literature, source material . . . so we don't exclude that.

FERRELL: So we can still have *Huckleberry Finn*.

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<sup>1</sup> Diane Ravitch, *The Language Police: How pressure groups restrict what students learn* (New York: Knopf, 2003).

MOCKLER: Sure, we can have that. But there are people who think we shouldn't. But I think she has a point, in fact, if you start looking at some of these books they do get homogenized by regulatory stuff. California has been quite good; the South is much different. So she's wrong if she thinks Texas and California controls the content. Those are adoption states, but California's content wouldn't be Texas' although they are probably a little bit closer now. Most adoption states are in the South. All we have in the North is California and Oregon. The reason [the South adopts books is because] they don't want the Yankees, who did the books up in Boston, telling their history, right? Because they didn't like the way you talked about the "nigras," if you will. They didn't like the way they talked about the Civil War. They didn't like that stuff in the books so they would . . . you couldn't sell that stuff down in Texas.

California did it because the eastern slickies would come out here sell books and then they would never deliver them. We used to, up until 1972, we used to make our own books. We would adopt a book and the state printer would print them and we'd send them to the schools. That's how we did it till '72, from 1911 until 1972.

FERRELL: Sounded like a good idea . . .

MOCKLER: It sounded really good but then the [legislative] analyst and everybody did a big study and the books fell apart, they weren't done well, schools didn't use them, there was only one book so there wasn't any competition. The system was corrupt because if you had one book to be adopted there's a lot of pressure, "adopt me, adopt you." It's really quite an interesting system and then there was a much

needed reform that people voted on and said, “No we want a broader adoption.” So Wilson had a big reform, it used to be that the curriculum commission would be flown by publishers to Hawaii and he stopped all that. It was a conflict of interest; this was a big reform by Wilson. He stopped them, he required that everybody file disclosure reports. You couldn’t review the materials unless you had, you know, you couldn’t work for a publisher, you couldn’t take a cup of coffee from them. So that corruption part, which had been historically true, was taken out or at least substantially mitigated.

But there’s huge fights about it, huge fights, because you may believe in whole language reading and the state says, “No that doesn’t work.” Research data tells us that doesn’t work, we’re going to do systematic versus phonics. Well, there’s awful fights in math. Should you do what we call, people call “fuzzy crap math” which is conceptual or should you do by-the-numbers math? These fights in education are vicious. [Laughter] People call each other names and do press stuff that is really wild.

FERRELL: Yeah, I went to school during the era of new math.

MOCKLER: Yeah, so you’re math crippled. [Laughter]

FERRELL: Yeah, I can’t do math.

MOCKLER: New math works great if your teacher is a mathematician. And only one out of every six hundred elementary teachers has more than [six] units of math after high school—one in six hundred.

FERRELL: Well, speaking of science, creationism, I suppose some of those southern states are . . .

MOCKLER: Oh yeah, and mid-western, yeah. I also said if you're going to be on a state board during a science adoption you need a Bible in one hand and put a monkey on your shoulder. [Laughter]

FERRELL: What's California's idea on evolution and creationism?

MOCKLER: We're very scientific in our view. We say that there are people who have a theory of creationism and it's interesting to look at, it's fine but it's got nothing to do with science.

FERRELL: Creationism is mentioned in textbooks?

MOCKLER: It's mentioned in history and social science, where it should be. It's not science. I mean we know, yeah.

FERRELL: Well, now let's see, so we were talking . . .

MOCKLER: Can you stop for a minute so I can call.

FERRELL: Yes, of course.

[Interruption]

FERRELL: Okay so textbooks are kind of a thorny issue.

MOCKLER: Yeah, it's tough because of the curriculum—it's what's taught. If you think about school . . . we make it very complicated, but it's not. When you talk about schools and school finance you need essentially five things. One is a place called school the physical facility, right? Safe, clean, whatever. Then you need teachers and administrators, who are trained et cetera. You need stuff, which is like textbooks, instructional materials, libraries, technology, paper and pencils. You need an assessment system to find out where you're going, assessing against some standard. And you need time. How much time do you want kids to go. That's

all. So that's all you need for schools, five things. We make it more complicated. So if you think about stuff, what you want kids to learn, then that's what the [teachers] do.

What is it you want them to know? If it's not somewhere for kids to find it, how do you expect them to know it? So that's why the textbook is so important. It's like one percent of school expenditures, maybe, one percent of all money spent, it's spent on textbooks—maybe one and one-half percent. So it's a small expenditure but it's highly volatile. Because there are different views about what kids should know. Once you've got standards, everybody says we've got standards, we all believe in standards. But they don't really believe in standards. They think the standards are too high or too sterile or teaching them more so it's very hard. And that's why it's controversial and there's strong philosophical and political views on these matters.

FERRELL: Well now, when you started in with Wilson Riles in '74 that was the election year and Jerry Brown became governor.

MOCKLER: He did.

FERRELL: And Jerry was no Ronald Reagan.

MOCKLER: It's safe to say that.

FERRELL: What was he like?

MOCKLER: He was cheap. He knew nothing about children. He had broad scoping views, some of which were really prophetic, I mean in environmental areas and transportation, I think he was terrific. The key to understanding the nature of the state in a fiscal sense he was horrible, he was just horrible. In schools he was just

awful, he was just awful. The worst record in public education of any governor I've seen, just awful. And it was just because he was cheap, didn't know, hadn't been around children. . . .

I remember having this meeting with Jerry Brown with the director of childcare in the Department of Education. He has this meeting, we were sitting there and the governor had this idea, old people who are on old age assistance, you know, really poor old people, you can't get on SSI [Social Security Insurance] unless you're really . . . you know, no assets, nothing, right? He wanted to get old people on welfare and have them—this is over sixty-five—and have them to run childcare centers. I'm sitting there listening and he's thinking like it's grandma and a picket fence and making apple pie with a couple of kids. That's his vision, right? And this lady, I can't remember her name, she was really cool, an African-American woman, what was her name? Anyway she looks at the governor and she says, "You know governor, if the good Lord wanted old ladies to take care of babies she would let them have them." [Laughter] And this was a big initiative he had.

FERRELL: Was that Maxine Waters?

MOCKLER: No, it wasn't Maxine, this was a lady director of childcare for Department of Education. It was just terrific. [Laughter] I thought, "Governor have you ever met these people on SSI? These people have already had a pretty hard life and they'll be running around chasing a four-year-old down." [Laughter]

FERRELL: Well when you first said it I thought, yeah, you solve two problems at the same . . . but on second thought. [Laughter]

MOCKLER: So that's how little we think of our children that we think the dispossessed can take care of them better than we can, astounding, astounding. It's very . . . one of those *gestalt* kind of things that Jerry Brown would do. Off the wall, he didn't think it all the way through. It sound good, okay let's find out what's good and bad about it.

He did this to S.B. 1641—wiped out adult ed programs. Which really didn't cost any money it was just symbolic stuff. He *really* cut back on school funding. Let the surplus get huge, he would not sign school finance bills and he would not do anything about property taxes and he sat there with like a ten billion dollar surplus and let the whole state come tumbling down, just sat there. In the last minute they tried to jam through some bullshit alternative. And yet he escaped it all, he's so clever. I mean I really do like him as a person, he's fun to be around, but man, he is just so out of it. But you know, he ran for president, he made a big splash, he was a young, clever reformer, right?

When I was later Executive Director of the State Board of Education and he wanted to run a military charter school in Oakland, which he's doing. But what he was serious about was the special ed conditions had to meet all the needs of special ed kids, which was because he said you couldn't do it on the money and it was really terrible—that was the bill he signed. [Laughter]

I said, "Jerry, you signed it."

He said, "Well I didn't know."

I said, "You certainly didn't." [Laughter]

[End Tape 2, Side B]

[Begin Tape 3, Side A]

FERRELL: Well, you know, just a couple of weeks ago I was talking to [Appellate Court Justice] Ron Robie and he was . . . Jerry Brown was pretty good on environmental issues . . .

MOCKLER: Yeah, he was good on the environment and he had some vision about where the transportation stuff was going and really did . . . and he's a very bright, free-thinking guy.

FERRELL: Then he was . . . I guess the expression is "outside the box."

MOCKLER: That's fine but then you look at what happened on his watch, Prop 13, *Quen Sabe?*

FERRELL: Well . . .

MOCKLER: And pretty much the destruction of state civil service, that's something. If you look into what Jerry Brown did on civil service, he was very much into affirmative action and so he basically . . . it used to be you had to take a very high level test in order to get into state service like the managerial, professional level. He created all this upward mobility so all you had to do if you were like a . . . you could be like a clerical worker and jump into being a professional and he downgraded all the tests. He did to state service what Wilson Riles wouldn't let the University of California do; he downgraded competitive state service. Because he thought that would open it up, broaden it, you know, the same arguments that the others were making. It used to be people were . . . collective bargaining for state employees which has not resulted in any benefits. So there's

some really bad things in government left from his era. But a nice guy to drink with.

He once had a meeting with a guy named Ron Prescott who's African-American, an educator from LA. There was a book early on in the administration of Jerry Brown, in '75 or so, that came out and basically suggested that Jerry was kind of a racist. That he had mentioned in his private staff meetings that the solution to the race problem was to get 10,000 white kids from San Mateo County and 10,000 Black kids from LA and they can go to camp at San Luis Obispo for the summer. And the whites could teach the Black kids how to read and the Blacks could teach the white kids how to fight. This was in his book about Jerry Brown. He might have said it but, you know, it was one of those politically embarrassing things.

So we actually saw Jerry out at the Torch Club, he used to hanging out at the bar. He goes, "What are you guys doing tonight?"

And I said, "Well, we're going to change your attitude toward life." I said, "My friend here, Ron Prescott, he's a reading teacher, he's going to teach you how to read and after he's done I'm going to hit you in the face." [Laughter]

He goes, "I didn't say that!" [Laughter]

FERRELL: Do you really think he said that?

MOCKLER: I think he might have joshing in a private meeting, he might have said something like that. It wasn't a serious thought, I think it was one of those things that people get tagged with that is really unfair.

FERRELL: Well, that's the way to play politics, isn't it?

MOCKLER: I suppose, but I don't like that part of politics much.

FERRELL: Now, that another thing I wanted to ask you. Way, way back when we were talking earlier, you had an opportunity to go with Phil Burton to Washington and you immediately said no.

MOCKLER: Right.

FERRELL: Is that because politics is dirty? Is that because politics is . . .

MOCKLER: No, it's just because politics, the way Phil Burton plays it, is twenty-four hours a day, seven days a week and there's nothing else in your life.

FERRELL: And it takes a real toll on some politicians, there's alcoholism, drug use, bad marriages . . .

MOCKLER: Yeah, it's not for . . . the ones that are good at it, it's amazing how hard they work, that are really good at it. But guys like Reagan and Deukmejian and some of those who just work until five o'clock and go home. They work and that is it. Others spend hours and hours, especially the new politicians that work real hard they're all trying to spend time and stuff.

You can get into the psychology of power, of how alluring it is and how compelling it is, it's an addiction I think. I remember when I was gone and I left that building and I didn't want to go back. And Willie Brown made me go back in 1983 and I *really* did not want to do that. He said, "Why?"

I said, "Because it's like a drug addition. I'll get in here and I'll start acting like you guys and I'll hate myself."

Because you get around power and pretty soon you kind of start acting like a fool. So I just said I'd do it for one year for sure, but never more than two. On the second year, on the exact date, I was out of there.

FERRELL: Well after you worked with Wilson Riles, you went down to . . . you worked for the LA Unified School District. I guess you . . . did you move down to LA?

MOCKLER: I moved to LA, yes. They created a separate unit, it was called the independent analysis unit. It was sort of like the legislative annalist. I reported to the board and I overlooked the superintendent's policy and fiscal decision-making and audits and that sort of thing. And so I had a small staff. It's never been done before, in any other school district. Highly controversial, clearly the superintendent and the superintendent's staff did not like it at all. Because it used to be everybody reports to the superintendent, and the superintendent reports to the board, that's how structured schools are. And now you have me sitting over here overlooking the superintendent, and I report to the board. And those two people report to the board and I was equal status. It was quite controversial I required, before I took the job, that the vote be seven to zero on the board not a split. And two, that the superintendent write me a letter and say that, even though he didn't like the idea, that if you're going to have somebody then John would be a good person to have. Now my cynical friends say the board decided to hire me went into executive session and voted four to three to tell me it was a seven to zero vote and ordered the superintendent to write the letter, but I don't think that.

[Laughter]

So I went down there and it's a huge district and they were just beginning . . . this was the winter of '77 into '78. And what happened in '78 is they voted in that Prop 13 and they had implemented a bussing plan, right? It was horrible everything that was going on, it was chaos. They had to adjust to Prop 13 and it was just. . . . And I'm sitting there doing budgets. I learned a lot. I learned how big systems work, I learned how they do books, I learned how they hide money. [Laughter] So I learned a lot in my three and one half or four years there. But it was a very difficult job. I had a good staff. I had a difficult time but I learned a lot about how school districts, especially big school districts, work.

I think I had some good impact on changing their budget policies. This is a district that didn't have any inventory system, they kind of did, but we went out and they couldn't find sixty percent of things that cost more than a thousand dollars purchased in the last three years. They couldn't find them. They had no idea. [Laughter] It's a five billion-dollar enterprise—big. And it was run like a candy store. They had three separate budget systems. Budget systems were on separate computers, I mean it was a mess, just a mess.

FERRELL: Big budget and an enormous number of employees.

MOCKLER: Yeah.

FERRELL: Did you straighten it all out?

MOCKLER: No. [Laughter] We worked toward solutions.

FERRELL: *Toward* solutions.

MOCKLER: Well, I did that for about three and one-half years and actually went through a divorce in the later part of that and decided I didn't want to be in LA anymore and

moved back to Sacramento because it was smaller and easier to focus. And started my own business, lobbying and policy stuff.

FERRELL: You started that with Jim Murdoch.

MOCKLER: Right, we had [Murdoch, Mockler and Associates] and we created CLUE.

FERRELL: CLUE?

MOCKLER: Comprehensive Legislative, that's an electronic information system and a . . .

FERRELL: Comprehensive Legislative Update on Education.

MOCKLER: Right. And then we [created] School Facilities Consultants. In a little over a two or three year period we created these businesses. That's where I was until about '83. When Willie Brown became speaker he asked me to go back, that was in '83, right?

FERRELL: Right.

MOCKLER: I said, "No, I don't want to be your building." So finally in '83 he had the national report, you remember the *Nation at Risk*?

FERRELL: *Nation at Risk*, very important.

MOCKLER: We had a new superintendent got elected, a new governor got elected and so Willie basically called in his old chips and said, "You've got to come because we've got to get this fixed. There's going to be a big play on education and we've got to do it right, so you've got to come."

So I said, "Okay."

I was admired by the press because they said I made a lot of money which always inflates my ego but I basically cut my salary by two-thirds with the state wage. But it was fun, I have no regrets.

FERRELL: More fun than LA Unified?

MOCKLER: Oh yeah, but I could had been in private practice, it had been going for almost [three] years.

FERRELL: Yeah. Well, before we get into that let's talk a little bit about the private. What exactly did Murdoch, Mockler and Associates do, as well as CLUE? What's that all about?

MOCKLER: CLUE is the simplest one to explain. We did a daily update on what was going on in education. We reviewed major education bills, we comment on the educational budget and provide information on a daily basis so you could call that up on your computer. Which was innovative in those days because there weren't a lot of electronic things going on then. We also did it hard copy if you wanted. We had a summary of that, a weekly summary.

And then we had another publication inside that corporation called *The Waiver Bulletin* in which we would report on the number of things, the kind of education codes that were being waived. A lot of districts would see that and learn about how to change their laws to help themselves. These were publications that people subscribed to, we made money on subscriptions, okay? They weren't economically big or hugely successful but they were pretty good and they kept us on the cutting edge of trying to figure out where we were going.

FERRELL: Now this constant update on education, I guess there was a need for it. Was this something new? Nobody had done this before?

MOCKLER: Yeah brand new, we created it. And then [Murdoch,] Mockler [and Associates] did three or four things, it was a corporation which Jim and I owned. We lobbied,

it was fact-finding, a neutral mediator for school district negotiations, consulting reports, financial reporting for school districts and for some private groups, like the state lottery. We'd analyze what the situation was for them. So we did a variety of things of which lobbying was one of them—lobbing, consulting, et cetera.

FERRELL: Did you actually write bills.

MOCKLER: Oh sure.

FERRELL: Did you author bills as a . . .

MOCKLER: We don't author them, members author them.

FERRELL: Oh, well yeah . . .

MOCKLER: Did we write bills? Yeah, I've been writing bills since [1965].

FERRELL: You've got a lot of experience in that.

MOCKLER: Yes. So yeah, we lobbied, for example, for the textbook industry, the Association of American Publishers, was one of our clients. We didn't represent any individual company, like Harcourt or . . . we didn't represent them. We represent the whole industry. So we didn't get involved in who got selected or, you know, we just got involved in the rules. How the rules were . . . and funding. So we didn't get involved in like . . .

FERRELL: . The rules and the funding of textbooks.

MOCKLER: Yeah, the industry wanted a fair chance for everybody to participate, right? So we didn't. . . . Like if you lobbied for an individual company you'd want Harcourt books to get adopted and Houghton Mifflin not to get adopted, right? Because that's how you make money, if you wipe out your competitor, but the industry

doesn't do that because they bolster members of the industry, right? Members of the association. So our job is to get fair processes and we did that for a long time.

We represented LA Unified, just on fiscal matters. We'd analyze the budget for them, analyze bills as it relates to their fiscal relevance to them. Let's see, we created an organization called CASH, Coalition for Adequate School Housing. Now it's one of largest education organization in America. We created the Small School District Association, which is big, about 700 members. We represented all high school superintendents in California, called the Association for Improving Secondary Education. So a lot of different clients and we did both consulting and a lot them would come to us in groups and we'd try and figure out what they needed to get done, what the problems were.

FERRELL: What about unions, labor, did you . . .

MOCKLER: No, never. I've done consulting with unions, starting with Prop 98. I wrote 98 for them but I never would lobby for them. They wouldn't want me to and I wouldn't want to.

FERRELL: Yeah, Prop 98 that's . . . why don't you talk about that a little bit later.

MOCKLER: Yeah, I'll do that.

FERRELL: Okay well, 1983 Deukmejian, you mentioned Deukmejian, he's coming in as the new governor. You mentioned earlier, he was the guy who would go home at five o'clock?

MOCKLER: Yeah, George Deukmajian was a regular guy. He was a successful politician, obviously but he had a family and didn't get caught up in getting buried. He focused on what he wanted done, he was pretty hard nosed. He was an honest

conservative, not a radical. Now we have radicals, we don't have conservatives, he was a conservative. Obviously I had known him when he was an assemblymember and a senator. And I knew his staff pretty well, he was attorney general so I knew a lot of his people.

He and Willie Brown were as far apart as day and night but they were very cordial with each other, like when George Deukmejian held a tea for Willie Brown's mother when she came to visit Willie. I thought that was very [kind and very] clever. And Willie invited George when the Queen of England visited the legislature. It was the legislature's call, he invited George. They did a lot of [personal stuff like that].

But there were huge fights, huge fights. [S.B.] 813 was a big fight, this was a school finance bill. That, 1983 was the year of education, we raised taxes that year by a billion dollars to finance S.B. 813. Two people in the legislature never voted for a tax bill, Dan Boatright was a senator at the time, and Willie Brown. And S.B. 813 contained a billion dollars in taxes and they both voted for it. I told Willie, "Gottcha! [Laughter] Twenty years in politics and you never voted for a tax increase." They weren't progressive enough, you know, whatever. So we worked real hard on 813, it was a very good bill. We had A.B. 70 in the assembly, A.B. 70 was our version of the bill and the [senate] had S.B. 813. Our bill was better and it went to conference committee and we worked it all out.

FERRELL: Now that was called the Hart-Hughes Educational Reform Act.

MOCKLER: Actually it was called Hughes-Hart.

FERRELL: Hughes-Hart?

MOCKLER: The reason was we flipped a coin and Gary [Hart] got the number, S.B. [813] rather than A.B.70. Why 813? It's Gary's birthday. So he got the bill and so she got her name first on the bill. That's political ego.

FERRELL: The thing is, I read something Gary Hart wrote and he wrote Hart-Hughes, or at least that's what he said in an interview, he called it Hart-Hughes.

MOCKLER: I'll bet he did. His ego is still . . . [Laughter] I'll bet she'll call it A.B. 70. You know we all have distorted memories. [Laughter] But actually you can look it up I have a copy of it, if you what to see it. [Laughter]

FERRELL: Now you said that . . . I think your words were "I wrote the bill for the CTA," the California Teachers Association, the union, they were happy with it?

MOCKLER: I never said that. No no, they were not very happy with it. As a matter of fact they had a huge fight. They never did support it, they actually came out neutral, no, they did not. [Three years later I wrote Proposition 98 for the CTA.]

FERRELL: It did increase starting teacher's salaries and established a teacher mentor program.

MOCKLER: Right, that was there, yeah.

FERRELL: I thought they liked these kinds of things.

MOCKLER: No. The beginning teacher salary? They weren't against the beginning teacher salary. What they were against was the price we had. Look, if we're going to increase the beginning teacher salary, which we wanted to do a lot, and we did, which was in A.B. 70, by the way, *not* in S.B. 813. So obviously I'm just telling you it was the *assembly* version, maybe that's a back to the ego between the assembly and the senate. We proposed that. And we said, "But if we do that

we're going to change." We used to have instant tenure in California. You could never fire a teacher, from the day they walked in the door, basically. So we gave them, the district, two years to dismiss a teacher with no procedure. You used to have a period of three years before you got tenure. So we said we'll cut it to two, but in that two years there's no procedure. Because they would always sue on procedure or "I wasn't evaluated properly," and the courts would always throw it out and you'd always have keep these dumb, dumb teachers.

So we said that in the first two years you can fire them for anything except for constitution law, you couldn't fire them because they had red hair or were Mexican or something. You didn't have to give any reason, just fire them. And for that we got—it was a trade off—higher salaries to attract better people. I once made a statement that, which was quoted actually in some national press, which I just made up. Which I said for every \$2,000 increase in teacher's salary you'll raise the average teacher IQ, raise the teacher IQ by four points. Somebody wrote that down and I actually heard people use this—I just made it up in a meeting. [Laughter] You've got to be careful when you say things in jest people might take it seriously.

FERRELL: Well now it's an established fact.

MOCKLER: Now it's historic research. [Laughter] But anyway we eliminated instant tenure for classified management in school districts; these are budget directors and fiscal directors. Those people used to get, just like the state employees, they do six months they'd have. . . . You'd have a manager . . . you could fire the superintendent but you couldn't fire the budget director, because they had tenure

under the civil service laws of local school districts. So obviously we created an option for classified management to be under contract.

We increased textbook money for the secondary schools, never had that before. We gave a big bump to the revenue limit. We eliminated the squeeze on hiring in one district, we had a double squeeze, remember when I told you there was from San Francisco down? We eliminated that, we said they get the same revenue increase, as a percent. Before what we did we would take the high wealth districts and we would give it to high expenditure districts. And we'd squeeze the revenues down, real sharply and so they lost a lot, we eliminated that.

FERRELL: Aren't you violating the *Serrano* Decision?

MOCKLER: Probably. [Laughter] Good.

FERRELL: I thought it was interesting about funding this. There was an attempt to raise tobacco taxes but that didn't work so they came up with a supplemental property tax.

MOCKLER: Right.

FERRELL: Taxes were normally paid every July first, so if you bought your house earlier you got some free time. They eliminated that free time by having a supplemental property tax. That was a huge chunk of money just from that.

MOCKLER: Oh yeah, it was about \$340 million.

FERRELL: It's like just finding money, it was there.

MOCKLER: We also increased the vehicle license fee, VLF. Because they had depreciation schedule that was not consistent with the vehicle depreciation so we changed it. And that picked up, I think, 260 or 300 or something like that. Then we did some

TANAF we called it, which is tax conformity to federal tax laws. We just picked the ones that made money and conformed. So we raised taxes and nobody noticed. [Laughter] We got a lot of money in '83, there's not much now but. . . .

FERRELL: You mentioned the book *The Nation at Risk*.

MOCKLER: Report.

FERRELL: The report. Tell me all about that report. Why was it such a big effect?

MOCKLER: Well, because it was well publicized by those who wrote it, especially David Gardner who was on the make for some important and became the president of the University of California with that report by him. He was the president of the University of Salt Lake or some damn thing. So he was pushing it hard. It was, I don't think, a very good report but it certainly called to arms. . . . Remember Bill Honig got elected and knocked off Wilson Riles that same year and so now Bill Honig was the big reformer.

FERRELL: How did he knock off Wilson Riles?

MOCKLER: Ran against him and kicked his ass. Spent \$3 million of his own money. The largest amount ever spent on . . . it was a tremendous race, before that was like \$400,000 - \$500,000. Bill spent \$3 million of his own money in the primary to take out Wilson Riles.

FERRELL: Now he didn't come from the senate, he didn't come from the assembly, where did he come from?

MOCKLER: Bill Honig was the son of a rich family. He was a minor school union official in San Francisco. He was appointed to the State Board of Education by Jerry Brown, left the State Board and became superintendent of Ross [Elementary

School District], a little tiny, [very rich], district out in [Marin County]. But had great ambition to be a superintendent. And there was not much chance because Gary Hart was going to run that year and he backed out because Wilson ran again. Other people did. Everybody backed out when Wilson said he was going to run again. I was furious at Wilson I said, "You can't, you've been in three times, get out of here, it's ridiculous." So I think a lot of people were weary of it. And Honig with his money, and I think there was interest that the schools were sagging and this *Nation at Risk* publicity, he capitalized on that. And ran as kind of a traditional conservative and he was backed by every right-wing group in California, pretty good of a little Jewish liberal from San Francisco, huh? And he took out Wilson.

FERRELL: Now, he did a lot of work on [S.B.] 813, he . . .

MOCKLER: He did some, yeah. It was important that he kept the pressure on and then tried to sell us out with the governor at one point, it was interesting. He was actually not welcome in Gary Hart's office for two years, not allowed in his office. Because he pissed us off, we were negotiating with the governor, it was really tense we had letters going back and forth.

FERRELL: The governor didn't like 813?

MOCKLER: Yeah, he didn't want to spend any money he didn't want anymore taxes he had a rule; no taxes no more money, you know. But in the end Honig tried to go in and cut this little deal that was good for Honig and some people he cared about [but] was horrible for all the urban districts and just was awful. It was just a totally corrupt deal. Willie would let him in his office but only with somebody else in

the room, he would never meet in private after that. And Gary Hart wouldn't let him in the office at all. So he could talk to Bill Honig but we don't talk to Bill, and Gary Hart is one of the nicest guys around. [Laughter] So it was a tense time but Honig did look at some things so gets credit, quite fairly he gets credit.

FERRELL: About ten years ago was removed from office. What happened?

MOCKLER: He combined his professional life with his private life. His wife, who later committed suicide tragically, but she created a foundation which she was helpful with and she got some money through a federal grant from the Department of Education. Since he was the grantor and some of that money was used to pay rent for her office and her office was in his house. . . . Community property you can't really say you had no. . . . I mean Bill was not corrupt, and they went after him really big time. And later it was overturned, by the way, all the foundings were overturned. He lost his law license, he lost his teaching credential all that sort of thing. [But he later got it back when the court overturned the guilty verdict.]

There's a great Bill Honig story. Bill in my view, I was quoted in *Atlantic Monthly* referring to him as the Robert McNamara of reading. He went so far with this whole language stuff, eliminated phonics, we had state documents that said grammar and spelling are sub-skills not to be taught and encouraging inventive spelling and it's just awful. Which really brought reading down in the state, it's going to take twenty years to recover.

In any event, Bill after he got deposed and tossed out of office in humiliation, which is unfortunate, goes to work at San Francisco State, as a professor there. Which was good for him because he had no other means of

employment. His family was somewhat wealthy but still, he was a working guy. So he went there and started studying about reading and he discovered that what he had done in reading was wrong. And he studied and studied and researched and wrote this big tract and then all these people in San Francisco loved him and brought him into their fold when he was out in the cold. And he presented it to them as a great new discovery, right? And they booed him. They had so much belief in what he had done before they now thought he was a heretic. That's great new politics. He tells the story he was to start with he figured well, if they learned this new information then they would change their mind, right? Because that's the way Bill is, he's a smart guy, he goes, "Oh, I was wrong. Well, let's change it and do it right."

And they're going, "No, no, no." [Laughter]

FERRELL: You're supposed to defend your position no matter . . .

MOCKLER: Irrespective of, yeah, evidence to the contrary, yeah.

FERRELL: Well, so you came back and you started working for the office of the speaker of the [assembly] which was Willie Brown, you came in 1983.

MOCKLER: Right.

FERRELL: It was interesting how he got to be speaker. That's a long story there, we can't go into now.

MOCKLER: Yeah, right. Well, he's a very clever man, he wanted to be speaker in '74 and lost it to Leo [McCarthy]. He took it when he could have it was actually quite fascinating. He's a good politician.

FERRELL: Well, you went to work for him as a chief of staff for education.

MOCKLER: Yeah, [but I did not have a title.]

FERRELL: And tax policy, education and tax policy.

MOCKLER: Actually I never had an official title because when he asked me over there I had a list of demands. He said, "Well, what title do you want?"

I said, "I want to be viceroy." It's kind of a colonial thing, right?

So he says, "Oh." He signed this little note, I had this little note and he signed off on all these things. So I went down to the Rules Committee and I said, "My cards should say Viceroy [to the Speaker.]"

They said, "No, no you can't, you can be chief of staff, deputy staff . . ." there's a bunch of titles you can have but not viceroy. So I was there two years and never got a card, because they wouldn't give me viceroy and I wouldn't take a card unless it said viceroy.

FERRELL: I read that somewhere and I thought the writer was making a little joke. You really . . . [Laughter]

MOCKLER: Sure, actually when I retired from the state the last time [Executive Director of the State Board of Education] Rick Simpson went out and had a card printed up that said Willie L. Brown, John Mockler, Viceroy to the Speaker. So I actually have, it's blown up about this big, a card that says that. [Laughter]

FERRELL: Are you going to put it on your wall?

MOCKLER: I think so.

[Interruption]

FERRELL: Okay, big changes in 1983, you got in there with Willie Brown, an interesting guy, you left in '84?

MOCKLER: Yeah, I said I would stay one year for sure and never more than two. I left the second year, I walked out. I went down to his office and said, "Mr. Brown, I'm done."

He said, "Really?"

FERRELL: I see, so when you worked on Proposition 98 you were not . . .

MOCKLER: No, no, no I went back and I went back to John Mockler and Associates. So in '85 I went back to work.

FERRELL: So you spent a lot of time in the eighties in private practice.

MOCKLER: Yeah, well '85 till I retired. I retired in '98.

FERRELL: Well in '88 there was Proposition 98 and . . .

MOCKLER: Yeah, '87.

FERRELL: That was pretty big. You were the author of that.

MOCKLER: Yeah.

FERRELL: Well, I can't use the word author, can I?

MOCKLER: I wrote it.

FERRELL: So what was that all about? How did . . .

MOCKLER: Well, remember back in '84 or something we had excess money in the Gann limit? And the state rather than giving it to education, which they could have, cut taxes. And the CTA and others said, "That's the end of that, you're not even going to give us money when you have money." Education—we just dropped like a stone. Funding for schools was just a joke, and still is.

So they wanted to pass an initiative that had a tax increase for education and they asked me to come down and look at their [proposal], and I did. And I

said, "Well, that's just fine, you can increase taxes for education but they'll just take it out of the bottom, right? And put yours on top." The history of California, the sales tax was created exclusively for the public schools and then it was scattered to all, to everybody else's use. We increased the VLF for the first time, for schools.

FERRELL: VLF?

MOCKLER: Vehicle license fee.

FERRELL: Oh yeah.

MOCKLER: Remember we talked about S.B 813? We did it in that bill. Four years later what happened? They went in and took that vehicle license fee and gave it to local government. So they raised taxes to help children but then they use it for other political needs. That's just the history of California. It goes back to the creation of the sales tax.

So anyway, they said, "Oh, well okay we need a minimum guarantee then and this tax will go on top of it." So that's how we wrote the Prop 98 which simply says schools and community colleges get the same amount of money per kid they got last year adjusted for an increase in the cost of living, i.e. personal income per capita, and with the increase in students. Then it said if forty percent of the state general fund means you'd get a bigger increase than take the bigger increase, okay? That's test one, test two, we call it. That's all it said. And then they were going to have a tax on top of that. Well, they polled and decided they couldn't get the tax, that the public wouldn't go for a tax increase, or it would be highly problematic. So then we added some, a provision that said if there were

ever again an excess again of revenue you couldn't spend because of the Gann amendment, they put on the state in 1979. Then that money would go to schools. And then you keep increasing that one, okay? And that's what Prop 98 ended up to be. That's what was on the ballot. And they did the initiative and they passed it.

FERRELL: This, of course, is in the constitution.

MOCKLER: Yes, article [sixteen], section [8 and 8.5].

FERRELL: So it's a guarantee.

MOCKLER: Constitutional guarantee. Now subsequent to the passage to Prop 98, the legislature put on the ballot Proposition 111 which changed Proposition 98. It changed the Gann limit, it increased the gas tax by nine cents and it changed 98 by adding a provision that said in. . . . Prop 98 said the legislature by two-thirds vote could suspend its provisions if it didn't have enough money in a year. Prop 111 said you wouldn't have to suspend if state revenues grew slower than per capita personal income. Then you could reduce school funding to a lower level, but then in good times you had to restore the money you got. That's Prop 111.

It wasn't what I wanted but that's what the legislature did. And that passed, the CTA supported that too, for reasons of complicated politics that are hard to explain in the short term. So the constitution now says you get what you got last year, adjusted for increase in personal income per capita, except if the general fund revenue didn't grow. Then you could reduce schools revenues which is what they've done this year, they've reduced school by, well the last two years by about four and one-half billion dollars below where we thought we would be

last September, using that provision. Because revenues are down so far they are allowed to do it.

FERRELL: That explains it, I was wondering why this was happening with the community colleges . . .

MOCKLER: Under Prop 98 . . . prior to 111 they would have to suspend Prop 98 to do what they're doing. So, I wouldn't have given them that option but I just write stuff in them.

[End Tape 3, Side A]

[Session 3, July 24, 2003]

[Begin Tape 3, Side B]

FERRELL: Okay, well now why don't we talk a little bit about Democrats and Republicans working together?

MOCKLER: Well, we talked a little bit about them, I remember back in my first real professional consultant job in the assembly was to be the consultant to the Assembly Committee on Governmental Efficiency and Economy. A very strange name for a committee who's jurisdiction was all of the licensures in state government; real estate agents, doctors, everybody who's licensed. Now if you call Consumer Affairs, we've shifted medical out of it but . . .

FERRELL: You were working with Willie Brown?

MOCKLER: I was the consultant with Willie Brown. Willie Brown was the chair. That was his first chairmanship in the legislature. And they had a series of hearings; it was a great committee. On the committee was [Assemblymember] Newton Russell was on there, [Assemblymember] Paul Priolo, later a minority leader, a

Republican leader, Bob Moretti, later a speaker, it was an interesting committee, a lot of very . . . Gordon Duffy who was an assemblymember, a health guy from, he was an optometrist, from the Central Valley, a Republican.

In any event, they decided to look into this whole issue of licensure as an impediment and they took on all of the special interests; the doctors, the nurses, the . . . I mean to really try to reform licensure laws. It was a very hotly contested fight and took four of five years to get all the bills passed, so 1968 until about 1973 or '74. Remember we had a Democratic legislature for part of that but part of the time we had a Republican legislature. So there was this bipartisan fight.

Gordon Duffy and Willie Brown put together a series of bills they passed. We created the nurse practitioner, which was one of the saving graces of the health system. Physician assistants, foreign-trained dentists, all of these were opposed, amazingly by all the interests. The doctors *and* the nurses opposed the physician assistants and the nurse practitioners. The dentists, of course, totally thought that anybody who was trained as a dentist in any country in the world. . . . Anybody who got their teeth cleaned in Germany somehow was getting inferior medicine, to let them into California. So, to me it was an example of a time when, while there were partisan differences, they did work together.

[Interruption]

MOCKLER: In any event, it was a good example, there are many examples; job training package done by Jesse Unruh and Republicans, [Assemblymember] Bill Campbell carried a big part of that legislation in early '68 about how to really focus employment development on the job state training. There were a number of

examples where, while there were partisan differences on approach, they really wanted to solve the problem and wanted to work together, it was a fascinating time.

Another example of that was S.B. 813 in 1983, which was the last time, I think it has happened in an education rule, in an education or training rule, which is an area I know something about. And S.B. 813 was a *major* reform that came just after the federal report, *The Nation at Risk*. Governor Deukmejian was new, Bill Honig was the new superintendent, the state was in a bit of an economic problem, we didn't have and money to fund things. And in that bill they did a major reform of tenure laws, extended the school days, school hours, collapsed certain categorical programs, refocused, focused on instruction, just some wonderful things, created mentor teachers, *and* raised taxes by a billion dollars, when George Deukmejian was governor. To support education, a billion dollars, and it was done on a bipartisan basis, hotly fought.

I mean there were bills that went to the floor defeated and sent back, then we were in conference committee for literally multiple weeks, months perhaps. But in the end we got a better education system and focused dollars to make schools a little better, signed by George Deukmejian, Republican, and passed by a Democratic legislature. Amazingly, S.B. 813 was my favorite bill because in it it had a tax increase.

While people think, for example, Willie Brown was very liberal guy, he had never voted for a tax increase until S.B. 813, ever. He voted for S.B. 813, it was the first time and I walked up to him and said, "Gottcha!"

FERRELL: Now these times that you mention, these . . . I'm kind of ignorant of this, but it sound like these rare times when partisanship is put aside and they work together, the two political parties, do they happen right at the change of an administration? You mentioned '68, you mentioned '83 . . .

MOCKLER: I don't think they were rare then, they *are* rare now. My view of it is, and maybe I'm too close to it to take a look at it in these terms, prior to the 1960s, really, legislatures in the nation, and certainly in California, were essentially irrelevant. Nobody really much cared about them, they didn't do much, state government really sort of ran by governors and the [legislatures] were only here once in a while.

Then in the sixties Jesse Unruh, Bob Monagan and others decided the legislature, as it is in the constitution, become an equal branch of government. That is, they are equal to the administration, they are equal to the courts and they had an obligation, a duty, to act as the people's . . . for the people. And the legislature became stronger, developed a professional capacity from about 1960 until about . . . until term limits, basically. It went up until we had this thirty years of growth, and in that time, you can point to many examples like the unification of the Port of San Diego, [Senator] Hugo Fisher Republicans with Pat Brown, the state water project, the master plan for higher education. These are all in that time when the legislature put its intellect together with the administration and battled to make *major* policy changes. And that, from the time of term limits, really has ceased to exist.

It's interesting when we were spending on the first three years of the Davis administration, it was really the governor proposing something and the legislature kind of bouncing back on it but they never put together a comprehensive school finance bill. Even though they spent a ton of money. They simply responded to the governor's proposals which were individual and not collective. It wasn't a total mosaic he put forward. He put together pieces, which I think were very good and very important for accountability, for assessment, he targeted professional development, instructional materials, those are all good things. But he didn't put it together in a big package, which lets you debate it as a package. They debated each of the bills as separate entities. That, to me, was the symbol that we were no longer dealing with policy oriented legislature. They were going to take each issue by itself rather than look at the context of where an area was going in education, health policy, tax policy. They basically, rather than standing back and seeing the elephant, you know, somebody would rub the ear and say the ear was kind of flat and soft and somebody would grab the tail and say the elephant was round, that story. Basically they dealt with the parts, not with the whole, in each policy area and that was, I think emblematic of the legislature loosing its ability, on a bipartisan basis, to look at the needs of California.

FERRELL: And that is because of term limits?

MOCKLER: It's not just term limits. Term limits certainly took the wisdom out of the house, that is to say you have no mentors for people. It had some good effects; it got rid of some really stupid people, but it also elected some stupid people, so it worked two ways. It had effects by the lack of maturity. It had bad effects because of the

fear of your next job created these partisan districts which both sides kind of controlled as their own little petty fiefdoms, we had reapportionment. This immense Taliban-like philosophy of the far right, and it's not as if the far left had none, but not near as much but the far right view of the world. Essentially it's the Vietnam view, when it [was said that it] is necessary to destroy the town in order to save it, basically feeling so righteous about their position. If you're so righteous about your position that you can't respect the other persons position and get to a consensus, even though you may feel like, gee that's not what I would do if I was in charge, vice-versa, then legislation can't work on big policy issues. Because righteousness by itself simply means you do nothing unless you're in control.

FERRELL: Well do special interests groups make these politicians afraid to do . . .

MOCKLER: Special interests groups have been around.

FERRELL: They've always been around?

MOCKLER: They've *always* been around. I was the one who lobbied Mosses to get on or off the ark, you know, I was the one who did that. The thing about the state, because we have such an active state, a big state and a rich state, remember we're the fifth or sixth largest economy in the world, the state's budget is bigger than the economy of other states. So it's the relative position of the economy, but there's so much money at stake. So much at stake that the special interests have power but with term limits what happened is now we have term limits in safe districts, the special interests go out and effect the electoral process by controlling sub-parties. In other words if it's a Democratic seat because it was designed that way.

The fight within the Democratic party is the fight. Well there are some districts out there where there's fewer than 5,000 votes in a primary for an assembly seat, fewer than 5,000 votes. So all you have to do is get 2,501 to win. So massive amounts of targets are set for those kinds of seats in a Republican funded campaign. And so core doctrinaire groups control primaries. Because in the general [election] it's a *fait accompli* win for a Democrat or a Republican. So those safe districts have caused—I don't think as much mischief as term limits but their pretty close. Money, I think, has been around longer. Statewide money, statewide interests groups; real estate, insurance, unions, et cetera, at statewide levels, they play in every community and they're there all the time.

FERRELL: Yeah, actually *Newsweek* magazine for July 28<sup>th</sup> had an article, of course about the recall of Governor Davis but it a . . .

MOCKLER: I read that last night it was funny that reporters, actually I guess some of these actually stay in California a lot, know so little about what's going on in California. They say stuff, I can give you, show you, I circled mine at home because I find flat out factual errors, but anyways. . . .

FERRELL: I thought the article really bashes California pretty thoroughly. It says, well it attributes it to term limits and our recall and our propositions, referendums . . .

MOCKLER: Propositions, referendums, recall, yeah, but they basically are mob rule, aren't they?

FERRELL: That's the way they describe it, yeah.

MOCKLER: Well, they are. We created a republic in which we all get to vote for and select representatives. If we don't like them we don't vote for them. The initiative,

referendum and recall say, no, no you don't have to do that, you can just pass your own laws. Which is pure democracy with a small "d." Which is mob rule, is it not?

FERRELL: And then on top of that we've got term limits.

MOCKLER: I never voted for an initiative in my life, never. It's mob rule. The recall is like, forget whether you like or dislike Gray Davis, whether he did a good job or a bad job, we just had an election a year ago and he won. So now we're going to recall him? He's not any different now than he was then.

FERRELL: People are drawing, I don't know, nightmare scenarios. That after this recall we can have another, we can have a recall every eighty days. It would only take a small number of people.

MOCKLER: All it takes is a million bucks and a lot of anger. You've got thirty-five million people and all you got to do is get a million of them angry—a million. You can have thirty-four million happy people and a million angry and you've got it on the ballot, but it won't pass but you've got it on the ballot, it's astounding. And it just takes a million bucks to get signatures, you pay people by the signature, it's an industry. What you do is put a tax on it, you know, like sales tax on signature gathering, at least we'll make money on it, help balance the budget.

FERRELL: Well, yesterday [Secretary of State] Kevin Shelley verified the signatures, today [Lieutenant Governor] Cruz Bustamante is going to set an election date or a recall date, I guess you'd call it.

MOCKLER: Well, yeah, there's two issues, yes, he will set the recall date, so he says, which the [law requires him to do.]

FERRELL: Now, he might split the election he could have a yes or no recall of Davis and then have, who do you want to replace him? Republicans what that together on one ballot.

MOCKLER: Well, it's not clear as to whether. . . . If you read the constitution, which unfortunately I do, it says that the lieutenant governor calls the election for the recall and *where appropriate* the election for the replacement. Where appropriate literally means if there is a void. For example, like a judge, you use an appointing powers so you don't elect them you appoint them. So the lieutenant governor or governor because the constitution says there's a vacancy the lieutenant governor is governor, it's very clear. People say well it doesn't really mean that it only applies to the judges, not to lieutenant governor succeeding the governor. I find that to be astounding, but it could well be true, lawyers are lawyers. So the lieutenant governor is saying, "I know I'm going to call an election recall that's my duty under the constitution and I will carry out my duty. I know I only have eighty [days]. Whether or not I call a separate election really depends on what that law means and you have different opinions from different people with different agendas."

The people in the secretary of state's office are Republicans, right? These are all Bill Jones' people. Kevin Shelley hasn't hired a single new person over there that has any substance. He has a couple of press people and . . . right? So all the lawyers talking to him are lawyers hired by Bill Jones. Then you go to the attorney general's office who, if in fact Cruz Bustamante's interpretation is correct, then the attorney general's in real trouble because the lieutenant governor

is governor and would likely run again, right? So the attorney general couldn't run for governor—interesting.

Plus you can suspend it by a different, a very complex article. The constitution says any questions regarding succession, any questions, shall be referred to the commission on succession. And they are the only group that have standing to bring it to the Supreme Court and the Supreme Court has to decide it. *Any question* on succession is what it says, so nobody can take anything directly to the court except that commission. And that commission is the president pro tem of the senate, the speaker, director of finance, the president of the University of California and the chancellor of CSU. And they go to the Supreme Court and say, "Hey, what do we do here?" That's what the constitution says.

FERRELL: Now if that committee votes on it and they decide to go to the Supreme Court . . .

MOCKLER: It doesn't say they vote or not vote. It says they're the only ones that can so one would presume, you take three votes there say, and they could do one of two ways they could say we believe it means this, what do you think? Or they could say, "Look, we don't know what it means, Supreme Court. You decide, here's one argument, here's another, you decide what's best." And then we'd find out. Now that could delay the election, right? Or maybe not but not much. You're going to have a recall election there's no question about that. The only question is whether or not you will vote for a new successor or, like the constitution calls, let the lieutenant governor assume the roll because there's a vacancy in the governor. The constitution says where appropriate it's very clear that the word appropriate means something. [Laughter]

FERRELL: It means something and the courts have got to decide that.

MOCKLER: And everybody looks at it and goes, "Oh, it doesn't mean something that hurts me, it means something that hurts you. It would be interesting if the ultimate would be though, if the right-wingers who did the recall are doing the recall gets real cute and they got [Representative] Darrell Issa and all these conservative guys putting up money and they figure they're going to take over the government. Well the sum total of their recall is Cruz Bustamante takes over government. [Laughter] What even gets darker is what if Cruz Bustamante gets sick, who's governor next? John Burton.

FERRELL: John Burton?

MOCKLER: That's the succession. [Laughter] Wouldn't that be the ultimate irony? You recall Gray Davis and John Burton becomes governor. [Laughter] Or Cruz Bustamante appoints John Burton lieutenant governor just to make sure they don't recall him. [Laughter]

FERRELL: It seems like a couple of weeks ago there was a theory floating around that the governor would resign and Cruz Bustamante would become the new governor and there would be no recall.

MOCKLER: Well that's . . .

FERRELL: But Gray Davis didn't want to do that.

MOCKLER: That was an interesting theory. I thought it was interesting myself but he, if you know Gray Davis. . . . That would indicate a wider interest beyond self—bigger people, the Democratic Party and the progressive movement, rather than just. . . . I think he views this as personal, "I'm fighting for me," you know. It's dangerous

for politicians because they get into it's "only about them." And it's often about them, for sure, but if it's always just about me it's really hard to look at the big issues of the state.

Great issues aren't decided in a lifetime you *begin* something big that's bigger than yourself. If you're always just thinking about yourself politically, you're always dealing with small ideas and small things because that's the immediate thing that happens. But wider plans and visions of a great university and great environmental protection or saving the wilds or conserving our energy or creating an energy system for California, those things are taking decades not six years in the legislature or eight years as governor, but you've got to think about them.

Stuff Pat Brown did wasn't finished under his reign was taken away by Ronald Reagan. Pat Brown got I-5 down the west side of the Valley. There also was to be a twenty-nine million dollars, at the time, to create a linear park from Stockton all the way to Bakersfield. The most beautiful. . . . If you look at I-5, I-5 water project [you could have had] a linear park. Ronald Reagan killed that in his first budget. But it would have been a beautiful thing, it's a gorgeous thought.

FERRELL: It would be, it's sounds like an impossibility today, of course.

MOCKLER: Yeah, now you buy the acre by the hundred thousand dollars not by the ten bucks.

FERRELL: Well, I heard Gray Davis already has kicked off his campaign, he kicked off his campaign last week and he's talking about things are going to get turned around.

MOCKLER: Yeah, I think it's not certain that he gets recalled, there's a certain probability but the polls don't look good. He doesn't have a depth of personal support. Not a lot of Democrats are crying about this.

But there are serious matters at stake. If you look at what has transpired the Republicans in the assembly and the senate have proposed budget alternatives to his budget. And if you look at those you can see what a governor could do differently than this governor. And if you think that the coastal commission was really awful that, in fact you should be able to develop the coast or whatever you want to do. They basically have proposed just wiping it out, just defunding. That's a policy choice on that, you can argue whether that's better or worse but that's what they argue. Certain people who own property on the coast would want to mess with it. The pro choice versus abortion and the health of our society, there are serious matters and they talked about another \$400 or \$500 million cut in the University of California, these are serious issues. Serious, debatable issues compared to a tax increase. The public has a right to say, "I'm for Gray Davis because he's for this," or "I'm against him because I'm for this and this guy here. I'm anti-abortion, I think it's a horrible thing and the government ought to intervene in people's bodies. I believe there ought to not be a dime more taxes in California, I believe that the coastal commission ought to be abolished then I will vote for somebody else." But vice-versa, if I believe the other way then I should be for Gray Davis or a successor that's like him.

So that's. . . . But didn't we just make that choice last November, I mean there were these two choices there. I guess we get more choices, we'll have more

people and anybody can win. I don't see how somebody can govern. My problem with having the election held is that someone with twenty-three percent of the vote, not exactly a mantle from heaven, will now become governor. And what credibility do they have? No matter who it is they don't grant a re-vote.

This recall business was started by the Republicans when they lost the speakership. Recall that had the votes, they thought, forty-one votes to become speaker. Actually Jim Brulte was going to become speaker, and Willie Brown convinced one Republican to switch from voting for Brulte to voting for Willie Brown. Which made it forty to forty, which kept Willie Brown in power, okay? What did the Republicans do? They impeached that person and then Doris Allen, Republican from Orange County switched. And what did they do? They impeached that person.

FERRELL: So did that open Pandora's box?

MOCKLER: No, then Setencich down in Fresno, was the speaker. Brian Setencich and they impeached him, right? So this impeachment thing as a punishment tool got out of hand, it was never done before.

FERRELL: You mean a recall.

MOCKLER: It's an impeachment, a recall is. They recalled all those people and then anytime someone deviated from the core Republican guys in the assembly they destroyed them politically not a single person who voted for the budget—when they sought another office for senate or something else—got reelected. It took every one of them out, that's pretty big enforcement. That's never happened before.

I mean Willie Brown, when they had the "gang or five" and all that after him, he never tried to take out those guys politically. No, he didn't go to their districts try to undermine them, he didn't put money against them in the primary. He just said, "Hey, I know they're against me but I'm not going to do that." People have right to their opinion even though it's obviously you'd like them. . . .

This issue of "if you don't agree with me I will recall you" started in 1994. So it's a serious matter and that's why I describe it as Taliban politics. In their words you don't get to fight with each other, compromise with each other and go have a drink. You basically, I disagree, you disagree, I'm going to shoot you. You don't believe in my form of religion, I'll shoot you. You're not just wrong philosophically, you are a bad person. I will harm you. That's called real politics in some circles, I consider it to be anti-civic, they do not believe in the civic orderly society. It's a very serious matter. So the recall is more about civic value. If Gray Davis had stolen some money I think that's one good reason for a recall, but he's the same guy he is now as he was last November. If they wanted to throw him out just throw him out last November.

FERRELL: I wonder why the Republican Party uses such tactics, is it that it's always, or most of the time, on the outside, as far as the assembly and the senate goes? Sure, there are Republican governors but for the most part they are outsiders.

MOCKLER: Yeah, I think the Newt Gingrich thing in Washington, that's how they took over the congress, right? The Democrats got fat and sassy in Washington DC and Gingrich did this kind of takeover and stuff. And he won so I think . . . I think in politics whatever wins they use. People say, "I really hate negative campaigns,

they're just awful." But they work, if they don't work politicians don't use them. This one works, the recall of the governor. When his opponent gets elected now we know, now we have another arrow in our quiver, that disruption, right? So we can do it to somebody else. This can change politics in the state a lot, already has.

FERRELL: *Newsweek* basically says term limits was just aimed at removing one man from removing one man from the [assembly] speakership, Willie Brown. I think that kind of oversimplified it.

MOCKLER: I think so but it's a specific part of it.

FERRELL: It's a big part of it.

MOCKLER: Yeah, they should have just said the speaker can't be speaker for more than . . . so that's a little naive. You could've solved that problem if you could only have a leadership position for four or six years. That's much easier. There was a whole movement in America, remember all those Republicans who ran for office? The contract with America, right? Where did the term limits, where did all that go? Those that got elected are still there, by the way, and almost none of them didn't run for reelection—even though they said they wouldn't. But I think that idea that it was just for Willie Brown. . . .

Certainly Willie Brown became a symbol, he is a symbol and always will be because he is an articulate and proud African-American man and he does not play humble. He is very smart so symbolically in a majority society they fear African-American like that. That's the ultimate kind of racist stuff we have in our society. It is just clear that it is deep so symbolically the Republicans ran against him when he was speaker. They actually had elected him speaker because they

thought that that deep level of resentment, racially, would make him an impossible speaker and therefore would win them the house, that's why they helped him—and then they got their butts kicked. He was actually a lot smarter than they thought, which also is racist. You know, a Negro can't be that smart.

FERRELL: Underestimated him.

MOCKLER: And they did in San Francisco. I think it's the gays, San Francisco, African-American, liberal, you know, San Francisco politics they do do stupid things in San Francisco. [Laughter] It's easy to attack them, they have a foreign policy, the board of supervisors has a foreign policy. [The city of] Davis too, they think it's great that the city council has a foreign policy.

FERRELL: I went to school in Arcata.

MOCKLER: Oh, did you? [Laughter] You've got a foreign policy for sure. Tom Hayden set your foreign policy in Arcata. [Laughter] God bless him.

FERRELL: Well, actually Proposition 140, that was passed way back in 1990 but it didn't take effect for a long time, because it was in the courts.

MOCKLER: No, well was that term limits?

FERRELL: Yeah, term limits. It came into being and then it was . . .

MOCKLER: The year Wilson got elected.

FERRELL: In 1990, wait a minute, term limits Proposition 140, wasn't that 1990?

MOCKLER: When was Gray Davis elected? 1998

FERRELL: Yeah.

MOCKLER: In 1990 with Pete Wilson, that's right. They took effect, they said they took effect but they weren't retroactive, okay? So from the date of their [election] you had six years forward.

FERRELL: It went to the courts but they decided it was constitutional.

MOCKLER: Exactly, yeah, it didn't delay any of it, it was not delayed. It's provisions took effect, it's just when you started counting, it was in the initiative.

FERRELL: I see, it was from that date.

MOCKLER: Yeah.

FERRELL: The other part of that initiative that you don't hear too much about is that it reduced the legislative operating budget by forty percent.

MOCKLER: Yeah, there was a previous proposition that did that too and that was substantially thrown out for some reason, I don't know why. But then when they . . . they did cut the budget by about forty percent but . . . it cut forty percent from the amount they were allowed to spend at the time. It really cut the budget by about fifteen percent. First of all it saved money because it eliminated the pensions. So that's about five or ten percent of the budget to start with, eliminated pensions for all of them. So you save money there. They adjusted to it and they moved things off, they eliminated, you know the auditor general went to the same . . . they declared the legislative [annalist] to not be part of the budget, so they removed that. So overall budgets really weren't cut in the practical sense very much at all and then they were allowed to grow as fast as everything else.

FERRELL: Well who pays for the legislative council?

MOCKLER: The general fund, regular, it is not a legislative appropriation. And all computer systems were also from the general fund.

FERRELL: So they just moved money around.

MOCKLER: Well, they cut some. Remember, term limits would not have passed, it didn't pass by very much in California, by the way. Remember we were in an election and Pete Wilson was running and he switched on the issue. He supported term limits, which he had never done before. And second of all there was a, this is very important, David Roberti had agreed with the Republican Party. Ken Maddy, Ross Johnson and others agreed to send out a mailer against term limits. They would not pay for it but they would sign it. It was a mailer and they needed \$800,000, Dave Roberti committed to use his money, Willie Brown had already used two million of his money, to send this letter out. At the last minute Dave Roberti refused and that [letter] never got sent to Republican households and that's why that passed. It was those two things, term limits would never have passed except for those two things. Roberti save that money so he could run for statewide office, once he did he got beat by Phil Angelides.

FERRELL: Well . . .

MOCKLER: What's that? For the want of a nail a shoe was lost, for the want of a shoe the war was lost.

FERRELL: Yeah.

MOCKLER: A lot of politics is like that.

FERRELL: Well, of course one of the results of term limits is these guys are not around very long and they don't learn the way things work. Does that mean people like

yourself, the experts, with an office near the capitol know more than those people inside the capitol?

MOCKLER: Oh yeah, no that's true. But that's not a function of the members being short, that's a function of the fact that the members are here for a very short time and they do not keep and maintain high quality professional staff in the building. They can hire people inside the building if they want to, there are some very good people over there but mostly all the people hired have no expertise at all.

Under Willie and under Jesse the core people on the committees, of the Budget Committee, the Education Committee, the Natural Resource Committee, really were highly qualified, professional people. They may have their own personal views but the members made the decisions, the staff advised. Now they have agendas, public agendas that go out, that talk about staff recommendations. I mean it's like some twenty-seven year old kid out of college is now writing an official report on complex issues, before a hearing—before there is a hearing on the bill, before there's any testimony on the bill. I mean it's astounding! It would never happen in the old days, it would never. You had a legislative analyst, a non-partisan, they'd say this and this and here's the problem, they'd even talk with the Department of Finance and independent institutional people would look at it, the legislature would have to do that. You told your member what you thought about it *privately*, the discussion had to be in *public* Now you're going to be sitting there in front of a committee *before* you hear an item, *before* any information. . . . You ought to be hearing that issue as a four billion dollars and they say only two

people from each side can talk about it, they don't know what's up. It's astounding, it's astounding!

So there's no information there, it's an astounding change in what they do. So the process is simply no longer policy oriented. . . . It's each individual little piece they're all looking for the next job. That's why they are cutting education this year and not the whole government. Take a look, the number one priority of everybody over there is education, right? Republicans and everybody else say that, but what's the biggest thing they've cut? Education. They've cut K12 by 4.4 billion, they've cut UC, CSU, and they tell us about they've cut local government \$500 million. If you look at the total dollars spent, taxpayer dollars spent, you'll see that K12 schools are about the same as cities and counties pooled together, so you think you made the cuts, right, from taxpayer dollars? No. Oh, no no, because that's their next job, to go run for city council, they're pushing up salaries of local . . . local officials' salaries are going up. Term limits, bless term limits, their pensions and so forth.

It really switched the power pathways of what governs men, what a senator in Rome, where we stated all this, where you elected people that had stability and incite and wisdom to make choices. We say, "Oh, no no." Expertise means nothing, knowledge means nothing, we want to turn it over to anybody. I mean think about it from your doctor's point of view, a physician six years in the business can operate on your brain, no no no. I want that senior guy that's done a few more of those. I want him to . . . at least I want him to be the dean of the school, right? At least the dean of the school should have more than six years of

experience, right? No, we say nonsense, government is so easy that we just send them people up there . . .

FERRELL: What's the usual route for these people after they're . . .

MOCKLER: City council, school board . . .

FERRELL: *After* after the assembly or . . .

MOCKLER: Afterwards they go back to the city council or supervisor or lobbying, not from where they came from they go to the next step up. Supervisor of LA County or city council, pathways are different depending on the urbaness or ruralness of the certain area.

FERRELL: And then governor and then president, right?

MOCKLER: Yeah, that's one of the good things about, you know, if there's a terminator, a terminator and Leo McCarthy have one thing in common is at least if they are elected governor they could never run for president.

FERRELL: Leo McCarthy could never run for president?

MOCKLER: No, he was born in New Zealand.

FERRELL: I didn't know that.

[End Tape 3, Side B]

[Begin Tape 4, Side A]

MOCKLER: When Jesse was going to run for governor he was telling me, he says, you know, because when was speaker he had his name on a lot of stuff, you know, the Miller Unruh Reading Program, Unruh Preschool, the Unruh Fair Credit Act, Unruh Fair Housing Laws. Those are all in statutes, he did those things while he was a legislator. He said he was running against Ronald Reagan and Ronald

Reagan would beat Jesse Unruh by half a million votes, he beat Pat Brown by a million five.

So Jesse Unruh is up in Arcata and Chico and speaking and you know, "I want to be governor." And he said, "I did the Unruh Credit Act and the preschool and Miller-Unruh Reading Program."

And all those college people just say, "Yeah, yeah, yeah . . ."

And he'd say, "And I'm going to get those oil companies!"

And, "Yea!" They'd all scream, right? [Laughter] They didn't care a wit about the fact that he had really been part of focusing the state towards a more humane and progressive and livable society. When you describe that to the citizens, the Democrats and some others, they didn't really pay any mind to that. But when he got the visceral, angry issues, remember big oil companies were bad.

FERRELL: Well, that's another issue, public apathy.

MOCKLER: Yes.

FERRELL: How do you overcome that?

MOCKLER: Boy I don't know. It's never been great, civic, the nature of civic understanding but it's terribly important. We don't spend near enough time on it, we don't spend enough time on it in schools, it's not rewarded well in the high schools for students or whatever. This whole issue of civic understanding, what's the nature of our society? It's to be able to economically support yourself and to participate fully in civic society, that's the goal. Instead we're thinking of the support we use to pass an A.P. course [Advanced Placement], you know, who cares? Most people . . . we have some kids that could use a push but, you know, only fifty-

eight percent of nineteen year olds are enrolled in post secondary education of any kind. And that number hasn't changed a wit in fifty years.

FERRELL: Did I hear you right? Did you say fifteen percent?

MOCKLER: Fifty, fifty-eight percent are enrolled, okay? Now that's in community colleges, privates, CSU, UC-nineteen year olds. Only twenty -five percent get actual four-year degrees. But think about that, that means that forty-three percent of nineteen years olds aren't enrolled in any kind of post secondary education. Most are never going to go there. So you've got this system that's geared to those that go to UC [and CSU] and not a system that's geared to civic values. We're geared to higher order "thinking," when in fact, what really matters is the nature of collective civic values, the nature of how you relate to your society, how you participate, how you're gainfully employed, you know, move the society forward. And we're wasting a lot of time on this. And the press is worse and worse, the [less] collective you get, the more channels you get on TV, the more the same information is spread easily. It's really quite counterintuitive to moving on. You know, if it bleeds it leads, has always been true but it's more true now because it's everywhere, it's more omnipresent.

FERRELL: Well, it sounds like we need to rearrange our priorities on the curriculum that high schools students get.

MOCKLER: Yeah, personally yeah, I would spend a whole lot, I would spend more than three or four hours a day on what we would call core courses and I'd spend the other three hours on things like civic attitudes, involvement. To his credit, Gray Davis tried that, I don't want to sound too squishy, but he was talking about people

having obligations to go out in the community, he did a lot of stuff early on, he required CSU and UC to have community service as part of their curriculum. He was trying to do all that and near quite successfully, but he talked about it some. It was part of the early part of the Wilson administration. . . . A lot of people thought about it but nobody's figured where the solution is.

I don't know how to say it but I was prepared and recommended a couple of times to—just practically facetiously—to create a citizen non-participation fee. That essentially says if you don't vote you got to pay. We create all these polls and we create them and everybody is suppose to vote, and they don't vote, you're really wasting our money, right? So there's a cost of running the system, so if you don't participate you're costing us money. So I would say, "Okay, everybody has to pay a hundred bucks if you don't vote." They'd bill you a hundred bucks, because that's . . . you've taken away your side of the story.

FERRELL: They do that in some countries.

MOCKLER: Yeah, I'm told in New Zealand or Australia or one of those countries. I'm for that and plus it would raise a lot of money. You know, at a hundred bucks and you've got eight million people that don't vote, that's \$800 million.

FERRELL: Well what about this thing service learning? Is that a good idea? The concept of a . . . well, what is service learning?

MOCKLER: Yeah, I don't think it means too many things to too many people. I mean everyone wants to get academic credit for it. It's like paid volunteer mentors. My first foray into education was to create after school study centers. We got college kids to come out of the college fraternity and spend a couple of hours a week,

twice a week, with kids to help with their homework, right? It's a pretty simple concept. Is that service learning? No that's service. I don't know what service learning is.

I guess, to me we need to require our citizens to participate in some civic activity. For example I'd bring back the draft and I'd make everybody have universal service, you have spend a year of your life in health care or mental health, military, digging roads, whatever. Because great equalizers in our society and great leaps forward have been after we have done that. The only integrated force in our society now is socioeconomic it used to be the military, right? Now it's the only ethnically integrated, but it's not socioeconomic integrated. Because the rich folk want it and the poor folk are in it. But they're ethnically diverse in the military, which they are not in the country club or the tennis club or health club or golf course. So our society is more divided but once people participate with others they do things differently.

So my personal view would be universal service for a year which is probably the easiest thing to do, the quickest thing to do, but it will never happen because liberals and the conservatives with join together and get rid of the draft because the anti-war, anti-government coalition. The conservatives believe that that's government coercion, to have universal service. And the liberals think that the draft means you have more wars. How stupid they were—because a professional army is much more inclined to be used.

But I think to go back to that, that's what teaches us a value system, being with people in a way that's not something for your personal aggrandizement or

economic reward. And if you learn from that the nature [of] what is the republic about. Why do we have this society? We believe in America, yeah, but we don't know much about it.

FERRELL: Well service learning at least sort of approaches that, doesn't it?

MOCKLER: Sure.

FERRELL: High school kids work with senior citizens . . .

MOCKLER: What's wrong with that? It's great. That's service learning? I don't understand what they mean by learning. That's service. To me it's a religious moral . . . the faith community does a lot of that by the way. They're quite good at it, which is great. Liberals are always pooh pooing the faith community but they can do lots of stuff like that. It's good, so I think students ought to do it, or be required to do it. I don't know if they are learning, but it's part of your civic duty, part of your civic responsibility. What you learn from it I'm not sure. I think from a human point of view I don't think you test it, a testing measurement wouldn't tell you what it is but if you talk to the kids they learn a lot.

FERRELL: Well, as far as schools go, what about this idea of charter schools? We've got a bunch of them in California, over 400 now, are they working out?

MOCKLER: It's a mixed bag I think the results, I would say it's pretty much they're as a group they look pretty much like the result of the public schools. They haven't proven that they are the answer but they are not devil incarnate, as [some] folks had thought.

The law in the area was not written very well to begin with and still has a lot of complications in it. There are still unanswered questions. We want charter

schools to have flexibility and choice and yet in the public sense we do not want them to exclude physically, mentally handicapped kids or slow learners. Well, [we think] great private schools are great [partially] because they exclude those kids. People say they want those kinds of schools, like Jesuit school or Christian schools. Well, yeah they don't take in anybody in the high school that has an IQ below a hundred, you're not allowed to go. Well that's half the kids in California, so that's not a solution. But charter schools have some of that in them because they are voluntary.

The theory was they would get better or they would diminish. That hasn't been the case. No charter schools have been taken out of business because the academic don't achieve. Maybe that will happen in the future, it hasn't happened so far. Some have proven to be quite good, I mean there are some good urban charters, a couple in LA, San Francisco. So it's a mixed bag. Then there is of course, the thievery which we all knew would come, which are these independent study charter schools. "Kentucky fried children" operations where they get chartered by little school up in the hills somewhere and they operate statewide, they finally got rid [of much] of that but they're still out there. And they . . . you call it on your computer and then we give the owners \$5,000 and they never see the kids, or they see them once a year.

FERRELL: So, it's a franchise deal.

MOCKLER: Yeah, and then they . . . they're a non-profit, they set up another non-profit that they and their wife own, and this non-profit pays this non-profit all the money. So there's corruption that goes on, we caught a few of them. And then there's the

religious ones. So there are a lot of things that . . . when you try to privatize institutional things with a lot of money involved, you'll get people that really do it for the right reasons and do a good job. I can take you of twenty or thirty good charter schools. And then there will be people who just want to steal. It's going to take a long time.

Four hundred schools sound bigger than it is, as a group they're quite small, they're almost all elementary, very few high schools. When you compare achievement, I keep seeing this national data about charter schools, they compare elementary achievement of charter schools to K12 achievement, and that's just stupid because elementary schools in California are getting much better. We're doing a great job with elementary schools. We don't know how to fix high schools yet but we're great with elementary. So if you compare elementary to elementary basically charter schools come out about the same as everybody else.

FERRELL: Have you been following what's happening with Sacramento High School?

MOCKLER: Uh-huh.

FERRELL: There's a big fight going on over there.

MOCKLER: There's a big fight, the fight is about procedure, the fear that the teachers union have. In the law the teachers union has got a piece in the law that says you can start a new charter school at a location by just having a petition of people who want to create it. But an existing school to be converted to a charter requires a majority of the teachers in that school to approve it. What Sac City did was to close Sac High, therefore saying it didn't exist, and then approve a charter and give it to them, okay? The teachers union believes that that left unchecked . . . if

that legally can happen then the protection they got in law is meaningless. Forget about Sac High whether it's a good or bad proposal, that's their fear, their deep fear.

FERRELL: So the majority of the teachers do not want to go charter?

MOCKLER: One would presume that because the union wouldn't attack as they did but we don't know because it was tried, it closed, right? Now they had to close it a year later when the law says you can close it, which is after it was designated a low performance school, they closed it early. Because they legally thought they could do it this way. So that's what the legal case is about. The actual case is a little more compelling on the charter side, the charter side, Sac High, like many urban high schools is not being well operated. They've done very little, they've gotten worse, not better academically. And so to say you shouldn't make a radical change there is to condemn the kids that go there to a system of mediocrity.

We have lost our focus on the fact that schools are for children, not for the adults. Okay, well what about the adults? What about the rights of the teachers? You know, we only have certain teacher's rights but the real rights are, what the kids? Are you collectively doing things for the kids that are better for those kids? They didn't just get worse. They got worse after we gave them a lot more money. They identified themselves as not being very good, as a group, including the teachers union, and said we want to get better and asked for more money. After three years it got worse. Now that's kind of—you broke the covenant. The covenant is, I helped you [get more] resources to get better—it didn't work.

So I think this is the fight that we're having in our society. Just think about it politically, the Republicans should be for public schools, and not [so stupid like these are], because in their areas, suburban, high wealth areas, the schools are quite good and their parents are quite satisfied. The Democrats, who are the supporters of the public schools, represent schools in poor areas with poverty, which are not very good schools. So the parents in those areas should be really pissed off, right? So we should have the reverse here, the Democrats should be for change. We have kind of a very strange constituent reality in several things. And the biggest fear of public school advocates is that the minority community, the *minority community* will finally say, "Why are we for this? Our kids are getting screwed in the system." Very interesting.

FERRELL: What about vouchers?

MOCKLER: Never seen a system that worked yet. I think charter schools are kind of a "voucher lite." I think the pushers for vouchers know they can never win. Here's why the vouchers system can never win: because right now we have ten percent about, a little less, of the kids in California go to private school. That percentage, by the way, hasn't changed in fifty years. People go, "Oh, everybody's going to private school," that's bullshit, it's always been the same. The mix of where they go, they used to go to Catholic schools, now they go to Christian academies, different denominations, same circumstances. If you have a voucher you have to pay for those ten percent. So either you have to raise taxes by ten percent in order to pay for those—it's a free good now for government—or you have to cut [public schools] ten percent. There's no way to not do that. That's why the vouchers will

never pass, because they'll say I'll raise your taxes ten percent to pay for these kids at another school or I'm going to cut the public schools by ten percent to pay for these kids, right?

So guys like John Walton and others, who actually sincerely believe in the voucher system as helping poor people—they do. I think they are wrong but they do believe that. They've gotten off that, they're no longer doing that. They're doing [private] charity scholarship, privatizing voucher system, and they're doing charter schools because they believe that the choice aspects will create higher quality in core areas. And they work really hard; these guys raise five-ten million dollars for majority vote. The teachers unions helped support that but the big guys like Ed Voice, [he gave millions to help public schools]. Because majority vote or fifty-five percent vote for local facilities include charter schools. And they're going to build charter schools in urban areas. And see if they can make them work for poor people. I wish them good luck, but I don't know.

The vouchers are not really a relevant discussion, only [President] George Bush and poor intellectuals in Washington DC support it, as a movement. They'll try to do these things. They have in the, you know, "no child left behind" thing, vouchers to go to private and after school programs and stuff. It's interesting but you've got to concentrate on what the needs of kids are.

And I remember having this discussion with Pete Wilson and George Deukmejian, that the school's so bad that kids should be able to leave it and I'm going, "No that's a collective view, you sound like a Democrat." Let's say your kid's been educationally malpracticed against, then that kid, who's been ill served

can go. But what you guys do is you have a school that's sixty percent poor and forty percent not poor, and the poor kids are not achieving because poor kids achieve less because they need more, we don't give them enough. You allow the forty- percent of the kids that are doing well in that school to leave, right? Poor kids have no choice they can't leave, they don't have private transportation at home, they don't have transport, so it's really a false issue. But if you said to the kids who aren't succeeding, you would let them go and you'd give them transportation, ah, well we can talk about that. Because there's a direct connection, your institution has not provided me with the opportunity to earn therefore with the same amount of money I should be able to go other schools. Then the schools might concentrate on improving achievement rather than just tossing the poor kids.

FERRELL: Now to improve the achievement of the students, people are suggesting . . . well they are arguing now about testing, not for graduation though, in fact that was delayed recently as I understand.

MOCKLER: Yeah, high school exit exam?

FERRELL: Yeah, the high school exit exam.

MOCKLER: Yeah, too bad that was delayed, actually.

FERRELL: What was that? The fear if getting sued?

MOCKLER: Fear of *losing* a suit? Never fear a suit. If you're in government these days getting sued . . . if you're in fear of getting sued, you shouldn't be in government, fear of *losing* a suit, that's a different mater. Yeah, I think the issue is the education system doesn't like to have testing because it doesn't, in their view,

reflect what they do. I consider that disingenuous, the tests do reflect what they do. That's just in general, assessment, I mean standard tests, because they're aligned to our standards are better than just normal reference tests. And parents should know how well their kids are doing, and we should measure it, and the system should be held accountable for it.

And the adults should be held accountable for it, the superintendent, the school board, I mean if your school system is so bad then maybe the board shouldn't be able to run again. Maybe the superintendent should lose [his or her] credential. But let's talk about adult accountability here. So assessment is very important, very important. We let these kids slide and the system let's them slide, they forgive them. Their lack of achievement on environmental [grounds], which is the most odious form of discrimination there is. "Oh, you can't learn your mom and dad can't speak English. You're kind of poor you really can't learn, let's just love you." That's bullshit, we can show you schools with the same kind of kids English learners, poor kids, who are achieving quite well. Now if I can show you ten of them, using the same resources as you've got, then what you're doing ain't working. And it's hard work to teach kids and we don't invest near enough in this state, but by God you can [help] those kids learn. By not testing we didn't identify, we accepted the notion that these kids couldn't learn. It's outrageous what we did. Now we say, "Wait a minute, I can show you twenty, forty, fifty, sixty schools that have kids just like yours and are doing better." There's never going to be equal opportunity, it's not possible in our system.

One of my great, kind of stories of my life . . . it was in the sixties, there was a hearing in LA. There was a guy, Sam Yorty, he was the mayor of LA. He was one of the biggest . . . he was the biggest jerk in the world. And he thought the war on poverty was a communist conspiracy and he hated it. And then there was Bobby Kennedy, right? Mr. Progressive. And others, some Republican senator from somewhere who was also a bigot.

And they were having a hearing in LA and Sam Yorty was speaking and he was all, "It's all a bunch of communist plots, it's horrible."

And so Bobby Kennedy looks at him, "Mr. Mayor just wait a minute. We're talking here about Head Start and early intervention to help these kids and we're trying to give these kids the same opportunity you and I had growing up."

And Sam Yorty said, "Senator Kennedy, some day this country may be rich enough to give these kids the opportunity I had, but it will never be rich enough to give the opportunity that you had."

Which is chicken shit, but true. But we'll never have [full] equal opportunity, but we can have much more equal results if we focus on it. It's never going to be perfect, it's just going to get much better, and we know how to make it better. So assessment is very important to hold the system accountable. To not let them ignore these children, which they have. They go to gifted kids, it's easier, easier job, your kids are all motivated, rich, focused, their parents help at home, they get their homework done. It's easier to be a teacher. It's hard to be a teacher when you've got to work hard with poor kids. And it's a harder job, so it's easily understood.

The exit exam was basically the proposition as follows: Should there be a minimum body of knowledge that children should have to know and be able to do in order to call yourself a high school graduate? And should that be a consistent statewide standard? And if your answer to that is yes, then high school exit exams is fine. My answer is yes. Contrast that, "No it really doesn't mater, we ought to give kids a high school diploma based on effort or teacher judgment." There's a legitimate position there. And that examinations . . . if you pass all your courses, who cares what you know? It should be individual, how your teachers see it. That's the debate.

Now, people will say, "Well, what we found out was poor kids, African-American kids and immigrant kids, and handicapped kids are not passing at the same rate as everybody else." Yeah, that's true, it's true. That tells you that they're maybe being taught, but not learning as much. The standard is not so high . . . it's not too high, pretty good standards, tough standards. The question is: Can the system teach them what they don't know? And it's a legitimate debate.

Most progressives don't like that at all, they do not what to look a kid in the eye and say, "You got to learn this. If you're not going to learn it you're not getting a high school diploma." They want to say, "Well, you tried your best." Then there's all the entitlement people who say, "Even though I'm a hydrocephalic I'm should get a real high school diploma, but I can't tie my shoes."

FERRELL: What was that you said?

MOCKLER: Hydrocephalic. Real sick kids, kids that are physically unable to read, write, to do anything. They're not academically . . . or kids with IQ below forty, severely retarded, who are really difficult kids. They say, "Well they should get a diploma anyway." So they sue and they say, "Well gee, he should get a diploma."

Except for two or three percent of our population everybody can pass the high school exit exam. The state board, by law, had to make a finding. But the state board finding was the standards we're covering on the test are essentially through the eighth grade in math, it's eight grade algebra, and it's really six, seven and eight that we're testing and statistics, probability and algebra. So it's a pretty tough standard. And the English language [part of the test is] through the tenth grade. So that's the standard.

Now, we created academic content standards in 1998, okay? We didn't have books lined up to those standards until 2002.

FERRELL: That's not fair.

MOCKLER: Right, so you look at that and you say, "Well okay, twelfth graders in '04, where were they in '02? Well, they were . . . I would have done three years, they did two years. Because I figured sixth grade is where I'd start. Whoever's in the sixth grade when we had the [text] materials built. That's what I would have done. But that's the issue, you have to have a reasonable, not that you didn't learn but that you had the opportunity to be exposed to this. It also tells you that the schools. . . .

If you go out and talk to high school people, in high schools, privately, if you're not a reporter or something, they'll say high school exit exam is the best

thing that ever happened because it's very hard to get high schools to change. High school teachers think they teach subjects, not kids. I've been there, there's really good teachers who teach literature, "Now I'm older and, man, this is a great course!" And half the kids love it and half the kids there are just going along. Why? Because a third of them can't read. They can't read at all and they're in a literature course. Well, why are they in a literature course? The teacher doesn't know how to teach them to read. They're literature [people], they . . . Elizabethan, Shakespeare . . . but those kids can't read them. Their skills in processing reading, they don't know and we put them in a . . . it's ridiculous. That's how high school is organized, you don't organize them by saying, "Excuse me, do you know how to read? Well, we're going to recycle you, we're going keep this up until you can do this. We're not just going to hand you Shakespeare and say go home and read it." You can't—that's like asking a guy in a wheelchair to walk. So reforming high schools is tough. This state nor any other state that I know of has done well.

FERRELL: I was just going to ask you about other states. Other states must have testing, right?

MOCKLER: Nothing as sophisticated as ours, at this point. In New York with the regents exam have the longest but they exempt a lot of people. They've recently done that. Florida has an exit exam. Texas has exit, but they don't test as a . . . they don't have standard lines test, they're only testing in fewer grades. So if you're a parent . . . you'd have to be in school longer for me to find out whether your kid

was far behind. One of the things about testing is, the parents go to school, "How are my kids doing?"

The teacher goes, "Oh, your kid's doing pretty well." Then you get the test back and it says your kid's in the first percentile in reading, right?

"Excuse me, you said my kid could read."

"Well, he can."

"No, no the kid can't read."

I mean rats with dirty feet score ten, right? But people look at it, and if you're a parent and you go to school and say stuff like that. Like, "How's the kid doing in science?"

"Oh yeah, doing pretty well." Then I find out they don't even teach science in school. The teacher will just look at me and smile and, "Oh yeah, he's doing well."

So testing is for parents. All parents care about their kids, poor, rich or whatever. The school system is funny, you know. In high school they say, "The kids should come to us better." The parents assume that's the kids they have, they aren't holding the good ones back. They aren't hiding them in the closet, what are you talking about? [Laughter]

FERRELL: What about testing teachers?

MOCKLER: Sure.

FERRELL: Teacher evaluation, that happens, what, every two years? Is that the way it works now?

MOCKLER: By statute, the Stull Act, I wrote that too.

FERRELL: The Stull Act, 1984.

MOCKLER: No, first enacted in 1972, I believe, and re-authorized . . . in [1983] is when it was updated in S.B. 813.

FERRELL: Oh, that's included in there.

MOCKLER: Yeah, we did two things in 813. It used to be your first three years were probation, we reduced that to two. Before, after one year you actually got tenure because of all these procedural things. We wiped out all procedure for the first two years. In 813 we added an intermediate sanction where we could actually send them to professional development, rather than just firing them. The Stull Act says every year, until you get permanent status, you have to be evaluated. It says that for the first two years you got to evaluate each one, and then after that every two years, not just teachers, teachers, principals, vice-principals, everybody, anybody with a certificate. The principal must be evaluated, superintendent must be evaluated. And it says you have to evaluate them around three criteria; growth and student achievement, classroom environment, that's what was going on in the classroom, and other duties normally expected of that position.

Now you go out in schools and read the Stull Act [evaluation goals] it will make you throw up I mean like I think LA Unified has 40,000 teachers and ten [were evaluated as unsatisfactory]. We put down a lot of things in law that don't work. But the fact they do that. The credentialing law now with the new federal thing we may end up with testing teachers for subject mater. The new laws we're implementing on teacher training and credentialing do require testing.

FERRELL: Testing them on subject mater? Giving them algebra tests and . . .

MOCKLER: Yep, that's recent. I don't know if that will prove itself a problem but it certainly will hopefully add some rigor to it.

FERRELL: Way, way back I forgot to ask you about this, and this is educational. The Farr-Quimby Educational TV Act . . .

MOCKLER: The first act I ever worked on, 1965.

FERRELL: Way back in '65. So what is that?

MOCKLER: Well, John Quimby, who's still around, was the assemblymember and Fred Farr was a senator. And there was this thought that television—an early technology if you will—should be used to bring the great teachers into the classroom with kids. The problem was how do you encourage that? How do you get great teachers on television so that . . . I'm in my classroom and I'm getting down to try to teach Shakespeare, I never saw a teacher teach Shakespeare, I'm trying to teach algebra. So you could have something in a regional office, you know TV cameras and. . . . That was the theory and so we tried to figure out what could we do to move that technology along, it's always difficult in a big institution, a big state, to do that. So the bill essentially created a regional microwave link of television stations through the county office of education. And then it gave a match, it said we give you fifty cents for each kid that uses this technology, [the school matches the] fifty cents [and you have] a buck a kid. And that would be used to purchase programming from these regional bodies and the county offices.

So the theory would be that you'd get higher quality instruction going on through television like we do now on the internet and a lot of other places with technology now. [In the past four years] we just spent \$150 million creating a

whole new interactive . . . vast new technology for the University of California called the Virtual California Project to do this stuff at a much higher level than we've ever done.

In any event we passed [The Farr-Quimby] bill and it got a little bit of funding, not very much. For a while we were talking a dollar and fifty cents an [hour] to run. But it was the technology for a long time, and even up to S.B. 813 which was 1983, we terminated that law. People were still getting money to show stuff on television which was well off into the computer age. That's one of the few laws that I actually got to write and participate in and undo it. And it had [limited] success, so they say.

FERRELL: I took a couple of tele-courses when I was at a community college.

MOCKLER: Yeah?

FERRELL: Yeah, and those are discontinued now?

MOCKLER: Some are around. Now they have them on the Internet they're linked, they have some interactive stuff. There's a lot of stuff they're working on. The theory there, and still we have the theory, we fund technology now, the secretary is funding it. We have computers in classrooms for high schools, we're moving into a higher level of technology. This was the first technological, technology app. And very, very, fearful when teachers . . . there was no teacher unions in those days but the education associations all, they did not like this at all. This was like, you're going to replace the teacher and they wanted protections, you couldn't fire a teacher because of the, you know, with any new technology there's Wobblies.

There's always Wobblies, right? Wobblies say just don't mess with my job.

Which, of course, I'd be out there too.

FERRELL: Yeah, next we'll have robots in the classroom teaching. Now, what about computers, you know, I saw a title of a book, I don't know where I heard about it, it was about using computers in schools, the title of the book: *Oversold and Underused*.<sup>2</sup>

MOCKLER: Yeah. [Laughter]

FERRELL: Is that . . . ?

MOCKLER: I think that's pretty much right now, yeah. I think there's tons of stuff, not much of it evaluated. We don't know a lot about its effect, there's no good debate. There's a couple of states where they've started to evaluate technology, they're doing some evaluation. For example, we're doing a lot of online A.P. courses, advanced placement courses, we've got a couple of online algebra things out of UC, out of Stanford, but again they are high end, they're for highly motivated kids. It's got to work but nobody on a sustained basis has [fully] demonstrated that it does. We're spending a lot of money on it.

There's a digital divide, which you probably know, especially for homes, [this] makes it a little difficult. This new generation—my daughter became a teacher—now she's technologically [quite adept], I would call it, unlike her father who's a Wobbler, right? [Laughter] I can type on a computer but I don't know what to do. So I think as teachers turn over and become more familiar with their . . . and as we do more training, lot of people need more training, maybe we'll get

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<sup>2</sup> Larry Cuban, *Oversold and Underused: Computers in the Classroom* (Harvard University Press, 2001).

there. There's certainly a ton of information you can gather. A lot of focus on the State Board of Education to have, for example, publishers submit alternative formats, technological formats for materials. It's very expensive, much more expensive than hard copies at this point.

FERRELL: You mentioned digital divide, when kids go home and they don't have a computer, it would seem to be a disadvantage to students who go home to a computer.

MOCKLER: Well yeah, we know there's a disadvantage, it probably is a sum of a bunch of other disadvantages, isn't it? I mean the fact if you don't have a computer in your home these days it probably defines your economic status. It probably defines the [educational] status of your parents, [educational] training status of your parents. So in general there's a lot of things that we can use, you can't presume that to be a single divide issue. But it is a divide issue, so things we want to try they haven't been done. Where you do homework online, so the parents . . . you can tell them, you know, "Johnny has this, this is his homework." You just do a listserv and send it out to all your parents, right? That'd be a cool way to communicate, a lot cheaper than sending notes home that you know they don't all get there, especially high school kids, you know they don't get there. So all the things you might use with the technology on a mass basis has problems because you can't really use it that way, because people don't have all equal access to it. So how do you figure a way around that? People have trouble with that. Some communities have bought laptops for all the kids, given them to them.

[End Tape 4, Side A]

[Begin Tape 4, Side B]

FERRELL: I guess my question is, teachers seem to fill in, or they try to fill in as a parent in a lot of ways. There's sex education, there's health issues, there's all these things that are not . . .

MOCKLER: Yeah, I think there's a real difficulty in the schools becoming a social [service provider]. It has in teachers having to become social workers if you will and doctors and nurses and . . . because they see the needs of the kids as schools do. I think as a matter of policy we've made serious mistakes, serious mistakes, in which we presume the schools to be, it's a good location to have services, but it's a bad idea to have schools doing it. For example, people ought to have access to health clinics, but schools shouldn't run them, they don't [know anything about] medicine. You can have a health clinic across the street or you can have a health clinic located on campus but not run by the school. The school principals aren't about that. There is net energy in a thing called school. If you want school people to do health and feeding and welfare and outreach, they're not going to do reading and writing and adding and subtracting unless you give them twice as much money. It's net energy, that principal and that school nurse can't do it all, the teacher can't.

FERRELL: Then it's net time.

MOCKLER: That's right, it's net time. We've made huge mistakes; we actually count childcare as an educational expenditure in California. We actually count feeding [kids]. We feed in California everyday 4.6 million children and 3.6 two meals a day. Every time the schools raise the price of a lunch a dime the legislative

analyst says the funding for schools just went up \$64 million. Because we count feeding as part of education and part of how much money we have for education. And the largest single increases in school funding for the last twenty years has been for feeding, childcare and handicapped kids. Not instructional things service things, medical, residential, so that's where've spent our money. If you adjust for inflation, every new dollar spent in schools in the last twenty years has been spent on social services, badly needed social services, but we charge them to the schools. They're not a function of the schools, they're a function of social values.

FERRELL: Well, I can see how you could keep track of the money. Is anybody keeping track of the time? The time the teacher spends on these issues?

MOCKLER: No, actually the Rand Corporation did a couple studies about instructional time, we count instructional time by how many hours the school is open, or how many hours the teacher is there. But they actually went inside the classroom and stopwatched what teachers do. You know, so the teacher comes in and they take roll, that takes a certain amount of time. Then they collect lunch money and then they have lessons and then they bring in the DARE [Drug Abuse Resistance Program], you know, the drug program. Then they teach a little reading and then the PTA comes in for a party. When you really look at instructional time, it's like 50 percent of time with the teacher, because of all the other things that they are doing. Technology may help that some, but not much.

FERRELL: That's what I liked about the tele-courses, it was sixty minutes of pure teaching.

MOCKLER: [Laughter] So yeah, if you go into classrooms and watch you'll see that, and good teachers do complain immensely about interruptions on things that are valuable

things for kids. But if you go look at how good private schools operate, they operate quite differently. They go to school less, they narrow the amount of curriculum and they do it more rigorously at what they are doing rather than adding other stuff. Whereas public schools tend to do more things and all of them a little less. And that is a net energy concept. The teacher can't teach everything.

I once did a paper when I was getting a Master's degree, which I didn't finish, but the paper was to go around to three universities and ask the deans [of various] schools [about] what an well-educated person would have to take. What courses there're taking for a Baccalaureate to be a fully Baccalaureate kind of person. And to keep it narrow because remember we only have four years of college. And I went to the library of science and English and math and science [departments]. And really forced them to lower things down, to edit it all up, it would have taken nine and one-half years to get a Baccalaureate degree. What they thought was essential for a Baccalaureate degree.

FERRELL: Just the basics.

MOCKLER: Just the basics. And that's the trouble. The legislature says we want to do more, we want to do more, we what to do more, but we don't want to pay for more, we don't want to use more time. So you do less, you do less on everything.

FERRELL: What about basic reading? What about phonics? Is that, are you for that?

MOCKLER: Oh yeah, I think phonics is the term we use, it really is not phonics, it's a fight between. . . . This is a hotly fought battle; the science is [really good on this]. We would call it systematic instruction or direct instruction. Systematics, explicit phonics, connected text, practice [in the] lessons taught. People used the term

phonics to describe that. Compared to whole language or what I call homeopathic learning, (the kids learn to read as they learn to walk and talk). That is a natural thing, if they can just be exposed to a lot of it, i.e., a lot of talking and they will read. Most schools of education believe that, astoundingly so.

Now, there's now been in the last twenty years incredible brain research about how kids do learn to read and we know, as night follows day, that reading is not a homeopathic act. That is to say it is not a natural thing. Now some kids do learn to read, their little brains get connected about thirty percent of kids who come from functionally academic homes, let's say parents fully form words, read et cetera, do somehow naturally just read, a lot of kids just learn, they don't know why, they just do. Because you can put little MRIs [Magnetic Resonance Imaging] in their brains and you can see where the reading comes from. But not that many kids who have no language, poor homes, homes with no second language, because they don't hear English. So you try to teach them to read, you need to systematically teach them to read, and we know that it works, we know how it works.

Now, twenty years ago I would say this is a reasonable debate [back then]. I think the phonics people are nuts because they're so strong opinioned. Because they were very narrow—just phonics, right? But if you look at how the state standards are now, on systematics but it's not just phonics. There is literature involved in it, the early writing, so it's not just phonics. Phonics is essential but not sufficient, for systematic instructions, you can't just do that. Just because you know the mechanics of reading doesn't mean you'll read or get full knowledge or

context. But if you don't know how to read you'll never get context, right? Because you can't read. So it's a chicken-egg argument that's really clear that the chicken was first.

So, we do scientifically know [how to teach reading], Bill Honig, for example was a big whole language guy. He got elected changed how California did stuff, changed the textbooks. He had documents in his framework, reading framework that said grammar and spelling were sub-skills, not to be taught—encouraged inventive reading. He [was] superintendent, right? And he does this he destroys reading in California, destroys it. But everybody believes in it. Bill then has all of his legal troubles, his conviction. He goes off, did I tell you this story? He goes to CSU . . .

FERRELL: Yeah, he changed his mind.

MOCKLER: And they booed him, yeah. He looked at the research. I mean he just didn't just change his mind, it wasn't an epiphany, he didn't get struck by lightning on the way to Damascus. He actually read the research because it was more recent, Bill's that kind of guy, he's an intellectual.

This research that we now have, I mean, whole language was like we get meaning out of the whole. Kids look for words and you have people watching you read, you be the researcher and I'm a little kid and I read and you see my eyes jump back and you [record how often my eyes] jump back. And so we jump back eighty percent of the time because you're trying to get meaning out of the whole, but you're looking back to a word. Well guess what we did ten years ago? We put lasers on kid's eyes and we looked back, okay? Guess what we found out?

The same research except now we actually know what they are looking back for, you and I are looking back for. Eighty percent of look backs are articles; a, and, and the. So they are not looking for a meaning of a word.

That's what whole language meant, that in fact, kids stored words in old boxes, not true. That's not [what reading is about]. Fluent readers essentially do phonemically read the word totally; they don't store every word itself. We didn't know that twenty years ago. Remember we used to put leaches on people's back and bleed them [for health]? Well, we don't do that any more either.

FERRELL: Now, speed-reading, you look at group of words and get a meaning. Is that the way it works?

MOCKLER: The speed-reading I had wasn't that way. They would teach you both, the both parts of words. If you can crack the code, if you are a fluent reader then speeding your reading is one mater. If you can't crack the code then speeding your reading is quite another mater. That's why Evelyn Woods would say she speed people that were fluent readers but she didn't speed people that were illiterate.

FERRELL: You mentioned Honig, after Honig you got William Dawson in as superintendent of public instruction.

MOCKLER: Yeah, actually that's the arrogance of Bill Honig. Bill Honig knew he was going down and he had the authority to succession to the superintendent of public instruction. The succession within a removal is that the chief deputy [superintendent of public instruction] assumes the roll of superintendent until the next election or an appointment to superintendent is made by the governor and confirmed by the majority of both houses, that's how you succeed. Bill Honig put

. . . Dawson was kind of a state bureaucrat, he worked for the Department of Health and was kind of Bill's sort of managerial guy. Instead of putting a leading educator in that job that could have run it, he put Dawson in there. And when he went down he could have changed it and he didn't and so Dawson stayed there. And that was too bad because that caused a lot of chaos. And then the governor tried to appoint superintendents and they were turned down by the legislature. So they just let it go to the end.

Governor Wilson [tied to appoint a couple of people]. [The legislature would not confirm them]. Anyway, Dawson stayed until Delaine [Easton] got elected.

FERRELL: What about Delaine Eastin what kind of job has she been doing?

MOCKLER: The good news about Delaine Eastin is she can make speeches better than anybody I know; she's a great speaker. Whether it's an old-fashioned William Jennings Bryan, you know, Hubert Humphry speakers, Ronald Reagan-like. . . .

As superintendent she was an unmitigated disaster, just a disaster. She couldn't attract quality people, didn't know the difference between disagreeing and being disagreeable. Didn't understand when to fight and when not to fight. It was just a really awful experience for the state. It was difficult times but we have to all . . . it's not the times sometimes that makes a person achieve. I can't think of a single thing she did that was positive. She took credit for everything, she took credit for class size reduction. She took credit for changing reading, she actually made speeches about how she change reading to phonics, right? And she fought it every step of the way. Her big campaign contributors were in San

Diego, who are the Lynch Foundation, who are all huge whole language reading people. They were just freaked by it. It was like it went against their homeopathic ways.

FERRELL: But she was re-elected.

MOCKLER: She was. She's a great speaker, she's a progressive, and I got along with her fine. She came in and she got her budget cut, she made deals she didn't understand, the people that worked for her were weak and knew nothing about statewide policy. It was just awful, just awful. Poor Jack O'Connell inherited all that. Everything got wacked, I mean they wacked, Jesus she just couldn't. . . . A few tried to help her but. . . . I tried to help her a lot. I went out of my way. Actually at one meeting, when I was executive director of the board, I was sent over there by the governor to try to at least mitigate the public dispute between the board and the superintendent so that on television they wouldn't be acting so uncivil or uncivilized. I worked hard to try to counter it, and I mostly did succeed. The governor said he wanted to be bilingual. I said, "Why?"

"So when I'm looking a Delaine and she says something real stupid I'm not supposed to say, 'You ignorant bitch,' I'm suppose to say, 'You know, that's one way to put that.'" [Laughter] So I think it was sad, a sad time.

FERRELL: You said you helped her out from time to time, now you were owner of Strategic Education Services.

MOCKLER: I owned [Murdoch, Mockler and Associates], I owned Strategic Education Services, CLUE, School Facilities Consultants, and John Mockler and Associates,

those are all corporations I owned at one time or another. Now I only own John Mockler and Associates.

FERRELL: What was Strategic Education Services? What did you do?

MOCKLER: Murdoch, Mockler and Associates. Jim Murdoch and I [separated Murdoch, Mockler and Associates in the early 1990s. I became Strategic Education Services and Jim became Murdoch Wallrath and Holmes.] Strategic Education Services was owned by me. It was a public policy and lobbying firm. It was just a corporation that helped you lobby. We did school finance stuff, I did arbitration, I did a lot of stuff.

FERRELL: Well back to this *Newsweek* article, did you see what they said about lobbyists?

MOCKLER: [Laughter] Yeah.

FERRELL: Well at first the article more or less blames term limits and of course, what we talked about before, the referendum and the initiative process. But it says that, "All this ignorance and churn leaves someone else with all the power, not the people, not the polls, but the consultants and lobbyists who fill the plush office buildings that surround Capitol Park in Sacramento."

MOCKLER: Yeah.

FERRELL: This place is pretty plush, isn't it?

MOCKLER: Well, I was actually closer when I was a lobbyist. We were lobbyists, I mean lobbyists have been around and consultants have been around before term limits. I think there is a point to be said that when you have term limits and members don't know enough that they can become easier by lobbyists and consultant, okay? The easier, if you're a wise person you know, "Wait a minute lobbyist, you

said that last year, you said this and now you're saying this." But if you weren't here last year you don't know that I said that, now I'm saying this, you know? Or I'm not taking responsibility. So term limits makes it, you have less accountability to hold off, plus members don't know each other well enough to know that we're going to have to pull together against these special interests on some things, right?

I always thought lobbying, and I still think lobbying, is a very . . . there's nothing wrong with the profession, if it's well done. The question is at what point is lobbying not lobbying? Or when consulting is not consulting? Lobbying as a term in California, as a legal term it means that you seek to directly influence a legislative or executive outcome. I was cited as a lobbyist for over reporting. Now I'll give you an example. I represented Los Angeles Unified School District, okay? Now I consulted with LA Unified, I had to sit down with them on the budget, I knew a lot about their budget, I worked down there. So I worked with them, I worked with them on curriculum, I worked with them on personnel and facilities. I also went to the legislature on the Budget Committee and said, "LA needs this and you should do this," on behalf of their behalf, which is lobbying, right? So I figured out how much time, I just said, "Well, LA pays me \$5,000 a month so I'll just say it's lobbying."

I got audited. "No, no, no, only \$1,000 of that is lobbying, \$4,000 is consulting. So you over reported so we're going to cite you for that." I was cited because they actually did time and motion study and asked me all these questions and they determined how much was lobbying.

FERRELL: They figured that out after . . .

MOCKLER: Well, they said, "It was not \$5,000 because you told us you were. . . ."

And I said, "Yeah, but I don't understand how to change my time, if I'm talking to somebody about an issue, how do I know whether it was lobbying or not?" Well, I'd rather say it was lobbying. It's a disclosure issue, let everybody know, I don't care if they know. How much money I get from LA Unified is public record, period. So whether I report \$5,000 . . . it's not like some big secret. So when you say lobbyist I think there's three kinds of issues there. I was a lobbyist with no financial power, that is to say big PAC's [Political Action Committee] money. So we had no statewide power, in the sense of a real estate association or the insurance salesman or the teachers or the . . . so we lobbied with clever information. They're still lobbying and trying to manipulate the process in a way that our ideas look better than somebody else's ideas. So that's how I lobbied. I didn't get to participate financially in any [major] way.

FERRELL: You weren't going to \$1,000 dinners or anything?

MOCKLER: No, in those days there weren't many \$1,000 dinners. The Association of American Publishers had a PAC with, they had like, \$16,000 a year or something that wasn't very much.

FERRELL: Well, these \$1,000 dinners are pretty common now, aren't they?

MOCKLER: Oh yeah, I remember when I worked for Willie Brown's second campaign, the one he won in '64, I think he spent a little over \$9,000. And he mortgaged his house for half of it when he was speaker. When he became speaker the most money he'd ever raised as a legislator, was \$80,000 and that was in 1974 when he

raised \$84,000 because they thought he was going to be speaker, that's in '74. In '80 he raised \$20 million, in '80. So you can see just up to that point, now you look, I mean John Burton, who the *Bee* and the *Chronicle* [*Sacramento Bee* and the *San Francisco Chronicle*] calls him this progressive guy, has raised more money than anybody in the state of California [next to] Gray Davis. And he's the liberal, interesting huh?

And that's because the prices are so high now. I mean it used to be \$1,000 was something, maybe someone would give you \$750 or \$500 or \$1,000 but now it's \$1,000 or \$10,000. The governor would have a fund-raiser and people give \$5,000 just to hang out. The few of them that are benefiting from all this are the newspapers and TV stations. Why don't we let our TV stations, why...? They're our airwaves, why don't we tell TV stations they should air x number of ads for every candidate?

FERRELL: You like that idea?

MOCKLER: Absolutely. It's ridiculous, they don't own the air waves, they think they have a right to... I mean this is ridiculous. So the Republicans and Democrats both their politicians would like it. Because, like the current system, there's no way to keep money out. We are a free enterprise society. You can't fix it. Every fix we've tried to do with this has made it worse, and driven it further underground. I mean it's just outrageous. Public financing of campaigns? I don't even know if that will work, it didn't work at the federal level. There's independent expenditures and people go out there and spend \$10--15 million on expenditures. I mean rich guys, if the terminator runs for office he'll spend, what, \$5 or \$10

million of his own money? Al Checci, what \$30 million [of his own money]? That's a loss that they'll take, that's nothing. The theory is if he spent \$30 million of his own money he's less corrupt than if thirty people spend \$1 million, or a million people spend \$30. I think disclosure is important and I think the real problem on this whole issue, disclosure, is people don't know. They don't know on time and these independent expenditure campaigns are just evil, they're just evil. But we've driven people to them, right? Because we say you can't participate directly. We've made up all these stupid rules. Jerry Brown actually thought, I remember just laughing my ass off, in 1974 he become governor as this revenue-reducing thing, right? And he thinks, you know you can't spend more than ten bucks, what did he say, two hamburgers and a coke?

FERRELL: Two hamburgers and a coke, right.

MOCKLER: He thought that you could bribe a legislator for a dinner or a lunch, right? I said, "Jerry, if I could bribe somebody for lunch somebody else could bribe them for dinner and I'd lose my bet. What are you talking about? Do you actually think how much money you spend on lunch is what corruption is in this state?" That's not what corruption is, corruption in the state is big money interests having big money results. I mean overpasses and those are . . . you need to make connections, you need to disclose connections, what you do, what do you want? I mean if somebody has money you should find out what their interest is.

FERRELL: Well there was a FBI sting back in '83. Clayton Jackson . . .

MOCKLER: Oh Clayton, yeah. They all came after Willie Brown and he's the only one they didn't get [because he was clean]. The FBI is so stupid, they came to Sacramento

they were brought in by a Republican legislator to get Willie Brown. That was their job. They actually took \$5,000 in cash and put it under his door. I mean really, as a donation, this was the "shrimpgate," right?

FERRELL: The shripgate, in West Sacramento, they set up a . . .

MOCKLER: Yeah, that nonsense, yeah.

FERRELL: Yeah.

MOCKLER: Well, Willie see that and calls in Legislative Council and calls in the local D.A. [District Attorney] and says, "Here, just leave it there and take a picture." He takes it and sends it back to the address on the thing and says, "If you want to participate in my campaign send a check." But the FBI thought Willie Brown was stupid, they thought he was ignorant. But they did that to other people and they all went to jail, right? But Willie Brown didn't go to jail, the guy who brought them in went to jail.

FERRELL: The guy that brought them in?

MOCKLER: Yeah, the guy that brought the FBI. . . . [Assemblymember Pat Nolan.]

FERRELL: Oh, the Republican.

MOCKLER: Yeah, now he's doing speeches for the baby Jesus, it's just ridiculous. And actually they got some people that were. . . . The only person that they brought down that probably wasn't corrupt was [Assemblymember] Frank Hill. The other ones, and everybody knew them, they knew [Senator] Paul Carpenter was a crook, they knew [Senator] Allen Robbins, Allen Robbins has been a crook since he was twelve. But not all members are crooks. It's not the crookedness of the cash in a personal sense, which is what those guys did, they took money for themselves.

They took money for themselves. So corruption is in the big money. And the members being less independent on how to make a decision because they are concerned about the effect.

[Assemblymember] John Vasconcellos once had a hearing to try to cut back on the amount of money we're spending on prisons. The prison guard spent \$200,000 to try to take him out in November. He won that, but that message went around to the members so nobody else messed the prisons. So we have no good public policy dealing with prison guards, right? Because the union demonstrated it was prepared to harm a real decent man solely on the issue of *looking into* what they did. Serious mater, that people call that hardball politics, no, I think that's corrupt, myself.

FERRELL: *Newsweek* magazine identifies the, well, they call lobbyists the "new age bosses" and they said they are joined by "the old style but state of the art group" these people are "the AFL-CIO, the teachers, the police and firefighters and prison guards."

MOCKLER: Unions.

FERRELL: Yeah, these are . . .

MOCKLER: The unions are there but at least they all disclose who they are. They're totally above board on what their interests are. The ones that aren't above are the P.R. firms that run these stealth campaigns, independent expenditure campaigns. Remember the ones they did against [President] Clinton's, you know, the drug guys did the stealth campaign against the health care thing. They do it in California on environmental issues and privacy issues and they don't report any of

it. You don't know who's doing it. They have big money, these guys disclose, you know where their money is coming from, you know what their interests are. I don't think in our society you could close down access, but you need to know the person's interests. And that's what we're losing with all this stealth stuff, these campaigns, P.R. campaigns, they're not . . . they're issue campaigns, right? But they really are . . . there are limits on those things, if it uses federal money which is out of state capital which is illegal. But it's not. And it should be illegal and probably does, maybe it's technically not, but raising money to give to your congressman and then use the money to recall the governor. Well, who gave you the money? It's like I gave you money to be assemblymember and you spend it on what? The governor? So you need to disclose interest.

FERRELL: We can go on and on talking about power, the real power in California but . . .

MOCKLER: What they used to say? "Liquor is for drinking, water's for fighting." [Laughter]

FERRELL: Now you became the executive director of the state board of education in '99.

MOCKLER: Right, I retired in '97. The last time I was a lobbyist was 1997 and I was just going to do a little consulting and travel and play golf and that's what I wanted to do with my life. And the governor called me, actually, a number of times. He probably said just go for a year and do this state board thing. Gary Hart asked me to do it, so I did. It was like, October or November of '99?

FERRELL: Yeah, '99. So you just did that for a year?

MOCKLER: Well, actually a little less than a year and then the governor asked me to secretary.

FERRELL: The secretary of education.

MOCKLER: Right.

FERRELL: What does the secretary of education do?

MOCKLER: Take notes, shorthand, and typing. [Laughter] Well, basically you're governor's point person in education policy. Every governor I've known has had an education secretary. He has an office and fifteen or sixteen employees. It's basically an education advisor to the governor, that's the education secretary, it's like appointment secretary, cabinet secretary. And he also asked me to . . . they put an interim executive director, so he wanted me to do the executive director of the state board at the same time. I said, "I don't want to do that." So I watched over that and he made it clear it was going to be for a short time so that was fine. I left that in February . . . no, I was at the state board '99 to 2000.

FERRELL: So secretary of education, just a year, right?

MOCKLER: Yeah, well actually more like seven months or something. Then I went back to the state board, which I didn't want to do. I said, "One year, I'll do it one year. I'll help you out for a year and I want to do this if you ask me to, you're the governor, I'll do it." Then he [appointed me] the secretary and then he asked me to go back and I said, "Look, okay but two years max." So I wrote a letter to get this issue in writing. "You can't be serious it's not a divorce, governor. I told you a year and I've spent more than two years here and a convicted felon, the first time, will do more time than two and a half years of hard time, for Christ's sake, I'm out of here." That wasn't what I wanted to be, but it was fun. I mean I liked it.

I got to do some very good things. I mean I was there when we did the Cal Grant deal. That wouldn't have been done without me, that was very

important. Raising the entitlement system for college kids. We modernized the state teaching retirement system, with a \$11 billion deal that allowed senior teachers to get, if you taught full-time, you got a higher pension. We reformed the local funding, schools funding. Got some money to the lowest ten percent of schools, to see if we could help them. We did the high school, high school technology money, which I thought was the best thing I did.

And we actually eliminated the school level, digital divide for high schools in California in one fell swoop. The money was given to me [as secretary] to hand out to high schools for computers, and I go, "Well that stuff is stupid. What if some school has computers and one doesn't, why would I give them to the place they've already got them?" So I said, "The target is 4.4 kids per computer or whatever the number was and if you already had that I wouldn't give you any money." I went over to tell the legislature this plan. And Burton said, "Oh, don't do that. Give them at least one so they won't be pissed off because they didn't get any."

I said, "No, San Mateo actually doesn't need any computers. They've got more damn computers than anybody, screw that."

He said, "Politically they will start kicking your ass, we're going to have to let you hang."

I said, "Oh, fuck you."

The school people didn't do it. They actually didn't complain, they thought it was fair. And so the money went to places like Jordan and Jefferson and places like Sac High that needed some damn computers. So they got ten and

they got the benefits. That was fun. That was fun, I had a good time being secretary. As Willie Brown used to say, "Power unused is power abused." Then I retired again. I'm back to where I thought I was in 1997, as a last step to 2002.

FERRELL: But you don't look to retire right now, you're sitting here in an office . . .

MOCKLER: Well, I work a hundred days a year, and I charge a lot of money for it. And I will not lobby because I just don't want to go over there and hound those people, on my account. If they want me over there, and [sometimes] they do, they call me and talk to them a lot the governor talks to me and I've been around a long time so people [ask my thoughts.]

FERRELL: So you dispense advice.

MOCKLER: I dispense advice, I've done a couple of histories for legal cases so. . . . It's just things that are fun, I've done some really good mediation, I mean both sides, labor and management both pay me or I won't do it. I do fiscal, what is the budget in this circumstance? I play golf a couple of times a week, I come to work at ten until three, sometimes I don't even come [to work]. I mean it's fun I'm a lucky man.

FERRELL: Well, it sounds like you had fun all the way through your career. Now you're taking it a little bit easy but even when you were working long, long hours you were having fun.

MOCKLER: Oh yeah, listen, I consider it a real blessing. I think anybody who's allowed to participate in this republic. . . . I've got to participate in a lot of very important things and watched and worked with really phenomenal human beings, Republicans, Democrats, people at all levels and move the ball forward and I

think mostly keep my own respect for myself—that's pretty good. I started off with Pat Brown and who knows who will be next, the terminator's our next governor, who's our next governor?

FERRELL: Could Jerry come back?

MOCKLER: [Laughter] Jerry could come back, I don't . . . anybody, you know, if ten people run and you get ten percent plus one vote and you'd be the governor. Under that scenario, I like the Cruz scenario better.

FERRELL: Well, it's been interesting, we talked about a lot of stuff. Is there anything you want to add, anything we forgot to talk about?

MOCKLER: No, I just think this whole issue of civic values is very important. I also think, I don't know how to solve the problem of what's immoral and what's not. I see a lot of stories in the paper about certain legislators are immoral because they did something, because somebody defines morality for them. It seems to me that you need to have a rule before you say somebody's over, you know, you have to have a line before you say somebody's over the line. The press makes up lines and they make up circumstances. A lot of good politicians, good legislators, senior members of administrations of all parties have been made to be too timid because, even if they know the line, they know the press will say it's another line.

I remember George Deukmejian's wife inherited some IBM stock and the press made it up like it was a corruption because IBM was in South Africa therefore she must be for apartheid. You know, things like that, what I call distance interest, in which we've destroyed lives. And the press and politicians use this "hit piece" stuff and the press becomes complicit because it sounds,

beating up politicians is an easy thing to do. I can't imagine running for office because of that. Every thing you do, every economic enterprise, anything your child does, your wife does, your aunt does is subject to suspicion. That wasn't true when I started in this business. [Assemblymember] Bobby Crown used to say, "You got something on me call a cop. If not, don't make the accusation." And "something on me" meant I violated a law, actually did a violation, not some [person's individual] perspective.

That, I think has done more to drive good people out of this process than anything else. It's very hard to get good people to become cabinet secretaries, or directors to run government. And running the state is an important thing, we've downgraded the value of how this state is run. It's not trivial who's the director of Caltrans, it's not trivial who runs the child health screening programs, these are important things. And we've trivialized it.

FERRELL: Well, a lot of things get turned around.

MOCKLER: Oh yeah, it's true.

FERRELL: Okay, well I just want to thank you for taking the time for this project to sit down and spend these hours talking to me and it's been interesting and well, thanks for doing it.

MOCKLER: Yeah, it's been fun.