

CALIFORNIA STATE ARCHIVES
STATE GOVERNMENT ORAL HISTORY PROGRAM

ORAL HISTORY INTERVIEW

with

DENISE MORENO DUCHENY

MEMBER, SAN DIEGO COMMUNITY COLLEGE DISTRICT

GOVERNING BOARD, 1990-1994

MEMBER, CALIFORNIA STATE ASSEMBLY, 1994-2000

MEMBER, CALIFORNIA STATE SENATE, 2002-2010

September 12, 13, and 14, 2016

BY ALEXANDER C. VASSAR

CENTER FOR CALIFORNIA STUDIES

CALIFORNIA STATE UNIVERSITY, SACRAMENTO

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INTERVIEW HISTORY

Interviewer/Editor:

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Interview Time and Place

September 12, 2016
Senator Ducheny's home in Imperial Beach, California
Session of three hours

September 13, 2016
Senator Ducheny's home in Imperial Beach, California
Session of four hours

September 14, 2016
Senator Ducheny's home in Imperial Beach, California
Session of seven hours

Transcribing/Editing

All American Reporting and Transcription Services, Inc. transcribed the interview audiotapes. Alexander Vassar checked the verbatim manuscript of the interview against the original tape recordings, edited for punctuation, paragraphing spelling. Vassar prepared the table of contents, biographical summary, and interview history. Denise Ducheny reviewed the transcript for accuracy, and Sandra Bernard made the final editing corrections and prepared the final transcript.

Tape and Interview Records

Audio recordings of the interview are located at Sacramento State's Department of Special Collections and the California State Archives.

Acknowledgments

This interview was sponsored by the Center for California Studies and funded with generous financial support from the California State Library through the grant "Preserving the Political Record: California Legislator Histories".

BIOGRAPHICAL SUMMARY

Denise Moreno Ducheny was elected to the San Diego Community College District Governing Board in 1990, serving for four years until her election to the State Assembly. While serving on the College Board, Ducheny was active in the creation of the Association of Latino Community College Trustees.

In 1994, Ducheny was elected to the California State Assembly in a special election to fill the vacancy created by the resignation of Steve Peace. Ducheny, the 58th woman to serve in the state legislature, served in the Assembly until 2000, when she left due to term limits. During her tenure in the Assembly, Ducheny led a series of meetings between legislators from U.S. and Mexican border states that grew into the Border Legislative Conference.

Ducheny was elected to the State Senate in 2002 and served two terms ending in 2010. During her eight years in the Senate, she served as Chair of the Budget Committee during the collapse of the housing bubble and subsequent budget crises in 2007 to 2009.

Since leaving the state legislature, Ducheny has served as a Presidential appointee to both the Border Environment Cooperation Commission (BECC) and North American Development Bank (NADB) Board of Directors. Ducheny currently serves as Senior Policy Advisor to the Center for U.S.-Mexican Studies at the University of California at San Diego.

[Start Recording - Session 1 - September 12, 2016]

VASSAR: Hi. I'm Alex Vassar and I am here with former Senator Denise Ducheny at her home in Imperial Beach. Today is September 12, 2016. Why don't we get started?

DUCHENY: Thank you very much.

VASSAR: So tell me, so you were born in Los Angeles in 1952.

DUCHENY: Yes.

VASSAR: What did your parents do?

DUCHENY: My father was mostly, except for – I'll explain that in a minute – but mostly worked for the movie studios. He was a Teamster with the movie studios. He was a truck driver and assorted things around movies.

My family was kind of the classics of the period. Moved to L.A. in the '20s when the jobs came to L.A. My father was actually born in Canada but his parents were American.

VASSAR: Interesting.

DUCHENY: They had moved to Canada and changed citizenship to acquire land and then they had moved back so his younger sister was actually born in Montana and then long about the way they moved to Los Angeles, probably in the '20s sometime, I don't know exactly what year. But they moved to Los Angeles. The whole family, kind of a whole large extended family, moved to Los Angeles.

VASSAR: Aunts and uncles and...?

DUCHENY: Yeah, that kind of thing. And sort of the grandmother, a few of the uncles. Not all of them. Some of them stopped in – I always used to picture it as people dropping off along the way. We had some family that ended up in Portland and some ended up in the Bay Area and another group made it down to Los Angeles.

And my father's uncles - Ralph Clare is pretty well known in the movie industry and his uncle Robert Clare, Bob Clare, was also, they were two of the founders, basically, of the Teamsters union at the studios, the Studio Teamsters. Local 399 in Los Angeles is sort of a separate local of teamsters who were directly associated with the movie industry.

They started out as wranglers because there weren't trucks, they were horse guys; they were wranglers in that period. And then they started the Teamsters union. And so my father's Uncle Ralph was actually the Secretary-Treasurer of that local for a long time, for many, many years until he retired in the late '70s, early '80s.

So my father and my Uncle Bob, a lot of them were in that universe for most of their career.

My dad was in the service; he was in the Navy. He was actually in Hawaii when the war broke out in the '40s and he ended up staying in the Navy out of Hawaii.

My mother's family migrated from – my grandparents were both born in Mexico on my mother's side and they came across during the Mexican Revolution period. Well, my grandfather actually probably came a little

earlier than that. His mother brought him and all his brothers and sisters across. And this was in the days when all you did was sign in and tell people you were here. My grandmother came across during the sort of turbulence of Pancho Villa and Revolution in the north and they settled in El Paso. They married in El Paso. My mother was born in El Paso, Texas.

And again, which is a very common story for – you’ll find a lot of Latinos in the Los Angeles area whose families migrated to Los Angeles during that early ‘20s period when, again, the jobs were in LA. So people, it was a fairly common route to come across during that period of the Revolution, be in El Paso and then a lot of El Paso people moved to LA. So my mother grew up in L.A. Both of my parents sort of grew up in – my father didn’t get there until probably junior high or high school in the L.A. area.

VASSAR: Got it.

DUCHENY: My mother came as a child. She and her brother and sister were all born in El Paso but then they came across when she was fairly young, like three or four.

And so they met.

VASSAR: Yes, I was wondering.

DUCHENY: During the war.

VASSAR: So you have the Canadian side and you have the Mexican side.

DUCHENY: The Mexican side, yeah.

VASSAR: And they meet in the middle.

DUCHENY: Yeah. The Canadians are really Irish, they were Minnesota Irish. My father's ancestry, I don't quite remember which great-grandfather, was basically Potato Famine Irish. One side of his family, one side is Potato Famine Irish that settled in Minnesota. And my grandmother's family were actually – on my father's side were an old Virginia family, they were way back Americans.

VASSAR: Right.

DUCHENY: But they migrated to Canada and came back. My father actually didn't realize he wasn't a U.S. citizen until he went to sign up for the military and then he had to adjust. They thought he had adjusted when his parents readjusted and apparently it hadn't happened and so when he went into the Navy he readjusted.

My mother was born here so that was never an issue.

But my grandfather actually was sort of the other story but it sort of goes to some of my later experience with migrants and such. But my grandfather actually lived here, worked here.

The other half of my family, my mother's side of the family, they were carpenters mostly. So the one were sort of the wranglers and the truck drivers and then my mother's family were carpenters. My Uncle Tony, her brother, worked in the movie studios also but as a carpenter. And my grandfather was a carpenter throughout the Depression and all those years.

VASSAR: Right.

DUCHENY: When he retired he started fishing and – he wanted to go to Puerto Vallarta, which was fairly small, not like it is now.

VASSAR: Right.

DUCHENY: In those days it was a very small village.

VASSAR: Fishing town.

DUCHENY: Fishing town. But he seemed unwilling to go and my mother couldn't figure out why until they finally figured out that he was afraid to go because he really didn't have any papers and he didn't know how -- but he had, social security. He had been working here his whole life, basically, and they were able to go to court and straighten it out. He was legal, it's just they didn't have the paperwork.

VASSAR: Right.

DUCHENY: And so they got that all straightened out and then he was able to go, basically retire, for a lot of his time in Vallarta. But he would come back every six months to keep his visa current.

VASSAR: Right.

DUCHENY: But he never became a citizen and I don't believe my grandmother ever did either, which was fairly common for Mexicans from that era. But he never became a citizen. But he had his green card after they settled it out. The problem was in the time when he came across that wasn't what you did.

VASSAR: Right.

DUCHENY: And so he was -- they found the records that proved everything and he had his proof of being in the union in Los Angeles and working and all the social security and everything.

VASSAR: Right.

DUCHENY: So they were there. I think the story goes that my father's sister, I think, was working where my mother was working during a certain period and introduced them.

VASSAR: And so your father was in Hawaii?

DUCHENY: Well he was in Hawaii during the war, but back and forth.

VASSAR: But after, okay.

DUCHENY: And back and forth. They got married during the war, actually. But his family was here.

VASSAR: Right.

DUCHENY: It's just he happened to be stationed there doing something; he had a job of some kind. And then he was in the Navy but then he was coming home and that kind of thing.

VASSAR: Right.

DUCHENY: They met somewhere during that period. They got married in '43 so before the war was over. My mother worked, and fairly unusual for the period, particularly for a Latina, mother worked always and she was in the, what in Los Angeles we like to call 'the Rag Business.' She was a fashion buyer.

VASSAR: Got it.

DUCHENY: She started working in the May Company basement as a sales person. But she was a secretary to the Merchandise Manager/Buyer for her department in Sportswear.

VASSAR: Got it.

DUCHENY: And she learned the business by working with him. And eventually she became a buyer, which was a fairly -- she was a buyer at May Company. And then later during my growing up time and various other she became a Merchandise Manager for small chains of stores.

VASSAR: Got it.

DUCHENY: Then she worked for a big discounter for a while. Before she died she was working at Webb's, which was a big department store in Glendale. But she was basically a fashion buyer and Merchandise Manager. So she was an executive/business kind of career.

VASSAR: Right. Starting pretty early on.

DUCHENY: Which was relatively unusual for women and doubly unusual for a Latina. She had gone through the thing in school when they tell you 'You can't don't anything because you're Mexican.'

VASSAR: Right.

DUCHENY: She never bought into that. But they had the period. Neither of my parents really went to college. My mother did do a little bit of, did attend some classes at what is now called Los Angeles City College.

VASSAR: Right.

DUCHENY: LA Trade Tech is what it was known as at the time, in the '30s. And again, it was fashion classes and that kind of thing.

VASSAR: Right.

DUCHENY: So she learned some of her skills there. And I think it may have been through that program that she got the job at May Company. It was kind of sort of like an internship and learning and then worked her way up. But they had told her in high school, 'You can't finish' and it was the Depression.

VASSAR: Right.

DUCHENY: You quit work to go to school.

VASSAR: You had to get a job.

DUCHENY: So she worked and then she got a little bit of extra education at Trade Tech and then worked her way up through all of that. So I grew up in this sort of mixed, two fundamental LA businesses.

VASSAR: Right.

DUCHENY: The fashion industry and the movie industry were the two bases of sort of my growing up period. So I was born, they were living in LA at the time.

VASSAR: So married in '43 and do you have any siblings?

DUCHENY: I wasn't born until '52. No.

VASSAR: Oh, you were... okay.

DUCHENY: I'm an only child. And in the period right after I was born my dad, there was probably a slowdown in the studios and he worked in, he had a business for a while. And it was out toward – and this is as LA was

starting to grow in that '50s period – they moved out to Orange County.

So I really grew up in La Habra.

VASSAR: Okay.

DUCHENY: In Orange County. Just outside the LA County line. I used to call the end of Whittier Boulevard, the far end of Whittier Boulevard, the “new tract houses”.

VASSAR: Right.

DUCHENY: So when I was very little, probably three or four, they bought a house in that new tract in Orange County. It was part of that very '50s kind of story.

VASSAR: And your mother was still working?

DUCHENY: And my mother worked downtown. At that period I think my dad worked, had this business out there. And then that didn't work out and he ended up going back to the studio. So actually all of my youth they were both basically commuting into Los Angeles on these long drives every day.

VASSAR: Right.

DUCHENY: Both of them in different directions. My dad would sort of freelance and so you work in different studios and different places and then he was gone a lot. On locations were fairly typically, especially for he worked on those movie westerns and such. Sometimes we'd get to go with him, which was kind of fun.

VASSAR: Do you know any movies that he worked on?

DUCHENY: Oh, he worked on -- I remember meeting Fabian [Forte], I remember meeting Hound Dog Man, right. I remember he worked on a lot of the westerns, some of the ones with John Wayne and stuff.

VASSAR: Got it.

DUCHENY: He used to have a coffee mug signed by the Duke.

VASSAR: That's cool.

DUCHENY: One big one I remember was The Greatest Story Ever Told, one of the Jesus movies.

VASSAR: The Bible? Yeah.

DUCHENY: The Bible movies. He worked on that one. And it was a bit, long, they were on location for a long, long time in the Arizona, Utah area. Actually I believe, if I remember correctly, it's so many years ago, that they built the set basically at the bottom of what has become Lake [Powell] before it was flooded in. They were in Utah and those areas. And so he worked on that. I remember that because we had some of the extras who were here, Israeli dancers who were part of the extras.

VASSAR: Right.

DUCHENY: And they came over to our house for dinner and those kinds of things. So we some connections but it wasn't -- I don't know, if you're in the business in Los Angeles, in all of those myriad of positions that everybody has.

VASSAR: Right.

DUCHENY: The movie industry, it isn't about the actors hardly at all, it's about a huge assembly of others.

VASSAR: Right.

DUCHENY: So I was conscious of that and some of the -- I grew up around kind of all of that but not like in the business or anything. And probably more with my mother's side, the fashion industry, I was probably closer to that. Went with her on some -- when she'd be buying or when I was out of school or you'd go to work with your parent kind of thing. And a couple of times she would travel, three or four to six times a year to New York for buying in those days. Eventually more of that moved to California but at certain periods you had to go to New York if you wanted to --

VASSAR: Get the next season's --

DUCHENY: -- to buy. Well, that's where the folks were. So I got to go to New York when I was fairly young a couple of times.

I remember a family vacation we took with my father's mother and her sister, his aunt, and my mother and we all traveled to Virginia where their family was from. Sort of an East Coast, Boston, Williamsburg kind of trip.

VASSAR: The historic stops.

DUCHENY: And I got to go to New York a couple of times with her.

And every once in a while we'd go on location with my dad. He did a lot of those westerns that were filmed up in Lone Pine.

Randolph Scott and some of those kind of westerns from the period. He was involved with a lot of those kind of movies as well. So every once

in a while you get to kind of see parts of that or meet somebody in that world.

VASSAR: So growing up with both parents working, there was family living nearby that you were close to...

DUCHENY: Not a lot. Yeah, my father's mother was sort of the -- when my parents traveled she would be the substitute-in person.

VASSAR: Got it.

DUCHENY: She lived in Burbank. My mother's brother and sister both lived not too far away, one in Montebello, one in Pico Rivera. My grandfather would usually, if he was here, would stay with one of them. I didn't have as much connection to him as I did to my father's mother's family. That extended family of cousins and a lot of those folks were around; his sister lived in West L.A. and her children who were older than me but there were some cousins and folks around. Nobody lived in Orange County. Eventually one of my cousins moved to Cypress in Orange County and another one eventually moved to Santa Ana but we were all in and around that sort of greater LA area.

VASSAR: Right. And that area was really growing up while you were growing up.

DUCHENY: Yeah. I used to like to say, I lived in Orange County when there were still orange groves there. And we lived at the bottom of Hacienda Heights when there were avocado groves and pomegranate groves right up the hill but we were in those new tract houses. And then when I was about 13 or

so we moved from the one tract house down the road about three miles to our new tract house in a different area.

So the high school that I went to was -- I went to a private school for K-8. Partly because literally my mother couldn't find a full-time kindergarten where we lived in the public schools and so she enrolled me in a full-time kindergarten at a private school that not only was full-time but it took you an hour to get there. It was a ways. It was on the way and it was a carpooling kind of thing. There were other people that lived more or less in our area in La Habra or Whittier --

VASSAR: Coordinating pick-up/drop-off.

DUCHENY: -- and Montebello. And they did -- yeah, we did coordinated pick-up/drop-off. So I was like an LA commuter like everybody else. And I had a family, actually it was the woman who had been my nursery school teacher out there in Whittier, her daughter was about my age, maybe a year older, and they were my after-school care. So when I got done with the regular school and they drove me back, I would go there and stay with them until my mother picked me up, kind of thing. And she was an only child also so it was two of us. I had friends like that that were more like sisters. I didn't have any sisters. So I grew up kind of that way.

My mother was a working mom when people didn't do that so much. But managed it and got me into all the schools and day care and child care, whatever. Didn't have like day care in those days but child

care. "Nursery school" we used to call it, what they now would call preschool, I guess.

VASSAR: Right.

DUCHENY: And then into the kindergarten at that school and to the private school and then I ended up staying there through eighth grade. But in high school I wanted to go to public school.

VASSAR: So where did you go to high school?

DUCHENY: And so it was Sonora High is the name of it, in La Habra. And it was the new school. Again, it was sort of the new tract housing; it's mid-'60s, right?

VASSAR: Mm-hmm.

DUCHENY: So they were building new schools. This was the Fullerton Union High School District, which the older schools, Fullerton and La Habra High, had been *the* high school in La Habra and Sonora became the second high school in La Habra. When it was built they took what had been the ninth grade class at La Habra, about half of it ended up switching over at tenth grade to Sonora.

VASSAR: Got it.

DUCHENY: But I was the first ninth grade class at Sonora. So I was part of the first four-year graduating class. Not the first graduating class but the first four-year graduating class at Sonora High.

VASSAR: Any student government?

DUCHENY: Yeah, I think I was in the ASB but I can't remember what position. I do remember being part of student government.

VASSAR: Elected?

DUCHENY: Yeah, I think so.

VASSAR: Oh, yeah?

DUCHENY: Yeah. And I was active in theater, drama, speech. I did speech contests; mostly doing dramatic readings though, not like making up speeches. I wasn't so much the extemporaneous and that but I did dramatic readings and I was in the acting. Not acting so much, I actually was the same, I did stage managing. And I was in the theater. I took theater classes and I did after-school thespian society; so we did the school productions.

VASSAR: Right.

DUCHENY: The musicals you do in high school. And I would often be like the stage manager or the prop person or the -- more of the backstage, not so much the acting piece. But I was directing small plays and I was involved in that kind of extracurricular.

And I was also relatively athletic. I was on the swimming team; swimming was my thing. We did synchronized swimming because they wouldn't let girls play water polo in those days; I would have played water polo. The guys got to play water polo.

VASSAR: So there was a pool at your school?

DUCHENY: There was a swimming pool.

VASSAR: Okay.

DUCHENY: No, welcome to Orange County. And we had a pool. We had a coach who, she was our gymnastics coach, I did some with that. But at one point we started a synchronized swim team and that was, that was fairly new in those days too.

VASSAR: Yeah.

DUCHENY: Although later Orange County became kind of the home to a lot of the really good synchronized swimmers, I wasn't one of those. Not club level but high school level, but we were fairly competitive. We did synchronized swimming and I was also on a competitive swimming team for swimming.

VASSAR: Speed?

DUCHENY: And we played softball and, I forget. I did some athletics like that.

VASSAR: So did you have a best event in swimming?

DUCHENY: I don't remember. I wasn't really good at butterfly, I remember. Probably crawl, I was probably basic. Yeah, I was okay. I don't remember winning or not winning or however that went but we had a team.

The synchronized swimming was kind of interesting and fun and that was different and related more to the other.

But I do remember the part where I always thought water polo would have been cool and they didn't let women play water polo in those days.

So I graduated in 1970.

VASSAR: And Vietnam was --

DUCHENY: Oh yeah, well, yeah.

VASSAR: Yeah.

DUCHENY: We skipped over some of that.

VASSAR: Still hot?

DUCHENY: Well, the year I guess that was the most seminal in some ways for me, in many ways and different ways, was 1968. I certainly remember all of that.

VASSAR: The presidential year?

DUCHENY: It was the presidential year. Bobby Kennedy was here.

VASSAR: You would have been a sophomore?

DUCHENY: I would have been a sophomore, yeah.

VASSAR: Or a junior.

DUCHENY: Yeah, a sophomore; I was 16. Yeah, 16, I was a sophomore. And I actually -- a friend of ours, a very close family friend of my mother's whose daughter was also an only child who I also knew but she was a little older than me, she was four or five years older, she was like 20-something when you're 16, which is a big difference.

VASSAR: Yeah.

DUCHENY: Later five years isn't so much. But she was my mother's -- her mother was my mother's best friend. Her father and our families had been close for a long time. She got involved with the Kennedy campaign and I got tangentially involved as much as you do at that younger age and I lived a little farther out.

VASSAR: Sure.

DUCHENY: But actually did help with voter registration in East LA. It was the Chicano movement too; it was all those kinds of things were swirling. I helped out a little bit with that.

And then after Kennedy was killed I was in --

VASSAR: That was LA.

DUCHENY: That was in LA. We were all watching it. People I knew were there. I wasn't there at the --

VASSAR: But you were probably watching.

DUCHENY: But we were watching that. And I had become a Kennedy convert. I had to work hard to convert my father because Kennedy had had that very rough relationship with the Teamsters nationally, Bobby had.

VASSAR: Right. Oh, yeah, yeah.

DUCHENY: But with the war and some of those other issues and I wasn't totally sold on McCarthy and so I became kind of a Kennedy advocate. But I couldn't vote. And remember, in those days voting was still 21, not 18.

VASSAR: Right.

DUCHENY: But I did help out with some registration and I did -- and through Andy, this friend of our family, I got involved a little bit.

And then I had the opportunity to attend, there was a special Democratic Party convention in California that year because of Kennedy's death.

VASSAR: Right.

DUCHENY: Because the night that he was killed California had voted for Kennedy, right?

VASSAR: Sure.

DUCHENY: So then here we had the delegates and our whole delegation committed to somebody who wasn't there anymore and what do you do? So there was a convention called to try to figure that out. And it was when McGovern emerged. We were the first ones to kind of come out to push McGovern as the alternative to Kennedy.

VASSAR: So it was probably -- it was in LA?

DUCHENY: In LA.

VASSAR: Because usually parents don't let 16-year-olds go too far for political conventions.

DUCHENY: No, no, it wasn't, it wasn't like a convention. But it was just the California.

VASSAR: It was a meeting.

DUCHENY: It wasn't like -- and I didn't go to Chicago, although yes, that would have been interesting. But through some of these little bit older folks that were friends of friends I managed to go to this and sort of got to see that.

The person I saw there who I later have a long history with, it's probably worth exploring, was Bert Corona. And I saw Bert speak there for the first time. He at that time I think was the head of the Mexican-American Political Association. He spoke at this event and I was very excited by him. You're Latino and you're young and all these things are happening.

And I came home and told my mom, 'I saw this really interesting speaker' and I started telling her about it and I told her his name. She just started laughing at me. And it turned out that they were high school friends and she had grown up basically with Bert Corona. And he again followed that same pattern, he was part of that same generation, they moved from El Paso. They were involved in their church groups together as probably high school students or young people.

VASSAR: Right.

DUCHENY: They were both involved in their respective sort of women's and young men's church groups. They were not -- My mother's family, unique for most Mexicans certainly of that period, were not Catholic, they were Baptists. She and Bert too were both involved in these youth groups that had to do with Protestant Mexican churches.

And she had known him throughout that period in the '30s when he was leading the demonstrations. There was a lot of -- not demonstrations but lunch counter sit-ins.

VASSAR: Rallies?

DUCHENY: Well, not so much rallies but lunch counter sit-ins and organizing events and that kind of thing and she had known him through that period. She just laughed at me, she said, 'Oh my gosh, is he still around?' She did like that. And then to my great wonderment she got on the phone and tracked him down. I was like, 'Whoa.'

Because I had never really thought of her as that political. My parents would talk politics. They were both well-read and kept up and read on things but she wasn't engaged politically liked involved in doing politics.

VASSAR: Do you know how they were registered to vote?

DUCHENY: They were Democrats.

VASSAR: They were both Democrats, okay.

DUCHENY: He was union. In those days that's -- Although he used to tell the story of moving to La Habra in Orange County.

VASSAR: Very, very Republican.

DUCHENY: My dad used to say that when he went to register as a Democrat there they had to ask somebody how to do that. It was a joke. I don't think that was quite accurate but he felt that's how unusual it was in those days to be a Democrat in Orange County. That's changed too over time.

And some other members of my family on both sides were members of the Food and Commercial Workers Union. They were what was then known as the -- they were butchers. Retail Clerks, they were called Retail Clerks. It is now the United Food and Commercial Workers but in those days they were Retail Clerks. So they worked in grocery stores and they were meat cutters and they were cashiers and stuff. So one portion -- so I had family that were in Carpenters' unions and Teamsters' unions and in Retail Clerks' union and then my mother who was more of a

management position. Department stores didn't have unions but she was more a management/executive person.

That whole period where unions were the middle class that allowed the rest of us to go to college. Me and all my cousins on my mother's side, we all went to college.

VASSAR: And your mother had done some, but were you the first college graduate coming down the line?

DUCHENY: Yeah. Well, I have two cousins that are older than me. But my one cousin is a bit older than me so he graduated before I did, I imagine; but that generation of us. And my other cousin who is just about a year older than me, I went to Pomona College; she went to Occidental around the same period. But I graduated first because she got distracted and did other things and just never completed her degree until somewhat later.

VASSAR: So a sophomore in high school.

DUCHENY: Yeah. So anyway, that's how I get --

VASSAR: Bobby Kennedy, convention.

DUCHENY: -- Bobby Kennedy, Bert Corona registering voters, doing some of that kind of stuff.

VASSAR: Would you say was that when you were hooked?

DUCHENY: I think I had already -- I did get partly hooked just from -- I don't know. Yeah. It was part of the experience. I think I was hooked on the notion that you've got to do things for the world, but how you play it. And in that

period what it led a lot of us to was not necessarily elected politics as the route.

VASSAR: Right.

DUCHENY: That became more common. And there were the Vietnam protests and I did organize some of that kind of thing in high school. In my high school we organized maybe the day -- not so much demonstrations but maybe "teach-ins" we used to call them. You'd have a day and you'd take some time off and just talk about the war or talk about things.

VASSAR: Sure.

DUCHENY: I organized some of those kinds of things on my high school campus.

VASSAR: That seems like an interesting thing to do at a high school in Orange County, in right wing Orange County, leading Vietnam discussions.

DUCHENY: Yeah. But that kind of -- it wasn't like demonstrations but it was more -- I remember having some of those kinds of events. I don't recall them being confrontational or any of that.

VASSAR: Right.

DUCHENY: But I just remember having sort of discussions and the politics and the whole Bobby Kennedy thing hit all of us.

VASSAR: Right.

DUCHENY: And of course that was the year Martin Luther King was killed too.

VASSAR: Right.

DUCHENY: It wasn't, it wasn't a slack year. And then there was Chicago.

VASSAR: Right.

DUCHENY: And all of the riots in Chicago which led a lot of folks to sort of be disenchanted with the whole electoral system and there were all those issues going on. So that was kind of that year and then I graduated in '70.

VASSAR: Graduated in '70.

DUCHENY: Went to college at Pomona in Claremont.

VASSAR: So with two parents who had very hands-on jobs -- your father had a hands-on job and your mother was administration/management...

DUCHENY: Yes.

VASSAR: You picked history. Was that an initial going into college or was that a decision that came later on?

DUCHENY: No, it goes with the period. I think we all went Liberal Arts. You just sort of go and see what, I don't know. I think we went to college and -- I sort of think students nowadays are so much more focused on careers coming out of it. I don't think, at least I didn't have that view of the world; it was more the education for its own sake. And we were in college to learn things and to figure things out, not just to figure out what your job was going to be next.

VASSAR: Right.

DUCHENY: I had had good grades and all that. I actually had a scholarship - this is sort of a footnote - even though I had two parents and I was an only child and they both worked, it still wasn't that easy. I applied to UC and I did get into a UC and that was kind of my backup school. And UCs were always, in those days were essentially free, there was no tuition.

VASSAR: Right.

DUCHENY: There was a limited amount of fees and then there was just your living expenses you had to worry about, so I applied to UC, but I also applied to Stanford and Pomona. I didn't get into Stanford but I got into Pomona. And Pomona was closer to home. It kind of might have been nice to go farther.

VASSAR: Right.

DUCHENY: But the Claremont Colleges were a wonderful experience in the West Coast sort of liberal arts world. But I probably wouldn't have gone to Pomona except for the scholarship that I got from 20th Century Fox Film Corporation. My father at that time -- by that time -- In earlier years he had sort of been doing freelance work, did a lot of different studios whenever something came up, they all worked out of the union hall, but from the mid-'60s on for a substantial period of time he was totally at Fox studios in West LA. And he had seen a note on the board and they had a scholarship that was for employees' children but it could be any employee, it could be the child of a director or a child of my father's group, anybody that was an employee of Fox. And he pulled down the little note off the bulletin board and brought it home and said, 'Here'. And I applied for it and I received it and so that scholarship allowed me to go to Pomona because that gave me the tuition, basically, for Pomona in those days.

VASSAR: Right.

DUCHENY: Much less than when I was later in the legislature and fighting about student tuition and fees.

VASSAR: Right.

DUCHENY: To me it was a shock in the '90s to learn that students in UC were paying what I paid to go to Pomona. Pomona was obviously one of the more expensive private schools.

VASSAR: Yes.

DUCHENY: Right up there with Stanford and USC and all of the private. The schools, though, are good about helping you find financial aid if you need it and in my case because I had this scholarship from 20th Century Fox I didn't need any other financial aid; I didn't have Cal Grants or -- and it wasn't need-based because my parents were working. But it was fortunate, as my dad used to say, because there was a slowdown. There was a sort of a recession during the early '70s and the studios were hit by the recession and my dad was out of work for a couple of years. And he said, if it hadn't been for the scholarship it would have been hard to keep me in school. And he did some other things during those periods while he waited for the studios to come back. But he was out of his normal job for a couple of years and that scholarship allowed me to stay. So 20th Century Fox Film Corporation paid my way through college.

But it gave me a lot of freedom and Pomona was the kind of place -- and I didn't have a commitment to a major when I went in. I think I came up with something, I made something up for a couple of years. I sort of

created my own major that was a mix of languages and history and politics and sort of -- I sort of made one up for a while, I had a 'your own major' kind of thing.

After I went -- in my junior year I did a semester abroad. And I did it in a unique way, again sort of allowed by my scholarship and by Pomona being the way it was I could basically do like an independent study. I didn't go to a specific other school in another country.

VASSAR: So where did you go?

DUCHENY: But I went to Europe and I went to -- I actually came up with two courses that I did during those six months, eight months. I was gone about eight months, I left in June. I left for the summer plus the semester.

VASSAR: June of 19?

DUCHENY: '72.

VASSAR: Okay.

DUCHENY: Of '72. Which was an interesting year also for other reasons having to do with the war and such, but in '72. So I went for the summer --

And I had been -- oh, I skipped this one. But when I was 16 --

VASSAR: An American in Europe.

DUCHENY: Yeah. Well when I was 17 I actually -- it would have been the following summer, '69, when they landed on the moon, that's the year of landing on the moon, I was in Sweden when they landed on the moon, that's why I remember. But 1969 would have been the summer between my junior and senior year of high school. I was in a program they called Youth for

Understanding, which was like the American Friends Service or Field Service or the exchange programs for high school students. And the one I participated in was called Youth for Understanding and they would give you a summer with a family in another country. And you apply and you --

VASSAR: Did your parents get a kid in exchange when you left?

DUCHENY: No, actually it didn't work that way.

VASSAR: It wasn't a direct transfer?

DUCHENY: It wasn't, it was a little different than that. Some of the students came for whole years over here, more of our students went there for summers, it was sort of mixed. And I actually -- the language I had studied in high school and -- well, starting in grammar school. The grammar school I went to they taught us French, not Spanish, for reasons that, whatever. They had a teacher who could teach French so I had learned French.

I started studying Spanish, probably when I was a junior in high school I started studying Spanish. Again, went kind of with the Chicano movement question and starting to look at that history, but I started learning Spanish. Although we had spoken Spanish some at home, I had always heard Spanish at home, I heard it pronounced correctly, I ate Mexican food, I grew up with the culture but not so much like speaking the language at home. And so one day I was -- and my mother spoke fluent Spanish but my father not so much and so it wasn't sort of common in the household but if grandparents were around or family friends were around you often heard Spanish, it wasn't unusual, but I had never really learned it.

But I had learned French and it wasn't that different and so in high school I started studying Spanish. But when I applied to go to Europe I asked for Switzerland or France or someplace where you could practice your French. And for I don't remember what reason the third you get choices, I picked Sweden and that's where I ended up. So I got to go. And the family that I got to live with in Sweden lived way in the north, almost in Lapland, the way north part of the country up near the Arctic Circle. Not quite that far but pretty close.

VASSAR: So summers are --

DUCHENY: So it was very long.

VASSAR: Very long.

DUCHENY: Yeah. You fly for like -- I remember the flight over. It was the first time I had experienced all of that where you are basically flying all day and it's still daytime when you get there. You leave here in the morning and you get there at -- I got to where I was going, way up there. The flights were sort of you flew to Germany and a bunch of the students -- we had like a charter and a bunch of students -- a couple of my friends from La Habra but that went to a different high school, were on the same program in the same summer, several of us were on it, so we knew each other, on the plane over. But they went to Germany and people went to different places. It was like a whole bunch of us went to Germany then a few more of us went to like Denmark and then a few more went to Stockholm and then it

was like me and one other person on the last flight up to the -- it would be like flying from LA to Humboldt or something.

VASSAR: Yeah.

DUCHENY: From San Diego probably to Humboldt. And it was like 10:00 o'clock at night and the sun was bright and shiny. You arrive there and then you drive for three more hours to get to the little village where they lived.

VASSAR: So a really small town.

DUCHENY: Yeah, a small town. So here I come from LA, basically. I lived in La Habra, which was a small town, but it was the greater LA region and I was tied to Los Angeles for all of the reasons we talked about. Here I was in basically a small town in the middle of the forest with a nice lake; a beautiful place.

VASSAR: Do you remember the name of the town?

DUCHENY: Yeah, Vilhelmina, Vilhelmina with a V, Vilhelmina. I'm still close to the family. Actually Al and I were there with her a couple of years ago. We went back to see the mother of the family that I stayed with because she is getting older. The daughter and I have stayed in touch all of these years.

Again, it was an only child daughter and her parents and she had applied to be here for the year but she had been assigned to a family in Iowa or someplace. And we did try to have her -- we actually once I got to know her and figured out what was going on and she was being sent to Iowa and it was the '60s and we were like, 'Oh, my gosh.' So we tried, my mother

tried with them, we tried to get her to come and stay with us that year but the program wouldn't do the change.

VASSAR: Right.

DUCHENY: And so she ended up -- so after the summer that I spent there. So I made these really good friends. It was great because it was a small town so everybody wanted to talk to you and everybody knew each other and my "sister" was a, you know, pretty social person that knew everybody so I got to know friends and we did family trips. I was there for like two, three months and all the different ways and got to know Sweden and Swedish a little bit. Most of the young people then spoke English.

VASSAR: Right.

DUCHENY: They all learned English, unlike us who don't learn anything so everybody wanted to practice their English with me. I was the American in town. And this other American was in the town down the road and my sister knew her family so it was just a great summer. So I had been to Europe when I was 16, bottom line of the story.

VASSAR: Yeah.

DUCHENY: And she then spent the year in Iowa. And we had her come out here for the following summer. So when her school year was over in Iowa we brought her out here for like a -- actually we took her, we had her go to New York and meet my mother in New York so she could get out and see other parts of the country, basically. So she went to New York with my mom and then she came back to LA and we did some other things in LA, Disneyland.

VASSAR: Right.

DUCHENY: All the things you do when you're high school. And that would have been our, that was the year I graduated. So we spent that summer -- so she was here for a while in that summer. And then we've stayed, like I say, in touch all of these years. So when I went back, it kind of goes back to how this started, was in 1972 when I went to Europe I already knew family, I already had family there.

VASSAR: Right.

DUCHENY: I had been in touch with them, they were there.

VASSAR: So you went back to?

DUCHENY: I went back to Sweden for part of my -- so I figured out my independent study based on places I wanted to see but also kind of allowed myself a home base in Sweden. So the two projects I had, my two independent study courses, both of them had a Swedish component to them because I had people there that I could rely on and I could stay with and friends.

VASSAR: Right.

DUCHENY: So I started the summer, when I went in the summer I went there. I had another friend from here who went and we traveled a little bit together but then I went to the village, to Vilhelmina. And one of our high school friends, not my sister but another friend and I, ended up hitchhiking together -- taking the trains. This is the student rail.

VASSAR: Right.

DUCHENY: You could get those passes, you could go anywhere. So I got a couple of those before I left home for a few months' worth. I was in Sweden then we went to Italy and we went to Northern Spain near Barcelona, to the beaches near Barcelona. Eventually I went up to England. I spent about a month hitchhiking around England and Ireland, part of Ireland and then came back. By then I had met a woman who was a student from New York who was studying in Spain. I ended up spending a lot of time in -- I went back and forth to Sweden like three times. I was there in the summer; I went back in the fall.

My mother came. Actually my mother came on a buying trip. She came up with an excuse to go to Europe because I was there, I think, but she did a buying trip to London, Paris and Rome while I was there and I met her in Paris. And I think I spent a little time with her in London but more in -- I met her in Paris. And then she took a little time off of her other business part and went with me to Sweden so she could meet the Swedes. So we spent a little time in Copenhagen together and then in Sweden so she could meet that family. She hadn't met the parents; she had met the girl when she had been with us. And so she got to see that and that was in the fall I went up there.

And then I came back down and then I think I did the time in, I did some time in Spain and I kept going back. I kind of -- my projects were focused on Sweden, Spain and Switzerland and I sort of kept going in-

between those folks, those places and different times and spaces.

Sometimes you stayed with other students and families that you met.

[End of Tape - Session 1 - September 12, 2016 interview]

[Session 1 - Continuation of September 12, 2016 interview]

DUCHENY: My parents made a lot of those things available to me, things that they had never done.

VASSAR: Right.

DUCHENY: But when I saw things -- I went to Hawaii one time when I was probably about 16 or so with a family friend. So I would travel with other families to do things that some of their families -- in fact, I had in my middle school years I had a friend whose family liked to ski so I learned how to ski because I went with her family to Mammoth Lakes for a skiing vacation at Christmas.

VASSAR: Right.

DUCHENY: Or these other friends who were friends of my mother's from work and they were going to Hawaii and I got to go to Hawaii with them. And the Europe was kind of, I got to participate in this youth program, this exchange program which opens up huge worlds.

VASSAR: Right.

DUCHENY: And you meet other people who are learning other languages and you see how other cultures are growing. And during that difficult period here with the war and the civil rights and all of those things and sort of having the

opportunity to see that from an outside perspective is a different kind of way.

And '72 was actually the year they had -- by then they had changed the law so that you could vote at 18. I was now 20 but that was the first election I voted in, for McGovern, and I did it from overseas. It was interesting to watch that year's election because that was the year of Watergate. From the *International Herald* that you read as a European wandering around Europe and the *Time* magazines you'd pick up; you'd kind of voraciously pick up American newspapers every once in a while. And talking to the people and you're meeting with other students and people and tourists. On trains, I was traveling on trains.

VASSAR: Right.

DUCHENY: It was so apparent to me that this Watergate thing had happened and it was mind-boggling to me that the country wasn't responding to it in any kind of serious way. It was like, 'Why would people still vote for Nixon?' And yeah, we had a different connection to Nixon. We knew Nixon because he was from California.

VASSAR: He was from California.

DUCHENY: He was actually from down the road in Yorba Linda and grew up in Whittier. My mother didn't like him from when he ran for Congress the first time because he had attacked Helen Gahagan Douglas and done his, he was sort of doing his McCarthy period in that time and attacking everybody as Communists.

VASSAR: And the movie industry.

DUCHENY: And Helen Gahagan Douglas had run against him and my mother really liked her. So I grew up kind of, you drive by that church, it belongs to that evil Nixon guy. So that made me -- because they voted for Kennedy, right? This was Kennedy-Nixon. I remember that from being a kid; being taught about Kennedy and Nixon and the Catholic and all of those things that went with the Kennedy-Nixon election.

VASSAR: Yes.

DUCHENY: I was young but it was sort of on the table. And I was watching this from Europe sort of in amazement. And by the end of that year actually, and I went back to Sweden for Christmas to spend Christmas with that family before I was going to come back to the States, and during that period when I was there was when the United States bombed a Swedish Red Cross hospital in Hanoi.

And as much as many of us were concerned about the war and the draft and all of the things that we were concerned about I almost felt like I should stay in Europe. There was a real point there where I was very much not interested in coming back to the United States for a while. I sort of caved. I remember talking to my mother at Christmas and I said, 'I don't know, man, I can work something out.' Because there were exchange programs where I could have gone through Scripps College, which is a Claremont College with Pomona.

VASSAR: Right.

DUCHENY: They had a program in Paris. I had seen, recently seen some of the students to that program who were friends of mine from campus who were going to that program for the spring semester, I had done the fall semester, gone. These friends of mine came for the spring semester. I had seen them in Paris, I knew they were there, and it was like, well maybe I should apply to that and spend the next semester over here and not go home if things are going to be this crazy. And I got talked into coming back and checking it out and once I got here it was sort of okay.

And I needed to make up the credits because I basically, I sort of cheated. The standard course load for Pomona was four courses per semester and I had only done two while I was gone.

VASSAR: Right.

DUCHENY: I basically had taken the semester off. But I had enough to keep my scholarship to pay for things, to do stuff and I could make up the extra class the following semester; so I needed to take five classes to make up.

And that was, I think, when I switched probably to history... around then, to a standard major.

VASSAR: Was it an interest in European history or was it -- what was your favorite area?

DUCHENY: We had to pick areas. And it was because by then I had taken a certain number of classes in different ways and different ways.

VASSAR: Right.

DUCHENY: And I had done some languages. I had studied Spanish, I had -- and actually I had a teacher in college who most recently when I looked him up -- I don't know why I happened to find his name in LinkedIn but I think he is currently the head of the Huntington Museum in Los Angeles, Steven Koblik, who was a history professor and whose family -- who was married to a Swede and he taught modern European history in my program. And so you affiliate on things like that. I had taken a couple of his classes and it was suddenly like, wait a minute, I've got most of the credits to get towards this history major. And you had to pick two areas in our world and so my two areas were modern European, which was defined as sort of the 1800s on.

VASSAR: Sure.

DUCHENY: And Latin America, because I was fascinated by Mexico and Latin America as well. And there was a lot going on in Latin America in those days too, in the '60s there was a lot happening in Latin America. And so I was fascinated by both of those and I had taken some of those classes. And so by the time you get to the junior year and you're sort of settling in it's like, well, if I do these I can do those two and I can make this work. And Koblik was there and I took pretty much all his classes. And he even taught a course in -- and while we were there, actually after I came back, we actually for a while had a Swedish class. We hadn't taught that before but by the time I had spent off and on. I think he had a history class. It

wasn't on Sweden. That was his specialty so he did a lot of work in that arena. So I did modern Europe and that.

But that summer, actually right before school ended that spring, in May my grandmother died, my father's mother. She left each grandchild a little bit of something, not a lot but a little money; just enough money which in those days was enough for me to take off the summer and spend it in Mexico, which is what I did. I took that summer and went to Cuernavaca.

VASSAR: Okay.

DUCHENY: Because I had realized when I was in Europe, I had spoken some Spanish. Again, I had studied Spanish in high school and some in college. And when I was in Europe and I was in Spain I spent -- during those seven or eight months that I was over there I spent a good month-plus in Spain, a good month-plus in Switzerland kind of doing some of this getting between places. I did about a month in England and Ireland but that was really more like vacation. My topics dealt with Sweden and Switzerland and Spain so I spent a lot of time in those places and then getting between them. And I little bit in Italy in the summer too and the vacation part in the summer. But I realized my Spanish was not comfortable to speak so much. I could read pretty well, I wasn't illiterate, but I wasn't fluent.

VASSAR: Right.

DUCHENY: And so I got a desire to become more fluent in Spanish. And at that time the courses were fairly new, now it's something that is a big industry down

there, but Mexico had those sort of 'live with the family, do intensive language' classes and Cuernavaca was sort of the home of the whole intensive language program. There were about -- there had been two schools who had risen up to be kind of the forefront of that in Cuernavaca and then the third school, which is the one I went to, Cuahnahuac it was called, it was really the teachers from the other ones, people just kept making new schools in different ways. But it was an intensive language school. So I signed up for that and I got credit later from my university for the Spanish I studied there, which was part of making up my credits from Europe.

I ended up, I spent basically the whole summer down there, probably 12 weeks. I did three weeks of the intensive classes and then traveled for a couple of weeks and then I came back and did some more so I did it in chunks and would travel on the weekends. Cuernavaca is very central and you could go to Mexico City and you could go to Acapulco and you could go to -- for weekends you could go to Oaxaca and see the ruins and the heads and all of the culture.

VASSAR: Yeah.

DUCHENY: And my grandfather was there so I got to visit my grandfather in Puerto Vallarta during that summer and see him sort of in that setting.

VASSAR: So he had moved back, he was no longer in Texas?

DUCHENY: He was basically -- he had never been in Texas.

VASSAR: Oh, he never --

DUCHENY: He had lived in LA. But he basically, once he retired and they straightened out his papers issue he went back and forth between Vallarta and Los Angeles. And he would go spend like six months there and then six months here or six months there and three months here and then six months there. He went back and forth. And he would stay with my aunt or my uncle here and then he would go back there. And so he was fishing down there; just living down there and enjoying it. And so I got to visit him in Vallarta.

And I got to see a lot of parts of Mexico. You could do things. I don't know, nowadays people don't do this, but I hitchhiked around Europe, I hitchhiked around Mexico. I was, 20, whatever, but with other students. Not alone so much but with other students and locals and people and you go off with other students and do things, travel on busses and every which way you could get around. But I got to see a lot of different parts of Mexico and really came to love it and have a huge appreciation for Mexico during that summer.

VASSAR: That's cool.

DUCHENY: And it was borne out of, 'Well, gosh, I really need to speak Spanish' and my Spanish was so-so when I was in Spain. But I live next to Mexico and my family are Mexican, so I spent that summer in Mexico in '73. And really I've always said that that was when my Spanish became comfortable for speaking, every day Spanish and using it all the time and picking up the sort of idioms and slangs and things. And ever since then I never had a job

where I didn't use it. It solidified. I sort of lost all my French and Swedish on the way because once my Spanish became good the French was too similar and I've never really been able to speak it well since.

VASSAR: Right.

DUCHENY: But I can still reasonably read it and sort of understand it after a little while if you work at it. But speaking it is difficult because I think of the word and it comes out in Spanish. But I spent that summer in Mexico.

And again you had political events around the world that impacted. That was the summer right before, again, just before I was ready to come home was when they killed Allende in Chile. And I was in Mexico and I was like, 'Why am I going to go back to this country who the CIA is killing leaders that we like and who are making progress?' It was shocking. But again, I sort of caved and came back and finished my last year of college.

When I graduated the following summer an old family friend of my mother's was working for then-Mayor Tom Bradley¹. And we went to see her because it was like, okay, now I've got a college degree. Oh, in history, what do you do with it?

VASSAR: And with all these detours you still got out in four years.

DUCHENY: I did get out in four years.

VASSAR: That's hard to do.

DUCHENY: It was scholarship-based. But well, I got two credits for the Europe, I made up one and then the summer counted too. The summer, I got credit for the

¹ Bradley was Mayor of Los Angeles from 1973 to 1993.

Spanish that I learned there or taking the Spanish classes when I was in Mexico. So I came back, I did what I needed to do to finish my -- I didn't do a thesis. The rules were you had to do two [comprehensive exams] in the two different areas or you had to do a thesis and I did two comps, one in Latin America and one in modern Europe.

But that is not exactly a career base. And again, I still argue that a liberal arts education has value for its own sake. It's so important. I took courses in the French Revolution and I took courses about Latin American politics and I took courses in languages.

VASSAR: Yes.

DUCHENY: And I was in student government in Pomona as well. I think I was -- that one I do remember. I wasn't elected, I guess, but I was the -- what did they call it? It was like the Student -- it was on the Student Council. Academic Affairs, that's what they called it, I couldn't remember the title. But it was like Academic Affairs.

So we were engaged in a lot of these debates around things like, should you be required to learn languages to graduate and what should requirements be? A lot of those kinds of things were going on in the higher education world at that time, there was a lot of movement as well. Should people be required to do things or should you mostly choose your own? Those kinds of issues. And that was part of my portfolio, if you will, to argue for some of those things.

VASSAR: Just to debate or was it --

DUCHENY: It was policy, for academic policy.

VASSAR: At the time was it a tough sell with students?

DUCHENY: Students didn't want requirements.

VASSAR: Right.

DUCHENY: On behalf of the students. And I would make the argument, students should choose some of those things. But I was learning languages and it was important to learn languages. But kind of on behalf of the students at the time you'd argue, but should that be a requirement, is a different question. So there were issues like that that you got involved with.

And obviously the first year or two I was there were still Vietnam War issues going on and I had been involved with some of the campus demonstrations and some of that sort of stuff in the first couple of years I was in college. But by '74 the war was over and then Nixon resigned.

VASSAR: So you graduated.

DUCHENY: I graduated.

VASSAR: The Tom Bradley connection?

DUCHENY: Yeah. This friend of my mother's worked for Tom and it was somebody I went to talk to about jobs, to do something. And I think it was through her that I was connected up to -- there was a program in those days -- they have something similar nowadays but it doesn't have the same acronym, it was called SPEDY, I think it was Summer Program for Economically

Disadvantaged Youth², probably what the acronym stood for. But it was federal funds to employ young people during summers in a variety of ways and they were federal funds. Remember this is coming out of sort of model cities, civil rights, urban renewal kinds of periods. The Great Society, right?

VASSAR: Right.

DUCHENY: Post-Johnson, kind of that period. Those kinds of programs had started. The one in Los Angeles, the city ran this program for young people throughout the city. And they hired college students like me to be the administrators of the program for the high school students that you were employing, right?

VASSAR: Got it.

DUCHENY: So the program was aimed at high school students but it had to have an administrative staff that was also temporary and just for the summer and just kind of throw you in and make this happen kind of thing.

VASSAR: So was that your first job?

DUCHENY: Well, in high school I had worked in a five-and-dime store down the street from my home in La Habra.

VASSAR: Got it.

DUCHENY: I started working when I was 16.

VASSAR: But this was an office job.

² The Summer Program for Economically Disadvantaged Youth (pronounced “speedy”) was a program of the U.S. Department of Labor’s Employment and Training Administration.

DUCHENY: But this was a real office job. And in college I was a lifeguard. I had lifeguard and swimming instructor training so actually my first summer out of college I went back to my high school and taught swimming for the summer. So I taught swimming, I lifeguarded. At school as sort of not work study exactly but on-campus job I was a lifeguard at the college pool. I worked some.

VASSAR: Yeah.

DUCHENY: I worked every summer. The one summer as a swimming instructor.

VASSAR: Right.

DUCHENY: Well, and then I did the Europe and then I did the Mexico. And then when I got out of college then this opportunity showed up and I went to work for the City of Los Angeles. Actually somewhere I have a little card that's signed by Mayor Bradley as a city employee. But these were temporary summer jobs aimed at college students to administer this program. And there were two divisions to it: One division we placed young people in city departments, the part I worked for; there was another part that placed them more in like nonprofits, community organizations and that.

I worked for the part that was actually for the City, like City employees; and we would find the jobs and place them and then you'd have to re-place them and make sure they get paid. And there was a whole panoply of things and you really had to gear up. It was kind of crazy because you had to gear up in very short order to hire students for eight or ten weeks to do these jobs.

But they were great jobs. They would work in, at least in my section they would work in council offices, they worked in the library, they worked public works. So some of them were like filing and office jobs, some were like washing cars in the police department, some were working in council offices. And the offices and the mentors had to agree to kind of help them and support them.

VASSAR: Got it.

DUCHENY: Our program both had to pay them and also make these adjustments as necessary when kids dropped out or somebody needed somebody or the placement wasn't working. We were involved in all of those aspects of it as the sort of college student team that were, you know.

VASSAR: Right.

DUCHENY: And a couple of folks who were a little bit older that were managing this program. And so I did that for the summer.

And then at the fall, because I was at the City, I looked around and found another City position that was a temporary position but I found a City position for the next -- actually what ended up happening is I worked in this other city position for the City Employees' Retirement System; so everything I know about retirement I learned there. I worked for them for most of a year and then I went back to the summer program again the following summer and then I got back on the summer program payroll for the next summer. But in-between I worked for the City Employees' Retirement System, which was interesting and I could see bureaucracies

and government. So working in government became interesting in different ways. It wasn't a career exactly but it was like, 'Okay, this is interesting' and you're making a living.

VASSAR: Yes.

DUCHENY: I was living in Santa Monica, you could afford to do that in those days, and basically working in LA.

VASSAR: Yes.

DUCHENY: And enjoying things and doing some politics on the side. I don't remember which year was what but there were -- I knew some folks. A friend of mine, actually a woman that had been my roommate in the summer right after I graduated when I was working at the SPEDY program, she was working -- here is a connection for later on. My friend worked with another person, with Maxine Waters, for Alan Cranston's reelection campaign in whatever that year was, '74.

VASSAR: Yeah.

DUCHENY: So in '74 my friend, my roommate from, the woman I knew from college and the two of us got an apartment together in Santa Monica; and I went to work for the City and she went to work for the Cranston campaign and one of her colleagues was Maxine Waters.

VASSAR: That's amazing.

DUCHENY: Before Maxine, '74, before Maxine was in the Legislature.

VASSAR: Right.

DUCHENY: So I was connected through. And one of the other people she worked with at her job I got to know, Tom Castro. I got involved with some of the East LA politics. There were drives to make East LA separate, there were some efforts to get Latinos elected to the 14th Council District, there were no Latinos on the Council in those days, even in LA. Art Snyder was representing, basically, the Mexican District, it was a guy named Art Snyder. There was a lot of movement to do other campaigns.

So I ended up working, partly through some of my connections back from Kennedy and some of that. Walter Karabian had been in the Assembly. Richard Alatorre had been working for Walter and then Richard got elected to the Assembly. I actually remember walking precincts with Richard Alatorre around that period on behalf of our friend who was running for something else. Ed Avila was running for City Council in the race and Alatorre and I were on the same side. We were on this team that had -- again, it was kind of from that '68 Kennedy campaign. Walter Karabian, Richard Alatorre had worked for Walter, Walter was in the Assembly. That core was part of the folks that I was connected to through the Kennedy stuff so I ended up doing some, doing little things like that.

VASSAR: Yes.

DUCHENY: A little bit of walking precincts, a little bit of helping on a campaign or two, kind of staying in touch with the LA, particularly the Latino and the

eastside scene; did a little bit of that during those years that I was working for the city.

And then I did another summer at the summer program.

And then my friend had come out from Sweden, she had visited me that summer here with some folks that she met on the airplane coming over and we got to know other friends and I ended up going back to Sweden. That fall after the summer was over I went back to Sweden. I figured I'd take a year off, kind of.

After college I thought about law school, I thought about graduate school and I just kind of wasn't there; and then I got these jobs and it was kind of fun and I was doing what I was doing. But they came out and I decided to go back to Sweden and I ended up living in Lund, which is a different, the southern end of the country near Copenhagen.

VASSAR: Tropical.

DUCHENY: No, not tropical. [Laughter.] For Sweden it is. But the south end of the country, just across the water from Copenhagen, really.

But my professor from college, Koblik, was there the same year I was. He was on sabbatical to Lund the same year that I decided to go. So it was kind of, there were some other factors but my friends were there and it was like, oh. I had this friend I could go live with and it was like, okay, go to Lund.

VASSAR: Yeah.

DUCHENY: And then Koblik was there and his wife and kids and I knew them and they were in the same town that I ended up going to. And so I actually did some -- I ended up kind of immigrating there in a way. I took this great, I took Swedish as a Second Language classes for adults and I had this class with refugees. A lot of political refugees in those days because Sweden has always been a refugee country. And I remember the class had like one woman from Poland and a guy from Chile and a guy from Spain and people that were fleeing Franco and people that were fleeing post-Allende. It was an interesting group. So I studied Swedish for a while. And then I actually took a class in economic history at the University of Lund. The textbooks were in English so that helped. A lot of them read English. But I took that class. And then I did some translating. I did some freelance translating from Swedish to English. I couldn't translate so much going backwards but if you're writing in English you can. So I did some translation work for technical journals and things and I did a little bit of that.

And I traveled around a bit. I traveled to Greece some. And I had a friend who was in Paris that I went and visited with; went to Franco Spain. Or immediately -- Let's see, would that have been post-Franco? This is '75, I guess. This would have been '75, right? So I think it was around that. I had been there in '72. It had been very interesting to be in Franco Spain, trust me. And the students, there was still a lot of oppression. Like in this class I had in Sweden, I had a refugee from Spain that was in my

class. I was still in touch with all those, again, that sort of global picture of the world and being with people from other countries and seeing things from the other perspectives, not just from ours.

VASSAR: Right.

DUCHENY: But at the end of that, by the spring of that year I had decided I ought to get a skill where you could make a living. That I ought to have some kind of way that you had a -- I thought of it as skill, like you could be a plumber or a carpenter, but I should acquire some skill. And law school was the obvious choice for me at that point. So I actually took the LSAT in Copenhagen. I took the LSAT in the spring in Copenhagen and applied to -- but I only applied to schools in California; I wanted to come back to Los Angeles. I knew what I wanted to do in certain ways so I only applied to USC and Southwestern University School of Law; the downtown LA school and USC. And I took the LSAT in Copenhagen and I applied and I got in to Southwestern.

So I came back for the -- and I got my summer job back again with my SPEDY program.

VASSAR: For the fourth year?

DUCHENY: I did four. That would have been the third year; I ended up doing four with that summer program. But I came back to California in time to work the summer program so I could store up some money to go to law school in the fall.

VASSAR: Right.

DUCHENY: And got into Southwestern. And so I started law school in the fall of '76.

VASSAR: Okay.

DUCHENY: So I had had those two years off. And I had wanted -- I guess I had felt like I needed that break in time. And Southwestern was kind of a journeyman's law school. It wasn't the Ivy League. I kind of didn't apply to UCLA or some of those schools because I had done that at Pomona and I had been at the Ivy League school, the West Coast version, and that more ivory tower kind of experience and I wanted that more urban, LA experience.

And by this time while I was in Europe the first time in '72 my parents had moved to Hollywood so we were out of the commuting from Orange County thing. Both of them still worked in the LA area. My mother was working in Glendale, my dad was working on the west side for Fox, but they were -- they moved to Hollywood to a condo, they downsized.

VASSAR: Got it.

DUCHENY: 'You're gone, you're in Europe, kid, see ya.' It's like, I come back and it's like, wait a minute, there's no house; what happened to the house? They had a condo in Hollywood. But we got another condo in that same complex where they were and that I was able to live in when I was in law school. And it was fairly close to school; my school was downtown. Southwestern is the one that now took over Bullock's Wilshire, which is next door. It didn't have all those amenities when I was there but it is very

nice now, I was there a few years ago. But it was ABA accredited. It was the same school that Tom Bradley had gone to. And a lot of LA lawyers went there, a lot of -- it was the kind of school, they had the night program so a lot of folks worked. The people like Tom Bradley who went there, they were police officers and wanted to go to school there, they went there. Insurance adjusters. A lot of people went there for the night program.

VASSAR: Right.

DUCHENY: I enrolled in the day program, the three year program.

VASSAR: And you were continuing to work?

DUCHENY: Well, what I did, I worked the summer program.

VASSAR: Yes.

DUCHENY: And then I actually got a job pretty quickly with a lawyer who -- the best perk of the day, I got a part-time job with a law firm who was across the street from the school who was just looking for a clerk. And I got that job. But the best perk about it was that I could park for free at his place because he would pay for my parking. So I would go to work in the morning and park there and then go to school in the afternoon and that kind of thing. Even though I think I was enrolled in the morning program I think I took my classes mostly in either the afternoon or the evening. You could take the same class.

VASSAR: Right.

DUCHENY: The first year classes are kind of interchangeable. The first year program is the first year program and the same professors taught multiple times. I sort

of cheated a lot. It seems to me I took the classes in the evening or the afternoons, even though I was assigned to the morning section, a lot of times. I forget how I did that, though.

But I got the job as a clerk in this firm. And he was basically a personal injury attorney but I learned -- you learn filing. I was the underling of the secretary really, not the lawyer so much. But looking at depositions. But they needed Spanish speakers, they needed to work with clients.

VASSAR: Right.

DUCHENY: So I was working with clients and depositions and little motions.

VASSAR: Case work?

DUCHENY: Not so much. Yeah, some case but more motions and depositions and setting files up and some of that kind of work. It was part-time.

VASSAR: I was meaning "case work" like in the legislature. Where it's not necessarily the member meeting --

DUCHENY: Oh, yeah.

VASSAR: But just that, explain your problem, kind of that working through the details.

DUCHENY: Interviews with clients. Well, and it's interviews with clients and it's analyzing things and it's looking at depositions. There was a lot of that kind of work. And some research, some legal research. But you were just barely learning how to do legal research.

VASSAR: Right.

DUCHENY: I was just starting law school. So I worked throughout the year. And one more time with feeling, got my summer job back the following summer because it paid better. For a full-time job in the summer I could go back to the City. So I left the law firm thing, went back to the City the fourth summer after my first year of law school.

And then I lucked into a really special program that isn't there anymore but it was at the law school. We had a clinic. We actually ran our own legal clinic; a student-run legal clinic, with professors. You could take the class for credit. But there was also a special program for students to be -- [dogs barking] -- oops, sorry.

[End of Recording 2 - Continuation of September 12, 2016 interview]

[Start of Recording 3 - Continuation of September 12, 2016 interview]

VASSAR: So we were just starting to talk about the clinic program.

DUCHENY: Yeah. My second year in law school I learned of this program. So I worked at the City again but I applied, I learned about this clinic program. It was a great deal. I did it more for the economics of it in some ways but like law review in some ways. At that time it was almost parallel to being law review but practical.

In the clinic program, we had multiple clinic programs at Southwestern and several were the traditional ones where you work in some law firm, different places but this one we actually had our own little building standing out kind of off in the corner of the parking lot next to the law school. And we ran a law office, literally, with four attorneys who were

professors. Each had their own section, if you will and had their own little practice.

VASSAR: Right, sure.

DUCHENY: And each professor then would have what we called a Student Director and an Assistant Student Director and then the other students took it for credit.

VASSAR: Got it.

DUCHENY: But the Student Directors were actually paid and the assistant Student Directors sort of. The pay, the thing of this program that was so special for some of us was the pay essentially was all of your tuition plus a stipend that helped with your living expenses, so it wasn't huge.

VASSAR: That helps.

DUCHENY: But it was sort of a two-year commitment; you had to start in the fall of your second year. The first fall you did it for credit, not for money. But the commitment was you became Assistant Director and the first fall you had to kind of work for free and then the spring semester you got a partial stipend as an Assistant Director. I think it was about -- these numbers don't have any relevance today, they're sort of scary, \$400 a month, I think, give or take. But you committed to work full-time in the summer and you became a full-time employee in the summer. And then through your third year again you were part-time because you were in school.

VASSAR: Right.

DUCHENY: But it was full-time in the summer and then like 25 hours a week or so that you were committed to during the school year. But it paid essentially full tuition-plus.

VASSAR: What kind of cases or work?

DUCHENY: We were literally like a legal aid office.

VASSAR: Okay.

DUCHENY: The section that I worked in, I worked for a guy named Richard Solomon. Richard later was on the LA Housing Commission; he is pretty well-known in the housing world. So I our clinic did a lot of landlord/tenant and we also did a lot of family law.

One section of our office did some criminal cases; I didn't work in that one. Mostly it was family law, landlord/tenant, those kinds of cases pretty much. And then we had a criminal section as well that did some work --

VASSAR: Would you be the sole attorney on the case?

DUCHENY: No, you couldn't, you were students.

VASSAR: But like landlord, meaning, did the landlords have an attorney and then you were representing tenants?

DUCHENY: Yes.

VASSAR: Or was it there was like one attorney who was --

DUCHENY: We represented, we represented the tenants, under the supervision of our professor.

VASSAR: Got it.

DUCHENY: We were like the Legal Aid Society. And what was interesting about our clinic, besides that part, was we actually did things the way you do in the real world. So the experience for students and for ourselves and for the directors even more so because we had to kind of manage the office; you were like the assistants to the professor, essentially, like TAs would be otherwise.

VASSAR: Sure.

DUCHENY: First of all you had to, we actually had people fill out financial forms and stuff and we did a sliding scale so people paid a little bit. And you actually had to think about law office and those kind of issues, you had to learn about those and charge people something and it was sliding scale. And people got -- it was slower to get the work done by students than if you went to a regular lawyer but we were real dedicated. And the job of Assistant Directors and Student Directors was to review the work of the students before it even got to the teacher. So, you know, checking. So when they write a letter to a client or draft a motion or do any of those things, it was sort of a process where you have a student that is reviewing that before it goes to the professor, so that was the role. And you're sort of managing this little office with multiple attorneys, student attorneys.

And in those days, and I don't know if they are still doing this, it went back and forth. I remember there were court decisions later back and forth on this question of students representing people in court. But we could actually represent people in court. You had to do something but we

were -- as long as you were supervised by an attorney you could actually represent people.

VASSAR: Right.

DUCHENY: So we actually used to do, one of the greatest experiences was the landlord/tenant court for us. We would actually go down and the judge would just assign cases to us. A lot of tenants especially show up in proper, which makes the courts crazy and it's difficult and it's hard to manage their cases and know whether something makes sense or not.

VASSAR: Right.

DUCHENY: And the landlords, of course, have attorneys. So we would be down there with a little core of students available to folks to consult and to try to negotiate and or to try to work something out or to take the case to trial. So you literally would be just getting the case that day at court and you could end up taking it to trial that afternoon. Because these were cases that were set for trial and here was this little body of students that were ready to go.

VASSAR: Jumping in.

DUCHENY: So I actually got to do some trials. And we could do some research. I remember a couple of cases where we actually did the thing and went out -- during the lunch break went out and got pictures of the apartment and did some things to build the case for uninhabitable housing and doing things to do defenses. And you get to negotiate with the lawyers and you did all of those things. So we actually handled cases.

And then on a normal basis we had pending cases in the office, a lot of family law, divorces, child custody, all of those.

VASSAR: Right.

DUCHENY: Where you're writing letters back and forth and you're doing motions and you're appearing it. But you would appear at the orders to show cause, you could appear in the thing if it went to trial. You know, it was actually real work of the legal aid variety. And we had our own little law office. It was very interesting and sort of had its separate culture on campus; we were sort of this separate little world. Didn't do as much probably as I should have for some of my courses during those years because you'd get sort of sucked into doing the work and hanging out with the folks who were the others at the Clinic; the Clinic had its own kind of culture. But it was an exceptional experience for real-world becoming a lawyer.

VASSAR: Yeah.

DUCHENY: There really is no substitute for that. Unfortunately, not long after I left that program, the guy who had directed it and run that program for all those years, left and went to I think Oregon or someplace and that program didn't continue, the way it was, at least, at the time. It was just an exceptional experience that I was lucky to be part of.

And one of my best friends still is in LA. She and her husband are both lawyers still in Los Angeles. She was my Student Director, my Assistant. You have friendships from law school that lasted because of some of that relationship too.

But anyway, that was how I worked the rest of my way through law school. I had to take the one semester. I had talked to my mother and my father and said, 'Look, this one semester I won't be able to work for money, you have to carry me. But after that the next year and a half I'll be covered more or less.' So we worked that out so that I could -- and I worked that summer, I had the summer work at the other.

VASSAR: Right.

DUCHENY: And my parents helped carry me, the housing basically. They had bought this condo and I paid the ownership fees, the daily fees, the homeownership fees. And somewhere during the middle there and later I got involved with the homeowners association. That was another -- that's something I learned that later paid off in legislation. I was actually on a homeowners association board for a while when I was in law school. But that experience was a good one for law and learning kind of how to think about how to do business.

During my last semester of law school was when I met my husband through some other friends who were lawyers in Los Angeles that I had done work with. I was involved in the National Lawyers Guild.

VASSAR: Got it.

DUCHENY: And some other, some work in other areas. That was sort of semi-political, the Lawyers Guild. And I knew some lawyers in LA, they knew my husband from other things. He was down here working in the canneries, he

was a shop steward, a union shop steward here. So through some friends in LA that were mutual friends we met.

VASSAR: They said 'You've got to meet this guy'?

DUCHENY: No, we just met. We both went to a thing, it was a conference of sorts, and we all showed up there. These folks invited me and he was part of their group and we met there.

VASSAR: So you met him at the very end of law school?

DUCHENY: Toward the end, yeah.

VASSAR: And you were married a year later?

DUCHENY: About a year and a half.

VASSAR: Wow.

DUCHENY: I met him that last semester during the first part -- well, he was still married then. I don't want to get too far into that one.

VASSAR: Okay.

DUCHENY: But when I first met him he was still married. But before the end of the semester they separated, she moved to Phoenix. And at the end of the summer -- my mother was ill by then. My mother had cancer and my mother died actually during that summer after I graduated from law school.

VASSAR: So '79?

DUCHENY: So my mother got to see me graduate from law school. I think maybe the reason I partly went to law school, I think my mother, had she had that opportunity, that's what she would have done had she gone to college and

been in that universe. She had an interest in the law and that probably steered me a little bit in that direction.

But I did it mostly because -- and I didn't know that I really wanted to practice law or what I wanted to do, but I knew that having that skill and having that would allow me to always be able to make a living; it was kind of how I looked at going to law school. It was that experience when I was in Sweden and 'What am I going to do? And you just go back to work at the City.' How do you set yourself up so you always have a way to make a living no matter what you're doing.

And I thought the law was pretty flexible too. You could do politics, you could do different things, you didn't have to practice law to use the legal education in multiple ways. So I saw law school that way. I wasn't sure what I wanted to do with it but went all the way through it. I did immigration law, labor law, I took classes in some other things besides the regular and then had this wonderful experience with the Clinic.

And so at the end of the summer I actually went to work, these friends in LA, some lawyers I knew in Los Angeles, I got a job. As I graduated from law school I got a job with a law firm in West LA and did workers comp.

VASSAR: And you passed the bar?

DUCHENY: That comes later. But right after school while you're studying for the bar and all that.

VASSAR: Prepping.

DUCHENY: I went to work a firm that's a major labor law firm in Los Angeles who does workers comp as one of their segments. And my friend was a workers comp lawyer and I got to work in the section that she worked in and so I was a clerk again. But I got to clerk in this major labor law firm but in the workers comp section.

And so that summer after I graduated I basically, I would study for the bar in the morning, work in the afternoon and take the bar, the training classes you take to take the bar exam, at night. And that was my -- you had to be disciplined. To take the bar exam is a whole discipline experience of its own. And I took the bar that summer. But that was how I was living. And right before the bar exam, it's usually late July, my mother died in the beginning of July. Which was a little bit, it throws you off when you're just about to take the bar exam.

And then I moved to San Diego. Al was living in San Diego, I was still living in LA, but we had met and all that. And I had decided to move in with Al and we actually decided to do it in such a way that I took the bar exam here in San Diego. I signed up to take it here but I had moved like two weeks before that. So my mother died in the beginning of the July, I moved to San Diego and then I took the bar exam. It's kind of, boom. And then --

VASSAR: Passed?

DUCHENY: I don't recall if I -- yeah, yeah, passed in November.

VASSAR: Passed the first time?

DUCHENY: I did pass the first time, which, you know. They kept changing the nature of the bar exam in those days and I think I lucked into one of the better versions they ever had where on the essay portions you could pick three out of four. They didn't just give you three, they gave you four and you only had to do three of them. I don't know, somehow that all worked. But yes, through that kind of interesting trauma and such I passed the bar exam.

So I passed the bar exam in November and actually right after I passed the bar exam my husband, they shut down the canneries here, this was the tuna canneries, the industry was changing and they shut down. They sold to somebody else and a whole lot of the folks, especially the activists like my husband who had been involved with the union, got fired or weren't picked up on the new contract. They were supposed to be but they weren't. So I ended up spending the first couple of weeks after I passed the bar typing out grievances for the workers at the cannery that had worked with my husband and working with these lawyers that I knew from Los Angeles who did labor law, filing with the National Labor Relations Board and filing grievances with the union and doing this whole kind of pro bono work for the cannery workers that had worked with my husband. All of a sudden I was a lawyer.

VASSAR: Yes.

DUCHENY: So I was doing and I pretty much was actually, I took a few cases working out of my house and helping people. And that's where the clinic experience stood in. I did immigration, I did family law, I did some family

law cases and I did some things basically just out of our house here in Sherman.

I was looking around for jobs in firms. San Diego at that time was an interesting legal community. It wasn't a lot of big firms, it was a lot of small firms and a lot of people on their own. I was looking to do immigration law and that kind of thing and there weren't a lot of folks who did that and so I ended up -- you start looking for positions but you end up sort of doing it yourself.

VASSAR: Right.

DUCHENY: And eventually by the spring of '80, probably around the time we got married, we got married in May of 1980, but by that spring or maybe that fall we found a place in Logan, a little tiny place. We rented this little hole in the wall for \$100 a month on Logan Avenue, down the road from Chicano Park.

We were more interested in the community organizing and the politics. What we were doing politically, it wasn't what we did later in terms of elected politics, it was community politics, it was neighborhood organizing. We worked with young people. My husband hadn't been involved with this work before I came down here but we were working with young people who were from these neighborhoods, these inner city neighborhoods, the at-risk youth you might call them these days. But involved with, getting them involved in helping them put on dances and

putting on street things and trying to be proud of their community and doing murals; so we were with the young people.

And then there came up right away after I got the office in Logan an issue that had to do with Chicano Park and the Bay Front. And it was really what in many later years people would call environmental justice but I don't think anybody called it that in those days. But it was this question they wanted to put in a shipyard next to what was supposed to be a park and it became a whole -- and this land had been designated for some years by the Coastal Commission. So this was my first exposure to the Coastal Commission and some issues. And the neighborhood, some older folks from the neighborhood came in one day, I was the only lawyer in the neighborhood, and said, 'Here is this thing the city is proposing. The port is proposing to do this.' And we got involved in that struggle and ended up forming a community group called the Harbor View Community Council and it was a lot of older folks from the Logan neighborhoods and a lot of them, great history and experience. I learned about San Diego and about its history and a lot of that from these folks.

VASSAR: Right.

DUCHENY: So my whole legal career, other than the student practice in Los Angeles, ended up being in San Diego. I had moved to San Diego, it was the perfect time, you graduated from law school, now is the time to move. Otherwise I probably would have started working in the same kind of thing but in East LA; those are the choices.

VASSAR: Right. And Al was, this was the '80s?

DUCHENY: And Al lived here. Well, this was 1980, '79, '80. Yeah, early '80s, '81.

VASSAR: '81.

DUCHENY: And we started. So a lot of our world was built on the organizing more than just on the law. But we opened the law office and Al was my secretary. He learned how to type. He didn't have a lot of education. He had gone into the Navy. He grew up in the segregated South and had been a businessperson, had done a lot of different things, but he was sort of the organizer in a lot of ways on some of these things.

So he worked, I think that year, the '80, he worked on the census, when we were having all those fights with the cannery workers. We got a lot of them back in over time, some of those cases worked out. There was a lot of labor unrest here in those days too. NASSCO, there were a lot of strikes and I got involved with some of the unemployment cases and some of the other cases for some of the workers at NASSCO.

VASSAR: And NASSCO is?

DUCHENY: NASSCO is the National Steel and Ship building Company, a big ship builder in Logan. There were a lot of labor issues going on there. I knew some of those workers. I got involved with some of the cannery workers. And then some of them became my clients for their -- we say it's unfortunate but a lot of the cannery workers -- well, a lot of them got back in that first round. Later on there was another change in ownership and a

lot of them got fired and I ended up doing a lot of the divorces, unfortunately.

But I started just doing whatever came in the door in a lot of ways. I used to call it “Marcus Welby Law” and if you had \$25 I’d figure it out. We weren’t high-priced. We were just there and we were trying to serve a community. I think I saw it as serving a community more than as practicing law. It was really about what were the needs in the community.

And then for free I sued the Port District; it was through the community group we organized. I said later in the Legislature, ‘I learned everything I know about CEQA³ by suing the Port of San Diego and the City of San Diego. Between the two, through different cases and different reasons, I learned everything I know about CEQA from that. But I got involved in this fight with the Port District, which we involved organizing and there’s whole histories you can read about in newspapers. But it involved the Coastal Commission. At one point during that sort of ‘80s period we were one vote short of stopping the San Diego Convention Center to get our little park in Logan from the Coastal Commission.

So it’s the first time that I met people like Senator Roberti. I went to work with people in his staff, actually, who appointed some of the Coastal Commissioners and got to know some of the Commissioners. Roy Perez, actually, who you may know from Sacramento, he’s still around, he was a lobbyist later during my tenure, but he had worked for Senator Roberti. He was someone we met during that period. He was involved with the Coastal

³ The California Environmental Quality Act (CEQA) became law in 1970.

Commission appointments because he worked for the Pro Tem. You know, those kinds of folks.

I got a little touch of some of that through this fight with the Port District that went on for several years in different forums and different ways. Because a lot of it was organizing. We would get the cities to support us, we got folks that stopped certain projects. It was a long fight; it's a long story. But that was kind of how we started to make a name in San Diego.

VASSAR: Got it.

DUCHENY: It had a lot to do with that. And Al and I always just worked together. Actually, he drove cabs at night to keep our law practice alive. After he worked for the census then he drove cabs but he also during the day did like the business part of my office and then helped with the clerical part. And he learned how to serve process and we had to -- we did all sorts of crazy stuff because it was just us running this little office in Barrio Logan.

VASSAR: So it never got bigger than two?

DUCHENY: A couple of times later I brought in different attorneys to work sort of on the side, not directly under me. I finally had a secretary at some point.

During the immigration -- actually this gets to -- and maybe it's a good place to stop for the moment. In 1986 the Immigration Reform and Control Act passed; I was already a practicing attorney. I had done immigration cases. And there had been some cases that we were involved with in the early '80s. There had been some raids on some of the hotels

here and some of those clients had been my clients that I was defending in deportation hearings and such, who became eligible after the Reform and Control Act passed. So we had immigration clients, we had family law clients, we had whoever came in the door. But I was the only lawyer in Logan.

And then I was doing on the side, for free -- so my clients were paying me \$50 a month to do divorces and for free we were suing the City and the Port District. And the City, we got involved with some issues with the homeless and with the parks and acreage for parks and some other neighborhood issues. It was all about the neighborhood. And it was all about empowering folks from the Logan and Sherman neighborhoods that we lived in and worked in.

[Recording Stopped - Continuation of September 12, 2016 interview]

[Recording Resumed - Continuation of September 12, 2016 interview]

VASSAR: Go on. Okay. So starting again, 1986.

DUCHENY: The reason that year is significant and it goes with a lot of later things is the year that the Immigration Reform and Control Act passed. And for a practicing immigration attorney, as I was saying before, I already had immigration clients I was doing, family cases and deportation defenses. I had a lot of people on appeal trying to keep families here that had been here for a long time that worked in a lot of the hotels and such. So when that passed a lot of my already clients were eligible to adjust status, which was one thing.

And then of course there was a lot of business for those of us who already did immigration law in families. So a lot of my clients who I had done other cases for, that became a case. So our business, we actually expanded our office later that year and some other years. So 1987 was when you could kind of do those cases. I wasn't huge, I wasn't like a big mill but I did bring in a secretary and some folks to help out because you just had to process a lot of paperwork and put documents together for people and process interviews. And you only had like a one year window to apply was kind of how the deal worked.

And I was still doing family law and in those days and later years I also did appeals, criminal appellate work, appointed work; the Court of Appeals appointed indigent criminal and juvenile defending, mostly for parents. Not juvenile in the juvenile criminal sense so much as the juvenile dependency cases where I occasionally was appointed to represent parents or children in juvenile dependency cases on appeal.

VASSAR: Got it.

DUCHENY: I only did that work on appeal. And I did some adoptions; so I did kind of a panoply of different kinds of law. But obviously for that one period a lot of focus was on the immigration cases because getting as many people as we could to adjust their status was important. We had several interesting cases then.

But it goes with what led me to run and some of that is because my clients were the folks who needed then -- the way that law worked, you sort

of got a temporary residence and then you could apply for permanent residence. You could convert to being a lawful permanent resident within a couple of years if you met all these criteria. And part of the criteria including learning English and taking sort of citizenship classes. Even though you weren't eligible for citizenship yet you had to take what amounted to sort of citizenship classes. Learn American government, learn English, those kinds of programs.

Well, those programs were offered generally by community colleges and adult education programs. In our district, in San Diego, within the bounds of the San Diego Community College District, those programs are run by the college district through their adult education program. In some areas like Sweetwater, which I represented later, those programs were run through the high school. But in San Diego City proper it was the community college district ran those programs. And there was one right down the street from my home in Chicano Park. There was a campus there of the adult program and they were one of the places where those classes were offered.

So I sort of became conscious of the community college district in two ways. One was the community work we had been doing fighting for parks, fighting for access, working with the friends of the library, doing other things that were child-centric trying to keep the kids in our neighborhoods going forward. And for the kids in those neighborhoods, community college is the access point to college.

VASSAR: Right.

DUCHENY: It's free, you can stay home, you can afford it and you can get in and get your path going. And the other side of that coin was parents, and immigrants in particular, who needed these adult education programs.

[Recording Stopped - Continuation of September 12, 2016 interview]

[Recording Resumed - Continuation of September 12, 2016 interview]

DUCHENY: So from the combination of the community work we were doing and some of the groups of people that we worked with it started to feel like somebody ought to run for office in a weird way. The other thing, we had gotten engaged - that's how we got engaged - with elected politics was partly through our struggles around the Bay Park and this fight that we had with the Port District that ended up at the Coastal Commission and going round and round.

During the course of that struggle we had gotten involved in mayoral politics a little bit and city council politics a little bit. And part of that involved in '87 we supported Bob Filner when he ran for city council in 1987 because he supported us. We were looking for people who would support our park thing and that was the district and we needed people who would help us do things with the Port District and make this park a reality.

We had earlier worked with actually a Republican in the earlier '80s because we were mad at the Port Commissioner who was running for mayor and we didn't like her because she had been against us on the Port Commission so we weren't really partisan, it was neighborhood issues.

But in '87 we got to know Bob Filner. When he won was really the first time we had ever been to City Hall, really, in the sense that you could go to the office of the council member and somebody knew you and you had access in a different way.

Being involved in that campaign a little bit accessed us to different circles, the money circles, the folks that raise money, the folks that do campaigns, volunteers, a different kind of group of people. And one of the important constituencies that we met, partly because of Bob, was the Vietnamese constituencies of San Diego. He had an old relationship with some of them from when he was a professor at San Diego State. Later when I was running for the community college board we asked him, we said, 'I want to get to know these people because I'm running for community college, citywide.'

VASSAR: Right.

DUCHENY: And I got to know them partly because of that relationship. But Filner, so in '87 we supported Filner, we got to know some of that. And you start to see those things and you see what you can do in these different elected offices. Up until then I don't think we had been interested in elected office. We were into our community organizing, the fighting and some of the things but suddenly that started to look interesting. And the key to me was always this education question. It's sort of like you're working on Friends of the Parks and you're working on improving park access, you're working on Bay access.

VASSAR: Right.

DUCHENY: You're working on Friends of the Library doing things, events for children and for kids in the neighborhood. But the key if you're going to improve the community is really in the long run the education of those young people, right?

VASSAR: Right.

DUCHENY: And the education of the parents through these adult education programs and training programs. So I sort of started looking at that. And the gentleman who at that time represented the district we lived in had been on that board for a good 20 years or more, he had been on there for a long, long, time. A very, very kind gentleman, Charles Reid was his name. African-American; lived in the eastern part of our district in the south of San Diego. I had friends who got knew him personally. I sort of started moving in that direction at the urging of some other political friends of ours and started sort of looking at it. Charles wasn't really ready to retire but there were sort of indications that he might be considering it and so I went to meet him and say, what is this job like?

And he was kind enough to appoint me to - they had advisory boards for the campuses - he appointed me to an advisory board for the campus that was right there in Logan that was in my neighborhood for this adult center that was actually the place where a lot of my clients were going to get their English and their second language and their citizenship. So I sort of moved in that direction; that would have been like '89. And I think it

was probably at the beginning of '90 that he announced he would retire. I forget exactly but at some point along the way he said he was going to not run for reelection in 1990 and I decided to run.

VASSAR: So how did that decision come about? The incumbent, you have some advance warning maybe, kind of, hints?

DUCHENY: Not really but we had a sort of a feeling. I was sort of pushing at the edges of it. At that time there had never been a Latino on the community college board in San Diego, in the San Diego district. There had been one in South Bay in the southwestern district but not in the San Diego City district. And it seemed like time.

VASSAR: Yeah.

DUCHENY: And there were all these issues with the immigrants and some of those things that were important. But this was not a person that you would really want to run against.

VASSAR: Sure.

DUCHENY: He was good and he'd been at it a long time. But at that time that Board had a whole group of folks who had been there a very long time. So as it turned out, in that election three board members decided to step down.

VASSAR: Out of?

DUCHENY: Out of five.

VASSAR: Five.

DUCHENY: And the other two had been more recently elected. The other two were actually recent and more political people that we kind of knew. The three

older ones had been there a very long time and all three of them stepped down. So there was sort of this new wave election and three open seats on that board suddenly.

The way that district runs elections goes to how the City used to run elections. Another campaign we had gotten involved with a few years before, around the time of the Filner, right before the City of San Diego switched to district elections for the City.

VASSAR: Right.

DUCHENY: And that was a whole process and that's actually how Filner won. Because Filner had run in a different district in an earlier year, we didn't know him then. But in '87 when he stepped up we had moved to district elections and he was running in our district.

VASSAR: And the community college district board was at-large?

DUCHENY: The way the College Board works and it still works until this day, which is how the city used to work, you ran a primary in the district only and then the runoff was citywide. And so yeah, it created for some weird dynamics and it's district-wide. The Community College District of San Diego isn't quite contiguous with the boundaries of the City of San Diego, it doesn't include the South Bay portion of San Diego and it doesn't include some of the northern Rancho Bernardo portion but it's basically the guts of the city from Miramar to Logan are within the bounds of this community college district, so it's almost the entire City of San Diego. There were five districts and you ran a primary in the district. And then the top two from

the primary run off but the runoff is district-wide. And that's the way the City used to be until we got it changed to district elections by initiative. The '87 election I think was the first district election, election for the City. But they didn't change it for the school board or the College Board, only for the city council.

I don't think we understood elections well enough to know what we were really getting into when we did it but we just sort of -- there were enough people willing to support us in different ways, people that we had worked with, again, in the community and here and there and around, so I ran. There were two other candidates in the primary, another Latino, a gentleman who had been a community college police officer, I believe, for the District in some prior years, I think he was retired by then, and then a woman who was really kind of the favorite. She was an older African-American woman who had been active for a long time in like City politics. She was on some commissions. I forget exactly. Like the Civil Service Commission or those kinds, I've forgotten exactly which ones. But she was active and she was pretty well-known.

VASSAR: So she probably got endorsed?

DUCHENY: Pretty early. But I was able to keep the sitting guy from endorsing her, and they were friends and almost like family, and we were able to kind of keep that balanced. And Puente had a lot of the Latinos, sort of activist Latinos. It was sort of a mix in the primary but the primary is just district-only.

VASSAR: Yeah.

DUCHENY: And I had -- I don't know. I don't know how we did it. I couldn't tell you to this day how we did it but we put a campaign together and I just barely eked out the second position. The African-American woman, Hope, came in first in the primary and I came in second but just barely. Basically the other Latino and I split half the vote, more or less, and I just eked out past him, basically, probably because we had more organization and more campaign. He probably had better name ID, he actually had been around a long time. I was pretty much still, in terms of the community, still seen as a new kind on the block even though I'd been here about 10 years.

VASSAR: Right.

DUCHENY: And he was local in a lot of other ways. Both of them were older than I was. I was, what, 38 at the time and they were both older and retired and were well-known people in the community in different ways.

VASSAR: Right.

DUCHENY: But I hustled. I got some union endorsements, I did what I needed to do. And at the district level I think it was kind of a wake-up call. The fact that she did so much better than us and that we came in and just barely beat this other guy who really wasn't as qualified. She had the experience. He didn't quite have the qualifications in some ways of understanding policy, understanding the law, that kind of thing, as I did and it was sort of, 'Wow.'

But in the citywide runoff, even though she had done much better than me in the district, the citywide runoff was tougher for her. And I was

strategic. We understood the politics so we went to every planning group and town council in all these other parts of San Diego. Because truthfully, the part that we represented was the part with the lowest voter turnout; where the voters were going to turn out in the fall election was going to be more in areas that weren't what I had represented. They weren't Barrio Logan, they weren't southeast San Diego. It wasn't my immigrant clients who couldn't vote because they're not citizens. It's Point Loma and La Jolla and Scripps Ranch and Mira Mesa and other parts of San Diego. But I got to know those neighborhoods because I had to. I went out to their planning groups and their town councils and I did things like reach out to the Vietnamese community and try to find other alliances and coalitions and got some support from some unions and teachers, the teachers in the district. I spent time on the campuses meeting students, meeting teachers, meeting faculty. Who else votes in these elections, right?

VASSAR: Right.

DUCHENY: They're down-ballot elections, who even knows you're there? It's a challenge. And in a big district like that where the votes -- we're talking millions of voters, right?

I always used to say, it's true, in that election, somebody could look it up, but in that college board election I think it took me 90,000-some votes to win. In the Assembly election I ran in 1994 in a special I won with just over 5,000 votes. The community college board was a much bigger and broader election. We were fortunate to have a lot of volunteer help and my

husband did a lot of our, did our mail and designed our signs and put up yard signs in all these places we never even heard of in Mira Mesa. We were putting up yard signs ourselves all over the county and getting people to put them up, doing all sorts of interesting things.

I had a really good group of people who I put on my ballot statement. I had a Democrat, a Republican. They didn't have to say that because it's a nonpartisan office but I put names out that were visibly Republican and visibly Democrat. And this goes to one of your Assembly Members, Jeff Marston.

VASSAR: Yes.

DUCHENY: Who served briefly.

VASSAR: Briefly.

DUCHENY: That year.

VASSAR: Briefly, six months.

DUCHENY: That was the six months. The six months was when I was running for community college board. And it was because he won that special just before we would have run -- no, he won at the same time I did because he won the special when our primary happened. Their special had a special runoff in June.

VASSAR: Right.

DUCHENY: So they had a special in April. Him and [Mike] Gotch ran off in June and Jeff eked out the win in June. But still they both had won their primaries so he still had to face off Gotch in November, right?

VASSAR: Right.

DUCHENY: And so Jeff had won that seat the same time I won my primary. Well, I was running for nonpartisan office and Jeff was a friend of mine so I got Jeff to endorse me; he was a sitting Assembly Member of the Assembly Education Committee. And I didn't endorse Jeff because he was running in a partisan race and Gotch was a friend and Gotch's chief of staff was one of the members of the College Board I was running for. A lot of these politics, the family and alliances are different, but to me, having the balance was important in showing that I could -- people always laugh that my ballot statement was Filner and Marston and everybody goes, 'Oh, okay,' right?

VASSAR: Wow.

DUCHENY: So Bob Filner was the radical Democrat city councilman and Marston was the sitting Republican member of the Education Committee. And I didn't endorse Jeff because my name in his district wouldn't have meant anything. The district he was running in was a part of the city of San Diego but it wasn't my neighborhood really so my endorsement wouldn't mean anything; but his endorsement for me was helpful.

VASSAR: Right.

DUCHENY: Because it gave me that ballot statement context without putting Democrat and Republican. I picked two pretty well-known Democrat and Republican and Reverend Ard, who was an African-American preacher who was also a Republican at the time, who had run for various offices. So I had all three

of them on my ballot statement. It was part of my coalition thing. But running citywide and trying to run in a nonpartisan race and trying to show that.

And that was also the November, if you're doing this history to match things, but that was the year that Dede Alpert beat Sunny Mojonier in the fall. So that was the year that Dede Alpert ran in this coastal district here, that was in 1990.

VASSAR: Was that also when Pete Wilson won his first term as governor?

DUCHENY: And that was when Pete Wilson won Governor. And that was the same election that if you asked me, when I teach my classes and talk history, that was the election when they passed term limits, we lost pensions. They passed all that crazy stuff. There were two different term limits initiatives and the wrong one passed, in my view. They both passed and the wrong one got too many votes. The other one that then-Attorney General John Van de Kamp had been supporting I think was a more reasonable alternative if you were going to do term limits. But they both passed and the one we lived with afterwards got more votes.

But all of those things sort of changed in that same, that November. That November '90 election, some historian who is doing this in the future, it is an interesting election because it had several of those components to it. At least here locally in San Diego it was Dede Alpert; Mike Gotch won his seat against Jeff Marsten so Jeff only got his six months and Dede beat Sunny. And things were changing in San Diego. It was sort of a time

when San Diego -- and Pete Wilson, of course, had been mayor of San Diego before and then he had been senator at the time he won the Governor's race, so all of those kinds of things were going on.

And there was this period of the immigration coming to a head, to fruition. So I got elected to the College Board.

I started working with -- it was interesting. One of the first things I remember going to in Sacramento. Because I had my own law practice and could control my hours -- these are part-time, you only get paid part-time to be on the college boards and such. But some of the others had jobs where, you know, it's hard sometimes to be able to go to all the different conferences and things that you could or that the District could be represented at.

The San Diego District is the second-largest district in the state after Los Angeles and we did need to be represented in some of these national associations and conferences and things. So I ended up being one who was willing to go to a lot of those. I was interested in it, I was interested in meeting how other colleges were working, I was interested in meeting with other folks, so I started attending some of these things with CCLC, Community College League of California, they're kind of conferences who convene the Community College Trustees Association and some of those kinds of things.

And remember too that early in 1990 we're talking a serious recession hitting. That was Wilson's first budget, which was not a pretty one.

Wilson walked in the door a lot like what happened to Obama or what happened to others later; you walk in the door and suddenly you've got a 40 percent cut on your table, right? It was pretty bad. Because 1989 had been one of those housing bubble issues, a lot like what we saw in 2008 to a little lesser scale. But the factors were kind of the same, at least from my view as sort of looking at budgets and economies. The late '80s had that same bubble effect. A lot of folks were buying houses around San Diego, I remember, who were paying more for them than they were worth and a couple of years later suddenly they were upside down. They had paid, they had borrowed more than the house was now worth. And it was because, it was partly the so-called peace dividend, but in some ways for California that early '90s recession was really a southern -- at later times we had one that was more Silicon Valley-based but this one was Southern California-based and it had a lot to do with downsizing of the military.

VASSAR: And the BRAC⁴.

DUCHENY: The Berlin Wall fell, right, the BRAC. All of those kinds of things created a lot of dislocation. And so the defense industry, the shrinking of the military bases' footprint, all of those things were impacting California in ways that were pretty severe.

It's sort of a footnote but Al and I had taken a nice vacation in 1988; we spent some time in Europe and had been in Eastern Europe before the Wall fell, as it were. We visited several Eastern European countries during that sabbatical vacation. But we traveled throughout Yugoslavia when it

⁴ The Defense Base Closure and Realignment Commission (BRAC).

was still one country, Bulgaria, Romania, Czechoslovakia when they were still under communist rule, some of those areas, as well as visiting my Swedish family again in Stockholm. She'd had a baby that year.

But it was that '89 then, it was right after we were there, we remembered it always because we sort of saw what was coming before it came. You could see. When you were in those countries you could see that the world was changing, that it was becoming a freer economy, that there was going to be a push. We met Russian soldiers in some of the places that we visited who were coming back from Afghanistan having very much the same kind of experience that we had seen from people we knew that had come back from Vietnam a decade earlier. So you got some experience with some of those international issues.

But here locally, the changes in Eastern Europe that were a great boom in many ways for stopping the Cold War had an economic impact in Southern California. And here a lot of our folks had worked at Convair. Convair was a huge employer in those days. NASSCO was building ships for the Navy. And you had the downsizing and all the fighting that went on about the Long Beach Naval Yard closed⁵. San Diego actually did pretty well out of that because San Diego got some of those assets; when El Toro closed they came to Miramar. But the defense industry, the big one here was Convair.

⁵ BRAC voted to close the Long Beach Naval Shipyard in 1995. The decision to close Marine Corps Air Station El Toro had been made in 1993.

So right away when I got on the College Board we were facing issues of high unemployment. These rough times, the rough stage budget, right? They were cutting back, they were raising student fees, right? And we have issues. There were lawsuits pending around issues that we still see today around undocumented students, could they go to college or not go to college? Could they pay resident tuition, as California residents even without proof of lawful permanent resident immigration status? Those cases were coming forward. All of those issues were extant. So it really was a very interesting time to be on a community college board because a lot of those issues were community college issues for us.

And there was this whole issue of there was the federal dollars. Part of the Immigration Act had put up money, we called it SLIAG⁶ - I can't remember what the acronym stood for, SLIAG, but it was the funds that funded programs like the ones we ran at the college for the English and the government education for the immigrants who had applied under the Reform and Control Act. So we were fighting to get those monies, how to spend them.

There were a lot of issues like that that involved either dealing with Sacramento or dealing with Washington. And a lot of those issues were ones that were particularly important in our community so I went to those meetings and went to Sacramento to learn about some of these things.

⁶ State Legalization Impact Assistance Grants were administered by the U.S. Department of Health and Human Services.

The very first sort of statewide conference of college trustees I went to in February, 1991 included an orientation meeting for new members that had been elected from around the state, it was a really interesting meeting because we got up there and at the orientation part where the newer members were at like one thing and then the next day there were other workshops; there were a lot of Latinos. And we were almost like, as people went around the room and introduced themselves we sort of looked at each other and it was like we are all the same. We were all sort of first generation college students, we were professionals, lawyers, doctors, whatever, business people. Suddenly there was this sense of we were very similar and had gotten here similarly and we sort of, 'Oh.' And there were some older Latinos who had -- not older age necessarily but had been members for a long time.

VASSAR: Establishment.

DUCHENY: Including people I later served with, we'll go back to this, Joe Baca, Hilda Solis were still on college boards in those days. I take that back. Well no, this was '90, right?

VASSAR: Yes.

DUCHENY: So Joe Baca and Hilda Solis were both still on community college boards. When I got elected to the community college board Hilda was my colleague from Rio Hondo and Joe was my colleague from San Bernardino. There was somebody from Orange County who had been on for several years, Armando Ruiz, and somebody who was sort of the

mentor of all of us, Chuck Ayala from San Francisco had been on for quite a while. But there hadn't been that many Latinos statewide on community college boards and suddenly there were about 20 of us in this one room.

And we sort of all looked at each other and said, 'Wow.' Then we got to know each other and you start talking. So we formed, we started forming a Latino trustees association. Got a little pushback, sort of just like when you're in college and people had MEChAs⁷ and 'Well, why do you need that?' But there were a lot of issues. There were a lot of issues for students of color and Latino students accessing community colleges and success rates. Things that are still issues today but those were all issues then. And so we got engaged and we formed that way, sort of the same way that later I worked with the Latino Caucus in the Assembly. But it was a way of caucusing within the trustees' association to push certain issues or to create priorities or to make sure some of us got elected to the statewide boards or the national boards. That we were able to sort of coalesce our votes and caucus our votes in a way to help ourselves get elected to these statewide boards and national boards so that that voice and our perspectives would be there.

VASSAR: And I noticed that while you were in the Assembly your biography that was in the little blue handbooks did include that you were the founder of --

DUCHENY: The Latino Trustees Association.

VASSAR: I don't think that made it in when you were in the Senate.

DUCHENY: Probably not, it was too old.

⁷ Movimiento Estudiantil Chicano de Aztlan (MEChA).

VASSAR: So that was one of those things where it seemed like that was definitely a biographical point you wanted people to know.

DUCHENY: It was important then. I think it was -- at that time I was still very close to all of them and that association; they helped get me elected to the Assembly. What happened, in kind of working with them, working with these statewide groups, I did eventually get elected to the statewide community college trustees' board, the regular, the overall one; partly through the organizing that we did.

But we had some separate conferences because we wanted some issues - - they had these conferences statewide but they didn't always have our issues so it was a matter of sort of having the ability. We'd do it together with them in some ways but maybe have an extra day or a set of speakers that maybe they hadn't thought of or wouldn't have. And then eventually a couple of us got on those boards and we elected somebody else to the national board, the American Community College Trustees Association. It was just a matter of getting voices heard, very much the way the caucus played a role in the Assembly.

And I think probably at that time it was particularly important and probably why it carried over so much because that whole decade, I think some of those issues carried over through that decade. But working statewide, A, I got to know Sacramento a little bit. I had to go up there and fight with them about issues, for money. I ended up testifying. I got to know Senator Polanco and his staff because they were looking for people

to testify on some of these bills around the SLIAG monies and, you know. There were other issues like the undocumented students and having to testify and sort of getting engaged.

And the money was coming from there. So fighting to get just the funding for the community colleges was an issue by itself and not having the fees raised too much. And they came up with this crazy thing that they ended up doing for a while with the split fees; it was awful. So it was gathering the data, and our districts had a lot of data. We were a large district and it was important for us to kind of have those voices there. So I sort of became one of the people who, partly because I had the flexibility through my law practice to kind of adjust my schedule, to be able to help and to be that advocate in some ways and to participate in some of these things.

So that's how I got to know Sacramento. The gist of the story is that's -- and I always used to say to students or folks that asked, 'Why did you go from this to that?' 'Well, I followed the money.' One of the things I learned early was you follow the money. And what I figured out after about a year on the community college board is that all the money decisions were being made in Sacramento, so we didn't have as much control over our budget, due to Prop 13 and a lot of other things I teach nowadays, as one might hope. We knew what we could do if we had it but we didn't have it and how do you get that and how do you make that case became part of what I was interested in.

VASSAR: Right.

DUCHENY: And ended up, like I say, fighting and kind of goes around/comes around/comes back to Bert Corona, remember 1968. I had seen him once or twice later when I was in college. He had come to speak on campus and I had said hello to him but I didn't really know him but I would remember who my mother was and he knew my mother well and we'd sort of say, hi. Well one time I ran into him in the office of, I think it was Senator Schmitz, before Dianne Feinstein beat John Schmitz in '92. After Pete Wilson became Governor he appointed the senator.

VASSAR: John Seymour, Seymour.

DUCHENY: John Seymour, that was it.

VASSAR: John Schmitz was Orange County.

DUCHENY: He was in the Assembly. Yes, sorry, wrong one. Seymour was too, I think, but anyway.

VASSAR: Orange County, yeah, both.

DUCHENY: Pete had appointed the Senator and he was still in the first two years that I was on the College Board.

And during that period -- and I had my coalition that we built statewide on these issues, including my Republican Women's Club friend from Orange County who represented the Santa Ana districts or some of those districts there who all had these same issues. You had the issue. And she was great. So I made my coalition in a lot of ways with districts. Whoever, whatever districts were interested was kind of how it mostly

worked. But she was one who had spent a lot of time working on this. And it was great to have a Republican who would advocate for these immigrant funds that we needed for these English classes and such so she became my sort of advocacy partner in D.C. on this issue. And she and I were in Seymour's office and in walks Bert Corona. And he is part of our coalition who is -- he was at that time with La Hermandad Mexicana, which is a nonprofit there in Orange County which was organizing folks and also doing citizenship work and immigration work and doing a lot of the same work. So all of a sudden we're all there in DC and now I'm working with him more at a level. This is somebody you admired from a distance and now suddenly you are there and you are both advocating on the same issues to the US Senator. So I worked on things like that.

It became clear -- in 1992 the other thing that happened was there was a redistricting.

VASSAR: And did you know Steve Peace as a community college district board member?

DUCHENY: Sort of. Yeah. I mean, Steve and I had had a couple of rounds. Well, he was the Assemblyman from down here for a long time. So when we had been fighting on the parks he hadn't always been on the same team. But I had sent letters and we had kind of gotten into a spat, a written, public, written spat. Not personal really but writing a letter on something way back when. So I knew Steve Peace.

And he had donated one time. The first time I ever saw his name, it would have been in the early '80s, we were doing work with the Unión Del Barrio, a group. We were doing work with the -- we worked also with Herman Baca's group down here, the Committee on Chicano Rights. But anyway, there were groups we worked with here. And one of the things we organized at one point was a barrio unity conference, it was the young people bringing people together, it was kind of to keep peace in the neighborhoods, it was part of that. And I remember one time we got this check from somebody who we said, 'Who is this guy?' and it was Steve Peace and it was when he was running for Assembly in the '80s. He ran for -- Did he run in '82, I think '82?

VASSAR: I was thinking he was in for 11 years before he left the Assembly.

DUCHENY: He left in '94.

VASSAR: Yeah.

DUCHENY: That's right.

VASSAR: It would have been.

DUCHENY: He got elected in '82, after the '82 redistricting, that's when all of those Gang of Five guys got elected, him and Chuck and all those guys they got elected.

So it was probably during that campaign that one of our guys who used to go out and speak to groups and tell them about this effort came back and he brought this check and it was like for more money than we were used to getting, it was a couple of hundred dollars. And we looked at him and we

said, 'Who is this guy?' We called the bank and everything. And it was Steve Peace. Later on we found we found out who Steve Peace was. But he hadn't been elected yet then but he was running and he supported our efforts. So I knew him tangentially, I didn't know him really well personally.

Obviously, once I got elected to the College Board -- who helped me a lot actually the next round it was his stepfather, Robert Browning, who was a member of the Southwestern College Board who became sort of a friend of mine while I was on the College Board. So his stepfather, my other friend Maria Perman (phonetic) who was on the College Board was sort of a mentor. You look to people who'd served to teach you. Chuck Ayala in San Francisco, Armando in Orange County, Hilda and Joe, Dr. Browning, Maria Perman, were all people who were serving that I relied on as mentors and people to learn from. So I got to know Dr. Browning really probably before I really got to know Steve Peace very well. But yeah, at some point along the way, I couldn't tell you when, I met Steve Peace.

VASSAR: Side question.

DUCHENY: Yeah?

VASSAR: The same time you got on the community college district board you were also a member of the San Diego County Juvenile Delinquency --

DUCHENY: Prevention Commission.

VASSAR: -- Prevention Commission. Was that like an ex-officio of the college district?

DUCHENY: No, that was separate.

VASSAR: That was a separate appointment?

DUCHENY: That was a separate appointment from the County.

VASSAR: The County Supervisor?

DUCHENY: From the court.

VASSAR: Oh.

DUCHENY: It was probably from the courts. I think it was from the juvenile court.

VASSAR: And you served on that up until your time in the Assembly?

DUCHENY: Probably, yeah.

VASSAR: It was from 1990 to --

DUCHENY: Yeah, it makes sense. I believe you, I believe you. That sounds about right. The person I got to know there who is somebody now was Bonnie Dumanis, who is now the District Attorney here. Bonnie and I served on that commission together. She was a DA. I think she became a juvenile court referee during that period.

VASSAR: So what was the work of that?

DUCHENY: It was really just to -- I think it was probably Napoleon Jones who put me on there. There were some judges, I think, who appointed people to that. It was county probation officers and some of those kinds of folks will have representation on it. And it was about managing juvenile court but it was also about thinking about these prevention programs. How do you stop

people from -- I can't remember all the work that we did. It was a commission; they would seek your advice more, it wasn't. It was like an advice commission. But it had a lot of the folks who played in juvenile court. And I had been doing appointed appeals for juvenile dependency cases and I had done criminal appeals and I did some adoptions and I did some work in the juvenile court.

And I had been involved in a couple of big cases in juvenile court that I did partly at the behest of the Mexican Consul when I first started in the '80s to get to know the Mexican Consul too. And I did, we called them the "Grandmother Cases." Children who were taken from their drug addicted parents but the grandmother is in Mexico and how do you reunite the families? And then they are with a family here and that family thinks they should adopt them and then the parents, the real family shows up. So I had been involved in defending the grandmother in the one case that actually made it to appeals. Somebody else did the appeal but I did the trial court work at the request of the Mexican Consul for this woman. And then I had done some similar cases through juvenile.

So again, all of those different experiences in law played into different things that I did later in legislation.

VASSAR: Right.

DUCHENY: Some people, there were very few members of the Legislature when I was there who had been practicing juvenile justice attorneys who had direct knowledge of those kinds of cases. There were more lawyers than than

there are now, I think, more people who had been lawyers. People like Phil Isenberg and John Burton and Willie Brown were all lawyers. But in terms of practicing the kind of law I did, the family law and the juvenile law and the immigration law and some of those were different areas, you didn't necessarily have -- Members lawyers tended to be business lawyers or other kinds of law. Or city law or civic law or city attorneys, it was a different kind of law.

So yeah, I did serve on the Commission. I don't have any particular special memories of what I did. I mean, if we looked up the minutes I could probably remember things.

VASSAR: Right.

DUCHENY: But we would have meetings and we were working on some of these prevention programs. And it was the combination of the County, the probation officers, the District Attorney. How do you handle them with what you do to minimize the disruption to families? And I think I served on there at the, I think it was one of the judges who put me on. So no, that was just --

VASSAR: On the side.

DUCHENY: Volunteer work that somebody, that I got involved with. But I remember, that's how I met Bonnie Dumanis. That's how she and I got to be friends because she was on that commission with me.

And then the College Board. So it wasn't contiguous to the College Board.

It could have mattered that my name got better known because I got

elected, it may have been why somebody noticed me, but I think I more got that out of the law side of my world, kind of around the same time.

VASSAR: Got it.

DUCHENY: And we still had the Harbor View City Community Council that I was involved with and I was still doing Friends of the Library in Logan. I was involved in a lot of non-remunerative work and still doing some cases. By now getting partial pay and health care through the community college board; the first time I'd ever had that.

VASSAR: You didn't have that?

DUCHENY: No, I didn't have health care or any of that during the early years.

VASSAR: So you would just pay out of pocket?

DUCHENY: Yeah, clinics and those kinds of things, sure, if you didn't have any.

At one point the bar association offered it. Because if you're a sole practitioner you weren't an employee and you didn't have an employer and there wasn't a lot of methods to get insurance in those days without that and it was real expensive if you could find it. But the College Board gave me that sort of a base income and stability that allowed me to cut back on my practice. I mean, the point of those salaries, which I still think are low and got lower after I left actually, was to allow you to kind of have part-time employment so that you could afford to not be as employed in your day-to-day making a living.

Anyway, we got involved in all those. I did get to know Steve Peace somewhere along the way there and we got to be friends of sorts. We worked on issues.

VASSAR: Right.

DUCHENY: He was our local -- where I lived in Logan he wasn't my Assemblyman, Peter Chacón would have been my Assemblyman; Steve was South Bay. But the '92 redistricting.

VASSAR: Right.

DUCHENY: And this is somebody else's story, not mine. But Willie and Pete were unable to reach agreement, basically, on that redistricting. It ended up going to the Masters and being done by the court. And if you talk to Richard Polanco or Richard Alatorre or some of those guys who were there, it became a big issue, redistricting for Latinos. And it was a big issue, redistricting, because it needed the Legislature and the Governor; and Pete and the Legislature, which was Democratic, didn't agree. So I think that one went to the Masters, if I recall correctly.

VASSAR: I believe the '90s did.

DUCHENY: It was a major redistricting. And it was post-term limits. All these things were happening at the same time. So you had all these folks who had been in the Legislature for many, many years; many of them for 10 and 20.

If you go back, I know term limits they say -- there were a lot of members who didn't serve more than 8 or 10 years kind of was not unusual. Four years, 6 years, 8 years, 10 years, move to another job, do

something else. Or every 10 years in redistricting there would be some kind of reshuffle, right? Where people either would run for other things or get moved out of their districts in different ways or become not viable and new members would come in. So it wasn't like it was always the same people for 30 years.

But the redistricting initiative was really people in Orange County decided they wanted to un-elect Willie Brown because San Francisco was never going to do that. San Francisco was never going to un-elect Willie Brown and while Willie Brown was there he was going to be Speaker. And folks in, some people in Orange County didn't like that so they ran a statewide initiative.

But in a lot of ways it was aimed at some of the folks, you know, Willie and Johnny and John Vasconcellos. Well John Burton had been in the Congress and then back. John had just come back to the Assembly like in '88, Burton. But several people had been there for some time. People like Steve Peace had been elected in the '80s. There were several of them, the ten year folks. But suddenly in 1990 all of them were looking at '96. If you were in the Assembly, '96 was your term-out. And if you were already in the Senate, '98 was your term-out. And then people could move to other houses, sort of became -- so everybody -- so all the shuffle with kind of everybody is looking at the world that way. Plus you have actual redistricting and districts drawn differently.

Well down here, part of what that meant was Peter Chacón's district and Peace's district got collapsed together in different ways. Steve had represented -- when Steve was elected in the '80s his district was basically the South Bay of San Diego and Imperial County. He had all of the border; he had all of Imperial County and he had Chula Vista and National City. His base was National City/Chula Vista, that's where he grew up. He went to high school in Chula Vista, his mother taught at Sweetwater High School, his step-father was a dentist in Chula Vista. Their whole family was based around the sort of South Bay/Chula Vista world and that's where he ran. He was very young when he was elected in the '80s.

And here came '90. And Chacón had been elected, Chacón was the first Latino from around here, one of the very first, period, because I think he got elected in '72. Sounds about right.

VASSAR: Sounds about right.

DUCHENY: Maybe in '70, '70 or '72. Around the same time as Alatorre, before Torres, in that period. And he started out, he was a teacher, he had been good at working on the issues related to bilingual education. But by the '90s a lot of folks here, there was a lot of contention around Chacón, there were a lot of folks who felt like he'd sort of moved to Sacramento, there was this sort of distance from the district question.

There had been the '70s and then he had been redistricted in the '80s and he'd sort of changed districts a little bit then and here we were with a new district again. So with the '92 redistricting Peace had to basically

choose between an Imperial County district that went a different way or his base in Chula Vista; and that district got merged into a lot of what had been Chacón's district. Basically the district that was over here kind of collapsed in a way that forced them together.

And I wasn't around for all these discussions but I think there was a lot of discussion in Sacramento. Pete had been there for 20 years at that point, had been under attack in primaries in the previous at least one or two elections before then in '88, '90; Willie and them had had to defend him in primaries. Districts that weren't going to go Republican but there were challenges to him from others. And I think in this push somehow it all came out, the way the wash came out at the end of the day was Chacón stepped down. He didn't resign, he just didn't run for reelection.

VASSAR: Right.

DUCHENY: Somebody had to run in the 79th District. And Peace had been the 80th but the 80th was now Imperial and Coachella, not Imperial and Chula Vista and so you had to choose; and Peace came back to run in the 79th. And however that worked out in Sacramento, I wasn't part of that, I was just a community college trustee trying to survive. But by the end of that cycle, by the time that election came around it was pretty clear. But what had been drawn in the 79th district was clearly a Latino-heavy district, Latino residents. By census and by residency, not by voting population but by resident population it was a heavily Latino district.

VASSAR: Were you looking at that at that point?

DUCHENY: Well, once they drew it all of us started looking at it. Because it was important, again the same question, this question of Latino representation in the Legislature was important. It was already the beginning of some of the anti-immigrant backlash that two years later came to full force in 1994 with 187. A lot of that was out there. We were defending against these lawsuits. We had been fighting in community college to allow undocumented students to continue. People were going after drivers' licenses. A lot of those things were kind of bubbling up and there was this sense of the need for more Latino voices in the Legislature. And in '92, with all those reshuffles, one of the things that happened, we looked at it, my friends Hilda and Joe both got elected to the Assembly. But basically the Latino caucus at that point was almost -- Art Torres was in the Senate. Or maybe that's when -- yeah, Art Torres was in the Senate, right? Chuck Calderón and Chuck Ayala were in the Senate.

VASSAR: Ruben Ayala?

DUCHENY: Ruben Ayala. Ruben Ayala, Art Torres, and Chuck Calderón were in the Senate. And the Assembly, suddenly the whole group of them got elected to Congress. It was when Lucille when got elected, Lucille Roybal-Allard got elected to Congress, Xavier Becerra got elected to Congress, there were reshuffles every which way.

All I remember about it, because I came into it later so this wasn't kind of my period but you're watching it, Senator Polanco was really the only Assemblyman..[Art went the Senate in 1982] Polanco would have been

pretty much the only Assemblyman left standing except that they got seven Latinos elected, mostly in Los Angeles. And that was when Grace Napolitano, Martha Escutia, Diane Martinez, Lou Caldera, Joe Baca, Hilda Solis, all got elected; with Polanco continuing. Polanco had been elected. Remember, Gloria Molina had been there in the early '80s, then Polanco when Gloria was still there. There were a lot of other folks. But this '92 election, a lot of those folks changed and moved in different places. Gloria went to Supervisor, Xavier and Lucille went to Congress, so it was like a whole new crop; at least in that world a whole new crop showed up. And Polanco did the political organizing to help make that happen, helped recruit some of them. So this redistricting created a lot of that.

And down here this seat was clearly one that was targeted to be a Latino seat. In terms of the nature of if you looked at the civil rights and the whole communities and redistricting criteria, the seat was that. But the person who was going to run in it was Steve Peace.

VASSAR: Right.

DUCHENY: And I remember having a conversation actually with one of Steve's staff and saying, 'Look, you know, I'm not ready and I don't know that anybody else is, but this isn't a long shelf life here.' And of course with the full knowledge that the longest Steve could serve at that point was '96, right?

VASSAR: Right.

DUCHENY: So you have the redistricting enters in. This is where the term limits question sort of enters in. At that point you know the person's defined limit and it didn't seem like we were all really ready for it.

David Valladolid is a good friend of mine now and at that time we had known each other, again, from different organizing efforts and different community work in the '80s. But he had been working for Pete Chacón when they did the redistricting. I think Pete was actually the Elections Committee Chair when they did that redistricting, Pete Chacón. So they had Pete there. And David had helped him, had been his staff that had helped him with the redistricting, and so there was sort of this tension, should we look that way. And then this question of Steve kind of becoming the person from that seat was a little awkward but in truth I don't think anybody was quite ready. David might have stepped up at that point but I don't think he was really ready either.

And I certainly was just sort of getting, I had gotten my feet on the ground with community college but I liked what I was doing and it was important work in my view and I was happy doing what I was doing. But I spotted it.

And by then I had done enough work in Sacramento to know that that's where the money came from for all of the things I was fighting to do. A lot of the big policies I was fighting and a lot of the money I was looking for was coming from decisions being made in Sacramento. So I had been on

the community college board long enough to figure that out by the end of '92.

So in early '93 I actually started, we started walking. My husband and I came up with a form, it was like a questionnaire, and we took it out with envelopes and started walking precincts throughout the portion of the 79th District that overlapped my community college district. Because I could see, in '94 I could see how this was moving. And I suspected -- in '92 we also all thought -- remember, Bill Clinton was elected. We had a very ugly contest out here for Congress and Bob Filner was elected to Congress over Wadie Deddeh, who was still a state senator. Wadie had been in that primary with former Congressman Jim Bates and Bob Filner, it was a big, ugly Democratic primary for the Congressional seat.

VASSAR: That was '92.

DUCHENY: That was, yeah, '92.

VASSAR: And then in '93?

DUCHENY: But see, in '92 Bill Clinton is elected, Bob Filner is elected to Congress, a City Council seat comes open, that starts another chain of events. Senator Deddeh ran for the congressional seat and lost. And a lot of folks thought Wadie might be appointed ambassador to Iraq under Bill Clinton. There was some talk that Wadie was interested in possibly being ambassador. He's Iraqi, he's Chaldean and he wanted to work on those things and so there was some talk.

VASSAR: Yeah.

DUCHENY: So what happened with all of those '92 elections was also some of these other things started to be in play. And Wadie wasn't up in '92 except he ran for Congress. His Senate seat was '90 and '94 were his years so he wasn't up for Senate that year but he ran for Congress and he lost and that was unhappy. But you knew Wadie wanted to move on. He'd run for Congress, there was some talk of him possibly becoming an ambassador, so I was a little concerned that these pieces were going to move faster than the '94 or '96 calendar would have set.

So in '93 I started walking precincts quietly and just trying to get to know the voters pretty much in -- again, these were folks that overlapped my community college district; about a third of the new 79th was in my community college district. So I just started walking in that area that was in my college district with this questionnaire and asking people's opinions on things. It just gave us a chance to get out and kind of get to know voters and walk precincts and see neighborhoods and talk to people. So we started doing that on weekends and I was still doing all of whatever I was doing.

VASSAR: You were still acting as an attorney?

DUCHENY: I was still an attorney; I was College Board.

VASSAR: Still on the community college district board, still on the juvenile delinquency commission?

DUCHENY: Yes.

VASSAR: Wow.

DUCHENY: I was doing all those things. And I just sort of started doing this walking on evenings and weekends. I was younger then, I could do a lot. And Al and I -- it was just me and Al, it wasn't sort of a big campaign thing, it was just my husband and I would go out on weekends and in the evenings and walk precincts.

Long later that year it got a little -- because after that then came the spring and Steve was working in the Assembly and I was going up there occasionally on issues; working with Senator Polanco's office probably more than Peace's because some of the issues were issues he was interested in and gotten to know his staff. Debra Ortiz, who later became a colleague, was his chief of staff at the time. And who later became my chief of staff I met working there was Maria Alvarez, she was his staff assigned to work on some of the issues. And she would call me like the day before, 'I need somebody to come and testify on this bill, will you come up? Can you come up here? Can you be here?' And so we had been working on some of those things.

So I had that little bit of feel for Sacramento that I had just gained over those couple of years working on the College Board and it started to look interesting. It was sort of one of those, the same thing I did when I ran for College Board. I learned this trick from Maria Perman who was on the Southwestern College Board. To go and visualize yourself.

VASSAR: [Background noise.] Hold on, let's just take a break.

DUCHENY: Let's take a break. We have our helicopters. It's either Border Patrol or we have a Navy air base down here.

It's like a technique to visualize yourself in the position. When I was running for community college board I would go to the community college board meetings and watch them doing their work. It gave me two things: One was I got to sit in the audience with people who actually cared about what happened on the community college board, whether it was students or faculty or whoever as in the audience, but you also got to see how they were voting. And you could look at the packet and say, 'Oh, how would I do that?' You sort of can start to see yourself.

Well, by virtue of the testimony and being called up to Sacramento occasionally I'd actually gotten to see how a hearing worked and I'd had the experience that I later did to other people of calling witnesses and getting them there and then saying, 'Just say yes and don't say much because we'll lose the votes if you spend time.' You learn that later how hearings work and you can tell where the votes are and it's like, you don't really want to make your whole speech. But I was one of the people who got called up there like that. And then Polanco would say, 'Okay, keep it short, we're there.' Because we had done the work to lobby people in advance; part of going up there you obviously talk to people too. So I had been asked to testify at hearings, I had seen the big rooms. But it was really, at that age, the first time I would have had that experience with government at that level.

VASSAR: Yes.

DUCHENY: But it helped because I had seen it and it was like, 'Oh, okay, that's what they do.' 'Oh, I could do that.' You have to sort of get that piece around yourself. What is it they do? Oh, I watched them do that. And now I have seen them at work and I've seen hearings and I have watched legislation being worked on and, 'Oh, I could do that.' You sort of have to get that feeling for yourself.

So I started looking at being conscious of the notion that in 1994 there might be, when I would have been up for reelection to the College Board, there could be openings in the Assembly and/or in '96 if I did get reelected. Someplace along the way this was going to break soon and did I want to do that and kind of getting to know your community and thinking about those things. So we started doing that. By the summer of '93 we were pretty committed to it and I actually started to walk precincts in the South Bay and Steve got a little uncomfortable because he was still in office and he was like, 'Wait a minute, you're nipping too close on my heels. I'm still in office, I'm not a lame duck yet.'

And I was just sort of anticipating because to me what I could see but you really couldn't say it, I could say that it didn't seem to me that Senator Deddeh would run for reelection in '94. And when Deddeh didn't run for reelection, Steve would have to run for Senate and the Assembly seat would come open.

VASSAR: Right.

DUCHENY: That to me seemed like a logical scenario that at least I wanted to be prepared to take advantage of if it occurred. I wasn't looking to run against Steve Peace or Senator Deddeh, certainly but I also wanted to be prepared to be able to do that should that occur. So I started reaching out a little further beyond Steve Peace's comfort level, anyway, in the summer of '93. We had one discussion about it at a parking lot.

But about three weeks later after that conversation with Steve Senator Deddeh resigned. And I remember the phone call. Senator Peace called me up and he said, 'Timing is everything, kid.' And it was, pretty much. But here it was August or so and Senator Deddeh not only wasn't going to run in '94 -- what I had been gearing up for was the notion of a '94 June primary because everybody moved around. But now it was summer of '93 and Wadie stepped down and there was going to be a special election to fill the Senate seat. And Steve was obviously going to have to run for the Senate seat. There was no way for the Democrats to keep that seat if Steve didn't run. Steve was the only person that could have won that seat.

And the advantage of Wadie, politically the advantage of Wadie stepping down then was Steve got to run in the old district, the one that Wadie had been elected in 1990. The new Senate district was more difficult for Democrats than the old Senate district had been. So by Wadie resigning Steve got to do the unfilled term in the seat as it had been drawn in 1990; which was a better seat for Democrats at least to run in. And then

he would be the incumbent when he had to run in the more difficult seat in '94, which was kind of what happened with Wadie resigning early.

So we all scrambled to help Steve run. So suddenly it was in my interest that Steve Peace be elected to the Senate. But I kept doing what I was doing and then trying to support Peace some too. And so that was the craziest election ever because the way the election got called was just totally strange. There was a November election on a normal sort of November Tuesday, but it was a primary for the Special, not a runoff. If Steve had gotten 50 percent he would win. The old Special rules, if you got 50 percent you win, period, and if not, the top two from each party - not top two like we have now, but top two, one from each party - run off.

Well a Republican ran who was not very well-known. And we thought Steve could win it and I think certainly Sacramento folks that were involved in planning those politics, I wasn't part of any of that, thought Steve might could win it in November. I think Steve thought he could but a Democrat ran, a second Democrat, an African-American who owns a newspaper here, and pulled just enough to keep Peace under 50 percent.

And then the gloves were off because with Jim Brulte and people like that who were running campaigns for the Republicans could see, the runoff to that election was the day after Christmas. Talk about a turnout problem. The runoff had to be -- the calendar was worked on. The date that Wadie resigned and you have to count --

VASSAR: Eight weeks later after the primary.

DUCHENY: And you have to do the whole -- well, it works backwards. It has to be 180 days from the day he resigned. You've got to work backwards to get the primaries and stuff.

Anyway, the way this one fell, somebody wasn't thinking or Senator Deddeh wasn't communicating with people when they picked the date because the runoff was December 26th. And so the primary had been whenever, in November and Steve got real close. But then it was this election where who knew who was going to show up. Republican turnout could be better and who is going to vote. It became really difficult. And who campaigns over Thanksgiving and Christmas? It's just really difficult to even do and people don't want to hear from you. It's a difficult time. So it became very dicey for Steve at that point. And the Republicans decided to go in full behind this guy who had come in a distant second but had won their primary.

VASSAR: Yes.

DUCHENY: And probably in the primary had only gotten maybe 25 percent of the vote or something but Steve had gotten real close to 50. But now we had a runoff one-on-one in this odd turnout thing in Christmas. So the Republicans put a lot of money into it and it got really close. And I don't remember, somebody can look it up, Steve pulled it out. But I remember all of us sitting around with his staff and others on election night this day after Christmas, biting your fingernails kind of watching this thing.

And we had been hustling absentee ballots. We tried to get people to vote absentee but people were confused. Our district wasn't -- you know, a lot of minority voters. And Blacks and Mexicans both, there's not a lot of folks who were used to absentee ballots yet. But trying to get them to do that because we all knew nobody was going to show up on the day after Christmas.

VASSAR: No.

DUCHENY: So there had been all sorts of that.

So meanwhile through all this period I was busy walking behind Steve, in some ways, and having this very complicated message of, 'I am running for Assembly, I am not running against Assembly Member Peace; he is running for Senate, we support him for Senate, so I just want to be available when he wins the Senate race.' You sort of had to talk your way through it. But I just was doing it to meet new voters. It was just a way of meeting new voters for me and getting them to know you and just sort of walking precincts. It was literally what we did through the fall as well.

So when Steve won that election. And then he timed his resignation from the Senate to be a little more sensible. He did it in such a way that the runoff for the Special -- similar to what had happened with Marston and Gotch in the 1990, so that the runoff for the Special would be on the day of the regular primary. So you could have at least one -- you save one election out of the mess.

VASSAR: Right.

DUCHENY: So that the primary election and the special runoff, if there were one, would be on the same day. And then you work backward and you get the primary for the Special, you get the Special, the first Special, right?

VASSAR: Right.

DUCHENY: And then it's so many days from whenever, right?

VASSAR: Yes.

DUCHENY: So Steve waited a week or two, whatever it took, to take his seat in the Senate to make that come out so that you could end on the June primary date. At least make some sense out of the Special.

[Stop Recording - Continuation of September 12, 2016 interview]

[Restart Recording - Continuation of September 12, 2016 interview]

DUCHENY: And meanwhile other folks had started looking, people were looking to run. People saw Steve running. But the other folks who became the candidates were a little more hesitant than I guess I was to jump out. So here comes January and now this Special is going to be in April, it's only three months away. In-between came the time, the filing period. What was really odd, if I recall correctly, was that the filing period for the primary to run in the General in '94 in November with the primary for June, the filing period for the primary was actually before the filing period for the Special or something. They were like almost simultaneous. And you kind of couldn't run in the Special and not run for the primary because if you won the Special you needed to be running again in November. So

you sort of had to sign up for both the primary in June, basically for the November and the Special at the same time.

But what was good is we got to January and Al and I had pretty much by ourselves walked an awful lot of houses in this district so we had met voters, we had walked the precincts, I knew people in a different way. And the folks who then ran, there ended up being five candidates in the Special, all of whom also signed up for the Democratic primary.

VASSAR: And all were Democrats?

DUCHENY: And all were Democrats. Because the Republican who decided to run, basically he was a novice, he wasn't very political, hadn't been in campaigns before, and I think didn't -- I am not sure he totally understood it and maybe he didn't have the money to file two. You had to pay to file twice. You had to file once for the Special and a different, you had to pay a different filing fee to file for the general.

VASSAR: I think he filed for the --

DUCHENY: And he filed for the general but he didn't file for the Special.

VASSAR: Ah.

DUCHENY: What happened was he filed - and again it went to do with the filing dates and that. So the Republican filed to run in the June primary and therefore in November if he were successful in the June primary.

VASSAR: Right.

DUCHENY: But he didn't file to run in April.

VASSAR: Right.

DUCHENY: And so what happened was you had five Democrats all running in April who were all also on the Democratic ballot for the June primary.

VASSAR: And it also meant that whoever won the first round won outright because it's the top Democrat.

DUCHENY: Because there was no Republican.

VASSAR: Yes.

DUCHENY: Right. So it would have been top Democrat and top Republican in those days, not like today where it would be two top-two.

VASSAR: Right.

DUCHENY: So whoever won that one, won, in a different way. So it wasn't like Marston-Gotch in that way because top Democrat/top Republican --

VASSAR: Right.

DUCHENY: And so when we woke up one day and figured out the Republican hadn't filed for the Special, suddenly this was a different kind of race, right?

VASSAR: Right.

DUCHENY: And there wasn't going to be a runoff in June. There was going to be somebody in April and then there was going to be a primary and then there was going to be another in November with the Republican, probably, right?

VASSAR: Right.

DUCHENY: So that made the dynamics really weird. You had to set up multiple campaign committees. You had a different committee for the Special and a different committee for the primary. What would have been the November

general but really for the primary; you only could file for the primary because that's all you could run in.

VASSAR: In a condensed election like this how do you -- how did you pick your campaign staff, treasurer, fund raiser, consultant?

DUCHENY: It's tough.

VASSAR: It's a different kind of campaign than you had run for the community college district.

DUCHENY: It was a little different than the community college district but we were low-budget/no-budget. We were a tight operation.

VASSAR: Yeah.

DUCHENY: Al did all of those things for me. My husband was my treasurer and he was my consultant and he basically wrote most of my mail. We had volunteers. We picked a few and we did pay small, very small stipends to some people. At some point we picked up a couple of younger, basically college students or recent college graduates about to graduate. A whole group of young people came to me through different sources. I had some electeds support me. We all started hustling. And the people that ran against me, the main opponents, there were five total, the only other elected official besides myself was the mayor of Chula Vista, the then-mayor of Chula Vista, Tim Nader.

VASSAR: Tim Nader.

DUCHENY: And David Valladolid, who had been the chief of staff to Assemblyman Chacón. And so David had staff experience, he had Sacramento experience, but he hadn't been elected to anything.

Chula Vista was really -- but only about half of Chula Vista was in the district, only the western half of Chula Vista was in the district. Well, and what is now Chula Vista didn't even exist. Eastern Chula Vista, there wasn't as much of that. So we had about half of the Chula Vista population was in our district.

VASSAR: And you were in the extreme north of the district?

DUCHENY: And I was in the northwest corner.

VASSAR: Got it.

DUCHENY: But it covered -- about a third of the district was in my community college district. So it went up into, it went from Logan and Sherman up into City Heights. It went as far north as like University Avenue into City Heights and then out into East San Diego. The more African-American part of the district in Encanto and the eastern part of southeast San Diego, as we call it. Then all of National City, half of Chula Vista and all of this area, which is part of the 8th City Council District in San Diego City. The one that Filner had represented, the one that I lived in. Because the 8th District in San Diego is both Logan Heights and San Ysidro, it's sort of the odd district. It's like the 15th District in Los Angeles that goes down the Harbor Freeway; it's a funny district that way.

And so we lived in the Logan half. So we knew 8th District people pretty well. We had always worked in the 8th District. I had built relationships over time in these fights about the Bayfront with National City and Chula Vista and some folks here and there. And then, like I say, we had sort of walked precincts. And we knew the southeast part of the district pretty well, they knew me, I was elected there, more so than the others.

David was a little of a mix. I forget where he lived at the time but David would have known that part from his Chacón world. And he was better in the South Bay, down here San Ysidro and Otay, the more Latino parts of the district.

Where I built a stronghold in part was National City. I set up a campaign office in National City, right across the street from Sweetwater High School, and was able to get volunteer labor from high school as well as these college students. But the one who came to work for me was a son of one of the council members in National City who supported me. I actually managed to get the endorsements of the entire National City City Council, which was my key core group there.

Plus I had support again from -- and this goes to the community college question earlier. Because I had those statewide connections, a lot of folks who donated to me were community college trustees from all over the state. I remember getting a \$25 check from the trustee from Lake Tahoe. People, you know, who just were colleagues that you'd worked

with in different ways and knew me from the work I had done in the colleges and they liked me and they knew they'd have an advocate for their issues if I were elected to the Assembly, right? They were the same folks who worked with me, statewide community college trustees.

So I had support from interesting places.

I called upon attorneys from Los Angeles. Some of these attorneys I had worked for and worked with when I met Al and people who I had known in law school. It was sort of a -- to raise money was an interesting proposition for somebody like me who didn't have a lot of base.

I was able to get -- I believe I got some union support but David probably got some. It was all mixed; because it was all Democrats and we all had these different kinds of bases. There were two Latinos, if you will; me, half a Latino; David who was a pretty well-known Latino activist here in San Diego County, had been here all his life and well-known in some ways. But not as well-known among the electorate in this sort of broader -- and it went to this interesting dynamic that I think is interesting for the time but something a lot of us run into that the electorate was not like the population of the district. So the district under a census drawing was heavily Latino, probably almost 50 percent if not 50 percent. It probably wasn't quite 50 percent but it was pretty high Latino population. Fairly high Filipino population; both National City and Chula Vista and Otay have large Filipino populations, and David Valladolid is married to a Filipina. And then it had a large African-American population, a fairly

substantial African-American population. So it was a very mixed, very diverse district in that sense.

But the voting population and the folks who were going to turn out to vote, the Latinos were probably on a good day, 15 percent. A lot of it went to the same thing that was going on from my clients. A lot of folks are not citizens and Latinos have children and so you have a lot of under 18 population. So when you do it on a census, that Assembly district I think the census data for -- the district was something like 250,000 people, right?

VASSAR: Yes.

DUCHENY: Or 250,000 maybe.

VASSAR: Sounds right yeah.

DUCHENY: Something like that. And of that population in a district like mine, you had a lot of children. So you have a large number that just aren't eligible to vote by age. And then you have another substantial portion of the population that is not eligible to vote, for immigration status.

VASSAR: Right.

DUCHENY: Documented or undocumented, they weren't citizens.

VASSAR: Not citizens, right.

DUCHENY: And so the voting population was much smaller than the census population.

And then you had this problem of this multiple elections and election fatigue and the election in November and an election in December and now you've got an election in April and who are these people and who is going to vote? The turnout was going to be a really interesting problem.

So we sort of did this, we run everywhere, kind of strategy. What I think what ended up happening, at least in retrospect if you look at how it broke down, everybody had a core base and I was in many ways, when I won, it was because I was second everywhere. I had some core base and I was pretty strong in National City. I really made National City the -- it was the only whole city in the district and I sort of did a lot of focus there. And I had my office there and it is kind of central, both central geographically, it was the only whole city, even though it's a small city.

VASSAR: Yes.

DUCHENY: It was sort of a mix. So I was focused a lot there. But I knew people in South Bay, I walked in Chula Vista, I did all the outreach. Mayor Nader did better in Chula Vista but he didn't really know anybody in southeast San Diego. John Warren, who ran one of the African-American newspapers in the town, who had run against Steve Peace in November so his name was out there and he'd run before, he'd run against -- he was the one who was the other Democrat in the November Steve Peace race. So he had just run and ran again. But he did pretty well in southeast San Diego but he didn't know anybody in Chula Vista. So there was sort of this mix. David did well in some heavily Latino precincts, David Valladolid did very well in some heavily Latino precincts. But often in those cases I would come in second. So generally if Tim came in first then I came in second; or if John came in first then I came in second; and if David came in first then I came in second; and then there were some places where I got to

come in first. It was sort of a -- I have to go back and look at the election data but I think that's kind of how, if you looked at the precincts, a lot of the precincts kind of broke down in interesting ways that way.

And here came April. And that election, we hustled. Both David and Tim raised more money than I did. We had this really good core of workers who, again, I paid a little bit to, a sort of stipend. Like \$50 a week or something kind of, for people who were working 24 hours a day. But we had kids standing -- we had a great picture in the newspaper of folks standing in the rain with their handmade sign for me. We had this core that they just walked and hustled.

And we produced our own sort of -- Al produced a lot of our mail and we used it to walk with and to mail and we set up our mail program. We did a lot of targeted mail. So we didn't have enough to mail to everybody in the district all the time but we mailed a certain piece to women and we mailed a certain piece only in National City and we mailed a certain piece that was targeted to issues in people's different communities. There was an issue about abandoned houses that we had worked on with the City of San Diego in homeless issues and also abandoned drug houses that was like the house next door to mine in Logan. We had worked on that issue. So you target that issue to a certain community where you know that's a problem.

We targeted National City with certain things and the pictures. I remember one piece for National City and we had all of the City Council

and the Mayor on the piece. It said, all of these folks support Denise and so you should too, and talked about issues.

And we targeted women. There was one other woman on the ballot but she was probably the least-known. She had been a staffer to Senator Deddeh but she wasn't very well-known.

We targeted messages and we did mail that way so we weren't mailing the whole district all the time. We had a very narrow universe because we knew it was a Special.

And I remember on the last weekend there was an independent expenditure -- there were two independent expenditures I remember from this race. The Latino Caucus, Senator Polanco and some folks, did an independent expenditure piece toward the end that really was for David but sort of targeted Tim and left me alone.

So I spent a lot of the time, I went to Sacramento, I did spend some time in Sacramento. I did get some endorsements from members of the Assembly. The key ones were Hilda and Joe, who had been my colleagues on the community board. Joe gave me one of the first checks I ever got for \$1,000. I remember that, it was like the most money I'd ever gotten, from his campaign account. And Grace Napolitano supported me, Bob Campbell supported me, people that knew me from the colleges, basically.

VASSAR: And Steve Peace stayed out?

DUCHENY: Steve Peace stayed out. His father, his stepfather helped me some but wasn't able to deliver. His stepfather at that time was a long serving

member of the Southwestern Community College Board and had been influential in the dentists' association before he retired. And I tried to get them to at least lay out or do something and he wasn't able to pull that off. But he had helped as a mentor for me. I think Steve pretty much stayed out of it. He may have talked to people up there. I think he was in touch with Polanco and some of those folks. I did meet with Polanco.

I tried to keep, I actually fought to keep the Latino Caucus from doing a full endorsement. I had enough. That's what Hilda and Joe and Gracie allowed me to block. In those days the Latino Caucus endorsement had to be unanimous and I had enough to block. David was closer to others, David had known people, and I think they all thought -- the images I was fighting were Sacramento thought David was the guy and San Diego thought Tim was the guy and I was the in-between person everywhere.

So Sacramento knew David because he had been a staffer, he had worked for Chacón and he had been active in the Latino Caucus so people knew him. Cruz Bustamante, for instance, was good friends with him because Cruz had been a staffer and David had been a staffer and Cruz had just been elected in '93. So he wouldn't really even meet with me when I tried. And I tried to meet with some of them. Richard met with me because I had been working with his office on these issues for a long time so he knew. And I did get those couple of endorsements. It was more, it wasn't to use those endorsements so much as to be a block in Sacramento.

What I was trying to do was prevent Sacramento money from coming in here too heavy for anybody, right?

VASSAR: Right.

DUCHENY: It was just enough to say, 'Hey, I'm here and I'm okay. You don't really need to get into this. Just let us do our thing and you'll be fine.' That was sort of the message, my message in Sacramento. But I had some good people. Roy Perez, again, who I had met working on Coastal Commission issues with Senator Roberti years before. He helped me meet some key lobbyists or people who were engaged in politics up there so I could get the word out that this is somebody that Sacramento can know and just to get to know her. So I did a little bit of that.

VASSAR: Right.

DUCHENY: And then at home it was sort of the flip side because down here folks thought Tim, I mean, he was the mayor of Chula Vista.

VASSAR: Right.

DUCHENY: He was the better known candidate in a lot of ways. So there was a lot of balancing to do there. But toward the end -- so there was one piece that I remember they did and I think Polanco basically did it, but it didn't touch me, it sort of hit at Tim and it mostly supported David. That was okay.

VASSAR: Yeah.

DUCHENY: That didn't hurt me. Actually it probably helped me in the long run because it helped hit Tim, which was more important to me at that point.

And the other one, the big independents at the end, the insurance, those guys used to hang together all the time, the insurance, the doctors, the dentists, they sort of had a thing going in those days. And that coalition came in for Tim. But the piece they did toward the end really almost implied he was a Republican. It was really interesting. Because in this race we had no Republican, we were running in a Special.

VASSAR: Right.

DUCHENY: Republicans get to vote but there was no Republican on the ballot.

VASSAR: Yes.

DUCHENY: It sort of implied that. And when I saw that piece at home that weekend I actually -- we went home and I went into the office and I took that piece with me and I started calling Republicans on my list. And a lot of them were angry and they knew and they said, 'He is not a Republican and we know that and we already called the party and rah-rah-rah-rah-rah-rah-rah.' And I said, 'Look, I am not a Republican either but I am not going to lie to you; and here is where we might agree and here is where we might not agree.' I just started talking to some of them and I realized it was sort of an interesting possibility because Republicans were going to vote. So we spent the next couple of days calling Republicans just to talk to them, for me to talk to them. You know, you're making your calls, you just call.

VASSAR: Yes.

DUCHENY: So there were a lot of cross-currents in the race, bottom line. And we tried calling that and saying, 'Hey look, if you can't vote for me then don't vote.'

But here is where I can agree with you, here is where I can't, just kind of let's talk.' And so we spent a lot of time doing that for the last few days.

There we were on election night and it was a -- we were behind most of the night and it wasn't until like after 11:00 or something that the word came that we had jumped over and we had gone ahead of him for the first time. Because we were behind in the absentees and we started to catch up on the ground all day long, because we had this heavy ground campaign with all these young staffers and folks who had been working and walking and phoning and doing all their thing.

VASSAR: Did any members send staff down to help?

DUCHENY: [No audible response.]

VASSAR: Okay.

DUCHENY: And I don't think they did for anybody else. David might have had a few but there wasn't --

VASSAR: It wasn't like members sending caucus, caucus support.

DUCHENY: It wasn't like that, it wasn't like that because it was all Democrats.

VASSAR: Right.

DUCHENY: So what do they care, right?

VASSAR: Right.

DUCHENY: There were basically three viable candidates. The other two were probably not going to get there and each of us had our own world. So the doctors and folks were supporting Tim and certain Latino Caucus members and folks were probably -- and I don't know which other, maybe some unions

were supporting David. I had SEIU, I had a couple, SEIU sent some folks to me.

VASSAR: CTA?

DUCHENY: I don't know if they got involved in it.

VASSAR: There was an article that said --

DUCHENY: Did they?

VASSAR: -- the three big ones that somebody felt were important were National Organization of Woman.

DUCHENY: Oh, yeah, I had NOW.

VASSAR: They came strongly in support.

DUCHENY: Yeah, I got them.

VASSAR: The California Teachers Association and then the third one was the NRA.

DUCHENY: Oh well, that was towards the end.

VASSAR: That was towards the end. And they said it was last-minute and it was one of those where it was also targeted towards Republicans, it didn't really play with the Democrats. But it was one of those where it was like --

DUCHENY: It was so late. They tried to use it against me for the last two days but it was too late to use it against me.

VASSAR: But it was too late. And so --

DUCHENY: But I did have SEIU.

VASSAR: SEIU, okay.

DUCHENY: But it wasn't the same SEIU you all know now, it was more of the local SEIU here.

VASSAR: Got it.

DUCHENY: But they sent some folks. I remember there were some guys who came to help campaign the last weekend or so from SEIU. And I remember this one particularly because of what happened that night.

And the NRA, I guess they did endorse, I don't know if they actually endorsed me. We were sort of careful with the NRA always.

VASSAR: Yes, yes.

DUCHENY: But I did have support from gun owners and I knew it. And that was one of those things you talk to Republicans and you sort of try to work it through. Well, the local gun owners; my district was pretty gun friendly. This district is -- it was kind of the Libertarian streak in me. The guys who made phone calls for me, they used to make fun of my phone banks, but I had the bikers in one bank and the NOW women in another bank. And I tried to, I didn't always put them in the same building. But I had NOW and NWPC and some of the women's groups and then I had the bikers supporting me too because I carried the --

VASSAR: Later.

DUCHENY: Later I carried the 'no helmet' bill. So that Libertarian streak in me says. And it was an interesting combination because I support choice for women and it goes to the same reason with gun owners. It's sort of like --

VASSAR: And helmets.

DUCHENY: I don't believe government telling you what to do in your house, I guess. And to me, government was always more about the collective things we do together. The government stuff I cared about was schools and housing and transportation and things that have to be done collectively by government. And making lots of laws about people's individual behavior was not my reason for getting involved in government, at any level. So you don't have to want people to have abortions to say, 'It's somebody's choice and it's not the government's choice to decide that.' That kind of principle was sort of, to me, got me. Helmets and guns and things like that were sort of the same principle to me.

VASSAR: Right.

DUCHENY: The principle was behavior versus the collective need. And so yeah, I had this very odd coalition. I'd forgotten about some of that until you said it.

VASSAR: Yeah, yeah.

DUCHENY: I probably got the teachers because of the colleges.

VASSAR: Yes.

DUCHENY: And I don't remember all the processes. We had to do all those interviews and those forums and all that crazy stuff. Our school had been AFT. More likely I would have CFT than CTA it seems to me but it makes sense, it's possible.

And I remember the SEIU guy because that night when I finally at 11:00 whatever, when this count came in and suddenly I was over Tim by 20 votes, 21 votes, something like that and then there were still outstanding

absentee ballots and provisionals to be counted the next day. Well this one guy who had been working with us just for the last, like, he came in like the last week and he was from SEIU, probably I think he was from LA, he was from SEIU. And he went away for awhile while we were there and we were playing guitar and eating pizza and whatever you do in your little campaign office on the night, you know, of an election and you're waiting for results. And none of us had slept for weeks.

And we had been hand-labeling, my staff had been hand-labeling. We had been doing our mail not with a mail house but like literally we were hand-labeling 18,000 pieces of mail and things like that the last couple of weeks. And I was borrowing on my credit card to pay for the next mailing until a dollar came in that could help pay for it. We were, we were pretty shoestring. I think I only raised and spent like \$60,000 in that campaign. The shortness of it probably allowed that to occur.

VASSAR: Yes.

DUCHENY: And the fact that it wasn't a targeted race and we didn't have a Republican in the race and all those things played into that. But that night he came back, it was probably around midnight or something, and he said, 'Okay, do you have lawyers?' I think he had been on the phone with folks in LA and this thing was going to be a recount, we were in recount territory. And we had to do the count, the absentee/provisional count the next day, they were setting up.

VASSAR: Right.

DUCHENY: And he came back and said, 'You need to figure out how to do this.'

VASSAR: Poll watchers.

DUCHENY: 'And you need people to be watching.' And this is like sort of a piece of the world we'd never -- this was before Gore, this was before the Gore/Bush campaign. So we didn't know anything about all those things. So he came back and alerted us to that.

And fortunately some friends of mine from LA, some of the folks that I knew originally that had been part of the group that Al and I when we first met and who had helped get us married and stuff, who is a lawyer in Los Angeles, and I knew one of his partners was somebody who knew election law. And I had actually done some personal work for members of that partner's family on a family law case. I knew this one guy. I knew one guy. He had run, I think he had run for Assembly up there in one of the LA districts in maybe '92 or thereabouts so they knew a little politics. But I knew this guy knew election law. So here I am at midnight calling up my one friend - but I didn't have his home number, I think, and we didn't all have cells in those days. So I called my one friend who I did have a home number for, at midnight at home, and said, 'I need the phone number for your partner, the other lawyer, to see if he can come to San Diego tomorrow morning and here is where we are.' And I called him and fortunately he didn't have anything on his calendar and he was willing to get up and come down and be my lawyer at the Registrar for the day when they were doing the 'who is going to count what' business.

VASSAR: Yeah.

DUCHENY: And at the end of that afternoon, after they ran the count, we were up by 27 votes I think was the number. And I had to go off to a community college board meeting, because it was community college board meeting night. I showed up at my meeting and I was ahead. And some of my colleagues had supported David in that race. They didn't support Tim but a couple of my colleagues from the college board had supported David, which makes sense. We all come out of the same world, you know, and David and I are real close. When I ran recently for something David was one of my best supporters. But Maria Senour who had been on there and Yvonne, they had both known David a long time and they supported him.

So here I was at the college board meeting, obviously not having slept a lot, and sort of trying to think, how am I going to get through this meeting. But meanwhile all these calls are coming in and Al is at the office and getting all sorts of calls from Sacramento. Hilda is calling. Julie Bornstein was the Caucus Chair, she was calling and people were calling and everybody was calling each other and everybody is trying to figure out what's going on. And I'm getting some calls where I'm getting called to the back of the room. If a Member calls, Julie Bornstein calls, Hilda Solis calls, you've got to go down off the dais to go take the call; and I did a couple of those.

Then somewhere in the middle of the meeting they handed me a handwritten note. My husband had called and talked to the Board

Secretary and said, 'Sacramento called, you need to resign tonight, you are being sworn in tomorrow morning. You're on a 7:00 o'clock plane.'

Because I was expecting at that point there is going to be a recount and it would take them two or three weeks to certify the results and I was actually going to get a break and kind of get a chance to relax a little while we sorted through whatever was going to happen. And there was going to be some recount and I didn't really understand how all that worked but I knew that was going to happen.

VASSAR: Right.

DUCHENY: You're so close that somebody is going to do that, right? I hadn't had time to process all of that really and here comes this note from Al that says, 'Al called and says you have to resign tonight because you're being sworn in in the morning and you're on a 7:00 o'clock plane.' I handed it off to the personnel people from the District and said, 'Go figure this out.' Because it was kind of risky because in some ways I was giving up my college seat and I could have lost the recount.

VASSAR: Yeah.

DUCHENY: Now there would have been a primary still and that whole business was still kind of hanging out there. So the whole thing was very odd. But somehow Willie Brown had managed to get the Secretary of State to declare the election certified based on that count and make me an incumbent. And that weekend was the Democratic Convention, the state convention, so now I was an incumbent for the Convention. I was

incumbent for other purposes. I was an incumbent for purposes of raising money for the recount and getting Democratic Caucus staff to come and help with the recount. Suddenly I was an incumbent.

So what hands different people like Steve Peace and others may have played in that discussion up in Sacramento, I had no part of, but I did have some supporters. And I think people just wanted it over so they could move on and have a Member and I was okay with enough. I was okay with enough people that nobody was upset enough to say, 'Well maybe we should wait and get the other guy.' You know what I mean?

VASSAR: Yeah.

DUCHENY: And Tim wasn't the one who would have had the connections in Sacramento. Tim didn't really have the Sacramento connections, David was the one who had the Sacramento connections.

VASSAR: Right.

DUCHENY: David wasn't close enough to be in that. It was the two and then David was a couple of thousand votes down.

VASSAR: So Tim did --

DUCHENY: Tim did ask for a recount.

VASSAR: He asked for a recount and that went on, they take time.

DUCHENY: Yeah. It didn't take too long.

VASSAR: It didn't take too long. But during that time you're up in Sacramento.

DUCHENY: I'm a Member. I was it.

VASSAR: So how were you monitoring the recount as that was going on?

DUCHENY: Al was here and they sent -- this was the -- I didn't understand how all this worked then, I do now after I was in the Legislature. In retrospect I understand how that all worked and I was involved later in those kinds of decisions and doing that kind of work.

VASSAR: Sure.

DUCHENY: But what happened was I was now in the Caucus and now Willie's people could come and help me with the recount. So Willie sent some staff, some of the SOMS⁸ staff people took a couple of days off as staff do and came down and taught. And then I put Al and some of my other campaign folks as the volunteers to help with that recount process. And they taught us. So Al learned how to do recount from some of the best. These guys had been doing this for the Democratic Caucus in the Assembly for years.

VASSAR: Yeah.

DUCHENY: And they got me some lawyer and they helped get trial attorneys and suddenly money showed up from places I had never heard of in my account to help me pay for the attorneys. They got me some good attorneys. They hired the good recount attorney, a couple of staff came and helped. And I had nothing to do with it. Al stayed down here and Al had been working the campaign and Al and a couple of the volunteers worked with those folks on the recount. But I was actually a sitting member voting. This is the next day.

VASSAR: Yeah.

DUCHENY: This is Thursday, the election was Tuesday, the final --

⁸ Speaker's Office of Member Services.

VASSAR: The District board meeting --

DUCHENY: The tally-up count Wednesday.

VASSAR: Wednesday.

DUCHENY: Thursday morning I got sworn in.

VASSAR: The session starts.

DUCHENY: I was sworn in on Thursday morning at session. In session, on Thursday morning session. I got seated, you had your seating charts, but I was -- my seat was interesting because my seatmate was Jack O'Connell, my official seatmate was Jack O'Connell, who was Pro Tem. So Jack O'Connell was up in front and I basically had an empty seat next to me. It was like, here is the new member that doesn't know how to do anything, is trying to read things, trying to vote.

But I was lucky. And this goes to that whole, we talked about this before but having that -- coming in then and having all of these senior members still there. John Burton was kitty-corner to me in the back, Dan Hauser sat behind me, Curtis Tucker, Jr. sat behind me. I had people who knew what they were doing and calm and helpful people around me. I knew some of the women. I knew a few people, I didn't know a lot. A lot of people didn't know who I was. It was like, 'Who is this lady that just showed up out of nowhere?' I wasn't a known quantity particularly and it hadn't been a big ticket election or anything for anybody in Sacramento to be paying attention to. But I knew a few folks; I knew Julie Bornstein who was the Caucus Chair. Like I said, I knew the folks who had been on

college board with me and I knew a few people here and there. I was there and it was like, okay, now you get to vote. So you're reading the analysis and trying to vote.

VASSAR: And so at this point you probably had staff loaned to you as temporary staff?

DUCHENY: Yeah, pretty much, yeah, I had a couple of temporary staff. And I pulled in quickly and the one who became my chief of staff and stayed with me throughout the entire time that I was in the Assembly was Maria Alvarez who had been a staff person for Richard Polanco, who I had worked with on his bills. And at that time Maria had actually taken a leave from Polanco. A little while before this Maria had taken a leave from Polanco because she was going back to school to get her master's, she was doing something like that. When I got up there I called her and said, 'I don't know anybody up here, Maria, help me at least figure this out and how to hire people or who to hire.' She was one of the few staff people I knew, that I trusted, that I had a relationship with, to talk to. They loaned me a secretary who had previously worked for Rusty Arieas and that had been a little odd. And I think she had been thrown into the pool and then she got put to me so that was -- but she was really good. She was a very good scheduler. I got loaned staff like that, I got thrown into an office.

VASSAR: Pool car?

DUCHENY: Yeah. I didn't even know.

VASSAR: So did you fly up? You don't have a place to stay.

DUCHENY: I flew up. No, I don't have a place to stay or anything. I flew up -- well it was Thursday so I flew up and I flew back.

VASSAR: Oh.

DUCHENY: Right? I flew up Thursday. I did a little bit of trying to do some of this meeting and try to figure some of this out, came back for the weekend. And I think the recount started -- and then I flew back up Monday and I got a hotel for Monday, for that week, I got a hotel for that week. And I flew back up I think Sunday night, probably, because I remember -- they put me on committees starting Monday, right?

VASSAR: Right.

DUCHENY: And all of a sudden I had these committee binders like at my hotel or that they must have brought to pick me up at the airport or something. But suddenly I had committee binders for committee hearings that were like the next day. I remember that part. And I think that's about when they started the recount down here.

And then I got put on odd committees and there's a lot of stories there. I was the fill-in person in multiple ways because it was the end. And I also didn't understand this, I learned this as I went, but coming in at the end of the second half of the two-year session, right, meant you were way past bill deadlines, there was none of that kind of going on. And in some ways I thought that was good. I used to call it like my apprenticeship, my internship. But it was important because I didn't have responsibilities for

legislation, I wasn't carrying bills, I wasn't trying to do that, I just needed to survive, pretty much.

And remember, once we got past -- the recount only lasted a couple of days once it actually got going because he wasn't gaining and he had to pay for it every day and he wasn't gaining anything and after a couple of days he gave it up. So they counted -- we let them count all the ones that were most likely to favor him, recount those first. We went through that process and he wasn't gaining. In fact I gained I think one or two votes, so then they gave it up. So that didn't last too long.

But they were all still on the primary ballot and now there was only going to be Democrats voting, remember. I had a little bit of this Republican support that helped me overcome and now I had only Democrats voting in a Democratic primary because there was a Republican on the Republican ballot, right? And that election was only six weeks away, right? And I was trying to talk to the others about supporting me, and I remember having breakfast or lunch with David and trying to bring people in, but it wasn't real comfortable. It had been a little tough, it had been a little personal this election between everybody because we're all friends and it's a small community in a lot of ways. It had more to do with that, I think. It wasn't like we threw -- we weren't like Hillary and Trump, we weren't like -- but there had been a couple of semi-hits, not heavy, but. And there had been -- I don't know, it just was uncomfortable for folks and

nobody was quite there. And their names were all on the ballot so why bother.

VASSAR: Did any of them endorse you?

DUCHENY: Not right away, they took a while. And I was pushing other people. That's when I got to know Cruz Bustamante because I went to Cruz and asked him to help me with David. Because I knew Cruz had supported David and I knew they had been friends and I knew Cruz had endorsed David. And I sort of went to Cruz and said, 'Can you help me get David to feel comfortable? How do I do this?' David and I, it's not like David and I weren't friends, we had been friends for 20 years, we knew each other. But it's hard. We talked and he was more or less comfortable.

I think Tim had trouble giving it up because he was so close. But being an incumbent cut off everybody else's money from Sacramento real fast. This was the good old days, Willie Brown was Speaker. It was over. Willie said it was over, it was over, at least from the Sacramento perspective. So nobody else was going to get support from up there, nobody was going to get any resources.

But they were all on the ballot and they had all just run and they had all just been running and they had all spent more money than I had and they had all had primaries and they had all had mail out there just yesterday so we still had to run a campaign. We still had to run like we were running. We had to put out mail and walk precincts and do our thing. But I was in office and so I was having to be in Sacramento every week and I couldn't

be campaigning all the time; it was tough. And then we had to set up a district office.

VASSAR: Right. And did you use campaign staff?

DUCHENY: I used some of them. And a couple of them told me they wanted to go to Sacramento and I took a couple of my local folks who had helped me to Sacramento with me to help on that staff and then I left one here.

VASSAR: Did they stay long? A lot of times district staff don't make the transition well.

DUCHENY: No, they were -- a couple of them wanted to -- one came up right then, I think the other one didn't come up until later. One came up then, one wanted to go there, 'I want to learn Sacramento.' 'Okay.' And one wanted to be like district person. A couple of them, a couple of these key young folks who had helped, who had been the core of rounding up other people and doing things, wanted to be staff. So we ended up with a couple three of those. One I think went to Sacramento, Colin I think went to Sacramento with me. Anna stayed here with Nick for a while and then later asked to come to Sacramento and then she did. And she is now chief of staff to Senator to Senator Hueso who was my successor in the Senate district. She later worked for several different folks, Juan Vargas and others and Hueso.

VASSAR: The June primary rolls around and you win with 43 percent to 26 percent with Nader.

DUCHENY: Did I?

VASSAR: Nader got 26, you got 43, not a close one.

DUCHENY: Yeah, it wasn't by 27 votes anymore so that was -- and the others must have been less.

VASSAR: Yes.

DUCHENY: I didn't even know what those were. But I didn't remember, I wouldn't have remembered those numbers, I just knew I survived it. And then the November wasn't a real problem. The Republican wasn't somebody anybody was going to know, he wasn't going to have any resources, and so the November election was the easiest of the three in some ways.

VASSAR: Right.

DUCHENY: But we were able during that April to June period, establish a presence, you kind of get up and running. And then we did mail and we had -- now we had access to much more resources than I had had before because now I'm a Member. And suddenly I'm on all sorts of interesting committees.

VASSAR: Right.

DUCHENY: One of my favorite stories from that period was Steve Thompson, who was the lobbyist for the doctors in the old days, great, we became great friends. But the very first time I met him was probably that first week or two and I got put on a health committee suddenly. And it was because it was the period when Jackie Spier actually -- when Jackie had to take like a leave of absence during her second pregnancy. She had had some issue and they just didn't want her moving around so much so she had to stay home a bit so there were vacancies. So I was like that utility player in football.

Wherever there was a vacancy, that's where I showed up. Whether it was a vacancy because somebody was out.

VASSAR: Steve Peace?

DUCHENY: Well Steve Peace's, obviously. But other people took Steve's major committees and then there were openings in different other places, right? And I talked to -- Willie had me in to talk about, what are you interested in, what issues do you care about? Because he knew I had all these elections coming up so he right away, what committees. I said, 'Well these are issues I worked on before, this is what I know, this is who I am.' Because they didn't, these people didn't know me. I had to sit down with Willie, 'Well, I was an immigration attorney, I did family law.' Just give him that little short thing. And I worked on these housing issues and I was interested, this is what I did. But they knew more than -- they always knew more than you realized, I didn't know anything. Later it's like things in retrospect, I would go, 'Oh, I see how that worked.'

I got put on the health committee. Well, the folks who had run that big independent for Nader at the end were the doctors, the dentists and the insurance companies and suddenly one day I'm on the health committee, right, and I don't know anything about it. And there is a big issue, one of the big issues pending, and this one was one of these perennial issues that came up all the time, and I was aware of it because of issues in San Diego that I had been aware of, not that I had been involved with so much but just because it had been an issue in San Diego and it had to do with ambulance

service and it was generally a fight between firefighters and SEIU. SEIU often represented ambulances who were contracted to the ambulance folks but firefighters often wanted to keep those medical services in the fire department and that was kind of an issue. And it had been an issue in the City of San Diego and the County of San Diego so I was aware of the issue in a broad sense.

And here I am on this health committee and this is a big issue that day. And I'm reading this binder and I'm looking at these bills and I'm like, 'Oh my God, I see this one.' And that morning before we were even in the office there were firefighters lined up outside my door, right? And I am trying to understand this issue and trying to think about how would I want to see this from this perspective. I'm reading the analysis. I don't have anything else to do so I am actually reading the analysis.

And to me, I called my local SEIU folks to get their read on it because these are guys who I was close to and that I trusted and I said, 'Help me understand how this works from this perspective, from here from the state.' So the next thing I know the SEIU lobbyist is on my doorstep, right, after I called my local guy. And that whole day, I just remember it was the longest day in history, it was one of those. The committee hearing was probably in the afternoon and people were talking to me all day and at lunch. And finally I had made up my mind which way I wanted to vote and it had more to do with process. It was a reconsideration vote in the

policy committee and from there the most that was going to happen, it was going to go to approps.

VASSAR: Right.

DUCHENY: And to me, I could see how this should be settled. I wasn't in a place to do it but I could see how this should work and I wanted them to continue to have the -- if I voted a certain way the bill just died.

VASSAR: Right.

DUCHENY: And if I voted the other way the bill kept going.

VASSAR: In the Senate they always say, 'Keep the conversation going.'

DUCHENY: Well, and this was that kind of -- to me, that's where I got to. At the end of the day I think I leaned more toward the SEIU version. I've forgotten all the details of it but I just remember being chased around the place. But I remember kind of thinking it through and talking to actually some members that caucused during lunch. I think I talked to the author of the bill, I think it was Curtis Tucker. And Curtis sat behind me so he was kind of like one of my seatmate guys and I talked to him. I talked to people about this thing and I sort of figured out where I wanted to go.

And I made the greatest of all rookie mistakes. I was sitting on the dais and when the call came for the vote there were some other members who got substituted in and out of the committee that day. I was there because Jackie was on leave so I was kind of the substitute for Jackie. But I remember Dede Alpert in particular, who again was one of the few members who I actually knew and knew well because she had been elected

to the Assembly the night I was elected to the college board. We had been friends during that period, I knew Dede, she was from San Diego, she was my fellow San Diegan.

VASSAR: Right.

DUCHENY: She was one of the people you are looking to for guidance in this new world order. And suddenly Dede was on this committee and she hadn't been on it. And when Dede voted -- whichever way Dede voted it threw me off and she was ahead of me in the alphabet. And Bronzan, it was Bruce Bronzan was running the committee and they ran it -- this was the old members who knew how to do things and everything went fast and me, I'm like, 'Whoo, trying to figure stuff out.' I got thrown off and sort of, when they called my name I did a this. Because it was a reconsideration vote I was stuck with the, is "yes" no or is "no" yes?

VASSAR: So it was to grant reconsideration.

DUCHENY: Yeah, I guess so.

VASSAR: Okay.

DUCHENY: Yeah. And it was one of those yes/no questions. And I sort of -- I had decided how I thought about it as policy and I knew which side of the issue I was on but yes and no got me confused for a minute. And partly it was because I think Dede voted different than I thought she would. I had thought Dede would have been policy-wise where I was and however she voted threw me off. And I thought, 'Wait a minute, did I mean that?' It took me, it just threw me back for a second, which meant I kept my mouth

shut and they just went on to the next person without kind of pausing and at the end of that round the vote was tied. And Bronzan wasn't going to give me a break. I tried, I knew what I wanted to do, but it just had taken me a minute to formulate how to actually articulate it, right. And I was ready to vote and he closed the roll, right? But it was tied, which meant it was just sitting out there.

VASSAR: It was on call?

DUCHENY: Yes, it was just sitting out there, it was on call. He just threw it on call, he threw it on call. Well man, I could not, there was no place for me to hide in that whole building between the SEIU and the firefighters that day. And I had already made up my mind, it wasn't like I was up for discussion at that point, I just -- so we were -- anyway, I ended up voting the way I did and it did move on to the next day.

And I remember, and then a couple of days later I had lunch across the street at what used to be Brannan's, now Chops, over there. Who called me for lunch? It was Marguerite Archie-Hudson. Marguerite called me up one day and said, 'You want to go to lunch?' I said, 'Fine.' So I went to lunch with Marguerite and I started telling her the story and Marguerite said, 'You done good, duh-duh-duh.'

And meanwhile I think Willie had called me off the dais at a different committee hearing the next day or something and Willie, they had called me down to the phone at the floor in the committee hearing room, the committee room. And it was Willie and 'The firefighters are here and ruh-

ruh-ruh-ruh-ruh and they thought you were this and that.’ And I was like, ‘Well, here’s what I thought and this is why I did it and this is what I thought.’ But it was like -- and it’s the kind of thing that later I understood too that it was for show.

And five minutes after I hung up with Willie then I get the call from Marguerite to go to lunch. Okay. So then I’m telling Marguerite the story and Marguerite is saying, ‘You did fine and you did the right thing, you’re good.’ So I think it was a lot of everybody -- I think from Willie’s perspective I kept the bill going so he could keep working the two of them.

VASSAR: Right.

DUCHENY: So I did him a favor. And I suspect he knew SEIU was the one union in life who had supported me and if it came, if push came to shove. Even though initially when I talked to the firefighters I probably did give a bad impression of in terms of I understood the issue and I was open to their discussion but then I read the stuff. It was just one of those, it was just round and round, it’s one of those kinds of issues.

And it was during that same Health hearing that goes back to my Steve Thompson story but those folks had all supported Tim. And the first committee I was put on was actually Higher Education. I substituted, I think John Vasconcellos was out for the day or something, and suddenly I was in Higher Ed. And Marguerite was the chair of Higher Ed. So Higher Ed was like a comfortable world for me, it was during that first week and it was like, okay, here is something I know something about, I know about

these issues. And I read the agenda and it was like all issues that I knew stuff about and here was Marguerite Archie-Hudson and Hilda Solis was the committee; people I knew a little bit and who actually knew who I was. Because other committees, I'd go and they'd go, 'Who is she? What is she doing up here? Why is she up here?' Right?

And in the Higher Ed committee that day, and this goes again, I think Willie and folks understood these things, they knew what I knew and Marguerite knew this. A lot of these immigration issues were coming up. This is '94, again. They did drivers' licenses right before I got there, 187 is pending all over the place. Those kinds of issues were there. Mickey Conroy from Orange County was running this bill to try to keep immigrant kids out of college and there were all those kinds of issues pending.

VASSAR: Right.

DUCHENY: So here some of those bills were on that agenda that day. So the one day I sat in Higher Ed, and it was like this first week. But there I'm like on comfortable turf, these are all issues I understand really well, so I actually could raise my hand in committee and go -- and Marguerite actually knew who I was so she was willing to call on me. Because she actually knew, her and Hilda knew that I knew this stuff.

VASSAR: Yes.

DUCHENY: And I was the only immigration lawyer I think in the building at the time, right? I mean, in terms of Members who actually knew immigration law.

VASSAR: Yes.

DUCHENY: And I had just been practicing like yesterday so it wasn't like old news. I took their whole argument apart, I knew exactly all the stuff, it was boom-boom-boom. So I did that work and I thought, okay, this is really good.

And then I had to go -- but health committee was the same time as this Higher Ed committee, this Health committee I had been put on, and I don't think it was the day of the firefighter/SEIU fight, it was a different Health committee day. So we finish the Higher Ed and I get up to walk to the Health committee and here this guy comes walking after me who I don't know. And he walks up and he says, 'Hi, my name is Steve Thompson and I work for the California Medical Association.' They weren't real supportive in my election. They ran this huge independent expenditure against me and he knew it. It was Willie's irony that I was on the Health committee, right? And here is Thompson sort of having to go -- and I don't know he is some hotshot lobbyist. Later I knew what a hotshot lobbyist he was and I worked closely with him for many years. But he was kind of -- the new Member, he had to follow the new Member out of the committee room and say, 'We have all these bills up in the committee you're about to go to.' And I just laughed at him because of the way he did it, I just sort of laughed at him. That's how we got to be friends from then on. I just said, 'Lucky for you, you're on the same side as the nurses and I'm with them.' There were a couple of bills -- but I knew which bills he was referring to.

I had read my -- again, having that opportunity to do things without a lot of responsibility, to actually be able to sit in committee hearings, to read the analyses. I took it all really seriously, I'm reading these analyses and trying to understand and floor analysis and all of those things throughout that period. So I got to sit on a whole variety of committees, in and out. Like the Higher Ed, I think I probably only sat in on it like maybe that one time because I wasn't really a member, it was more like a substitution because somebody was absent that day and they needed the extra person there. So I did some of those.

I did housing and that was great because Dan Hauser sat behind me and he was the Housing chair and I learned a lot from him. Got in trouble with Mike Thompson - who later became a friend and we did budgets together - but I got in trouble with Mike Thompson one day. I thought I was doing him a favor. It was another one of those freshman things where I was -- my Chair, Hauser, I was on the same side as my Chair of a bill, but Mike Thompson was his senator, like me and Steve Peace were, right?

VASSAR: Right.

DUCHENY: Hauser and Thompson were from the same district. Hauser disagreed with Thompson on this bill, I agreed with Hauser. And I thought I was trying to help Thompson out and I offered some ideas for how to amend his bill that I then learned the meaning of "hostile amendments," which was not what I had intended. I thought of them as not hostile but as helpful, but they were

hostile in the sense that they weren't amendments that the author wanted to take.

VASSAR: Right.

DUCHENY: But they were amendments that would have gotten his bill out of committee so I was just, I thought I was trying to be helpful. And Steve Peace came up to me at the airport that Thursday and was like, 'What did you do to Mike Thompson?' Mike Thompson, who is now the Congressman.

VASSAR: Yes.

DUCHENY: He said, 'What did you do to Mike Thompson?' He came in, 'Who is that woman and where did she come from?' Again, I was so new people didn't even know who I was. 'Who is she to be proposing amendments on somebody like Mike Thompson, right?' I didn't know, I was just trying to be helpful. And I knew Hauser was pretty much where I was on the issue. They were from the same district.

VASSAR: Right.

DUCHENY: I didn't kind of get all the politics of it until Steve Peace came up to me when we were flying home that weekend and he said, 'Boy, you got Mike Thompson.' I said, 'I didn't know, man, this is what I thought.' There were a lot of those kinds of experiences that, you know, you have to do those things. And being a freshman is being a freshman and being new and not trying to think you know anything but just doing what you do, what's important. And you learned a lot. I learned a lot in this six months, or

really three or four months that we were in session and then the fall when we were running and there were elections and such.

VASSAR: So in terms of term limits. So you came in before '96 so you saw a lot of this.

DUCHENY: Right.

VASSAR: You came in to complete the term of --

DUCHENY: The term of Steve Peace.

VASSAR: -- of an 11 year member.

DUCHENY: Right.

VASSAR: And you were serving with a lot of the 30 year members, Vasconcellos, etc.

DUCHENY: People from when I was in college, people that I knew as icons.

VASSAR: Yes.

DUCHENY: People like Vasco and Burton and Willie⁹.

VASSAR: So who were you most in awe of or were you in awe of anybody when you got there?

DUCHENY: Those are the ones.

VASSAR: So what can you tell me about them?

DUCHENY: I don't even know because then I got to know them all differently later as time went on. But certainly being in the presence of Willie Brown and being asked into the Speaker's Office. And I had never met Willie. I wasn't one of the -- there are people who have run before who run new or staff or who have been members or whatever and I wasn't one of them so I

⁹ John Vasconcellos, John Burton, and Willie Brown.

was new to that whole world. People like Willie and certainly John Burton who has always been one of my heroes. John Vasconellos, because I had been on the community college board; AB 1725; my whole community college election was about this great bill that was the community college reform bill that had just been passed in, I think it was '88 or so. When I was running in '90 that was the talk of the world, I think it was AB 1725. That was Vasco's bill, Vasco was the guy for higher education. Delaine Eastin was still there.

VASSAR: Right.

DUCHENY: Delaine was running for whatever.

VASSAR: Superintendent of Public Instruction?

DUCHENY: She ran for Superintendent that year.

VASSAR: Yes.

DUCHENY: So several people were running. Art Torres, Delaine Easton, Gwen Moore who was running that year for Insurance Commissioner who still remained a friend even though I only served with her that little short period of time but we were friends later.

VASSAR: Right.

DUCHENY: Marguerite who I really liked, Marguerite Archie-Hudson who later went on to -- she didn't stay in the Legislature and stay in the Senate. So some of the people that I got to know better were like Burton who stayed and served in the Senate, we served together longer, right?

I don't know to think about that.

VASSAR: So what was it like coming into the Legislature serving with these people and seeing how they operate?

DUCHENY: It was a little bit odd; it was just very odd. You just sat back. On the one hand there was this sort of piece that went, 'Oh my God, I am in the same room with these guys who I have looked at from a distance.' And women too like Delaine and folks that you had admired from a distance and you knew about who you really didn't know.

VASSAR: Right.

DUCHENY: And then there were the folks you sort of knew a little bit like the Bob Campbell. I knew Polanco a little bit but Polanco was probably one of those. Torres I had known a little bit from LA in '74 but he -- Henry Mello was the Majority Leader in the Senate. David Roberti was still there for a little bit, he was Pro Tem during those six months. I got in trouble; I didn't vote for something he wanted me to vote for.

And people who I came to know and didn't probably know as much then but came to really respect. People like Senator Maddy and Beverly¹⁰ - the gentlemen of the Senate I used to call them - Maddy and Beverly and Frazee. The guys from North County here, Frazee and Craven¹¹, the Republican Members from here who were friends who became part of the San Diego, I got to know the San Diego delegation.

¹⁰ Kenneth L. Maddy served in the Assembly (1971-1978) and in the Senate (1979-1998). Robert G. Beverly served in the Assembly (1967-1976) and in the Senate (1976-1996).

¹¹ Robert C. Frazee served in the Assembly (1978-1994). William A. Craven served in the Assembly (1973-1978) and in the Senate (1978-1998).

Obviously Dede Alpert was a little more like a colleague up front but she was sort of a mentor because she had been there at least the four years before I got there and was able to help me through a lot of the committees and trying to figure some of these things out.

But it was sort of, the one piece was awe of where am I and who are these people and you're sitting on the big, green floor and you're just sort of awed by the whole thing. And then there was just trying to do the work and catch up and hire staff and kind of keep up with things and do what you need to do. And then you're getting to know lobbyists, you're meeting people every day, every which way and constituents are coming in and there's issues to vote on. I ended up doing one bill at the end of the year.

VASSAR: Right.

DUCHENY: There's the one bill that went to my unique experience which was redevelopment and community colleges. And our district had had redevelopment districts and we had done some of the work with redevelopment and due to redevelopment changes things were happening. This one bill was trying to design to solve a little problem in the intersection between community colleges and redevelopment reform, which Isenberg had just done the redevelopment reform in the previous year or two. But I had some experience from our school district doing some of that.

So this weird little issue came up and we were able to take over from an Assembly bill that was germane that was in the Senate that was dead and it

was from my friend Curtis Tucker. I got Curtis to give up the bill so I could run this play at the end of session. And it was all my community college friend lobbyists who I had worked with in the community colleges who were kind of moving this bill on behalf of the different districts and the CCLC¹² and those folks, who helped me staff this bill, basically.

And so I learned about how to use outside forces as staff to help work things. And I had to go through the entire process of a bill in like three days or a week or something from the time we amended the bill and it had to go to rules and it had to go through a policy committee, it had to go through approps, it had to go through all those steps in the Senate, it had to get off the Senate floor, it had to go to the Assembly, it had to come back for concurrence, had to go through all the -- had to do all those steps and I don't think it was more than a week or something; it was pretty short. I had to get rule waivers, I had to do -- I had to do every step you had to do with legislation and I got to do it all on one single bill in one week and sort of learned some of that process, which stood me in good stead in future years.

But it was sort of disconcerting that a lot of that experience in our house and people who knew committees and who knew subject matter were all leaving. Several of them were leaving in '94 before the '96 hit them.

VASSAR: Right.

DUCHENY: Some of them moving to the Senate.

¹² Community College League of California.

VASSAR: Senate seats open, right?

DUCHENY: Senate seats open, Congressional seats open, the running statewide, Delaine and Gwen and Art running statewide, right? I think that's when Art ran for Insurance Commissioner.

VASSAR: Did he run against Gwen?

DUCHENY: Did he? How did that work? Maybe it was in a different year. We have to look that one up, I don't remember. I remember Gwen running, I remember --

VASSAR: Delaine.

DUCHENY: Maybe he was running, yes I think he was running against Gwen.

VASSAR: Yes.

DUCHENY: And you got to know them. And then you had new people and I started to get to know Cruz Bustamante and Martha Escutia and started attending Latino Caucus meetings.

VASSAR: And you became a really good friend of Escutia?

DUCHENY: Yes. But that was, it took us a long time, it took us a while, but it was close. I guess all of that bonding; the heaviest part of that bonding went on during '95-96 when all of those things went on. But yes, Martha and I became really close friends. It didn't take too long. It didn't take her a few minutes to figure out. She says, 'You wouldn't have voted for that drivers' license bill.' She understood it all. She had been friends with some of the others but she wasn't anti.

And I had gone to see her. Out of respect I had gone to all the members of the Caucus when I was running. I didn't necessarily expect their endorsement but I wanted them to all know that I was somebody they could work with and they didn't need to worry about endorsing somebody else or it being a problem or something. I just wanted them to know me. So I had gone to see Martha then. But I didn't know her and she didn't know me and she was kind of, 'Whatever.'

But once I was there, you know, that was it. But I was so grateful for so many of those folks who did have that experience who were helpful because that next year was real crazy, '95-96; '95 was a pretty wild year.

VASSAR: Yes.

DUCHENY: Having that little bit of grounding I think really helped me cope with all of the things that went on after November of '94.

VASSAR: So when you first got to Sacramento in '94 Pat Nolan was still in office.

DUCHENY: That's true.

VASSAR: And Frank Hill was still in office. I think they were '94-ish. I know you overlapped with, I was pretty sure you overlapped with both of them. I know you overlapped with Nolan.

DUCHENY: But Jesus, when did he go to jail then? Because I wasn't there during Shrimpgate.

VASSAR: No, that was in the '90s. Pat Nolan resigned from the Assembly.

DUCHENY: I thought he resigned in '92; I thought he resigned before I got there.

VASSAR: I thought it was after.

DUCHENY: He may have been there that first term. It might have just been those six months.

VASSAR: My recollection was it was like ten weeks or something like that.

DUCHENY: It might have just been --

VASSAR: Because he did not make it to the end of 1994.

DUCHENY: Okay. I do feel like I knew Pat Nolan. I do remember meeting Pat Nolan. But I am trying to think in the context. It wouldn't have been much.

VASSAR: So with limited contact with him and with that going on did you feel like that had any coloring on the way the Legislature was changing? Term limits was happening, that was happening.

DUCHENY: That was outside of my scope. The whole Shrimpgate and whatever had happened there, that was more, that wasn't something I understood very well. I don't think -- Remember, I hadn't been part of the Sacramento insiders. It is stuff that I understood better later; how people raise money and how all that works. But I hadn't raised that kind of money when I was running and so -- I had gotten, like I say, a little bit of union support and a little bit of institutional support but it was pretty minimal because they pretty much weren't in this race, it wasn't that kind of race. That whole how that all works I don't think I really understood that all. And I was watching these things like having the doctors be concerned about my presence on the Health committee because they knew they hadn't supported me in the race. I was like, 'Well why would that matter how I

vote on policy?' To me, I was pretty innocent, I guess, at some of those things. To me, I was so focused on the policies.

We were coping with all the -- again, [Proposition] 187 was on the ballot and we had a lot of elections going on. There were a whole lot of things happening that I was more focused on, setting up a district and trying to figure out how you run a district office and how do you do case work and how do you set up structures and systems that work. I think I was so involved in that and the questions of policy.

VASSAR: Right.

DUCHENY: How are you going to vote on committees and how are you going to vote on bills, trying to figure some of those things out, that I don't know that I was dealing in the politics very much. So Nolan was a little outside of the purview. I knew the story but I didn't know much about it.

VASSAR: Right.

DUCHENY: You do the ethics classes, whenever you do those. But it wasn't, it wasn't sort of in my vision; I don't know how else to describe that. I do remember Nolan leaving and I do kind of remember meeting Pat once or twice. Later I met him, later when he came back to do his things with the --

And I remember -- and Frank Hill was in prison and I never knew him very well either. But I remember John Burton used to go visit him. I remember members treating members -- members having a relationship. A lot like your college. You're together for some limited period of time but it's an experience that nobody else has. You share an experience with

members. This business of living in a district and going up there and you're flying back and forth. It's sort of that whole, it's an experience that if you think about it, not that many people in the world have shared. Certainly up to that point.

VASSAR: Right.

DUCHENY: A lot more now, with term limits there's a lot more members, as it were. But it was a small clique or a small club of people who share that experience and so membership meant a lot.

I think one of the things that I miss, we used to talk to each other more. And this I learned from those older guys. Peace was one of these. It was about, you talked to members, member-to-member. Over time that I was there I think a lot of that was lost. There was more staff and lobbyists and this and that. It used to be member-to-member, it was all about member-to-member. And I was taught, I felt fortunate that I was taught by those guys because I learned that way and that's how I played. So to me it was always member-to-member and Steve, pick up the phone. It's not about working things around, it's about member-to-member. It's asking a member for their vote. You don't just play people, you don't have other people go -- yes, I always used outside groups to help me round up votes on things, but there are certain things that you did member-to-member and how you worked with your members was important. And I learned that from those guys and that's how it used to work.

[End of Session 1 - September 12, 2016]

[Session 2 - September 13, 2016]

VASSAR: This is Alex Vassar with Senator Denise Ducheny, Day 2, meeting in Imperial Beach at her home; it is September 13th, 2016.

Where we had gotten to yesterday was through your election to the Assembly and the end of the first of your terms. So we are in late 1994 and an election happens.

DUCHENY: Yeah. The most interesting election really, I think, that led to some major changes in the house and a lot of the part of, at least my experience, in the Assembly. Switching from the period where there were still a few of the -- again, we talked about in the first six months that I was there the opportunity really serve with people who had spent a lot of time there and kind of be a traditional, a more traditional "back-bencher" as they used to call them. Senator Kelly¹³ used to talk about his first several years in the Assembly before he carried a bill or really did anything of significance because that's just the way things were in those older days.

By the time I got there it was a little less of that because term limits had started to have some impact, although not a lot, until that November. And that November the effects of term limits started to -- you started to see some. And what you also saw in the big trends, the historical trends that were important, were a combination of the immigration that had happened because of the Immigration Reform and Control Act of '86 at the federal level that I had been involved with as an attorney, the term limits and some

¹³ David G. Kelley served in the Assembly (1978-1992 and 2000-2002) and the Senate (1992-2000).

of the things that came with that, and the redistricting in '92. All of those things had sort of piled up in a way.

And in '94 you had this climate that, it's sort of interesting sitting here in '16, is the one -- I recently did a talk in Mexico City about the 2016 elections and I compared it in some ways. I shared with folks, I said, the California Experience. And the California Experience in 1994 is the one you share. And the other time I shared it, it sort of jumps ahead, was in 2010 in Arizona before they were getting ready to pass, they were passing their what they later called "The Papers, Please Bill" 1070, the Arizona bill¹⁴. That was very similar to what the voters passed in November of 1994, Proposition 187.

And that atmosphere throughout California was there. People were reacting similarly to what we now see on a more national level of reacting to the changing demographics, to what is changing in our world. 'Gosh, gee, who are all these immigrants and what's happening?' And I think in some ways we saw that. Our district, my district was more immigrant base so it wasn't an issue so much for me locally or in my election but throughout California there were various elections.

Kathleen Brown was running against Pete Wilson who was running for reelection and then Pete chose to double-down and actually do commercials on it, partly because he was trying to set himself up to run for president. But he used those images of people running across the border

¹⁴ Arizona's Senate Bill 1070 (2010) by Senator Russell Pearce, formally titled the "Support Our Law Enforcement and Safe Neighborhoods Act."

and sort of played that up a lot. Unfortunately, I think -- I remember Kathleen coming into Caucus at some point during that early part that I was there and us talking to her about needing to get out and do things. But unfortunately her campaign, if I recall correctly, sort of ran out of money the last couple of weeks, which wasn't good timing.

And Pete was successful but so was 187. And 187 won by a large percentage, somebody else can check it, but it won substantially in California¹⁵. And it goes to the thing I talked about earlier of sort of the demographics and the residential -- the who are the residents in the censuses and the districting and such versus the voting population. And the voting population, the immigration population hadn't caught up with the voting population yet and so you had this sort of disconnect of who lived here and what the needs were versus who was voting, in an interesting way, and I think it all sort of came to a head in '94 in some ways with 187.

And a lot of people saw 187, some people had voted for it, I think voted for it thinking it was just a way of telling the federal government 'You're not doing your fair share. You're not taking care of this. This is your issue not ours and we are getting stuck with the burdens.' And I think people didn't have as much data as we had later through a lot of research and Pew Institute and a whole series, others of us who later did research showing what the benefits of immigration were. Some of that data hadn't I

¹⁵ Proposition 187 (1994) passed with 58.9% of the vote.

don't think coalesced completely post-IRCA¹⁶ and so the people could see that most immigrants were, in fact, a plus for the economy, not a negative. But people had this sense that there was some negative too; that people were taking social services and costing a lot of money. And I don't think the public, certainly, who voted on this -- a lot of them were sort of partly trying to send a message, not so much 'go home' as 'federal government, you need to step up.'

VASSAR: Step up?

DUCHENY: There was sort of a combination of who voted for this that was sort of interesting to watch on the ground. But it led to, in the Legislature it led to a really interesting problem. On the very day after the election, and I think it took a few weeks to settle out all of the elections because we had several Assembly and Senate races that were enormously close. We had very narrow races where people were winning or losing by 100 votes or 200 votes; I think Lily Cervantes from [San Benito County] was like 400 votes. There were several elections that were very close in '94. One I remember, I think they had put a ton of money against Betty Karnette at the very last weekend. And some of those races took a couple of weeks for the certifications and all that to come back. But when it all came out in the wash we had effectively an even house, at least in the Assembly. The Senate had a Democratic majority, just barely, and partly because of two Independents; Quentin Kopp and Lucy Killea by that point were both Independents but they caucused with the Democrats.

¹⁶ Immigration Reform and Control Act of 1986.

VASSAR: Lucy was from San Diego?

DUCHENY: Lucy was from San Diego. And Lucy and Quentin were the two Independents but both of them leaned Democratic. They had both been Democrats before they were Independents, they caucused with Democrats, so you had a working majority in the Senate. But in the Assembly you technically had on the day after the election, there were 41 Republicans and 39 Democrats.

VASSAR: So coming from your perspective where you are a member who comes in and then has to run again in the primary...

DUCHENY: Right.

VASSAR: You dominate the primary, almost 50 percent of the vote in the primary. It's a safe Democratic seat.

DUCHENY: Right.

VASSAR: You are not worried about that. Was there pressure to work on other and to help out with other members in the questionable seats or was it more work on Prop 187? What did you spend November doing?

DUCHENY: Because I was so new I wasn't as involved in the Caucus process.

VASSAR: Got it.

DUCHENY: I probably, I don't remember the specifics. I suspect that I donated to the caucus fund that helped candidates statewide in different ways, but I was pretty new and didn't have a lot of staff and had fairly new staff. I suspect we did some work on the ground here to shore up Dede Alpert, she always had a difficult seat. And Susan Davis was running here as well for an open

seat because Mike Gotch, who had been an incumbent and actually could have run for another term, that was the term that Mike Gotch chose to step down. He didn't run for reelection that fall. That seat came open, Susan Davis was running. She was a school board person so she was basically new to this. Dede Alpert was up for reelection. Dede's seat was always a seat, at least in those days, that was dicey at best, it was a pretty even seat. So I probably was engaged at some level in those races because they were local to me, but not at the level that I can remember some later elections. I was such a freshman and I didn't have nearly the fundraising capabilities that other people had. So I'm sure I raised some money and donated some money. I probably did a little bit and some of my local staff probably helped out, certainly in these local races.

But we needed to make sure that I was secure because it was really the first time. You don't know. Your voters don't still know who you are at that point so we still had to do a little bit to make sure we were solidifying our position in the district. And all of these other things were going on. I don't remember campaigning so much on 187, although certainly speaking about it in different forums and being available in that kind of way but I don't remember that much about the campaign. I remember some. Probably to the extent I did it was probably partly too in the Latino Caucus because I remember Lily and some of those races, the Latino Caucus, we got involved in several of those races in that format as well as the regular Democratic format. So we did some but I don't have a lot of specific

recollection of my own role or that as much as I do at least in subsequent elections.

But when we ended on November, whenever they sorted out all of the pluses and minuses and late absentees and all of that business and certified we were at 41/39.

VASSAR: I've heard, I don't know, that traditionally the members will go up to Sacramento prior to the beginning of session and there will be a caucus.

DUCHENY: Right.

VASSAR: What was discussed in that caucus? What was that like? It's probably November, the end of November of 1994.

DUCHENY: Yes.

VASSAR: Willie Brown is Speaker but things are not looking good. Do you remember that meeting?

DUCHENY: Some. I think we held that caucus meeting probably before we had it all completely clear. There were still these races that were a little bit out there, at that point it could have gone either way. It was going to be something like 41/39, but which way it was going at that point was a little unclear. And I think it was toward the end that we lost kind of the last one of the seats that we had kind of thought might flip.

I think we knew, and the part that sort of was surprising later, I think most of us, I don't think Willie talked about this in caucus, I don't think we talked about it, but I do believe that a lot of us understood the possibility that there were Republicans who had just been elected or reelected who

might be willing to continue to have the Speakership in the hands of Democrats. That Willie had been around long enough and had enough friends and had built enough credits in different ways that that was an option.

And I think a lot of folks who were astute and watching politically understood that the guy to watch was Paul Horcher. I think we all knew, at least I knew. And we were sort of surprised, I think, at least some of us who were watching, that it didn't seem like the Republicans were courting him the way one would think they should have. They had never treated him kindly and so that was pretty common knowledge, that Horcher had not been treated well by the Republicans. Willie had given him a fairly substantial position in terms of committee leadership and such and he had worked with Willie on different issues, just as some other Republicans had in the past. Willie was like that, he knew how to work the whole house. Sunny Mojonier had been one really, even in the 1990 election. Truthfully, Dede Alpert was elected down here, she wasn't fully supported by the Caucus because Sunny was somebody they could work with on the other side. You always needed people like that around. And I think, at least I remember thinking that Horcher was kind of obviously somebody and there probably were others that I wasn't as clear about.

And then there were a couple of folks who were moving toward Independent. If I recall correctly I think that's the same year that Cortese, Dom Cortese went Independent around that time. So things were just, it

was all in flux. And Dom had been a Democrat but he was a conservative Democrat, you had Paul [Horcher] who was a Republican but he wanted to have government and he wanted to get things done kind of Republican, and so you had a lot of mixed. And because of the nature of the districts and some of those things you had a lot more moderates, let me call it that, in those days, from both parties. So where this was going was up to anybody's knowledge. The first day of the floor when we showed up to actually take votes, I think we knew; and it seems like it was a surprise to the Republicans. At least I had the sense that we knew and we knew how we were going to vote and we'll see what happens.

VASSAR: Right.

DUCHENY: If it was really 41/39, Jim Brulte would have been Speaker and I think Jim was fully expecting that. But Paul Horcher had been conveniently out of town for some period of time, if I recall correctly. As we sort of talked about later, it's like, why Jim Brulte wasn't sitting on his doorstep with candies and flowers was sort of surprising to many of us afterwards. But that was probably the most dramatic floor, certainly, the first day of session I have ever witnessed then or since because it was all quiet and there were a lot of new members.

My new seatmate was Antonio Villaraigosa who had just been elected in the fall to replace Senator Polanco who had gone to the Senate and so we had some of those sort of switches going on. And next to me I had Antonio -- you had the seating chart but it was me and Antonio was my

new seatmate, who was new, so I was like an old hand suddenly, Antonio is the new guy. And on the other side of him were two very conservative Republicans, Trice Harvey and Richard Mountjoy.

VASSAR: And Mountjoy had just been elected to the Senate.

DUCHENY: That was the other crisscross in this. That's why we were all unsure how this was going to go. From our point of view, Mountjoy should have taken his Senate seat the day after the election because it was a Special.

VASSAR: In your special election you had been elected two days after the election and he had been elected in November.

DUCHENY: And he had been elected in November.

VASSAR: And this was already a month after the election.

DUCHENY: And this is a month later. So he, by rights, could have moved to the Senate November whatever, certainly within a week or so. He was a clear winner, there wasn't even a question. But he had been on the ballot for both and that was the tricky part because I think he had won the primary for the Assembly before the Senate Special was called. So he was there.

And that was one of those other questions in the Caucus because our view was Mountjoy should leave and then the house is 40/40 or 39/40. But it still would have been to their advantage. Yes, they would have had 40 and we still would have had 39. But there wouldn't have been a majority and you wouldn't have 41 and how does that work, so all sorts of rules questions. And the guy who -- the story on this one belongs, I'd know if he'll ever talk about the whole day, the person that needed to go to the

hospital by the end of the day was ¹⁷Dotson Wilson. Poor Dotson, everything was on him as the clerk of the house.

But that was the other question mark was Mountjoy. And we all knew, Mountjoy won the Senate. Just like Steve Peace won his and he moved in a couple of weeks, just like I had done and others, he should have gone to the Senate. So that was a question but here was Mountjoy on the floor. And Mountjoy's view was; 'I'm sticking around long enough to vote for Brulte and then I'm going to take my walk and go to the Senate.' Brulte had prevailed upon him to stay and cast the vote for Speaker before he went to the Senate.

It was a quiet floor but it was interesting. The first day of session like that, especially right after an election, is always the day when everybody's family is there, everybody is getting sworn in. My husband was there with me. Other people, I know Antonio had his son sitting with us at the desk. Families are all there, it's a big, you know, it's like the first day of school, only more so. And people have to get sworn in and your families are all there and you just had a campaign and everybody is in the rafters and you had parties the night before, but there is all this tension around because it was like, 'Oh my gosh, have we really changed eras? Is Willie Brown not going to be Speaker?' And they started that roll call vote. And H isn't that far down the alphabet and they got to H. And you never forget, it's one of

¹⁷ E. Dotson Wilson served as Chief Clerk of the California State Assembly (1992-Present).

those kind of moments, and Horcher slammed his hand on his desk and said, 'Horcher, Brown.' And 'Whoa,' right?

VASSAR: Was it cheers? Was it boos? Was it just silence?

DUCHENY: It was just like shock, I think, more than anything, both. The Republicans were apoplectic and screaming and the Democrats were sort of, 'mm-hmm-hmm, we're okay with that.' And I think the signal had come, and I think the press release probably came out shortly before that actual moment and I'm not sure any, not many people had seen it yet, but Horcher had re-registered as an Independent that day. So Horcher re-registered as an Independent, voted for Willie Brown and there we were. And we were at a house that was 40/40, essentially. With Horcher voting with us for Willie you didn't have 41 to do anything.

And poor Mountjoy was the only other person besides Dotson for whom this was like the worst day ever because he just wanted to go to the Senate and he was only out of courtesy and politeness and party loyalty sticking around long enough to cast this one vote and expected like ten minutes later to say, 'Okay, now I'm going to go get sworn in in the Senate, right? And had been planning to go to the Senate and was ready for that and now he was stuck. And poor Dotson went around and around with the rules and we tried to say, 'Well, should Willie be in?'

We were there a long time. And some of the Republicans got up and gave... I remember Trice got up and he was just cursing, I think, practically on the floor. And Antonio, I remember Al [Ducheny] had to

restrain Antonio because Antonio got really upset because his young child was there with us and Trice was using language that Antonio didn't think his ten-year-old should be hearing. They were just hysterical about Horcher.

VASSAR: So Al was with you at the desk?

DUCHENY: Al was with me and Antonio's child. And Al had to sort of, we had to kind of sit Antonio down and calm him down because he was going after Trice. 'Don't talk like that in front of my child.' It was like that.

VASSAR: And they're right there?

DUCHENY: And he was right next to each other and I was on the other side and Al had to kind of, it was sort of 'Whoa!' And I didn't know Antonio that well. We had met, I had met with him, I had gone to Los Angeles to meet with him after the primary because he was going to be, pretty clearly after he won the primary, he was pretty much going to be a member. So I had, in the interest of general membership, whatever, had gone up to Los Angeles, had breakfast with him.

And he had gotten himself sideways with some of the people who had even supported him and he wasn't -- Polanco's staff member from the district had run against him so there was a little bit of, I was trying to sort of help bridge some things in the Latino Caucus, frankly. I was in a position to do that. We actually used to kid around in the Caucus at that time, there was the "Not from LA Caucus" of the Latino Caucus, which consisted entirely of myself, Joe Baca and Cruz Bustamante, and the three

of us were not from LA so weren't caught up in some of the local politics fights as much..

So I went to see Antonio. He had been supported by some other friends of mine in Los Angeles, I knew other people who had supported him. I knew about the tensions and I just thought, he's going to need a friend and so I had gone to just meet with him. But that's about all I knew of him, I really didn't know him from before. We did have some common allies, friends if you will, from Los Angeles.

VASSAR: So you didn't request him as a seatmate?

DUCHENY: No, no, we had no --

VASSAR: Do you know how he got assigned as your seatmate?

DUCHENY: Well, I suspect it was partly because of that.

VASSAR: Okay.

DUCHENY: Willie was astute enough to see things like that. You had to put Antonio someplace not with Polanco, not with Escutia, and on the other hand you sort of want him, you know. But it may have just mostly been because O'Connell had gone to the Senate and there was an empty seat there. Certainly on that day it wasn't like anybody doing a fancy seating chart, it was pretty much because he -- a lot of folks were pretty much in the same seats they had been in the year before. So I suspect actually -- well no, because that wouldn't have for Jack -- sometimes in that situation people take the seat of the person they replace and you just sort of leave it alone and then you re-sort it later. But in this case Jack had gone to the Senate so

Jack was gone. I always thought, you always wonder, but I wouldn't have been surprised, let me put it that way, if Willie had thought that through a little bit and figured, he needs to be with somebody who will understand him but who also is not contrary.

So anyway, but the little side stories of the day. But I remember Trice got up, I forget what he said, but Antonio was just, 'My child is here, he shouldn't hear that stuff.' And there was a lot of that going on, a lot of back and forth. And then there was a lot of -- I don't remember this specifically but I'm sure we all caucused. And there was all sorts of madness but we were literally at 40/40 and there was no way to break it except to kick Mountjoy out, which was what we all mostly thought. Mountjoy could have broken it easily just by walking away. And then if the house was only 40 the argument could be made -- that if the house was only 79 the argument could be made for 40, even though 41 is really the number. But that didn't happen so there we were.

It took us, some newspapers that people could look at, and I haven't looked back at it for a long time but it was a couple of weeks, maybe a month. We stuck around there for a week or two longer than you normally do after the organizing day of the session.

VASSAR: Because usually it's one day.

DUCHENY: It's like a one day and the next day you get your staff in line and go away for a month and come back in January. I think we stuck around at least the rest of the week and possibly a little bit more. And then we kind of broke

and had folks -- we sort of created some small committees, we had all sorts of different kinds of things going on.

And I forget when the Republicans started the boycott thing. I think that came later, I think that didn't come until January. But there was a point at which the Republicans were denying a quorum. Because we had a way we might have been able to do it and Republicans decided to deny a quorum to the house and went and set up shop in the Hyatt across the street. And that became a whole story of its own but they were denying a quorum. And it was because they were afraid we had the votes to do different kinds of things or to change the rules or do something and that became a whole thing.

So it was about, it was probably -- before we got it all settled -- At some point there became a sort of Rules Committee or a committee of people from both caucuses met and how were we going to function as a house, one way or the other. How do we function? How do we do this? What do we do with Mountjoy? How do we kind of do all this stuff?

Eventually, I don't remember exactly what all the parliamentary maneuvers were but come January -- we let it ride for a while, we tried to figure out how to make things work, it just didn't and eventually we just took the vote to declare Mountjoy's seat vacant, send him over to the Senate where he really wanted to go. He spent a whole month in the Assembly that he didn't want to be there. We did him a favor.

VASSAR: And you had gotten to know him in the previous session?

DUCHENY: I knew him, yes. Yes, I knew him some, a little bit, because he sat right over there.

VASSAR: So any hurt feelings about his --

DUCHENY: No, no. Everybody knew that he really wanted to be in the Senate and he didn't want to be in the middle of this mess and he was just hanging in because he needed to hang in because he had promised Brulte. And there comes a point, a week or two that's nice, but okay, a month or two, you're starting to cut into my Senate introduce my bill time and hire my staff time. You're starting to cut into his true Senate situation. Certainly everybody knew it was a caucus vote, nobody took anything of those kinds of votes personally to one person to another because it wasn't, other than the Republicans taking Horcher that way.

But however we did it. And I think it was partly because we figured out how to remove Mountjoy and that changed the dynamic of the vote. And so we elected Willie as Speaker but eventually -- and again, we had all these caucuses and like I say, a small committee which I was not a party to. I remember Debra Bowen being on it, I don't remember who else, what other members were part of this group that was trying to figure out the rules. What kind of rules are we going to operate under here.

And we basically came to a place which I thought made the rest of the year really interesting, where we treated the house as if it were 40/40. We treated the house as even. Even though we had managed to figure out by hook and by crook and parliamentary procedure how to reelect Willie as

Speaker, we treated the house in many ways as if it were even, a 40/40 house, even though Mountjoy was gone and Horcher was Independent. And I think by that time Dom [Cortese] was independent so it was sort of all over the place.

And that led to those really interesting rules. And basically what we all agreed to was that every committee would have an even number of people from each caucus. And what that led to was you could not pass a bill out of our house or out of a committee if it didn't have support from somebody on the other side. You couldn't have an only partisan bill pass because nobody had a majority of a committee. And that included, so how I got in this, it included the budget committees. So that was the first year that the Assembly split the budget and appropriations. The Senate had always had --

VASSAR: Ways and Means?

DUCHENY: It was Ways and Means. Up until that time the Assembly had had a Ways and Means Committee which did both budget and appropriations. The Senate had a Budget Committee and an Appropriations Committee but the Assembly had never done that. But this year in order to make this deal work everybody had to have a fiscal committee. You couldn't have one person chair Budget and not have some balancer. So the agreement that was made was one party would chair the Budget Committee and the other -- and every Chair had a Vice Chair from the other party, those kinds of things all were part of it. And we pretty much split the committees and

every committee was even, basically. But we did have to split Budget and Appropriations because you needed a Republican Chair and a Democratic Chair over fiscal issues. And the way that got worked out, which worked to my advantage, was that the Democrats were assigned the budget and Republicans were assigned appropriations. So Curt Pringle became Chair of Appropriations and John Vasconcellos maintained his Chair as Budget Committee, which he had at that point had for 15 years or something.

But I had in the summer before, before we broke, I had gone to Willie to just express my interest in what committees I might be interested in sitting on the next year. Because obviously that first quarter, again, I was sort of the utility player, wherever you could put me I went and that was fine. But now it was, okay, now it's time to ask and sort of get placed where you want to get placed. And I was very interested, obviously, in education finance. And Bob Campbell was a good friend of mine. He had been the Budget Sub-chair on education for many years at that point. And I went to Bob and I said, 'I want to be on your subcommittee, what do I have to do; how do I do this?' And that was when we still had the majority, right? And he said, 'Well you need to tell them early.' And Bob, and this is to Bob's credit, I like to tell in this kind of context a lot of stories about other members but it's important to kind of get that history. Bob said to me, 'You go ask for the sub-chair. You ask Willie for the sub-chair.' I said, 'Bob, I don't want to be the sub-chair. You be the sub-chair, I'll sit there for a year. You're going to be termed out in '96. I'll sit there

for a year or two and learn the Budget Subcommittee process and learn how the budget works and you'll be the Chair; I just want to be there.' And he said, 'No, no.' He said, 'You ask for the sub-chair and I'll be there.' He said, 'I'll sit on the committee with you but you ask for the chair.' 'Okay.' So when I talked to Willie that summer I expressed that interest in the budget sub-chair and whatever else, probably housing and a couple of other things that I was interested in. Toxics was not one of my choices, although I ended up on it and ended up there for a long time. Learned to like it after a while but the beginning was not, I was sort of not sure about that one. Environmental safety and toxic materials was not one of my choices that I would have thought of.

So here we were and who is going to be in what and sub-chairs, all that was crazy. So the decision was made with Budget, you had to have sub-chairs of the same party, you couldn't have a Budget Chair and then sub-chairs where each sub-chair was a different party or something. So they said, look, the Chairs are all going to be Democrats, the Sub-chairs will all be Democrats because the Chair is a Democrat. Appropriations will have a Republican Chair. Each one had the opposite party Vice Chair.

VASSAR: Right.

DUCHENY: And every sub-committee had a vice chair too. So effectively you weren't even a vice chair and a chair, you were co-chairs, effectively, because you had this issue.

VASSAR: Who was staffing? Was it carryover staff?

DUCHENY: It was Vasco's staff. Vasco still had his staff so you still had --

VASSAR: Got it.

DUCHENY: The Budget staff kind of stayed intact because you had Vasco and Vasco's staff pretty much staying. But you had to split up some of it because the Approps, some of them had to go to Approps. The Ways and Means piece changed the dynamic so some Budget staff went to Approps but some stayed.

And I fought to get a little bit of extra staff for being a sub-chair. I fought to get somebody to be my staff on the subcommittee separate from the Budget staff. I remember fighting for that position and a couple of -- we were learning the ropes of how you get what you need to keep yourself, to do what you want to do. And also had the advantage of interns and fellows and some of those kinds of opportunities. Got my office remodeled, all those kinds of things.

But the even house made for really interesting dynamics in terms of bills and in terms of -- and in the Budget Committee I was treated as Chair in terms of running the meeting. But I had to work closely -- my Vice Chair was a new person from San Diego as it turned out, from North County, who I'd never known before, Bruce Thompson. Had been on a school board up in Valley Center, someplace around up there in northern San Diego County. Was very conservative. What I knew about him was him being from San Diego and the local press and he was like this super-conservative guy and here I was, this Latina from the South Bay. Like,

‘Oh my gosh.’ And all of us and all of the sub-chairs had a vice chair. And Bruce and I figured out how to work together in a way that, I don’t know. It seemed like we did better than most of the subcommittees in terms of functioning. Not that you could actually pass everything you were interested in or how that all worked but in terms of being cordial and functioning, we did pretty well. He was sort of this business guy that was just all, ‘Do it.’

I was fortunate that I was staffed from the budget level by people who had been there for a while, including now the Rules Committee in the Senate, the Secretary of the Senate Danny Alvarez. But Danny Alvarez was still with us in the budget in those days so I had Danny Alvarez and Robert Miyashiro , who had been with the sub-chair, had worked with Bob and had worked with Vasco for years and years. And then I brought in one new person to work with me directly in my office to help on that as well.

And one of the other kind of footnotes of history, who I think started probably that year with me at some point, more as an intern, it may have been that summer, was Kevin McCarty, now Assembly Member from Sacramento. But he came into my office as an intern, essentially, at some point along the way. Probably around then. It wasn’t a Fellow, he wasn’t a Fellow; he wasn’t a graduate of college yet.

VASSAR: He was in college?

DUCHENY: He was still in college, he had been going to Long Beach State. He had worked with me over the summer. I think what happened was he even

worked with me over the first summer. He was just home for the summer. His mother lived in Sacramento, he was from up there, but he was attending Long Beach State. And I think he had worked with me over the summer. And when we came back in the regular year he had managed to put himself in the Sac State exchange program so that he was doing the program, the Sacramento Semester.

VASSAR: The Sac Semester.

DUCHENY: The Sacramento Semester. So they got to work in offices. So he was one of my free laborers to go with my Fellow, who I got a Fellow too. I was staffing up on this because you didn't get a lot of staff as a freshman member. And I didn't have a chair, a real chair, but I did manage to con them into hiring one person for me that could help with the budget stuff. But I think Kevin was probably there then because I remember him working on the Machado campaign. You know, you put your staff together, you do what you do.

But Bruce and I throughout that entire whatever, until the budget, worked as well as you could under the circumstances together. You didn't always pass things but you had a certain level. And we knew which things we could agree, we found the things we could agree on. And I worked with our staff to work with their staff. I said, 'This is our attitude, this is how we've got to treat it.' At the end of the day you're going to need a two-thirds vote budget so somebody somewhere is going to have to vote for it and it is not going to be one party dominating. Everything was even.

So how we worked these compromises where we could find agreement with the Governor's budget or different ways around we worked on that.

And I know some of the other budget subcommittees, we would hear about this. I wouldn't see them because I wouldn't be there but I know some of the other committees ran into some real issues. They would actually get denied quorums. In the middle of a budget subcommittee hearing one side or the other would walk out. Well, usually the Chair was usually there. The Democrats or the Republicans would walk out if they didn't think the thing was going right. And at least Bruce and I never had any of those issues that I know some of the other subcommittees ran into over the course of time. I don't know what would have caused that but I remember hearing that it happened.

And meanwhile the political dynamics of the world were that the Republicans started a recall against Horcher and one against [Assemblyman Mike] Machado [D-Linden] who had just barely won election but was one of those sort of marginal, just barely won kind of folks.

VASSAR: And the Mountjoy special election.

DUCHENY: And then there was the Mountjoy special election.

VASSAR: For his vacant seat in the Assembly.

DUCHENY: That's right, for the vacant seat in the Assembly. And that was coming up. So it became -- that whole 1995 I remember mostly as a year of elections.

It was just one after another and they all came -- I don't remember, who replaced Mountjoy?

VASSAR: I don't remember off the top of my head.

DUCHENY: I'm sure if we looked at the --

[Recording Paused]

[Recording Resumed]

DUCHENY: So the beginning of '94 we settle out how to make the house function but it took us at least a month. If somebody looks it was probably the end of January or February before we got it together and figured out how we are going to function in the committees. And then we all started working on our committees and we started doing what we do.

But meanwhile, all caucuses were in full election mode because the Republicans had qualified the recall of Horcher and that was the one that I think came up pretty much first in line. And so that's when -- and when you asked earlier about the caucus staff and stuff, I remember walking precincts for Paul Horcher in West Covina.

VASSAR: So you walked for Paul Horcher?

DUCHENY: Sure, yes. The Democrats defended Horcher.

VASSAR: Right.

DUCHENY: We felt obligated to defend Horcher. We were unsuccessful. It was more or less a Republican district and I've forgotten who won that one. Who replaced Horcher?

VASSAR: Was that Scott Baugh?

DUCHENY: No, Scotty would have been --

VASSAR: Was Doris later.

DUCHENY: We've forgotten, we didn't look. It would have been Gary Miller.

VASSAR: Gary Miller, all right.

DUCHENY: Diamond Bar. But I remember walking precincts for Horcher. I remember staff working and helping with different things and elections and that kind of thing. The Democratic Caucus tried to defend Horcher, we lost.

Then you had the replacement for Mountjoy.

VASSAR: Wait. In a safe Republican seat what is it like being a Democratic legislator from outside the area walking precincts? What is that experience like? Is it hot?

DUCHENY: I don't know, it wasn't bad, I was in Whittier. I went there partly because I grew up in La Habra and that was sort of the neighborhood to there. Whittier, I knew Whittier, I knew West Covina, I had grown up there around there, I knew those areas pretty well. I don't remember that being -- and I don't remember if I specifically knocked on doors but I remember being down there and organizing and being part of that campaign. I'm sure that we sent staff there, all of us, in different ways. For me it was kind of fun to go there because it was, like I say, it was sort of like a chance to go home and places I hadn't been since I was in high school; to see how it had changed. I sort of knew some of the community so I could be helpful in some ways. But I remember that election.

Then the Republicans in a seat that was going to be Republican so I don't think we engaged that much with the replacement of Mountjoy with Bob Margett. Bob is a great guy who I served with for many years later in the Senate as well as in the Assembly. But Bob was certainly, he was a much more moderate personality than Mountjoy, even if he wasn't a whole lot less conservative on policy and politically.

And then the big one that I remember after Horcher was the big push in the Machado recall. That one we had to defend with everything we had because that was a Democrat, a real Democrat.

But by then, after the Horcher recall it changes the number in the house again and so now we're down to 39 again and not at 40. But the Republicans didn't have 41, especially until the Mountjoy election happened, so there was sort of this, it wasn't quite, you couldn't quite get past what we had done. We had named Willie Speaker. You couldn't replace the Speaker without 41, nobody had 41. We were down to 39 but they still didn't have 41, there was sort of that period.

And in June of that year, knowing once that election had happened and they were going to be back up a little because they had replaced both Horcher and Mountjoy at that point, now they were back to 41, right? With Horcher and Mountjoy both being replaced by June then they were back to 41. And the thing that worked, which was another one of those kind of floor days, was Democrats really worked with and many of us worked with Doris Allen to take the Speakership with Democratic votes,

basically. And she had to bring one Republican with her and the one Republican she brought with her was Setencich, Brian Setencich who was a new member who had just been elected from Fresno that year. But Brian and -- and Doris, I think they were kind of the folks who really wanted the house to function and knew that it couldn't kind of go wholesale. And for whatever combination of cajoling that occurred in all of that context I do remember the vote on the floor for that.

And one of the footnote things I remember about that was - and if you interview Senator Escutia - we had to fly Senator Escutia up in a special private plane because she was pregnant and the airlines wouldn't take her. She was so pregnant she was past the point where you can fly. We quietly brought her up to the floor to vote on that and I think her son was born like the next week or a few days later; her oldest son was born right after that. But I remember because we needed every single vote on the floor to pull this off. We elected Doris Allen Speaker, Willie Brown became Minority Leader again.

Meanwhile Willie had signed up and people knew by that fall Willie was running for Mayor of San Francisco by that summer. So it was sort of that combination of Willie was getting ready to run for Mayor because he would have been out by '96 anyway and the Mayor's race was open, so we did the Doris thing.

Right after that came the Machado recall. We had to defend that recall like crazy in order to hold on to whatever little we had, and we did. I

remember everybody and every staff person, every Democrat can remember, and probably every Republican too can remember spending the summer in Stockton or somewhere in that neighborhood walking precincts and doing whatever we could do for Machado. And that's why I remember Kevin was one of my staff who we assigned to work a lot for Machado. Who did a lot of the work, who learned a lot of his campaigning working with Richie Ross and those who were doing the Machado campaign. Kevin worked over there quite a while.

Remember in those days, once upon a time, we had pretty much unlimited campaign fundraising for members and unlimited transfers and we could do a lot. So we could do things like I could pay Kevin out of my campaign account to work in Machado's district or wherever to do some of those kinds of things. So there was a Machado recall and we survived that, Machado won.

But then you got to the fall and I do not recall for the life of me when a budget passed but I know eventually we managed to get one that Pete [Wilson] could sign and we got through the session somehow. But in the fall you had, everybody was geared up still because then you had the Doris Allen recall. The day she became Speaker the Republicans started a recall against her. Meanwhile, Ross Johnson, as you pointed out, had left and Dick Ackerman had been elected, but that was a Republican seat for a Republican so that wasn't going to change. But then Doris came up in the fall and then Scotty Baugh got elected.

VASSAR: So did Democrats support Doris Allen the way that they had with Horcher?

DUCHENY: We tried. We did the best that we could.

VASSAR: Because Horcher kind of joined the Caucus; Allen remained a Republican, technically.

DUCHENY: Well he never -- yes, she remained Republican.

One of the more interesting aspects I remember of the budget process was that instead of the Gang of Five, which people used to talk about, the four legislative leaders and the governor, we had the Gang of Six because the Republicans insisted on their leader being present along with Doris; they wouldn't accept the notion that Doris represented the Republican Caucus. So she didn't represent any Caucus, she was the Speaker, so she was entitled to be in the room for those discussions but she didn't represent either caucus. Willie represented our caucus and Jim represented the Republican caucus. So it was six, not five, with the Governor and the Senate leadership, who I think was probably [Bill] Lockyer and Maddy, if I recall. Ken Maddy was the Republican leader in the Senate who I had a lot of respect for and who was a very good policy maker. The Senate was at least a bit calmer and not quite so crazy.

And then I think there were a couple of other oddball elections that I want to say they came probably in the following year.

Unfortunately, what also was happening, and again, some of this was term limits and a variety of other things that were going on, but seats became open in Congress for a different variety of reasons and so you had

a lot of movement of members in every which direction, besides all the ones we've just talked about. I think it was the following year when Bob Campbell ran against Barbara Lee for an open Congressional seat in Oakland so you had two Assembly Members. You had Juanita McDonald and Curtis Tucker, Jr. vying for Walter Tucker's seat in Los Angeles, Byron Sher left the Assembly to go to the Senate to replace Tom Campbell who had been there to replace -- you had just enormous movements of people going on. Members coming in and out and going every which direction. So you had the sort of Doris thing.

We had one more round where we were able to, after Doris was recalled and Scotty [Scott Baugh] was sworn in, we were able one more time to pull an interesting vote and Setencich became Speaker for a minute. But that didn't last very long because of some of these other changes. Other people were leaving because they were getting elected to other things and so he really, it was sort of like a November/December. She got recalled in what, October, late in the year.

VASSAR: End of the year.

DUCHENY: And he was Speaker for like a month. Until the Republicans got all their ducks in line and everybody was there. And we knew when we came back in January that Republicans actually had a firm 41 votes that they could count on.

And then what was interesting too I always thought and I have never totally understood this, was rather than electing Jim Brulte, who had been

the heir apparent the year before, they elected Curt Pringle to be the Speaker of the house. That was their vote and their thing.

Meanwhile -- oh yeah, that's the other one that happened, is because Willie. That was when that changed. Because Setencich got in but then in December came the --

VASSAR: The Mayor's race.

DUCHENY: The Mayor's race. And so Willie was elected Mayor of San Francisco in December of '95. That, of course, changed things and then that needed to be a special election. I think that's what probably triggered that now the Republicans really have 41 and we're at like 38 or not even. And then you had a couple of Congressional races. I remember by the spring it was Juanita McDonald going to Congress that year. And I'm not sure if Barbara Lee, the Bob Campbell/Barbara Lee thing I think took place around that year. I don't know if it waited until the regular election rather than a -- it may have just been a primary from our point of view rather than a, it wasn't a special necessarily.

VASSAR: A special.

DUCHENY: But when Juanita left I remember thinking, okay, now we're down to like 37 or something. It wasn't even, we weren't even even anymore. But with Willie there was a whole dynamic inside the caucus that then relates back to the Latino Caucus a lot. Some of us earlier in that year saw all of these changes coming and knew that in '96 -- and what everybody knew, the other thing that was in the back of everybody's minds I think, was that in

'96 everybody who had served before 1992 was leaving. Anybody who had been elected before 1992, in '96 was going to be gone. So what were left of people who had been there 10, 12, 20 years, the Vasconcelloses, the Katzes, the Hausers, all of those folks who had been around for a while, were going to be leaving in '96. And Bob Campbell would have been one of those, that was why he ran for Senate. Everybody ran for, I guess it was Senate, actually, him and Barbara [Lee], I think it was a Senate race. Later Barbara went to Congress.

VASSAR: Right.

DUCHENY: But it was a Senate race initially. And so you had sort of that dynamic going on where everybody from '95 to '96 who wasn't already under recall or in one of these other odd situations, all of these other members were looking for -- okay, Senators were having to leave, Assembly Members were moving, everybody was moving around.

And so you have -- the Latino Caucus was in an interesting position and we saw the opportunity that in '96 there was going to be a new speaker, one way or the other. And there were going to be a whole lot of open seats in that '96 primary in a variety of places all over the state there were going to be open seats because the Republicans, Democrats, everybody was -- because people had to leave because of term limits. The first real term limits election was that one.

We sort of quietly organized and Cruz [Bustamante] stepped up. I remember we had sort of a retreat, if you will, Latino Caucus members at

some point during that year, and talked about -- and I remember the -- I don't know, Cruz may remember it differently, you should do his interview, but my recollection, I remember -- I think I was with him and his wife in the car; we carpooled to wherever we were going for this retreat. In the car on the way over there we started talking about some of these dynamics and we were all trying to figure that out and we were thinking about our candidates for the primaries for the upcoming year and all those kinds of things were sort of in play. And the notion of somebody running. It was like, who could do it and what would we do and Cruz was willing to step up and consider doing that.

VASSAR: Was Villaraigosa talked about at that point?

DUCHENY: No, he was too new.

VASSAR: He was too new, okay.

DUCHENY: He was too new.

VASSAR: First term.

DUCHENY: Yes, he was still in his first term. And the only one who, in truth, was in a position to think about, who had spent a lot of time -- Cruz during that whole crazy period was the Caucus Chair, so under Willie he had become Caucus Chair. So he had actually started looking at the -- he was good at the electoral pieces of some of this and sort of doing that analysis and some of that. Not as much on the policy so much as on the caucus and the dynamics in the house. He had been a staffer so he knew all those things.

But mostly it was somebody who was willing to consider trying to become leadership in the house.

And so at the time of the -- so we sort of got that internal struggle started at the time of the Willie Brown Mayor's race. A lot of us helped Willie; a lot of our caucus and staff and folks went and helped Willie running for mayor. But there came a caucus in December when Willie was going to have to resign and the jockeying around that whole issue started before then. And Willie and the folks who had been there longer had chosen pretty much Richard Katz to become the successor.

VASSAR: Minority Leader.

DUCHENY: Minority Leader, essentially. Well, it would have been Minority Leader because we had made Setencich the Speaker. And so Katz was in play. And we actually, and with some risk, and this hadn't been done in the old days, caucuses and how you do these things was sort of dicey. You read historically about the leadership fights between Willie and Leo McCarthy and some of those kinds of eras. This wasn't like that. But we had one advantage which was pretty much everybody on the very small group of people who were willing to vote for Cruz for Minority Leader.

It was a small group. And we knew we were small and we knew we didn't have the votes, we had talked to people, we had done what you do in caucuses as you're leading toward leadership votes. We knew who we had and who we didn't and it wasn't a big group. And we made a decision at the last minute to take our stand and say, we're here. And it was sort of

with that risk that in the past, if you talk to my colleague Steve Peace, the Gang of Five and all of the issues that went with that, you risked losing chairs or losing things or whatever. You risk, potentially.

VASSAR: Smaller offices...

DUCHENY: The flip side of that coin was we were still going to be there when the dust settled in '96 and none of us were going anywhere. All of us except one. The only one that was with us in that vote I think was Bob Campbell, who was going to be termed out in '96 and was, I think, looking to run for Senate, there was a Senate seat opening there. But of the group that voted for Cruz, I don't think any others of us were really endangered for '96 and knew we were still going to be there.

So it made it hard. And if you're trying to then be a caucus that's in unity trying to win back your house, which was basically the position we were going to be in from thereon through '96 was, how do you win back the house, for Democrats? You need every Democrat you can get your hands on.

VASSAR: Right.

DUCHENY: So in one sense there wasn't a lot of the risk that people might have associated with that kind of a vote in the old days, but we did it. For better or for worse, I think it was eight of us, Cruz could tell you for sure, I think it was eight of us who voted for Cruz for Minority Leader. But it sent a signal that we were in play for the following year and we were going to be active in the politics.

Richard knew, I think. And Richard and us had, we all had mixed relationships. I had worked with Richard over time and I remember he called me and tried to, as part of the Setencich regime they made some changes in Chairs and Vice Chairs and things that came with Setencich taking Speaker. And basically it was Katz, he pretty much was giving Katz, you as Minority Leader you pick the Democrats. It was sort of 'Republicans were going to Chair things and Democrats were going to be Vice Chairs' and whatever.

And I told Richard, he called me, I remember him calling me at one point and offering me a possible chair, I think, of a policy committee. And I said, 'You know, I'm perfectly happy where I am. I really would rather be the Budget Subcommittee, even if it's -- I would rather be on the Budget Subcommittee, whether Chair or not Chair, and pursue sort of sticking with the budget rather than changing to be a Chair, even a Chair of a policy committee,' which in theory I could have been a Chair. And he honored that, which I appreciated, given the circumstances that we were all in.

But we started organizing in January. I remember we had one very large Latino Caucus fundraiser in January where we sort of really sort of made some noise in the sense that we did a big fundraiser aimed at many of our primary candidates. Because again, you had everybody leaving so you had all this sort of new change coming. And you had new opportunities for Latino seats because of term limits. You had sort of new opportunities in all sorts of different places. This was when Tony Cardenas, Carole Migden

was running for Willie's seat, you had several seats -- well that was going to be a Special but other than that most of it was aimed at the June primaries.

But you were going to have a lot of internal fights because you had all of these open seats and so you had all sorts of different folks running in all sorts of different places. So we raised money for a variety of candidates in our own world and aimed at trying to solidify some of our Latino Caucus members in the primary so they could then help us win some of the more marginal seats in the general, right? You're trying to get your ducks in line in the primary for then the seats that would be less endangered helping with the seats that were more likely to be contested throughout the year. So all of '95 and '96 was just an ongoing whatever.

But by January of '96 it was clear the Republicans had their 41, Willie had to resign to take the Mayor's seat, and whatever day that was they took the vote. As soon as we came back in January they basically took the vote and elected Curt Pringle, Speaker.

Well then you had everything go topsy-turvy because now all the Chairs are going to be Republican. All this sort of half and half business that had been going on for the previous, that was gone. This was, Republicans are in control and he's taking over the budgets, he's taking over the office assignments. They're going to get -- there was a lot of pent-up demand, if you will, from their caucus, I think, for things that even for Curt were difficult.

But it was all the Chairs. And there were huge cuts in the Democratic budget was the biggest problem. The Democratic Caucus budget was cut like in half for staff and some of those things. Because all of a sudden you're not Chair anymore so the Chair staff, all those staffs are gone, or at least the funding for them. So it became a question of funding. And Curt came up with some kind of formula, Chairs get this much and Vice Chairs get this much. He actually tried to regularize it in ways that it hadn't previously been. To sort of say, okay, Chairs are this, Vice Chairs of these larger committees get more and Vice Chairs of these smaller committees get less; he tried to do some of that. And he got to shift all of the positions; all of a sudden there's no Democratic Chairs anywhere in the house.

So during that interim oddball thing with the Setencich period, Setencich I think at the urging of Katz had named Louis Caldera Chair of Budget. But it was a one month stand or two months or whatever it was until Curt --

VASSAR: And it was during the Christmas holidays.

DUCHENY: Well, he did -- I remember his name was on the analysis that you do. The Governor's Budget comes out January 10th. Caldera's budget staff were those who did the analysis of the budget, that's about as far as it got. And that was why when Katz was calling in December it was like, this is all going to change in a week. It was like, just stand still and let the world settle its dust. In my view there was no point in changing positions and chairs or committees for what was clear to me was going to be a one month

gig until Curt got there and decided what he wanted to do, which nobody knew.

VASSAR: Did you feel like there was any indication that he would be -- if he was giving you a committee that your vote for Speaker might at all be tied up in that in the next session?

DUCHENY: No, I think Curt, well obviously once he got there then Curt had conversations with a lot of us. And I don't think it was about Speaker so much but there were -- and again, there were all these other things in play. The reason that Curt -- and that was when I became -- the bottom line in the story is I became Vice Chair of the Budget Committee and that was at Pringle's choice - it was not Katz's choice so much as it was Pringle's choice, it was clearly just the Speaker - and Valerie Brown became Vice Chair of Approps. And it was partly because we had both been, Valerie had been Vice Chair of Approps with Curt when Curt was Chair of Approps when we did the split. And as the Chair of my committee I actually thought the person who might be named Chair at that point was Bruce Thompson who had been my sub-chair/partner. So I sort of was in an interesting position.

And what I had done the summer before was something that was sort of unusual at the time and I don't know if people do it much anymore but I sat through the Budget Conference Committee because I wanted to learn how Budget Conference worked. I realized by then that's how things happened. I had sort of observed the process a bit the year before, now I was the sub-

chair. I was more engaged with Budget in general, I had spent time in sub-chair meetings with Vasconcellos, I was tracking Vasconcellos. And I went to John before the budget process in '95 and I said, 'I want to learn how this works, I want to understand the Conference Committee. Can I just sit here when you're doing whatever you do and learn how you do this?' And I had taken a fair amount of time out to sit in sort of in the front row during Conference, actually sitting in the Conference Committee room, not just watching it on television but sitting there with my own briefing book and watching what they were doing and how they did it.

And Pringle as Chair of Approps during that period had noticed. And [Chuck] Poochigian, I guess, was Vice Chair of Budget and then Valerie was Vice Chair of Approps. And the way we did Conference that year, you had to have four from our side so you had to have four from -- you had a larger-than-normal Conference Committee because normally Conference Committee is three and three. That year it had to be four and four because we couldn't, our house couldn't do less than four and the Senate, so they came up with four. They added Quentin Kopp who was an Independent; they added Kopp and so they got four and they only had one Republican, as was traditional. But anyway, so Conference was a weird process that year but I had sat through that.

And I think Curt had noticed that and also Bruce, who had been the sub-chair so he was in play in these discussions, I'm sure, within their caucus, Bruce and I had gotten along pretty well. And I actually kind of

thought he was the likely candidate for Budget Chair from Curt so we had spent some time talking to each other. You just kind of let things do what they do and at some point I talked to Curt and he thought that that was a good position for me and Valerie because Vice Chair of Approps and I became Vice Chair of Budget.

Well that meant Valerie and I had the two largest budgets of any member of the Democratic Caucus at that point because, like I say, there was a huge devastation of institutional staff that was really a problem in many ways. And we were scrambling, everybody, trying to put people in different places. People who got Rules Committee assignments hiring people because Rules Committee gets a little extra and all those kinds of things; there was a system. But clearly a lot of our staff was going to be devastated in different ways. And the Senate picked some up and people moved all around all over the place.

And one of the things that happened to me was that one of the things Curt did was he made Dom Cortese who was an Independent, kind of gave him his own caucus and his own budget and gave him Chair of Water. Well, what that meant for everybody else was you still needed a Democratic analysis for the Water Committee but we didn't have a Vice Chair. The Chair was the Independent and the Vice Chair was a Republican and there was no staff to a Democratic Caucus member. So I ended up taking Water because I had enough budget from my Budget staff that I could kind of cover taking care of staffing Water a little bit with

some of my Budget staff. All of us did things like that, sort of adjusted and did a variety of things. That's how I sort of got involved with the Water Committee was in part because somebody needed to be the lead Democrat. You weren't a majority, you weren't the Chair, you weren't the Vice Chair, you just had to be the lead Democrat on Water so you had a staff analysis that could help Democratic members understand the context.

VASSAR: Right.

DUCHENY: And then I was Vice Chair of the Budget Committee.

But I asked, one of the things I asked Curt to do was I wanted to stay on the Education Subcommittee as a member, even as a minority member, but I wanted to stay on the Education Subcommittee even though I was Vice Chair, and he agreed to that too. And so I was on that subcommittee. And I raise that only because some of the -- the person he appointed to be Chair of the subcommittee and one of the reasons I asked for it was because I knew this was somebody who really wanted to go after affirmative action, after a whole of desegregation funds. A lot of the things that we had spent years doing the person who had become the Chair of the Budget Sub was going to be going after, all kinds of crazy stuff.

Like I said, there was sort of this pent-up thing with a lot of the Republicans to go after policy that just had been shut down for years and really couldn't go anywhere. And it was really way beyond Pete Wilson's tolerance most of it too. And I always remember towards the end when you're doing the -- after the May revise when you're doing the final batch

that's going to go to Conference for the budget, a couple of times I moved the Governor's budget. It was, 'Ducheny moves Governor's Budget' and couldn't get a second in a Republican -dominated house with a Republican Governor. So the Department of Finance people started crawling under the chairs because I was like, the best we're going to get is kind of where Pete is. I would have done something different but this was a survival situation, not an advance new fancy policy situation, from my view. The policies that the Republican Caucus were going to put out were just way over the top and the Governor's Budget was more or less status quo and you could live with that for another round. So in several instances I moved the Governor's Budget, couldn't get a second. Endearred me to Finance, at least, if nothing else. After that process, that was the first year I served on the Budget Conference Committee.

VASSAR: Right.

DUCHENY: I was conferee that year as the minority member. And worked closely, despite all this other stuff we talked about earlier and some of the politics, Richard Katz was our Majority Leader, I was the conferee. Had to work with the caucus, work with the leader to figure out the caucus positions, work with the Senate Democrats. The Senate Democrats had a majority so you sort of had some balance there that we could work off of and then trying to work with Pete.

And really, and I think part of the reason Curt had - Curt and I became pretty good friends over time - it was Curt understood the responsibility.

And I think he grew into it; I think when Curt first became Speaker people had a lot of concerns about him, partly based on some of his elections in Orange County in '88 and previous years there had been some real issues with him. But as he became Speaker; and by then he had been a member for a few years. He had been a member for a couple, he had been that one term, he had been out and then he'd come back so he had been in for a little while. And he had lost some of that and he understood.

Curt always believed in government. And one of the things I had watched when he was Approps Chair and on the Conference Committee the year before, Curt was not one of these folks who didn't believe that there was government. He knew he had to deliver a budget. And you have a Republican Governor. You've got a Republican house for the first time in what, 50 years, if ever. In 30¹⁸?

VASSAR: Right.

DUCHENY: In a long time. That's right, Bob Naylor had been there.

VASSAR: Monaghan, Monaghan.

DUCHENY: Monaghan and Naylor and those guys. But it was the first Republican Assembly in a long time and you had a Republican Governor so you needed to figure out how to deliver a budget. Well, and a budget required a two-thirds vote and, of course, they didn't have anywhere close to that, they were barely at 41. And a lot of their members were going to be people who were never going to vote for a budget no matter what was in it because they wouldn't agree on a whole lot of things; that would not have been

¹⁸ The California State Assembly had last had a Republican majority in 1969-1970.

comfortable. They don't believe in taxes, they don't believe -- they wanted to do things. Like on the floor they wanted to put in anti-abortion amendments and all kinds of stuff they wanted to add to the budget that were not things that were acceptable to Pete Wilson.

So the Democrats kind of became the bulwark against for Wilson and so the budget -- I had to work a lot with Finance and the Governor's staff and Curt's staff. And in the end of the day Curt and I always were sort of proud of that budget but we called it the 30/30 budget. You pretty much had to, you weren't going to get anything that progressives really wanted but you were not going to cave to all the crazy stuff that the right wing of his caucus wanted. Sort of like the Tea Party. He had sort of an equivalent of a Tea Party like they have in Congress nowadays, and they weren't going to get what they wanted. Where we could find common ground with the Senate and with the Governor was going to be something that only part of each caucus was going to vote for. And I don't know that the numbers were exactly that but you needed 54 votes and I think we probably did get close to 60. But it was a combination of both caucuses, it wasn't like sort of heavy, one caucus way, way heavy and the other putting up a few votes. It was much more. I don't know the exact numbers but I remember it sort of felt sort of balanced. Democrats probably put up more votes for that budget than Republicans in the house, I don't remember precisely. But we would insist that Republicans, if you are going to have this budget that is not really the budget we would want you are going to have to put up a lot

of the votes, a lot more than the Republicans traditionally had put up for budgets, that kind of thing.

That whole dynamic of the changes and the numbers and the elections that were coming in the fall and all of those combinations led to some of these more interesting things that happened in '95.

VASSAR: So what was it like --

DUCHENY: No, in '96, this is all in '96.

VASSAR: What was it like working with Pete Wilson in the session immediately after Prop 187? Did that affect your relationship at all or was it just was Budget separate?

DUCHENY: I sort of didn't have that much relationship with him yet then.

VASSAR: Okay.

DUCHENY: Well, right after 187 was that '94-95 year that was just so crazy, that was what it was.

VASSAR: Right.

DUCHENY: It was all that chaos. And I wasn't, I was only subcommittee. I was sort of not -- and Pete I had some connection to because he had been from San Diego so I knew people who knew Pete. I didn't know him that well personally but I knew people who knew Pete. And truthfully, with Pete, he was never -- he understood government and this was something I came to appreciate more later as I worked with him more. And certainly in '96, this year when Curt was Speaker and I was on the Conference Committee, that's when I probably started to have more of a relationship with the

Governor's Office, Governor's staff, several of whom are still my friends. I think Richard Costigan was there in those days. People, some of the staff that were there, the Finance people, I had to work with some of them in different ways. And as long as you kept to whatever your topics were. And the thing about Pete was he actually knew the budget, man. He knew where those bodies were buried and he knew some of that stuff. So I learned that more in that '96 year a little bit.

The biggest issue I remember from that year in Conference was the big one. CTA had been running a campaign that like dared the Governor. They wanted to increase education funding in Prop98 and such. There were several big issues pending. We were starting to come out of the recession. You have to remember when Pete first got there we had that big recession, so before I was there, but the '91, '92 budgets were horrible and they had made a deal. And the deal that Willie and Wilson had cut was sort of half-taxes and half-cuts. How we filled the gap was half-taxes and half-cuts. The Democrats could pick the cuts and the Republicans could pick the taxes. It was basically, I think, the way they did it and then everybody had to find enough votes to get two-thirds from each caucus in different ways.

And there were things like Dede Alpert was one of the folks who I think voted for the tax increase and then Pete Wilson had to write a letter to help defend her when she was running for reelection that year against people

who wanted to attack her for voting for the taxes. There were those kinds of things that happened in '91, '92.

VASSAR: Right.

DUCHENY: By '96 we were starting to inch out of the sort of sense of recession so we were able to hold the line on a lot of things. We weren't able to increase a lot but we were able to hold the line a lot and start to restore a little bit and kind of create a balance.

So there were some issues in '96 and one of them was CTA had been pushing this notion of getting more to education and they had been pitching class size reduction. This was when the whole class size thing happened. They had been pitching class size reduction in some ads running statewide, trying to put pressure on people for the budget.. And I kept watching that and I thought, this is a setup, because if they do that, we can't really afford this. A lot of us, from a policy perspective there was a lot of concern that we didn't have enough teachers to meet the demands of the class size reduction program that people were thinking of. You couldn't gear up that fast. In other words, if you did it too quickly and you say, 'Okay, all of a sudden we're only going to have 20 in a class' well then suddenly you need thousands of new teachers and you're not geared up and the districts need to hire them and we don't even have them. And there were issues, there were fundamental policy issues that didn't fit into the larger campaign rhetoric of, 'Yeah, we all want class size reduction and we all want more spending on education and that kind of thing.'

And there was a pension obligation pending, there were a couple of big things pending that Wilson -- so Wilson sort of took it out of people's hands and I could sort of see this coming. At one point when we thought we had this discretionary money to kind of think about how to spend in different ways, he just paid the pension obligation down and then it was like, okay, that money is gone. And there was nothing you could do about it, it was a debt, he just paid it, and then that money was off the table.

And then he took them up on their class size reduction and said, 'Okay, I propose class size reduction.' I was sitting in Conference and I said to Danny [Alvarez], I said, 'This is going to be a problem.' There were a couple of issues like that where in the end we sort of worked it and we worked some timing, but I was one who -- and the Democrats in the Senate were sort of going with it and I was like, this is not a good idea.

No, I remember what it was, at one point we had a compromise proposal and I was pitching the compromise. I was like, 'Okay, if we can get away with this much in class size reduction we can kind of make this more gradual and make it work.' And I pitched that and people -- the Democrats had taken the position, 'No, no, we have to look like we're all in.' And I was right because I said, this is going to pass and then we're going to be in a difficult position because then all the money is going to go into that program and you won't really have the regular money you need for education, it was kind of a complicated thing.

So there were issues like that that I remember from Budget in '96.

By the fall of '96 we had all these primaries. In the Latino Caucus we had several members, people who are now in Congress. Tony Cardenas had taken, he was the first Latino elected from the San Fernando Valley. He took the seat that Katz was vacating. Katz was running for Senate, he lost to Richard Alarcón by probably about like my race, I think like 27 votes or something like that to Richard Alarcón for the Senate seat. But you had -- Deborah Ortiz I believe won that year in Sacramento. Liz Figueroa had won in '94. We started electing Latinos from some of these odd districts where we had really strong Latina candidates in what were often considered marginal seats. Nell Soto was running in Pomona for Joe Baca's seat, Joe Baca was running for Senate, Ruben Ayala had stepped down. So you had several candidates. Sally Havice in Norwalk. We had interesting candidates all over the place in open seats, basically. Several had won in primaries. Several had won primaries but were still in difficult seats for the general.

And we were working the whole thing. Cruz was working the Caucus and we were raising money and we were doing it together with the Senate, obviously. Senator Polanco was really kind of the political leader of our caucus, certainly, in those days so we had Senate help, Assembly help. As the Latino Caucus we worked parallel to and in harmony, generally, with the Democratic Caucus. But the Democratic Caucus focus was winning seats back for Democrats as a whole - and we were about that too because we absolutely wanted to win the house back - because our goal

in life at that point was to elect a Latino Speaker and we had to win, Democrats had to win in order for that to occur. So we were on the same program but also had kind of our own version of it, let's put it that way.

So sometimes we were all in a lot of the same races. But there were so many races in play and so many different places that you could focus. You see it now with the Congressional Caucus does these kinds of things, you've got to pick priorities, where do you staff, where do you advertise, where do you put your resources?

And in some cases we would put our resources maybe before or around. And certainly during the primaries we had resources put in places. The Democratic Caucus couldn't play too much in primaries that much but the Latino Caucus could, it was that kind of thing.

VASSAR: Right.

DUCHENY: And then in the general we were pretty much all together but we were putting our own resources together in our own ways to do certain kinds of targeted mailing or targeted staffing to certain campaigns. We are all doing all of it on the campaign level.

VASSAR: So something that just occurred to me was that in our conversation so far you have talked about the Latino Caucus a lot; the Women's Caucus has not come up yet. Is that as much involved in campaigns --

DUCHENY: No.

VASSAR: -- or does it have a different purpose? What is the role of that?

DUCHENY: The Women's Caucus was never that political. And in truth this was those rougher years. Up until pretty much that whole Marian Bergeson issue, if I recall, the Women's Caucus had always been bipartisan; the Latino Caucus was not.

Now, that became an issue in '94 after Peter Frusetta got elected from a Latino district and Bob Morrissey got elected from a Latino district in Santa Ana. They all thought, well we're representing Latino districts, we should be members. So then at that point we made the decision to become the Latino Democratic Caucus and sort of solve that issue. But it had always been only Democrats up until that point at least. From the point it was sort of formed in the '70s with Alatorre and those guys it had only been Democrats. Now later that became an interesting thing after '96 with some of the Republican Latinos, but there was this push by a few folks who weren't actually Latinos but represented Latino districts.

In truth, we weren't so much of a policy caucus, we were more of a political caucus in some ways because it was still about empowerment. We didn't have enough membership to reflect the growth of our presence in California. In terms of the population of California we were way higher than our proportional representation in the Legislature, so there was still a lot of push for us to get enough voice in the Legislature. Some of it was policy and there were certainly issues that we took up but a lot of it was more political.

The Women's Caucus was never designed that way, it was really bipartisan. And unfortunately during that period it had become a Democratic Caucus because the Republican women got angry when folks wouldn't support Marian¹⁹, even though I think a lot of us liked Marian, Marian was a great lady, but there was that whole controversy. It was before my time but there was the whole controversy when she wasn't confirmed and that led to sort of this separation of the Republican women from the Women's Caucus for a long time. It's sort of come back over the last few years; by the time I was leaving the Senate it was starting to heal.

But the Women's Caucus was a little more, I want to say supportive and social; how to support women in the Legislature and to take on issues. The Women's Caucus in '92 before I got there, Dede and some of the folks had pushed Willie in the budget to do domestic violence funding, those kinds of things. So the Women's Caucus had things like child care and domestic violence and had organized often around policy issues and also did supportive things.

One of the things we used to do that was a great thing, one of the little stories that I'm sure others will tell, but there was the famous rose, Max the Rose Man. The new women members, every month you would get a rose in your office; and it was sort of anonymous and eventually you all figured it out. The first couple of times it apparently happened back when it was Diane Watson and a couple of women were the first ones to get it, but it

¹⁹ Republican State Senator Marian C. Bergeson was nominated by Governor Wilson to fill the vacancy created by the resignation of Superintendent of Public Instruction Bill Honig. Her confirmation failed in the Assembly on a 34-41 vote.

had become a tradition by then. Everybody knew who it was. This older gentleman, real cute, Max, who was a lobbyist of some kind; he never lobbied me for anything so I don't remember who he represented. Every year there would be the Rose Dinner sort of thing, the Max Dinner. And all the women would get together and have dinner at Frank Fat's or someplace and honor him and he would give each of us little gifts and it was the sort of Women's Caucus dinner.

Subsequently that's become, partly the Women's Caucus alumni have tried to periodically at least in the last few years have had dinners where they invite some of the alumni and the Women's Caucus tries to meet. It did some of those kinds of things and a lot more around sometimes policy but it didn't meet the same way.

It was substantially larger than -- with the Latino Caucus it was larger even then, where the Latino Caucus got to by the end of the '90s. But when I first got there, a Latino Caucus meeting would be 10 people or less. There were probably 11 total if you counted all the Senators and everybody who was technically a member of eligible, but a real meeting was probably 7 to 10 people. At the end of '94 there were a couple more. Liz Figueroa was elected in '94. I forget, there were a couple of others. After I was elected in April there were a couple more elected in November.

VASSAR: Right.

DUCHENY: But '96 was the big year because it was the turnover year. You had a lot of open seats, you had all that going on, so '96 was an important year for that.

And the Latino Caucus was dedicated to the political empowerment of Latinos and that probably came a lot -- that's probably more than anything the reaction to 187. A lot of that had to do with, look, we're facing this sort of anti-immigrant tide, they voted for 187, all this stuff is going on, and we need to have the voices here that can counter that to some degree. So that kind of politics was part of who we were and why we were doing things.

So we got through that election season and in '96, lo and behold, we had a Democratic majority again. Although the Congress, the federal Congress at that point became Republican, the Gingrich majority in the Clinton [reelection] year. Clinton was reelected but the Republican majority in Congress. But our house switched back. It wasn't heavy, we were still pretty close. It was pretty much that even feeling we had already had since '94 but I believe we were at 43 by the end of that session, by then end of that '96 election.

And again we had several races which were very close. I think Lou Correa lost by 100 votes in the same district that Loretta Sanchez beat B-1 Bob [Dornan] by 900 votes, that kind of thing. I remember Scott Wildman and Dennis Cardoza were both very close races. I think Lily Cervantes was close again that year. There were several races on both sides, some won by Republicans, some won by Democrats, that were very close races. And sort of a quiet truce was made somewhere along the way to say, if you don't push your recounts I won't push ours. I think we all had

opportunities for recounts and everybody just sort of said, let's just let it sit because we are not likely to change. We may change one or two different races but we are not going to change the sort of overall dynamic of it.

And that led to -- unfortunately for Lou Correa -- and that was one where again Kevin McCarty had worked off of my budget. That race, throughout that spring and later, through the fall elections, I had staff -- I had staff in Nell Soto's race, I had Kevin in Lou Correa's race, we had staff everywhere and we were working some of those. And I was raising money for candidates and talking to people on the phone regularly and what can we do to help and trying to help some of the newer candidates. Nell Soto I remember helping that year. There was a lot going on.

Correa, we were trying to get that Santa Ana seat, it would have been the first crack in the orange wall for Democrats as well as for Latinos. And Loretta was running in kind of an overlapping, not exactly identical, but Loretta was running in that district so we had a chance with a kind of a combined campaign. We did a lot of work with low-propensity voters using absentee ballots, did a lot of that kind of stuff.

And meanwhile during those years, somewhere along those years, I was doing work with Mexico because of my border -- so again, reactions to 187 included, at least in my perspective as somebody who represented the border region where local issues are international issues, where my river that flows from south to north here brings trash. If we don't help Mexico clean up the trash then the trash ends up on my side.

Here we have a very different view of the relationship with Mexico because everything, water, air, transportation, border crossings, all of those issues in some ways are local, except they are international in my world. So for me this goes back to some of my relationship earlier in life with Mexico, but also now representing this border district that Mexico was important to me.

So in the summer of '94 actually one of the things I did when I was just a new member, that was the year of the Mexican presidential election and it was the first election in which Mexico had a new federal electoral institute. They were trying to regularize the elections, they were becoming less the way they had been for many years with sort of the one party just winning because, they were moving out of that mode. Luis Colosio had been killed here in Tijuana, assassinated during the election, the new candidate was Ernesto Zedillo. But they really made a move to start to regularize and to build relationships with people here.

So I remember a representative coming to the Latino Caucus, for instance, to talk about this new electoral thing and how it was going to work and how people from here might be able to vote there because our constituents some of them could vote. But it was the first time Mexico had international observers at their elections.

I was offered the opportunity to be one of those and Al and I accepted and my husband went with me. They wanted to send me to Mexico City but it was on a Sunday and it was the weekend and it was session and there

was budget probably because it was like July, we were probably already overdue with the budget, it was kind of that time of year, and so I said, if I can do it in Tijuana I'll do it. Because from Tijuana I can come back across, I can be in Sacramento Monday, it's not a problem. So we did that, we had the opportunity to be observers of the election in Tijuana. It was an interesting election. Particularly on the border it became an interesting one because of the problem of people coming from the United States to vote out of precinct, basically. Sort of like we would have provisional.

VASSAR: Right.

DUCHENY: They hadn't accounted for enough ballots in the kind of --

VASSAR: Border [states].

DUCHENY: The polling places that were set up specifically for people who weren't where they belonged. There was sort of a system. They didn't have an absentee-like mail voting system but it was kind of, if you aren't in the precinct where you are on the roll there were things set up in every city for people who might be traveling or visiting family that you could go vote but in this special polling place that was for somebody who was kind of out of home. They didn't account for border areas needing way more of those because of the nature of people who were eligible to vote and who might come from the States. So that was sort of interesting to watch. So I had done that.

And during '95 again, part of the reaction to -- so he is elected, Wilson is reelected, 187 passes. And I spent a lot of time in '95, despite all

this discussion about these elections and all this crazy stuff that was going on, starting to try to rework that relationship with Mexico. Because at that point Pete Wilson because persona non grata, couldn't go. There had been a fairly strong governmental relationship between our state government and the Mexican federal government and the Baja state government for many years. But the passage of 187, the way Wilson had campaigned for it, had sort of put a kibosh to a lot of that. Our poor guy who was the trade and commerce guy in Mexico City couldn't get an appointment with the janitor at that point. It became very difficult. It occurred to me that the way to get around that in part, because it wasn't like Mexico didn't know that you need California as a trading partner and the relationship with California is too important, but the rift was there.

VASSAR: Right.

DUCHENY: So the way that I saw it and working with consuls here and other folks that I had gotten to know over the years was to have the legislators meet with legislators. You meet with people at your own level. So we led legislative delegations. And I don't remember, '95, '96, somewhere in there, I would have led legislative delegations. And there was a year in which -- and probably the first time before I did that was somewhere, I was invited to Los Pinos with a special delegation of Latino elected local officials from around California, Illinois and Texas, it was a small group, but we were invited to meet with the President, precisely for him to say, 'Look, Mexico is taking a new attitude toward Mexicans who live in the United States and

we really want to appreciate that diaspora. We understand that you are our grandchildren, we understand that relationship and we want to start to build on that relationship.’

So there was this change in the election, there was that change that went on in attitude. For many, many years Mexican-Americans had been sort of, we used to say in Spanish, “*Ni de aqui ni de alla.*” Not from here, not from there. They didn’t really accept you over there, they didn’t really like you here. That had been the thing for a long time that Mexico didn’t really accept folks who were born out of the country. And President [Ernesto] Zedillo to his credit said, ‘No, wait a minute. There’s a lot of Mexicans in the United States now and they can all do things and we should work with them.’ So there had been that overture towards us.

And I did some things to try to get legislators during that period, and like I said, I don’t remember which year that happened, but I remember organizing delegations of members from our Legislature, from the state legislature, to go visit the Congress in Mexico City. We had bipartisan delegations. I took Senator [David G.] Kelley, I remember Senator Kelley went with me. I remember Nao Takasugi was a Japanese-American Republican from Oxnard, right? Spoke Spanish better than most of the Mexicans in the house. And it was good for the Mexicans to see that here are some Republicans, we were careful, but Republicans who came with us. It was a diplomatic mission. You had to understand you are not going to sit there and preach 187, you know. And Grace Napolitano I remember

went with me on one of those trips. I remember organizing a couple of these visits. And it was important in that they saw, particularly to have some of our Republican colleagues there and for them to specifically sit there and say, And I didn't support that and I understand and it's not all of us. We'll deal with it.

VASSAR: Right.

DUCHENY: But to have sort of that relationship at least, have some basis in continuing to build this relationship with California was important to me, both locally in Baja and Tijuana and also the national. That's the Committee on California-Mexico Affairs, had a lot to do with -- it basically didn't have committee meetings so much as in the normal sense, although I did have one hearing. I remember a one-day hearing we had where we tried to get, we got every state government agency who did anything with Mexico to come and tell us about it, because it wasn't even something people realized. We started poking around and we realized that all these different departments actually had very strong relationships in different ways. The Parks Department had been working with the archeologists in Mexico and we were doing joint work in that arena, we were doing joint work in health care, there was a lot of health activity going on here in San Diego, cross-border health.

There were all these activities going on but there sort of wasn't a catalog, there wasn't a sense of who you call if you want to know who is doing what. So our Committee tried to do that and catalog that and kind of

get a sense for who all these folks were, in addition to doing things like organizing trips to Mexico and trying to build those relationships. So that became one of my side themes. There was some legislation attached to some of those issues later. But '95, '96, because of 187, that was an important thing to be focused on. So throughout that period, besides all of the election madness that was going on and the sort of budget madness that was going on and house craziness, that was going on too. So it was my first year as a conferee.

And then I got thrown on some other crazy conference committee. Oh yeah, that was the Earthquake Authority. One of the more interesting conference committees I ever sat on. And it met during the same time as Budget and I remember when Curt talked to me about appointing me. I said, 'Geez, you know, I don't know that much about insurance.' There were other people who had been working on this issue. Senator [Charles] Calderón was the Chair of the Committee, I think, and David Knowles, a Republican from our house, was sort of the lead on insurance from our house. And they had been working on this issue.

The earthquake insurance had become a crisis in California, it had become a crisis in California. We had had all those earthquakes in '92 and '94 and it had become a crisis and yet there was sort of -- hadn't figured out how to resolve it. So we got to a certain point and then the Conference Committee was the way.

And somebody asked me, for whatever reason somebody - I think it was Chuck actually, it was probably Calderón who got me into this mess - they needed a Democrat from our house because again, a Conference Committee, two Republicans and one Democrat from our house. And I said, 'Man, you know, Budget is coming up.' 'Oh no, this will be short, it will be over before May Revise is done.' Because this is my first year on Conference, this is going to be a big deal for me, I've got a lot of work to do. And sure enough it lasted like forever. But I think in some ways what I brought to the table was a perspective that was not as caught in the weeds because so many of the other folks on this Conference Committee had been working on this issue for a long time and were sort of caught in their own, you know, you get too close to it sometimes you can't see anything. And I was sort of the person who didn't know anything who could raise their hand and say, 'Excuse me but why does this happen? How does this work? Why are we doing that?'

And I had really great staff. Katz, the Democratic Caucus assigned really good staff to me to work on this issue and help me learn it and help me understand it and certainly all of the participants, the insurance companies and whoever else was involved with this came and helped educate me. I remember getting educated. Whole worlds of lobbyists who had never even heard of me were like, 'Oh, okay, we need to go talk to this woman.'

So I remember working on that issue that year and remember some of the budget issues like the class size and some of those issues that came up. Meanwhile, somewhere along there in '95 and '96 some of this other Mexico business was happening. We needed to get involved with that and we needed to try to mitigate for 187.

. So following the '96 election we had the votes in the fall to elect Cruz Bustamante, Speaker, which was sort of, it was very special for a lot of us. It was the first Latino Speaker since Pio Pico in the late 1800s, who had been a Latino statewide member.

VASSAR: Governor.

DUCHENY: When he became Lieutenant Governor he was the first one in a long time. But the Speaker, I don't think there had ever been unless maybe in the 1800s or sometime.

VASSAR: Far, far back, if then.

DUCHENY: Maybe in those first couple of legislatures when Vallejo and those guys were still around.

VASSAR: Yes.

DUCHENY: But since then there hasn't been a Latino Speaker. And we had a really strong caucus, we had some good members and we had made good alliances with people like Carole Migden who had come in in the middle and some other folks. But I always described that year as sort of the folks who knew something threw the medicine ball to us at the deep end of the swimming pool and said, see you later, kids. Because remember at that

point by December of '96 when we did the swearing-in ceremonies, there was nobody in the Assembly who had been there before 1992. The veteran members of our house were Debra Bowen and Martha Escutia and Diane Martinez. In other words, it was a very unique group. Even Dede Alpert was gone and she was a relatively new member.

VASSAR: Right.

DUCHENY: She had just come in '90 and suddenly she was gone too. So from my district, from my area, Susan Davis had come in in '94 with me. But basically, that was it, '92. And then Cruz had come in in '93 and then pretty much in seniority after that came me because of the early '94.

VASSAR: Yes.

DUCHENY: And now we had this whole crop of probably 30 new members, right? Both sides, both houses, both caucuses. Somebody look it up but there were a lot of new members, right?

VASSAR: Yes.

DUCHENY: And there were a lot of new members and then there were a lot of members -- there had been all this chaos in '94, '95 and '96 with all these changes and all these open seats and everything had moved around and so you had a whole lot of new folks and very little experience. And your experience was limited to people, none of them had really been Chairs of anything, very few. Because when you came in '92 you were in a house that had Chairs that had been there for ten years, so no, you weren't a Chair, right?

VASSAR: Yes.

DUCHENY: So Cruz became Speaker never having been a Chair, right? He had been Vice Chair, I think, of Toxics and he had been a Caucus Chair but he had never been a Chair of a policy committee and he was now Speaker of the house, right? All of that was so new and all of us were so new. It was an opportunity but it was also, if you really think about it from an institutional perspective, it was -- and the Senate was sitting there going, 'What are we going to do with these people,' right?

VASSAR: Right.

DUCHENY: And we had to organize the house and we had to figure out Chairs and we had to do all of those things. So those of us who were close to Cruz, it was the first time I came up close and personal to the whole process of figuring out Chairs and figuring out committee memberships. We had to kind of put up the big board in his office and everybody trying to figure out. And based on what people had asked him for but also how we balance committees by region.

VASSAR: Yes.

DUCHENY: Obviously you needed caucuses but you also needed by region and who got along and who would vote certain ways in different kinds of situations and who could make deals in certain kinds of universes and policy committees who had background in policy. And you didn't have a lot of folks who even knew -- half of them you didn't even know that much about, right?

VASSAR: Right.

DUCHENY: They're there and they don't have any experience and those, you have to go with whatever experience they came with. Now you had people from city councils and county supervisors and school boards and so people, everybody has their history, but you have to kind of balance all those backgrounds and all these things.

But you had all of those kinds of organizational tasks. Reorganizing the house, taking back the whole budget process that Curt had mixed, the office designations and reorganization, all those things had to go on; and because I had been close to Cruz throughout this whole process, that was when I became Budget Chair.

VASSAR: You became Assembly Budget Chair.

DUCHENY: And [Martha] Escutia became Chair of Judiciary and Sheila Kuehl became the first Pro Tem, the first gay. A lot of women. Actually one of the things that happened, and it was sort of -- a lot of people have stereotypes of Latinomas macho, they get all into that. Cruz appointed more women to leadership than anybody had seen in a long time. Carole became Chair of Approps, Carole Migden became Chair of Approps, I was Chair of Budget.

VASSAR: Valerie Brown was --

DUCHENY: Valerie became Chair of GO²⁰, I think.

VASSAR: Which you were a member of.

DUCHENY: Yeah, that figures. Cruz made me sit on a lot of committees, let me just put it that way. I always thought -- I was Chair of Budget for the first year, trying to get my hands around that, and Cruz -- I was a utility player. I

²⁰ Assembly Committee on Governmental Organization.

knew a fair amount about a lot of different issues. GO does a lot of work with tribes, I had done a lot of work with tribes, I understood those issues.

The horse racing, we had Del Mar here so GO was kind of that one. Ag, he made me sit on Ag because he needed urban people on Ag who could vote different than some of your ag people sometimes.

VASSAR: With all of your connections, with all of your connections with the Speaker you couldn't get off Environmental Safety and Toxic Materials?

DUCHENY: Yeah, really. No, no. (Laughs.) By then I had actually come around to half liking it but I wasn't -- I think because I was always open and working with other members on policy and was pretty open to talking with all sides of any issue and stuff, those kinds of committees were where people liked to have me after a while. Once they got used to me in the first term and all that I was -- that was a committee where you needed to be able to make deals sometimes and you needed to be able to understand where you might find interests where people thought they were opposed but you could find a way for something to work out.

VASSAR: Yes.

DUCHENY: And it had been during that period when the committees were half and half, you really had to learn how to do that with some skill and I had learned, I had been working in toxics at that point for a while.

VASSAR: Right.

DUCHENY: So balancing oil companies and environmentalists and pesticides and some of those issues had become something. GO I wouldn't have asked for but

Cruz would have wanted me there. And Agriculture was another one where he just asked me to do it because he needed -- again, we didn't have, you remember we only had 43 members.

VASSAR: Right.

DUCHENY: And you sort of had to spread everybody a little bit thinner than you might have in order to create majorities on all of those committees. Democrats had to have majorities on all of these committees so I think I was still on Water too. Water I actually liked.

VASSAR: You were also --

DUCHENY: I was on a lot of committees that year, yes.

VASSAR: You were also that year appointed to the Joint Special Committee on Welfare Reform?

DUCHENY: That was probably the biggest thing we did in the year that Cruz was Speaker. And this goes to the '94 election in Congress because when Gingrich came in with Clinton; that was when the federal government did so-called welfare reform. It took them a while but they had done that and once they did that it had some very bad things in it, we thought, for California. It had some things to just change the system, but basically you had to rewrite the entire code of how we had done welfare here to adapt to the new regulations that they were putting out.

And one of the key things and that became the signature sort of struggle between the Speaker and the Governor and the rest of us and spoke to the issue of Latinos gaining positions in leadership was that they tried to pull

back benefits even to lawful permanent resident immigrants. Non-resident immigrant had never had access to welfare. They could get emergency medical care, their children can go to school, but basically the whole 187 thing was bogus because none of that was real and the school part of it was unconstitutional. That case of *Plyer v. Doe* from Texas, it had been several years before that, that the Supreme Court had decided that residents get to go to school regardless of immigration status.

So those portions, we always knew when 187 passed that a lot of that stuff was unconstitutional. And obviously it was challenged right away so it never really went into effect, but the effects on the psyche and these relationships with Mexico, all of those things were real. But the actual implementation of that wasn't going to happen and most of us knew that.

But one of the things that happened simultaneously was then in '95 when the Congress changed welfare reform and one of the riders they put on it, basically, was this not allowing food stamps -- and the two that were most important were food stamps and supplemental social security income to even lawful, permanent residents, basically to non-citizens. That means people who had lived and worked in this country their whole lives and paid into Social Security all of a sudden were not eligible for food stamps. Vietnamese refugees were not eligible for SSI and these income support programs and disability. A lot of things became endangered.

And given the magnitude of the issue of the welfare reform and Cruz I think wanted to do it right and he wanted to -- so the decision that was

made between him and Lockyer and the leadership folks was to actually create a special committee. Rather than trying to run the bill through a regular committee process, start a joint committee, basically like a conference committee almost, but a joint committee early in the session and let us try to work through all of the different components of this bill and balancing everything. So we had a joint committee. Had four co-chairs basically, both the Chairs of both Budget Committees and the Chairs of both Human Services Committees; and the respective Vice Chairs of both Committees, all of us were on that joint committee. Plus it became an 18 member conference committee. I don't think there has been anything like it since. It was sort of unique to itself but it was an 18 member conference committee. I don't remember who all -- I remember some of the members. And it would meet, we met every week, I think, for like a whole year, most of the year.

I remember our trip, in those days frequently the Legislature would take annual trips to DC, which had happened even under Willie and before, and that year I remember specifically because I remember going to DC that year and really pushing because this whole issue of the immigration. And Wilson and the Republicans were with us on this that the federal government should not put that burden on us. In a state like ours with as many immigrants as we had, the idea that a third of our population was suddenly not going to be eligible for food stamps who might otherwise qualify by whatever standard you want to put was sort of disconcerting. So

when we put together our Washington agenda, always was done as a bipartisan agenda, all four caucuses worked on it in whatever ways we did that and the Governor. And the Governor, Pete, so you kind of go back to this Pete Wilson problem but Pete was with us on issues like that. Pete understood that the federal government should not withhold. And certainly this wasn't about undocumented immigrants, this was about lawful permanent residents and refugees and some of those folks.

So there were a lot of discussions about welfare. I remember talking about it in Washington. We spent a lot of time. And the Chairs, we met, I think just about every week we would have dinner or something to try to figure out where we were going with this thing and what topics next week and how we would set up these agendas. [Sound of airplane overhead.]

VASSAR: Let's wait.

DUCHENY: Sorry. We're getting there. But this is the heaviest stuff, all that period.

VASSAR: Right. Your time in the Senate doing budget.

DUCHENY: It was ugly but I don't remember it, partly because I think I do suppression on that one.

VASSAR: The airplane is gone.

DUCHENY: There he goes.

VASSAR: Okay, that's good.

DUCHENY: Anyway, it was -- and I learned a lot of things. I had started probably the year before to work with the Council of State Governments, to go to some

of their meetings. And I went to some NCSL²¹ meetings around, I remember going to one in particular around the welfare reform. All the states were dealing with this, we were all looking.

VASSAR: Right.

DUCHENY: So it was an important time to have those relationships as well. So I got involved with NCSL and CSG, partly to be in the place where you are talking to everybody trying to figure out all the stuff.

Two key areas that I remember learning about that you just didn't think about until you were there was tribal welfare. And as soon as some of those issues came up at some of our hearings and then I went to NCSL and I saw people from other states where you had larger tribes like Oklahoma where you have the Cherokee or the Navajo in Arizona, you have big tribes. It was clearer to them. California tribal issues are different because we have 107 tribes and so you have a lot of tribes but small ones; so very small and not big governments. Not big like the Navajo Police or the Cherokee Nation, some of them who have very large territories and very large populations. California, you don't have a lot of tribes with very large populations. Some of the largest are folks like the Quechan in the Yuma area who cross Arizona, if you will, they have land on both side of the Arizona-California border.

VASSAR: Got it.

²¹ National Conference of State Legislatures.

DUCHENY: Most of their people live on the California side of the river, basically, but the closest city to them is Yuma, which is in Arizona, not El Centro, which is an hour away.

VASSAR: Right.

DUCHENY: But their tribe has maybe 3,000 folks. I represented them later when I was in the Senate so I learned a lot about them. And I think there was one up near Eureka, the Hoopa, I think, or one of the other tribes up in the north up there, that was again maybe 3,000.

VASSAR: Right.

DUCHENY: You had some tribes, the Washoe tribe, which overlaps Nevada. Several of them had a more developed government, they had a court system, some of them social services, so some of them were more developed. But in San Diego County, at least my experience and folks from Riverside County and San Diego County, a lot of the tribes that I knew best were all these very small tribes within a larger nation. So here in South San Diego... there's Kumeyaay and so there's 12 Kumeyaay tribes. In North County there are several Luiseño tribes, so there are sort of family groupings but individual tribal and individual reservations and small groups of people and it's sort of true all over California.

But the question of, and I remember at NCSL when I went, 'Oh my God, how are we dealing with that?' So there were things like that that came up. And then you had to have a hearing and it was like, okay, what are these issues. And I remember coming back and talking to the County

here and a friend of mine from one of the tribes and I said, 'Oh my gosh, how are we --?' And I told her, I said, 'Get me a meeting with some of the tribal leaders here or folks that are doing some of your work from the health clinics or whatever because we all need to talk about this. Here is how I see it and you all need to make some decisions. A lot of us, we can write this bill a lot of different ways but you all need to figure out what you want to do because there were a couple of different ways it could go. It could kind of go onto the state, you could have your own.'

So we ended up, in San Diego we ended up making it possible for tribes to basically do consortiums. Because of the "small" question you sort of couldn't do it if you were just the Sycuan, but you could if you were in consortium with 10 or 12 tribes. Then you have enough resources to do what you needed to do to make these new welfare systems work appropriately for you.

VASSAR: Right.

DUCHENY: And they could set up their own systems and their own timelines, you had to do some of the same things. But they had the right under this bill to be almost like states in terms of how they ran their program. But we had to make it so that they could do it as a group rather than just an individual, small reservation in order for there to be the resources to make something work in terms of getting jobs and funding education, doing the things you needed to do. So there were kind of unique issues like that that I felt good about.

Then we had these hearings and you'd have these refugees. They were just horrendous these hearings and they went on and on.

Then like I said, the Chairs, we would meet every week and start, we were trying to figure out the actual parameters of what kinds of things have to go in these bills in some levels.

That process went all year. But I was proud of, I think the process spoke well of us in terms of the hearings. In organizing the hearings and getting all these issues out and organizing. It was hard for people and our staffs did incredible work from all four caucuses and the Governor's Office. Diane Cummins who is back in Finance now, was in Finance then, people like that who really understood.

We were very fortunate in our house to have Dion Aroner. She had been elected to the Assembly to replace Tom Bates, who she had worked for for the previous 20 years and who had been Chair of the Human Services Committee and she had been the staff person to the Human Services Committee in our house for a long, long time before she became a member in the fall of 1996. So we were hugely blessed that Dion had become a member just in time to help us do welfare reform. And that's why, for instance, Cruz made Dion Chair of Human Services because he knew we were going to have to do welfare reform.

We had some great folks. Everybody who worked on this, there were all kinds of different issues that came up; urban versus rural kinds of issues. All kinds of things came up in how to design this.

And then you had the ideological differences. Democrats wanted more training. And our vision, I think, ultimately of CalWORKs that all of us, the generic vision that I think all of us agreed on, was that the change in the system was to make it like a contract. And the contract between the recipient and the government or the county, in this case it was basically the county but the state was telling the county and we were doing it through the county.

VASSAR: Right.

DUCHENY: One of the issues obviously was, what is the state/county relationship and who pays for what and all of those kinds of things. But also it was this notion that we are making a contract with you and your part of the contract is you will go to school or you will work or you will do this and we will provide child care and transportation to make sure you can make some of those things work as a way of support to make sure that you can, in fact, go to work, do the job. If you need substance abuse treatment, if you need domestic violence counseling, if you need treatments then that is part of our commitment to you. But your commitment is to be looking for work or to be working as a volunteer or to be gaining skills that will lead to work, all of those things.

And a lot of us felt like people should be given more opportunity to go to college and get -- what we wanted to come out of it and it pretty much worked for the first three or four, five years, it got a little crazy after I was in the Senate, we had some real issues with some of the cutbacks and some

of the changes that were made. But the first three or four years once we got it done it really did work. Now granted, that was an upswing, it was when the economy was on the way back up and we led to that whole balloon of surplus, if you will of riches for the state and in general. The economy in the state was booming, 1998, 1999 and 2000 were huge years.

So we were fortunate too that this took place during that period because we were kind of given this block grant of money and how to do the budget piece of it. Basically I always knew, I never understood how this took all summer because to me the number was always going to be the number and we sort of held up the whole budget waiting for the welfare deal to be done and the welfare deal needed two-thirds vote because it was allocating money. And we ended up, it was the longest summer, it was a very long summer. I think it was August and we were still playing around. And we pretty much knew what the budget was going to be except the welfare piece wasn't done.

So until that piece could be put to bed you couldn't really close out how to make all the other pieces fit in the budget. But the deal was going to be the amount of money that we had to match to get the federal grant to be -- the federal grant was X and you had to match it. There were a lot of us, certainly Democrats would have argued for what might have been considered an over-match in some way but that was pretty clearly where it was going to end up. That's what Wilson was going to do, that's what Republicans were going to want to do, they were willing to match and that

was pretty much the end of it. Now how we did the match, is it through child care, does education count, how do some of these pieces play? It was a really huge, complex bill and it really was the product of these 18 members and really a lot of member input and discussion in all four caucuses and the Governor's Office and the agencies. There were just an awful lot of folks who were involved in making that work.

VASSAR: Was it generally seen that when the 18 members who -- that is a lot of members -- had made an agreement, that the rest of the members felt like they could buy into that because of the members?

DUCHENY: No, it didn't work that way.

VASSAR: It didn't.

DUCHENY: A lot of the hearing and the committee, the real deal got cut way later. But ultimately the hearing process allowed everybody to sort of absorb some of these things so that when the different proposals came down about -- a lot of it, yes, you could sort of put away and then there were going to be these places of contention for a variety of different reasons and a variety of different ways. How do you deal with felons? How do you deal with immigrants? All those issues were always going to be issues. But having the hearings set up properly, having all the people in the whole state come and testify in different ways and people learning and hearing it I think had a lot of value and all of us understanding how we were going. And ultimately you pretty much had kind of a Democratic proposal, a

Republican proposal and kind of the Governor in-between there. And we pushed it because at that point then you're in a negotiating posture.

VASSAR: Right.

DUCHENY: So we want some more things, we want different time limits [for welfare benefits], they want different time limits. How young are you? Can a child of 18 months or one year or three years? Does your time clock stop for receiving welfare while your child is under 6 months old or 18 months old or 3 years old? There were a lot of issues.

VASSAR: Right.

DUCHENY: But defining those, all of that hearing process, members understanding some of those things, all of that played into it. And then you had a lot of discussions in caucus about, 'Okay, which positions do we really have to stand by?' And ultimately it led to a bill that I think, I think the bill we put out of our house was sort of the Democratic version, if you will, a little more Dion than Governor, right? And then we sent it to basically a closed conference committee that was Dion and Roy Ashburn from our house. Ken Maddy then stepped in and really stepped up. I credit Ken Maddy for a lot of resolving the final product. Because a lot of the pieces -- at that point you have the pieces and then you say, 'Okay, here's the decision points and here's the things.' But that's what the committee process, it kind of boiled it back down. And it was Ken and Diane. Mike Thompson, Mike Thompson was the Budget Chair on that side. So it was Mike, I think it was Mike and Ken and then Dion and Ashburn, actually and the

Governor's people, with Diane Cummins representing the Dept. of Finance. And that's where you then, the really nitty-gritty kind of, and where are we going to find two-thirds. At that point, where do we find two-thirds votes and some of those kinds of things.

But during that budget process one of the big issues that came up was the immigrant issues. Having a Latino Speaker and a Latino Budget Chair and a second conferee who was Martha Escutia on our side at least, made a difference.

VASSAR: Right.

DUCHENY: And Antonio was Majority Leader. We all remember the night toward the very end of any budget process but, we said, this is the one we've got to stand on. Where do we go with the immigrants? We just could not allow. You had to find the money and it was tough and we couldn't get what we really thought was the right thing to do. Our view once the feds had blown folks off was the state is going to have to step up and have our own food stamp program and our own SSI program; we cannot have this number of people who would be eligible for these benefits and who have been working here in this country legally for all these years be just cut off. That is just not something we can do so how do we deal with that.

And we took a pretty strong stand and folks knew that the Assembly wasn't going to go real far budging on this and certainly the Assembly Democrats weren't. And we had our caucus behind us. It was tight because it wasn't everybody's issue but people understand the importance

of it. And for a while the Senate -- and eventually it worked out. Actually Curt Pringle, to his credit, was a lot of helping work that through with the Governor, with helping us work that through with the Governor. Because Curt represented a pretty heavily immigrant district, a lot of Vietnamese, a lot of Mexicans; by then especially the demographics were catching up even with his district in Orange County and Curt understood it and he knew that we had to do something. So the deal that we eventually made with Pete, we only were able to cover children and the elderly I think at the beginning. In later years we were able to build up on it but at least we got some coverage in those programs.

The other thing we did was we pushed in that year and subsequent years for citizenship funds. We said, "Look, if that's the game the feds want to play, it is in our interest to turn people into US citizens. We, the State needs to put up funds to help people do the naturalization process through nonprofits and through community services and such.' But there were a lot of nonprofit groups. And the Jewish Federation was supporting us from LA and the Vietnamese groups and the Asians and the Mexicans and everybody, the Campesinos, all sorts of folks. But the idea was, 'Hey, there's all these folks out there who are trying to help folks become citizens and now it is in the state's interest because if they become citizens then they go on that budget, not on this budget, right?' So it doesn't hurt the General Fund. They can get the federal food stamps if they're eligible for

food stamps as long as they are US citizens. So it becomes in our interest to make people citizens.

VASSAR: Spend the money to get them through.

DUCHENY: We got Wilson to do some of that too. There were a lot of important things that happened sort of during that and it was all sort of related to this budget thing. To my eternal historical credit, the CalWORKs bill carries my name but I have never felt that it was my work product. And it really carried, it was the Ducheny, Ashburn, Thompson, Maddy Act. It was coauthored but I was the lead author and had to present the bill on the floor.

And the reason was frankly, and I always felt bad because I thought Dion really did more of the work. But Dion was from Berkeley and this bill that was acceptable to two-thirds of the house, which included many Republicans and would be signed by Governor Wilson, was not the bill that Dion and her district felt really adequately did what they thought we should be doing, right? So Dion worked hard on this bill and she pushed it as far as she could. And this was Cruz, this was Speaker leadership, but Cruz said, 'Dion, you go in there and get everything you can in the direction that you think is important.' And she understood detail things that most of the rest of us didn't even want to understand about how child care works and some of those kinds of things. But she was able to work through a lot of issues in ways that made a lot more of us more comfortable.

But there were some pieces of it that weren't exactly what certainly if you were doing it yourself you would have done, but it needed to be a two-thirds bill, it needed the Governor's signature. And Cruz and I were more that moderate side, so in these discussions we would have meetings after meetings after meetings, trust me. With different members, different nights, just having dinner trying to -- in fact, the name for it I remember came up at some dinner we had one night during this process toward the end. It was like, 'What are we going to call this?' We were like, it has to be "work" and it has to have "children" in it and eventually it came out to CalWORKs, Work Opportunity something children -- Kids, it ended with "kids." Work Opportunities something Kids.

VASSAR: R-something.

DUCHENY: Yes, that's what CalWORKs means. Because we all -- and again, this sort of inclusive process. And Cruz really, I give him a lot of credit as Speaker for really running that process in a way that helped build the unity that allowed this thing to occur and got us, put is in a position where we could get the immigrant benefits as much as we could. We got what we could do.

And I remember thinking when they called me up to carry the bill on the floor I said, 'Why isn't Dion the author?' 'No, no, no, Dion can't vote for it.' Then I said, 'Then Cruz should be the author, it's really a house bill.' And I think he didn't want to try to have to explain it, I think, as much as anything. He didn't think he should do that and so the other lead co-chair from our caucus was me and it was going to be -- it turned out it

was going to be an Assembly bill. You know those kinds of bill could be a Senate bill or an Assembly bill.

VASSAR: Right.

DUCHENY: I think Mike Thompson really wished it had been a Senate bill. But the way of the dynamics of the politics where everybody wanted to be make sure -- people were pretty sure the Senate would vote for it, the Assembly was going to be a tougher call on the 54 votes. So I think they all wanted to start. I guess it probably was the other way around. Because it was an Assembly bill it probably had to start in the Senate, right?

VASSAR: Right.

DUCHENY: So that we couldn't amend it. It was one of those kind of. I forget which direction, but it ended up -- for what all those dynamics are it had to be an AB versus an SB. That meant it had to have an Assembly author and that was me.

VASSAR: That was you.

DUCHENY: And I had been involved enough and I understood it and I knew what we had done and I could explain the bill, but I always felt like I will get historical credit for something that was really. I certainly had my fingers in it, I was involved in it, I wouldn't deny that I had a lot to do with a lot of pieces of that bill and sort of some of the general tenor and the structure of the policy and was pretty proud of a lot of the work that we did there, but it certainly was a very collective effort. And I give Ken Maddy and Diane Cummins, who at the time was with Finance for the Governor, Dion, Roy

Ashburn, Diane Watson and a lot of those folks, a lot of folks; and certainly an enormous number of staff from all four caucuses who were involved in that process.

Something else happened in '96 or 97 that I was going to --

VASSAR: There was one other thing that was, a big thing in '96 was the -- oh, what was the official name? It was the public utilities electrical restructuring, which was actually Steve Peace worked on and then you had that relationship.

DUCHENY: Steve Peace and Jim Brulte. Yes. I stayed away from that one as far as I could. Steve Peace was the Senator from my district. He knew utilities; I had no, this was not a realm that I knew enough about to, you know. I had my hands full doing budget and dealing with this welfare business and trying to understand it. That would have mattered to my district. I had a district that was fairly low income, had all of the different kinds of components, the families that had been on welfare, I had represented those families, I understood them, and I knew how some of this worked. A lot of it had to do with education and community college training. That was an issue I could get my arms around. I had to learn a lot but I could get my arms around it. The whole energy business that was going on sideways to me, we all sort of said, 'Brulte, Peace, go for it, do whatever.' And Diane Martinez, I think from our caucus, was the lead.

So yes, there was a lot happening those years that was important to the world. I think to the credit of the members, you had to do what people

had done for years in the legislature, you had to give members leads on things and have them move it and try to work. And they had a huge conference process too that went on simultaneously to some of this other business.

VASSAR: Right.

DUCHENY: I had a half an eye on it but it was not something I really had any expertise in; Steve and Jim were involved in it. The ex post facto of it I had to deal with. I had to learn energy by force in 2000 when that whole house of cards came crashing down with the big crisis that we had in late , 2000. I was forced to learn energy in order to cope with it at a local level and I did do some of the legislation to help get solar and do distributed energy, do some of the things that we had to do to kind of move forward after the crisis.

But I always thought Senator Peace got more credit and more blame than sort of -- that was a conference process too and I think you would have to ask him. People always -- Peace got scourged and somehow it was all his fault but the bill was Brulte's bill. This was a Republican thing. This was deregulation from the feds. This was the same kind of problem. Like welfare reform, it as something that came from the feds and got thrown on us and then it's like, okay, how is the state going to react to this? And I think what happened with the legislation in many ways, kind of Monday morning quarterbacking after we all saw what happened and some of the things that came out of it, but a lot of it was that FERC didn't do

what people thought the FERC was going to do in terms of how it was going to react. And the PUC didn't always do what people thought the PUC should do.

So when you're doing legislation you're doing things and you're giving authority to regulatory agencies to do some things and the FERC wasn't even under our power but I think they did some things that weren't what our legislation was designed to anticipate, right?

VASSAR: Yes.

DUCHENY: So you sort of anticipate. It's like when folks voted for the Iraq War resolution and thought that Bush was actually going to listen to the UN and follow the process, not declare war before he was sure whether there were actually any weapons of mass destruction there.

VASSAR: Right.

DUCHENY: The resolution was really, 'Okay, we have these steps,' and people thought they would follow the steps and they didn't, right? I think the energy one had some characteristics of that. The FERC didn't act the way we thought it should, the CPUC didn't necessarily act the way people thought it would react and should react. I forgot that was '96; was that really then?

VASSAR: Yes.

DUCHENY: Because it didn't come home to roost until , 2000.

VASSAR: Later, yes.

DUCHENY: Locally we had a power plant that later we purchased and took out of commission but it took us until a couple of years ago to get it blown up.

Now we're going to have a cool, new Bayfront in Chula Vista. But it was an old power plant that needed to go. There were a lot of issues in the nuclear. A lot of things have changed since then in the energy world.

VASSAR: Sure.

DUCHENY: My focus that year would have been those. And I think we were doing this work with Mexico some, although I certainly didn't have a lot of time for it that year and I was doing work with CSG and some of those kinds of things. So those were my focuses more and I did some bills that, I obviously had regular legislation going on throughout this process that I don't recall but a lot of it having to do with districts.

VASSAR: What was your relationship with Miller in '96? You had been Vice Chair, he had been Chair.

DUCHENY: He was Chair then.

VASSAR: And then you switched.

DUCHENY: Yes, he had been Chair and we switched, that's right.

VASSAR: So what was that like? Having been Vice Chair did you --

DUCHENY: Well, we already had a relationship so it kind of worked.

VASSAR: A lot of compassion, have a little more extra staff, what was that?

DUCHENY: No, I didn't have anything to do with his, those were caucus decisions, that was Curt and Cruz. I remember a lot of nights, though.

Oh, one of the interesting kind of factoids for that year was based on something that had been on the ballot that fall when all of these elections had happened. There was a change in campaign finance; there was

campaign finance reform. And I think that was the year, it seems to me it was the year Cruz was Speaker, that we were not allowed to raise campaign money for a year. Some of reason we were able to focus on all of this policy was because we didn't have any fundraisers, there were no fundraisers in Sacramento that year throughout, pretty much throughout the legislative session. By the end of session the court threw it out and there were changes. But I remember because right after Cruz became Speaker we had a big fundraiser in December and we raised as much money as we possibly could in like one night and over December because effective January 1 we were no longer going to be able to raise money, right? I forget but there was an initiative that passed in '96, so we had to raise, everything we were going to raise we pretty much raised in December because it was effective January 1 or something.

But I'll tell you, a lot of us, and you ask any member, especially members who were in leadership in that period, the fact that we didn't have the fundraisers to attend for members and each other and raise your own and all of that for that whole year, probably allowed us the time to do more focus on policy. So when we hung out together at night we weren't hanging out at a fundraiser, we were actually sitting around the Centro, a lot of nights at the Centro with Cruz and Pringle and Polanco and several of us on some of these different issues and trying to figure out how we were going to solve some of these things. And a lot of that, the ability to have those dinners and do some of that, and Cruz was the master of this

and would have a lot of, we had a lot more small, member dinners or just go out for drinks and snacks and things after the end of the day, the evenings, early evenings.

VASSAR: Right.

DUCHENY: And instead of running around to 16 fundraisers we would have dinner. There would be a small group and you could actually talk about things like welfare reform or whatever issues were current to whichever members were there. But there were a lot of those member dinners. In fact, I remember by the end of, toward the end of the year, not the end-end but toward the end of session I think I got a note from Cruz, 'I can't buy you dinner anymore' because we had reached limits.

VASSAR: Limits.

DUCHENY: He had the biggest campaign fund. He was the Speaker and he used to invite a lot of folks for wine and different things. And because of my relationship and because of the Chair I was involved with a lot of those. It wasn't just me; me, Antonio, there were three or four of us who were often at the Speaker's table who were on that list by the end of the year.

[Recording Paused]

[Recording Resumed]

VASSAR: Okay, so '97 was a lot of that. Then we got into '98 which was your second full term election.

DUCHENY: Coming up in the final, the final, coming up to the final election.

VASSAR: Had you started thinking about the Senate yet at that point? With term limits I think you have to think about what comes next.

DUCHENY: We sort of all knew it was kind of coming. Because of the nature of the two Specials, Peace and I were tracked in a way where we weren't going to come up at the same time. He got nine years in the Senate and I got six and a half years in the Assembly and we were both elected the same year; so he wasn't going to term out when I did. I saw that, although for me that became more later as we got toward redistricting. And I wasn't in the Legislature for the redistricting so we should talk about that there.

But one other in the context of the whole Mexico conversation, one of the things that happened in '97 was the first time a Speaker went to Mexico I think in a long time. I don't remember if one had gone before but Cruz, we organized. So some of my side things through all of those was Cruz, I think Cruz went to Mexico, I'm pretty sure he did a Mexico trip. I have a picture somewhere of Antonio and I in Mexico City that I don't think was when Antonio was Speaker, it was when Cruz was Speaker that a delegation of us went; and I think even the Secretary of Commerce. Well, that would have been later with Davis, maybe. There was a delegation to Mexico, I remember, with Cruz.

And by fall of '97, in November of '97 as folks started gearing up for the '98 elections, I think the one trip I arranged that I always think was interesting was then-Lieutenant Governor Gray Davis. And as part of this ongoing thing that I had started like in '95-96, taking delegations, trying to

keep the relationship with Mexico through a variety of different mechanisms and working through CSG, it was around that period that we started what we at first called the Committee on the Southern Border that was the border states with Mexico and the Mexican states. It was the first time, and it was a vision of mine for a long time, that we ought to have binational meetings and mechanisms. CSG offered me the opportunity, and asked me actually, CSG West asked me, the leadership from New Mexico, that year the leader was from New Mexico and he understood this. He said, 'Denise, I want you to go figure out how to have a relationship with states in Mexico and how to do this.' So we created this committee and we started inviting the Mexican state legislatures from the border states to join us in meetings that were like our state legislative meetings to talk about things. So we started some of that around that period.

But in November of '97 we arranged the highest level visit that post-187 we had been able to arrange. I talked some of the Mexican government officials who were by now friends that I had worked with, some of them for a while, into having Gray Davis visit Mexico City. And it was a lead-up to '98 to set up not only to help Gray who was getting ready to run for Governor but also as a way of starting to really lay the groundwork for the '98 election being the anti-187 election; being the sort of an election where we could start to push back some of the damage that had been done, certainly to the relationship with Mexico but in general.

And I spoke with -- by then because of this relationship with Zedillo and a couple of the different meetings and because I was active in this and worked with the consuls all over the state I knew folks in the Secretary of Foreign Relations Office. Actually it was a person who had been a consul here in San Diego who became the head of consular affairs in the Zedillo administration in their equivalent of the Department of State.

VASSAR: Right, Foreign Relations.

DUCHENY: The *Relaciones Exteriores*. That was, I think, mostly through him, his offices and such, that I suggested this and I talked to Gray. And when Gray -- it was partly because Gray had called and was looking for endorsements already because he was setting up for '98. And we were still in that strange fundraising thing where you had really strangely limited fundraising capacity and such.

But I think it was when Gray called me to start to set himself up for '98 and I said, 'What matters to me is this. What I want is a governor who has a relationship with Mexico and I need to know a Governor is going to kind of rebuild that and do these things. That's one of my key concerns. And what I would like to do is if you would agree, and while you are still Lieutenant Governor and before the campaign heats up go with me to Mexico.' Once campaigns are in progress at an international level you sort of, international folks don't like to get involved in other people's internal politics. That's just sort of basic rules of foreign relations.

So what I wanted to do was introduce Gray to them at an early enough stage for there to be the opportunity to create the relationship. And because he was a sitting elected official, the Lieutenant Governor of the state, it was possible to think about that and I encouraged him to think about already like whenever it was, late in 1997. And I think it was in November of '97 that we took his first trip to Mexico. I set it up in such a way he went to Tijuana at one point. I don't remember if we did them separately. I think he came down once and we had him speak before the maquiladora association in Tijuana. We had him come and do a Tijuana visit one day and then we arranged a couple of days visit to Mexico City for him.

I remember this because I always remember the lunch. One of my friends from *Relaciones Exteriores* leaned over to me and was like, 'Does this guy really have a chance?' And at the time I could see where from the outside it didn't look like that. Who was the really wealthy guy from Northwest Airlines?

VASSAR: Al Checchi?

DUCHENY: Al Checchi. And there was Jane Harman, I think.

VASSAR: Right, yes.

DUCHENY: There were a couple of folks.

VASSAR: Two big, very rich people.

DUCHENY: Big, wealthy people. And here was Gray Davis and we had very restricted campaign limits at that time. They could start raising money. I think we

were past the point. This whole thing of us not being able to raise money at all during an off year or something, that had started to go away but it hadn't completely gone away yet. And I don't know what the impact of that was at their level but there was an impact, right? And they were just sort of, because you could see those big guys coming and all of that was swirling around already. They were sort of like, 'Well, okay, we'll do this.' And it worked because it was in their interest to receive a high-level Californian who was not somebody who had supported 187, who was not the Governor. There was something to be said from that from their perspective as well as from ours. To, again, foment that California does have a relationship with Mexico, we are important in different ways. By then I think they had had the visit from the Speaker, it had happened earlier, and so I was able to convince Gray that this was something he should do now. You couldn't do it later when you're really in a full campaign mode but it would be useful to him in the long run if he could do it when he had time.

VASSAR: Right.

DUCHENY: So I think in '97 we had that visit. He didn't meet with the President. I think he thought he was going to get to meet with the President. It's like, 'No, you're a Lieutenant Governor and it's your first visit to Mexico.' But he met with some very high level, we were able to arrange some fairly high level cabinet meetings and Secretary of Foreign Relations and probably Hacienda or Trade and Commerce, their equivalent of Commerce. We had

some fairly high level meetings. It was a very short visit, it was like a day and a half, two days, something like that, but it gave him a chance to see the city, meet some folks, do some things.

That was the election I think I was concerned about in addition to whatever it was we were going to do for our caucus and our house and whatever issues were coming up there. So I wasn't that focused. I knew that I probably wasn't going to have some kind of serious challenge for my last two years in the Assembly. And we had been in this mode where we couldn't raise money for a while, like I say, there was something to be said for that. A lot of people who were there that year always looked fondly back on that opportunity to really focus on policy for a year.

So come January of '98, there we were. And the new thing that happened to Budget was that Senator Peace became Chair. No, no, he didn't become Chair until '99, after Gray Davis. So '98 was just sort of the continuation of whatever happened in '97 except that Cruz then decided to run for Lieutenant Governor and that caused a change in leadership and much sooner than that kind of thing would normally have happened.

VASSAR: Right.

DUCHENY: This is, again, the impacts of term limits. Willie was there for 15 years, Cruz was there for a little over a year and Pringle was there less than a year. By that point in my limited, what, three and a half year time in the Assembly, we had had four Speakers, right? I had come in with Willie and there had been the quickie Doris and Setencich and then Pringle and the

Cruz. So I had already experienced five Speakers in less than three years, right? And we were having to turn that over again because obviously when you start running for statewide office it becomes difficult to also lead the caucus and be leading both the caucus election and your own election and focusing on the policy, dealing with all the house issues. So that became pretty apparent, that Cruz was going to have to think about when or how to do that. I always felt like he got preempted a bit. I think it would have been in the house's interest and everybody's to have him stay there a little bit longer than he ended up staying. Maybe through the primary or the budget, I always calendar years in budgets. Anyway, that changed the dynamic.

And then what happened somewhere around there, either that December or that January, that ban on fundraising got lifted and the floodgates opened. That whole thing changed. And that actually changed the dynamic, in my view, for Gray's race because Gray was under a lot of constraint and he had these very wealthy folks running against him. Without fundraising capability he didn't have a lot of ability to challenge them. When that changed he became competitive in a much stronger way than he might have otherwise been.

VASSAR: Right.

DUCHENY: And we were there kind of early, if you will, and Steve and I were both among the earliest Gray Davis supporters around town. I was obviously also very supportive of Cruz for Lieutenant Governor. Antonio was the

Majority Leader. There was a little back and forth there around replacing Cruz, and like I say, some of us felt he was a little preempted. He ended up having to step down sooner than I think. He agreed to it but it was sooner than I think was necessary for the fact of the way he was running.

VASSAR: Right.

DUCHENY: But he was running for Lieutenant Governor. So I think that change, it was like probably January or February, it was pretty early in the year. So that meant I had now another new Speaker.

VASSAR: At that point in that transition between those two, between Bustamante and Villaraigosa, did you have any thoughts about whether you would be retaining the Budget Chair?

DUCHENY: Well that was an issue, it became an issue. I wanted to. The problem was that I for a while dipped my toe in the possibility of running for Speaker, which put me at odds a little bit with Antonio. I felt like having been through the processes that we had and the policy and the CalWORKs and all that with Cruz I guess I felt like I was a little more similar to Cruz and I actually entertained the possibility of that, although Speaker is a very different kind of position.

And that change in the money and all that changed how I had to look at that too, because for me, I could see doing the job from a policy perspective - and this has always been my problem as an elected official. I have always understood the policy in doing the job. I get the piece where you have to really be the politico and do the caucus things. The things you

do from a political perspective are not as attractive to me and I am, frankly, probably because of that, not quite as good at them. I wasn't as big a fundraiser, I wasn't as active in that.

So when that change in the fundraising deal kind of changed the whole dynamics of the thing and it made it more, you have to look at the caucus again in that sense, not just in the Speakership, not just running the house, running the policy sort of sense of the word. So that all kind of all happened at the same time and Antonio jumped out pretty quickly as soon as he could see that there were these dynamics at play where some folks -- I was one of the possibles, I'm sure there were several other people who were kind of looking at this. There was a little movement going on. Everybody could see it was going to be Cruz's last year, Cruz was termed out and he was running for Lieutenant Governor so there was going to have to be a change soon. And everybody saw that and Antonio, I think, felt -- and he was clearly more organized and he was jumping on it. It wasn't something that I had really thought about until it kind of came up.

And I guess I was a lot more deferential to Cruz. To me, until Cruz decided what he was doing I wasn't interested in having that kind of conversation. I think Antonio was more willing to sort of try to figure out how to organize himself and be ready; that wasn't sort of my style. So there had been a little tension between Antonio and I because of that, which made it a question mark kind of, would he feel comfortable with me continuing as Budget Chair. We worked that through. It wasn't like we

didn't have this relationship. He had been my seatmate, it wasn't like we didn't all know each other. We had to talk it through. It wasn't some major fight, it was sort of a people talking.

And I think I was a little uncomfortable with when he made his move, it was preemptive in my view, and a couple of other folks and some of us felt that way. But Cruz in the end was the one who said, we need to -- now, it'll happen now. He initially wasn't as -- it wasn't on his timeline, let me put it that way, I don't think. But when it came it was like, in the interest of harmony we'll just go. So that had kind of happened.

And it was already past the time where, it was probably already February if I recall correctly, so we had already kind of had the Governor's Budget, we were sort of in the process of starting the thing, but every Speaker -- I don't remember if he changed a lot. Because it wasn't like we were changing regimes exactly because he was the Majority Leader under Cruz, so it wasn't like you were having some wholesale kind of change. I don't recall Antonio making a lot of changes in committee assignments at all.

And one of the things he did that was sort of interesting is he hired one of my former staff to be his budget person. And it was partly his way of saying, okay, I am going to bring in somebody that you can be comfortable with so that you and I can both be comfortable with the same person working as our liaison, if you will, and he hired Soyla Fernández into his shop. She had left me the year before to follow somebody who had been a

Fellow of mine who became her boyfriend. He went to LA, she had gone to LA. He got into the UCLA Law School-Public Policy combined program and after a few months she had gone down there so she had left my office. But so when he became Speaker he called her back and asked her to come back to Sacramento to work for him helping do Budget as kind of one of his in-house budget shop people. I don't think he even told me this. It was one of his ways of saying, okay, we are going to make this work; and I am going to bring in somebody that you can feel comfortable with that I can feel comfortable with and that we can work together.

But it changes the relationship. It is so hard to describe this but you, as a Budget Chair yes, you have some authority that's your own. But you are the caucus, you are the representative of a caucus when it comes to a budget, especially the two-thirds vote budget with a Republican Governor and some of the other dynamics, and the other house. So a lot of these things are in play that are really leadership issues and you are an employee, a staff if you will, of the Speaker and of the house or of your caucus in different ways.

Where you have to really have -- and at least the way I had learned how to do it, and it probably all changes every time there is a different Speaker, but it was a relationship thing. And I with Curt, not so much because I was the minority, but it had involved that and I had had to get engaged with the Governor and try to help them, save them from their own Republican right wing, so I had a relationship with Curt of sorts that had to

do with that; and also through Katz and through our caucuses and stuff. So I'd had sort of one relationship with Katz as my minority leader.

I'd had a different kind of relationship with Cruz, explaining budgets, having decisions. Learning how members function is sort of one of the things. Staff learns how to do this. But as a member one of the things I had to learn how to do was how do you talk to you so you get to the place. How do I set up, for Cruz in particular, how do I set this up so it would get you to the decision point you need to make. Here is how I see it, here's the different options, how do we bring our caucus to this, how do you get comfortable, where do you want to go. I can help set this up but I need to know I am on a path that people are going to follow.

Because if I could have been queen for a day and written my own budget it wouldn't have looked like hardly any of the budgets that I eventually authored or helped author. It was where I could find two-thirds votes within the parameters of my conscience and not doing something totally unconscionable or totally wrong. Within the parameters of what I thought was half-decent public policy at least, being able to get to where I could get a two-thirds vote and the Governor's signature. It's a different kind of art than just passing a bill.

VASSAR: Right.

DUCHENY: There's policy, yes, but there's also -- and some of it is that relationship. How do people want to be briefed? How do you set up the decision points for them? How much information do people want or need? Is it mostly

through staff, is it directly member-to-member? Cruz was member-to-member on a lot of stuff.

VASSAR: You said Cruz wanted you to brief him.

DUCHENY: A lot of times. His staff too, the staff were always in the room. But a lot of times he would want, late at night he would be, 'Okay, Denise, now come down and explain to me what's going on with this.'

VASSAR: And Villaraigosa was?

DUCHENY: A little less attention span. Cruz liked to understand things and needed explanations and wanted to walk through it. Antonio was more of the --

DUCHENY: Antonio is the kind of person who is more, just give me the short, give me the brief. So his staff could do a lot of that. We all had to make some of these decisions on different things. And you have different interests that I had to be aware of. With Cruz, one of the big issues that we had dealt with in the budget with Wilson we couldn't have done. Again, because he was Speaker and he was from Fresno. I wanted to augment farmworker housing in ways that hadn't been for a long time, partly due to my farmworker staff and some of the kids that worked for me were farmworkers and people had brought this issue of farmworker housing to my attention; and although I didn't have a rural district I had some interest in it. I was able to leverage doing what I wanted to do in the budget because I had a Latino Speaker from Fresno, right?

VASSAR: Right.

DUCHENY: So he is going to back me up on putting some farmworker housing money in the budget and the Governor is going to have to listen to the Speaker when we do it, right? There are some issues like that. There weren't a lot but it was moving it towards something that hadn't been done for a while, right?

VASSAR: Right.

DUCHENY: We were coming out of that recession. Again, we were in that kind of swing back out of the recession so it was important to sort of stake some markers on policy of things that you wanted to try to prioritize what little extra funds the Legislature can do outside. The Budget is 99 percent autopilot with a lot of moving around of policy and doing some things in-between and so little things like that were important to us. Having a Speaker from Fresno made that the kind of thing that he was going to support.

Letting them know. With Speakers, all of them, you try not to create surprises. You don't want to have people find out later that something was in the Budget that they didn't know about. And I was doing subcommittees and we were moving a lot of things but a lot of that is not stuff that is a decision point that is going to make a big difference. There's a lot of things you do for a lot of different members in a lot of different directions. But at the end of the day there are some and there is some consideration that Speakers will want to be involved with what's happening in whose district. Especially who is voting for the Budget and

who mattered in terms of those things, you don't want to do too much. You have to think regionally, you have to think statewide, you have to balance in some Republican districts. You have votes everywhere and you need all of the above.

Every Speaker has their different way of looking at some of those things and it is just what you get used to. I think Antonio was probably a little more 'just give me the straight' and I had to get used to that, but he brought in Soyla and we all worked through it, it wasn't that hard. And he wasn't as, he trusted it. He knew the process and he had been around so it wasn't -- and I was a little more mature and kind of had a better sense for what I was doing by then and we had a pretty solid shop. A lot of my staff would help brief him. It wasn't our Budget staff and their own staff, everybody kind of does all those things together.

But you need to explain things to people but you have got to learn how they hear. Some people are more visual learners, some people are more -- it's all the same things you have with anybody. And every person is different so you have to kind of get used to those things. That's what is hard about having a change so frequently in some ways. But it was an okay year and we got through it.

In '98, I don't remember, you may have the list, I don't remember what else, what much. It was an election year so there was a lot going on.

VASSAR:

Yes.

DUCHENY: But the big election that year was Gray and Cruz. For most of us that was where the action was, more so than some of the local races. The only major local race that I remember we had to pay attention to was Lou Correa ran again after having had that very narrow loss in '96.

VASSAR: Right.

DUCHENY: He was running again in '98. Antonio and Cruz had made the commitment to him, 'We didn't do a recount but we will back you up the next time' and we all honored that in a lot of ways, my colleague Lou Correa.

Because the Latino Caucus and I had staff down there; in 1996 we had faith in this beyond what I think Katz had. We just kept saying, 'We know it's there, we know it's there.' It was like, we've got all these priorities. And we wanted to put more resources on the ground in the last weekend and they were getting polls that were just not tracking the way we were arguing that we thought the campaign was going and the ground was going, and we were right and the polls were wrong. And we found out later, this is one of the sort of great lessons of history, but I think Polanco would be the one to verify this, but I think it was Polanco. Folks later figured out that the polling that some of these groups, outside groups were doing at the time, that was what people were basing decisions about where to put resources and stuff, the pollsters were hanging up if people answered the phone in Spanish. And in a district like that, that was the whole game because our whole game was aimed at a lot of low-propensity, Spanish-

speaking voters. So lesson learned and it changed the way people do elections here.

Because then people started realizing, 'Oh my gosh, you can't do that. You've got to be able to -- because a lot of folks, most folks who vote speak English and read English but a lot of times you'll answer the phone in Spanish. And it may be that you could start asking them questions on a survey in English that wouldn't matter. But if you have the propensity to sort of ignore the person because you think they speak Spanish, that's a problem. Anyway, lessons learned. But in '98 we had elections like that coming up.

And here was when all of the '92 people.

VASSAR: Right.

DUCHENY: Again, you have a whole huge wave. And what we started to see then, starting in '96 and pretty much every year after that until they changed the term limits again a couple of years ago, every two years you were having pretty much a third of the Legislature turn over, right? At least. Which in the old days maybe 10 or 20 percent would turn over maybe every 10 years, right? With redistricting and some of those things would create the kind of years where you had dynamics and people moving around. When the average tenure of members was maybe 10 years or 12 years or 8 years; in those ranges, right?

VASSAR: Yes.

DUCHENY: Well now every two years you were losing at least a third of the house and in both parties. So you had all new players coming in all the time.

Suddenly somebody like me is like the most senior member in the house.

VASSAR: Yes.

DUCHENY: And I'm still feeling like a freshman. I had a lot of experience by being thrown into the deep end of the swimming pool pretty quickly over the previous two or three years, both on the political side and the policy side, but the truth is, in the old days at four years you would have been just barely getting the chance to maybe run a bill, right?

VASSAR: Right.

DUCHENY: By that point I had been through six Speakers and three Budgets.

VASSAR: And you were the Dean of the Assembly.

DUCHENY: And I was suddenly the Dean of the Assembly. Not quite. I think there were a couple of people that started coming back from the old days. I think Dick Floyd, I don't remember which year Dick Floyd came back, maybe '96. There were a couple of folks like that that came back.

VASSAR: Yes.

DUCHENY: They had served in previous years and then out and then came back. There were a couple of folks like that that came in. Lou Papan, was that the year Lou Papan came back? Lou Papan came back in '96 or '98. Somewhere in there you started getting some of that so I wasn't -- But in continuous, immediate service, suddenly in '98 I'm pretty much the most senior member. It was like, whoa, and to me I feel like I'm still just, kind of new.

VASSAR: So the new session starts, '99-2000, the final term in the Assembly. You maintain Chair of Budget. You had a bit of a shift, you got on Rev and Tax.

DUCHENY: When did I do that?

VASSAR: There was Assembly Human Services and there was a committee that you were a member of that was Information Technology.

DUCHENY: Oh, yeah.

VASSAR: Which only lasted for that one session; you were on it for the one session that it existed.

DUCHENY: I think probably it was Bowen Chair, that was Bowen's deal.

VASSAR: That was Dutra.

DUCHENY: Oh, Dutra, interesting. Let me think. I have no idea why I was on some of those committees. Again, I'm the last year, you've got all these new members with hungry mouths to feed that want all kinds of interesting and juicy committees and you've got all the fundraising issues that go with that. You've got a termed out member. Holding on to Budget Chair in those circumstances even by itself was challenging.

But what I remember most about the '98 election was frankly the election of Gray Davis and Cruz Bustamante and that changed things in a different way. And the term limits in the Senate caused Steve Peace to become the Chair of the Senate Budget Committee. Steve had never really been a budget guy. He'd been involved with a lot of different things over his many years in both the Assembly and the Senate at that point but I

think in some ways, and I don't know but it seemed to me, once he saw me doing budget it was like, oh, that's interesting. I think he got interested in it and Senator Lockyer -- no, by then Burton came in. Was that Lockyer?

VASSAR: In '98-99, yes.

DUCHENY: Lockyer became Attorney General or something? Lockyer went statewide by then, right? Attorney General or the Treasurer.

VASSAR: That was '98? Yes, '98.

DUCHENY: So Lockyer became Attorney General. Because he would have been out of the Senate by then, right?

VASSAR: Yes.

DUCHENY: So Burton came in, right?

VASSAR: Right.

DUCHENY: Okay. So here is where dynamics change in different places, it's not sort of in your immediate world.

VASSAR: Right.

DUCHENY: But Gray Davis is Governor now, John Burton is the Pro Tem, Steve Peace becomes the Chair of the Senate Budget Committee, Mike Thompson goes to Congress.

VASSAR: Right.

DUCHENY: There are all of these other movements that changed the dynamics of who I had been working with. In other words, I had worked with Mike Thompson, we had had our ups and downs, but I -- again, it's just like a Speaker, you work with a Chair, you build these relationships, and your

Vice Chairs and the folks that you work with. And Mike Thompson and I had kind of done what we did for the couple of years. And it had been tense, we had had the usual fights between the Assembly and the Senate around different things. You want yours and you want yours.

And I was the new kid. In those I was not quite the equal partner and there was a lot of sense of that. Remember, I was not only the first Latina to chair the Budget Committee, I was the first woman and I was the first San Diegan to chair the Budget Committee. So one of the dynamics that had changed when I had gotten that position was everything had been so north for so long. A lot of us here in the south -- the leadership was from the north, it was Lockyer and it was Willie and before that it had been McCarthy and it was Vasconcellos and Alquist. You had two Chairs, both from San José for 15 years, right?

VASSAR: Yes.

DUCHENY: From the Budget Committee. And you had leadership from the north, from the Bay Area. Since Roberti, and prior to that Mills, there hadn't been a lot of Southern California leadership before this period. So my Chair of the Budget Committee was the first San Diegan, the first woman and the first Latina. There had never been a woman Chair of Budget. All of those issues. Child care mattered. You get to talk about issues when you run conference committees and you can have discussions and raise things.

So Steve I think saw some of that too and so Steve made the pitch, and however that worked in their house, but Steve became the Chair of

Budget in the Senate. So now you had what we perceived as a much better balance because you had a Pro Tem from the north, you had a Governor from Los Angeles, more or less and you had a Speaker from Los Angeles; but Los Angeles and San Francisco. And then it was like, okay, San Diego had a place at the table. And the way San Diego had a place at the table was both Steve and I were there. Then we get one seat out of two by being the Chairs. We weren't the leadership, we were the chairs, but we were the Budget Chairs, that gave San Diego a seat at that table in ways that hadn't been done. And I think Steve was a way more experienced member and I think he saw that opportunity with me there that if both of us could be there we would be in a different place.

Later Dede Alpert, who was also from San Diego, became Chair of Appropriations in the Senate, which was usually hugely important to all of us. So we sort of had that dynamic going on.

And part of the reason I suspect that maybe John thought about Steve and however that might work to the benefit of everybody in this game, Steve and I were both two of the folks that Gray had the most confidence in. We had been early Gray supporters when a lot of folks didn't believe. And Gray is that kind of guy, he is loyal but he is not totally trusting, he is not the most open kind of guy. And so Gray plays close with folks he's close to and he felt comfortable and was fairly close to both myself and Steve Peace. So that created some different dynamics as well. So we had

much more direct access to the Governor than certainly we had had with Wilson.

And yes, we had had some with Wilson, and certainly by the end of Wilson's time, but I didn't have a direct. I very rarely was in a meeting where I was directly with the Governor. A couple of times I remember Mike Thompson and I going and talking to the Governor when something was pending. But most of that is really leadership and you were feeding leadership issues and thoughts and suggestions and ways to do things.

VASSAR: Right.

DUCHENY: And I was doing the public piece. To me that was always the most interesting. Conference committees and running budget committees to me is a lot about public. It's about hearing from the public but it's also about people everywhere in the house and lobbyists.

VASSAR: Right.

DUCHENY: Hearing what people think, asking the right questions, getting things on the table so that you can have the right discussion and lead people to a conclusion that people can support. So a lot of that public process has its own -- Steve used to call it the kabuki of budget.

VASSAR: Is that where that came from?

DUCHENY: Yeah, I think it was Peace who used to call it the kabuki. But a lot of it is how you stage things and how you set it up and how you set up the discussion. You would learn things from that that then you could use and say -- you have aha moments as you push the right questions or you have

the right people testifying or you have the right issues on the table. You can get to a state where, 'Wait a minute, well maybe that's the way to look at this.' And then you can look at your Republican colleagues and say, 'What about this one? And maybe there is a place there. You care about this and I care about this and those are in the same universe.'

You actually have to have, in my view, and I think this has been lacking for some years, you have to have that public discussion and you have to have it and the Governor's person and the Finance person at the table. So you have a discussion with the Governor and with the Senate but you do it in a public forum where you get to kind of feel each other out on different things and test ideas and use the LAO. You have all those resources at your disposal but you have to -- you test things and you question them and you have to figure out. You have to ask the questions so you can get to the bottom of things.

Where I get frustrated, I think, with a lot of the hearings and different levels, especially Appropriations over time just became this kind of yes-no, yes-no. I like good hearings and I think there is a value to that for the public and for the interested public who will come to hearings; the audience who care about their specific issues. But it was important to me. In some of the later years when you were fighting a lot with cuts and stuff, forcing - I used to do this in my district - force the education people to sit there and listen to the health people. 'You come to me and you tell me you're the most important thing in the world and he comes to me and says

the same thing. I need you both to sit here and tell me who you want to cut. Are you willing to throw his kids under the bus to get your thing?’

VASSAR: Right.

DUCHENY: So having the public discussion allows everybody to go, ‘Oh, okay, well, we have to think about them too.’ And it’s for members and it’s educational for everybody. And it allows you to kind of test out these kinds of things. Where will the Governor go? What does he really want to stand on? Which things do we really want to stand on? A lot of that has to do with the public process.

So I hadn’t been -- I knew Wilson a little bit but he wasn’t that kind of guy. He went to some of the social things. But I had pretty good relationships with some of his cabinet, several of his staff I had really strong relationship with, so it wasn’t like --

VASSAR: You mentioned Costigan.

DUCHENY: Costigan. I think Kevin Sloat was still there then and probably Bob White. All of those folks were people that -- Kevin Sloat is who I also remember working with, I think, from the Governor’s Office in those days. Who else was there? There was somebody else from San Diego before Bob White even. There was another one who had come from San Diego. There were some San Diego ties. I knew people who knew Pete because coming from San Diego you can’t not do that and that helped some.

VASSAR: Right.

DUCHENY: Eventually because I was where I was and in the Chair you had some discussions with folks around different issues.

But with Gray it was different. And one of the things immediately after Gray took office, when Gray actually had to sit there in December. Actually, we had to help with Gray's transition. Because we suddenly were in a position where the Governor gets sworn in on like the 5th of January, whatever day that Monday or so falls on.

VASSAR: Yes.

DUCHENY: And the budget by constitution has to be filed by the 10th.

VASSAR: Right.

DUCHENY: So you get elected in November. Whose budget is it? Is it the old budget or the new budget? And the transition. But you don't have a staff and you're not in Finance. I learned something that I wouldn't have otherwise experienced but I had to experience budget transition too. And I had to loan my staff to the transition staff so that we could help Gray develop a budget. Gray had to transition for appointments and transition in a lot of different ways but in particular at least some of our staff both from the Senate and the Assembly and particularly the Democratic Caucus staff, we had to put up staff to create a budget shop for Gray Davis that was outside Department of Finance, right?

VASSAR: The Wilson administration.

DUCHENY: So we loaned staff to that operation. Tim Gage, who had been the Senate person for a long time. I sent Hugo Lopez over there. They worked under,

I think Phil Isenberg was one of the transition heads who helped him do a lot of different things. So there was sort of this transition thing. And then Gray had to make some decisions about kind of what are you going to put in your budget or where are your priorities going to show.

VASSAR: Right.

DUCHENY: And I remember Steve and I got invited to a couple of meetings with Gray, almost in the pre-period to at least hear him out. In some ways I think we were partly him testing his own message and seeing whether what he was proposing was something that -- how to think about it. It gave him an audience that he could have comfort with without it being public. But Steve and I were there and got involved in some of that.

And one of the things Steve and I believed strongly and pitched to Gray and to our leadership was, look we now have complete. The 1998 election was the revenge for 1994. The revenge of 187 was 1998. It was the election where we changed all of the state offices, the house majorities became substantial, not just marginal as they had been in the prior years. There was a major shift. And the Indian, the gambling initiative passed. There were a whole lot of things that went on.

And one of the things Steve and felt pretty strongly about, which had been an ongoing problem for years, was the lateness of budgets. Because of the two-thirds vote and a lot of those kinds of factors and the lateness of May revises and how hard it was to kind of figure out everything new over again. After May after you had been working a budget for four months you

had to kind of do a budget in a month, nobody ever met the constitutional deadline. The June 15th deadline was something that we hadn't met in years.

VASSAR: Right.

DUCHENY: We were lucky if we got anywhere close even to the July 1 deadline. Several of the previous years, and partly because of welfare reform and some other things, we had gone well into August before we had a budget, right? Steve and I felt pretty strongly with Gray that look, you've got a Democratic, an all-Democrat house and a Democratic Governor, we are going to have to figure out how to deliver a budget on time. So that became one of our early goals in trying to think about how to get to where we needed to go.

And we were very fortunate and blessed that 1999, of course, started to be the year when the money started coming back in. The dot-com boom was there, suddenly we had all of this so-called, people like to call it "surplus," I never call it that; unanticipated revenue. Well, it's because you are budgeting based on guesstimates. Budget is always based on guesses. Sometimes you can't, you can't always be that predictive. And in California, to be one or two percentage points off on something that you're guessing that's sort of that big, that's a lot of money. One or two points can be a couple of billion dollars in our world. We were talking in those days, it's bigger now, but basically \$100 billion general fund budgets, right?

VASSAR: Yes.

DUCHENY: And so, being one or two points off is sort of not really bad guessing but it's a couple of billion dollars, right?

VASSAR: Right.

DUCHENY: Anyway, '99 was going to be one of those years. But that gives you an opportunity to also kind of get things done on time in better ways because there's enough to go around to kind of meet a lot of the different needs and priorities that everybody has. Everybody has got different priorities. Different caucuses, different members, different members were going to have to vote for it, the Governor, everybody has got priorities. And trying to meet all of them was always one of the challenges of doing budget. So we worked on that all year.

VASSAR: In comparing budgeting in a time of plenty versus the horrible cuts of the later years.

DUCHENY: I don't know. Those are my glory years, '99-2000. Those were my favorites. I learned a lot and had some appreciation for the couple before that. I had been able to hold back student fees and I had been able to do a lot of things. '98 was the year -- was it '98 or '99? Brulte was in the Senate right, by then?

VASSAR: Yes.

DUCHENY: All right. Yes, because Brulte was the one who helped me make the deal with Pete to lower student fees. I could see these surpluses. And one of the policy things I tried to promote those years -- well, there were two

levels of things I tried to promote. One was that we should spend some of this money on what I would call 'one-time things' because it was not going to be a permanent revenue source. For me, a lot of that money I thought it was important to put into things that were not necessarily going to be built in to grow.

VASSAR: Right.

DUCHENY: So housing, roads, transportation, infrastructure was one piece. And the other thing that I came up with that I thought was important, because I could see the pressure for tax cuts and I really thought that was a bad idea. Continue to rue the day that we cut the VLF.

VASSAR: The VLF, was that '99-2000?

DUCHENY: Probably the first. There was a series of VLFs, '98 was probably the first one. So I came up, my theory was, let's cut fees. And fees are things that when things get bad later you can kind of put back in place without quite as much and mostly because they only require a 50 percent vote. Taxes require two-thirds to get back, fees only require 50 percent to get back or the regular budget process. In other words, it is not as complicated as getting a new tax.

And we had done some things. One of the reasons I had been elected was to try to limit the student fees and the access to community colleges and to CSU and UC was a big issue for me. And one of the proudest things and one of the reasons I became sub-chair of Education was to try to hold the line on student fees. And they had already gotten, in my view, in the

early '90s through that '91, '92, '93 period, had gotten out of hand. And I was really proud of the fact that like in '94, '95, '96, we were able to at least hold the line and not raise them. So we were getting better enough. And that was one of the places we sort of held the line was, no, you can't raise student fees, right? And we could increase CalGrants and we could do some of the other things. And that was important to me and to our caucuses and to all of us, leadership. And I had pushed that in those positions and been successful. And here came '98 and I said, we need to cut student fees.

And the other one, I worked with -- Rusty Areias became Parks Director under Gray Davis.

VASSAR: That's right.

DUCHENY: Rusty and I worked out, I wanted to lower park fees. Camping fees had become outrageous. It was like, we need more people to be able to go to the parks.

VASSAR: Right.

DUCHENY: For low income communities; again, it's the interest of my low income districts. If my kids are going to go you've got to make it cheaper or free.

VASSAR: And you have a lot of parks in your district.

DUCHENY: State parks not so much in my Assembly district, my Senate district I did.

VASSAR: In the Senate district, okay.

DUCHENY: The Senate district I did.

VASSAR: Got it.

DUCHENY: But open space and those kinds of things were also -- and Steve and I, and this was a San Diego thing, Steve and I both came from South Bay. And one of the things we were able to do and I don't remember exactly which budget or how much in which year but during those years, '98, '99, 2000, we did a lot to help acquire land and do restoration of the Tijuana River Estuary.

VASSAR: Right.

DUCHENY: To do some things with the Otay River also and working with a trust for public lands. They would acquire the land and then we would acquire it from them. These were long-neglected sort of urban river parkways from San Diego perspective. San Dieguito and the north county rivers, they all got paid attention to and this was South Bay and nobody ever had really dealt with it. The Tijuana everybody thought was just sewage and it's not. It became but it took a lot of work from the Coastal Conservancy and the Coastal Commission and funds from different sources. It's the multi-jurisdictional entity down there.

VASSAR: Right.

DUCHENY: But those kinds of projects were things that were important too. What was great kind of from that Senate - because you always have your Senate priorities and your Assembly priorities - but in some ways some of the things that mattered to us mattered to both of us in ways that helped make some of that work. In other words, Steve and I both felt strongly about some of those kinds of issues.

And then we were doing things to help Susan and Dede. There was one -- I think we did it in one of those budgets. City Heights, part of the northern part of my district was up there and we had had this Freeway 15, which is a major freeway that goes from here to Vegas, basically, where you cut off on 215 and it goes from here to Riverside.

VASSAR: Yes.

DUCHENY: There was this big chunk of it in the middle in City Heights in those days that had been purchased by Caltrans, abandoned, the houses had been torn down and you still were driving on a street for several blocks between the freeway.

VASSAR: City streets?

DUCHENY: Yes, it was like the freeway ends, you go on the city street and then you get back on the freeway.

VASSAR: Right.

DUCHENY: And it had been like that and torn down and abandoned.

VASSAR: And there was an empty spot of land.

DUCHENY: A big corridor through the whole thing. Caltrans had acquired the land to build the freeway.

VASSAR: They'd acquired it but --

DUCHENY: But nobody had built the freeway. And it had been like that. To the point where they had torn down the houses and the right-of-way but nobody ever funded that. We finally got that going, I think actually maybe during Mike Gotch. We got the 15 business going but part of it became the parks

around there and we actually did some very interesting things there with the 15 where we did a park over the top. One of the streets that crosses it, because we had to build the freeway down.

VASSAR: Right.

DUCHENY: One of the streets that crosses it, we put a park on the top. But once we got that freeway built, which sort of, I think, had been in my earlier years. I think Gotch had probably started that and we kind of got that one going, we got 15 going. And they were putting in the freeway but there was the opportunity to do these little pocket parks around there and kind of make this inner city neighborhood, again, more green and do some things.

VASSAR: Sure.

DUCHENY: There were issues like that that I couldn't tell you exactly which year which things happened in, but I knew through that period when the resources got better, as they got better during time, that was an important kind of intersection between my district, Susan's district and Dede's district. So everybody could take credit for that one.

But there was sensitivity to San Diego issues with both Steve and I there. We could debate those and we could figure out which ones were highest priorities for us and work with the cities and work with the county and SANDAG folks to make some of those things work, so we had the opportunity to do things.

But we did things for people all over the state. We weren't just us, we knew we were budget people.

One of the interesting thing about being Budget Chair was learning about everybody's district. I knew everybody's district. Sometimes I knew their districts better than they did because people would come and ask for things and I knew. I knew through the process who was asking for what, where, and I would find out if people needed parks or they wanted museums and they wanted this and that. The requests and all those things. I would learn where those were and what districts they were and I often knew as much about people's districts as they did.

VASSAR: So sharing what you're comfortable sharing, what is the weirdest budget request you got from a member?

DUCHENY: There was one that Maurice Johannsen always wanted, something Turtle Bay, something that I never quite totally understood. Then there was the -- well, this was the days, we don't do this anymore, thank God.

One of the things we were able to change, I think by the end of 2000 or maybe after I got to the Senate, kind of lumping these things together, but in those days there was actually this horrible tradition called Members Day. The first day of Conference every member had the right to come in and ask. And they would come in, partly with letters that folks helped them write about in support of the Senate version of this or the Assembly version of that on different items. But they were also wish lists of, fund my park, fund my museum, fund my road, fund my courthouse, fund my whatever. And we would collect those and sort through all of them and that was a process that was pretty ugly and could get kind of funky toward

the end when you were just trying to fund everything. It was not the prettiest thing. It was a lot of basically earmarking.

VASSAR: Right.

DUCHENY: Which isn't necessarily a bad thing in my view, there is value to that in terms of people know their districts and they know what matters and it can matter. I don't remember. There were a couple of odd ones.

We eventually got to the point where we said, look, let's just create a fund for museums and have a process for people to deal with museums, because for us to be sitting in the budget every year picking whose museum is going to get a buck.

VASSAR: Right.

DUCHENY: But with all, whatever, the San Diego Natural History Museum got some money out of some of those, the Maritime Museum in San Diego did okay. Some of the ones that some of us knew about and had worked with. But it was all over and we always had to balance that. We were very careful. Steve and I probably bent over backwards to not do things that were just San Diego all the time.

VASSAR: Right.

DUCHENY: You really had to think about making sure that everybody else. We did. We used to call it -- these weren't odd, though. In the end these weren't necessarily wrong things. There was the Diamond Valley Reservoir that we used to call it Kelley's Bones. Senator Kelley was very obsessed with having a museum that dealt with the paleontology things that were

discovered when they had to dig to make the reservoir, the Southern California reservoir.

VASSAR: Right.

DUCHENY: But the bigger issues were things like water. In fact the other night on television I saw something that reminded me from that period, the Headwaters Forest purchase, the redwoods headwater. So we had enough money to consider things like that. And that was one sort of a big deal, Feinstein and the feds and everybody and Byron Sher and sorts of folks were involved and all those kinds of issues. And I couldn't remember what it was, but something we matched with the headwaters. We were going to do the headwaters deal but it was like, okay, but if we're doing that we have to do something that's Southern California too. We sort of had to think about things like that.

VASSAR: Right.

DUCHENY: And a lot of members just had different, their little state parks. I think during that period we funded the Buffalo Soldiers Park over here, Camp Lockett, the restoration of that. And there is another one that kind of is a tribute to African American soldiers up in Fresno²².

VASSAR: Was that the Colonel --

DUCHENY: It's one near Fresno.

VASSAR: Right.

DUCHENY: There was the Riverside courthouse, which was this gorgeous historic courthouse that we were able to help restore. We were able to do projects.

²² Colonel Allensworth State Historic Park in Earlimart.

And I visited members' districts. Rod Pacheco had become a member someplace along in there, probably in '98. He took me to Riverside and I went to see his neighborhood Cesar Chavez Center, recreation center, and his Riverside courthouse. I thought it was -- to me it was interesting to see the state in different ways and to learn all these things about different neighborhoods and what people were doing. But the historic Riverside courthouse is gorgeous; it's a historic courthouse and it needed to be restored historically and not just kind of done.

VASSAR: Right.

DUCHENY: That's the same period, Phil Isenberg, who at one point was my seatmate or at least right in front of me. I think Phil was my seatmate through one of those difficult years. It might have been during the awful years during the Republican thing, but somewhere along the way. But Phil and Lockyer had gotten together, we had done the courthouse --

VASSAR: The courthouse.

DUCHENY: Not the courthouse but the state takeover of the courts.

VASSAR: Was that switching the municipal and superior?

DUCHENY: And it becoming state, a statewide system rather than a county system. A state court realignment, basically. And the corollary to that later was the state court trial court funding bills. So a lot of things that were big policy issues had to be dealt with but you had the opportunity when there were the resources in '97, '98 and '99 to make some of those deals work. It was difficult to make those work when you don't have the resources, but

suddenly you could do a headwaters deal with the feds, you could do things for Lake Tahoe, you could do things here, you could do things that matched. Big issues like trial courts could be dealt with because you had some cushion to be able to grease the deal to make it work, those kinds of things.

VASSAR: Right.

DUCHENY: So those were important changes. And I would spend time like with my courts, my local courts, and how does this work if we merge you. You had to kind of learn some of those issues to do them. Yes, the big bills were done. Like I say Isenberg and Lockyer pretty much did the trial court stuff. Martha got very involved in the trial court funding after she got to the Senate. I did some bills to help deal with the marshals and the sheriffs and some of those kinds of issues on the side. But just being able to do some of those bigger things.

And then to do things like hold student fees in line, actually roll them back. And that was a budget deal kind of at the last minute. Brulte came to me and said, 'Do you still have the bill?' Because I had carried a bill all year that said we should lower student fees and other people had bills to cap them. We were all struggling with ways to change the formula so they wouldn't have these spikes in student fees that had been happening over the previous years. And Brulte came to me and said, 'Do you still have that bill?' I said, 'Yeah.' So he went to Wilson. It was partly Brulte who said, 'Okay, I like that tax cut.'

VASSAR: Yes.

DUCHENY: And later, I think this was more 2000, we made the big deal, which was to make CalGrants an entitlement. That really cost a lot to fund it more that way rather than just as a capped, kind of however many scholarships you could give out you could give out. But to actually sort of create it as an entitlement. And those kinds of issues.

And then obviously in '99, Gray Davis felt real strongly about what I would call over-funding of Prop. 98. And that has long-term implications. because once you have upped the Prop. 98 guarantee --

VASSAR: It stays.

DUCHENY: You're stuck with that higher tab. Which in the later 2000s when the crash came, led to some difficulty. Because then we actually owed them money and we had to carry a debt to 98 for a long time.

VASSAR: Right.

DUCHENY: I think it took us awhile to get out of that. I think we got out of it probably about the time I was leaving in '10, maybe started to come back out of there. But I don't know if they finished, I don't think they finished paying off that debt until after I left. Because the crash, in '08 and '09 you couldn't do anything.

VASSAR: Right.

DUCHENY: Everything was cut.

VASSAR: Yes.

DUCHENY: And it was a shame to see all of those things happening. People wanted to cut back CalWORKs in those later years.

And for me, I think a lot of the Senate budgets I don't remember as well, partly because they were like --

VASSAR: There were a lot of them.

DUCHENY: -- not something you want to remember. But I remember it felt an awful lot like you're undoing a lot of the positive work we had done by the end of the '90s and by 2000. A lot of the positive things that I think we had done in '98, '99, 2000, were suddenly sort of all being retrenched and undone and backtracked.

VASSAR: Right.

DUCHENY: And a lot of it had to do with that fateful decision around the vehicle license fee. The first vehicle license fee cut, 35 percent we could have lived with for quite a long time. It was the later ones where they kind of made it more in perpetuity. We tried to put that trigger in and we had trouble -- that's when Gray Davis got recalled was when we tried to pull the trigger and some of those things got very complicated.

And some of the tax package we did, actually we did some pretty decent, we did some child care credits, we did some -- we called it "dependent care" because people were dealing with their relatives and their children. We did some good public policy and it showed, in my view. I think go back and look at those. You can do good public policy if you can appreciate that you have some resources to do it with.

VASSAR: Right.

DUCHENY: And if people could appreciate what government can do that's positive.

Yeah, did we do some things that people look back and go, 'Why did they fund all those little, silly museums and parks and I don't know whatever?' But there's a pretty small amount. The big things were the bigger things like student fees, was park fees, was CalGrants, was making some of those programs whole. And really, I think, through '99 we were really still just restoring a lot of the cuts and things that had happened from '92 and '93, '94, '95, '96, '97, '98. We were really just starting to restore what had happened in '98, '99.

So trial court funding, for instance, was in part a response. And we had a lot of discussions and Steve and I -- this is another one that we were unsuccessful I think. It's still part of the class that I teach now at UCSD. We tried to reorient the state and local government funding in a way that was more rational. And it still went back to - all of this stems back to Prop. 13 and Prop. 98 and some of that - but the complaint from the counties and the cities was because of what was called the Educational Revenue Augmentation Fund which had been implemented in the early '90s as a way of shifting property tax back from cities and counties back to schools, which had been shifted to the cities and counties because of Prop. 13. Frankly, if people had left it alone in Prop. 13 and if they hadn't had a lot of surplus at that point; when Jerry Brown was Governor the first time and Prop. 13 passed they had a lot of money.

VASSAR: Right.

DUCHENY: and so they went ahead and sort of backfilled, basically, and pretended like it hadn't hurt.

VASSAR: Yes.

DUCHENY: And I think in some ways people should have let those chips fall and found out what it felt like to do what they really did. What they voted for was not healthy for anybody and nobody would have liked it if they'd have let it happen.

VASSAR: Right.

DUCHENY: But in truth they sort of backfilled and moved things around and did things to kind of --

VASSAR: Lessen the pain.

DUCHENY: It's what legislators do, we don't want people --

And what we tried to do and we thought, well this is an opportune time when there are these resources. Again, we have the resources to kind of grease the deal. Then maybe you can really look at a proper way to do realignment if you can.

VASSAR: Right.

DUCHENY: We had done realignment in '91 and '92 before I was there that had to do with trying to adjust for the budget and it was a way of trying to save money to the general fund and to do some different things. But in truth there were a lot of ways you could look at that and try to make this whole. What really makes sense for counties to do that counties should have

control over and then they should pay with their funds versus what they do that the state should pay for, and should we pay more for something and they should pay less and then they should take something else.

Those kinds of conversations happened a lot through that period. I remember us going around the state to different parts of the state where all these things would be somewhat different; every county and city is different. With Diane Cummins and Steve and I and we'd have round tables with people in Stockton or in different parts of the state. We did this in a few different parts of the state trying to help folks sort of think about how to get that together and how to think about how we might have made a deal with the cities and the counties and the schools so that could have worked. And we never quite got there. We just couldn't kind of get everybody to the table.

Those conversations came back a lot later when I was in the Senate. And again, it came back, unfortunately, in the context of a cut, rather than in the context of surplus, and they become harder to solve. We did some of it. The prison realignments that Jerry Brown did later are kind of related to that and I got involved with a lot of those discussions then. But anyway, chronologically we're still a ways.

But '99-2000 you will see a lot of that sort of larger public policy, both environmentally and we were able to do a lot of things with child care and schools. We could actually finally make class size reductions more or less work. Some of those kinds of things that you could do.

VASSAR: So if you look over your entire time, getting to the end of your time in the Assembly, and just looking at a list of the committees that you served in. If you look at your Chairs and Co-Chairs, the committees that you served as Chair and Co-Chair in, and it's policy committees - you've got Assembly Budget Vice Chair, Assembly Budget Chair, Vice Chair of JLBC.

DUCHENY: Well, that comes with being Chair of Budget.

VASSAR: Comes with being Chair of Budget and then continuing on as Chair of Budget.

DUCHENY: So I did four years as Budget Chair.

VASSAR: Yes, and then Vice Chair of JLBC.

DUCHENY: So five years on conference including the year I was Vice Chair of Budget

VASSAR: You came for educational, to support education, but you never served on Education. You never went into any of those other areas. You weren't even a member of Education. Was that a regret?

DUCHENY: No, that was --

VASSAR: It was all about the funding?

DUCHENY: It was all about the funding. To me, that's how I saw it. When I was on the College Board, one of the things that enticed me to run for the Assembly was on the College Board a lot of what I wanted to do I realized that all the money came from Sacramento and until you were there and sorting it out. So to me the most important educational policy choices were made in the Budget. The biggest secret of Budget, that I tell people, is it's

a policy document and it is the original sort of answer to 'put your money where your mouth is.'

VASSAR: Right.

DUCHENY: If you say this is your policy priority then put some money in it. To me that's kind of what Budget was all about. So being Chair of Budget meant I was Chair of everything. I was involved with housing, I was involved with welfare, I was involved with transportation, I could be involved with every water deal. Water mattered, environmental protection and open space and some of those issues and Coastal Commission issues.

Education was always funny because people always said, 'Weren't you on higher education?' Everybody always thought I was and it was, 'No, I was Chair of the Education Budget Subcommittee.' So I did what I did in terms of fighting with UC and CSU and changing things and doing things. I did those things because of -- through that mechanism. So I wasn't really interested in the policy committees, didn't hear the bills. I carried bills on some of those issues.

VASSAR: Right.

DUCHENY: And I did sit on higher education for one day or two when I was in that first six month period. And I think because I was there the one day a lot of people thought, 'Oh, you were on higher ed a couple of years.' The truth was, no, I was in housing, I was on toxics. Committees were not --

Beyond that, legislative priorities were bills. My legislative priorities that had to do with my district issues, with issues that I just care about,

farmworker housing issues, those kinds of things were things I did through bills and I didn't have to be sitting on the committee they went through, although sometimes that's helpful if you're on the committee where some of your bills are going through. But those weren't kind of the big ones.

I just thought of something I wanted to share from that period. It went in and -- we were talking about that. Something else I did during that period that I thought was important.

Oh, one other committee. This was another unique committee. We walked about the California-Mexico Committee. But the other unique thing we got involved with during those sort of later years of the '90s was I created a select committee, or one of us did, Polanco or me or both of us, somehow we created a Los Alamos Committee. And that came out of -- our friend, who was then my friend who was at that time the Pro Tem of the Senate in New Mexico and the Speaker of New Mexico, so we had gotten to know these New Mexico guys through CSG.

VASSAR: Yes.

DUCHENY: And they came to Sacramento when Cruz was Speaker one time. My friend Manny came to Sacramento and he was with Cruz and we had like a reception, here were these guys, the CSG leadership. And he says to us, he says, 'So when are you going to come visit the Colonies?' We said, 'What are you talking about?' He said, 'You know, the largest employer in New Mexico is the University of California because of Los Alamos.' And it was not something any of us really knew or were conscious of or were

aware of. It's not something that comes before you. And so he said, 'UC is the biggest employer and we've got all these issues with UC. There's inequity issues and education for the kids there and all kinds of issues.'

And who knew, right?

VASSAR: Yes.

DUCHENY: So Senator Polanco and I started going to New Mexico. And we went and we held several hearings in New Mexico on different issues. Some together with New Mexico State Legislators, some where basically we said, 'Okay, if the Majority --' I think Polanco was probably Majority Leader in the Senate at the time. If not he was at least the Chair of the Latino Caucus because he was always the Chair of the Latino Caucus and I was the Vice Chair, that was kind of how that worked. The whole time I was in the Assembly pretty much after the first year or so I was the Vice Chair of the Caucus and Polanco was the Chair. For reasons that, who knows, those kinds of things you get because you're the person that's not in the room when they take a vote. Or the least common denominator. It had to do with that 'Not from LA' business that I think I was telling you about. You pick somebody that was from outside.

VASSAR: Right.

DUCHENY: And there hadn't been a woman. There are a lot of factors that go into somebody deciding who was going to be the balancer. You have one from one house and one from the other.

VASSAR: Right.

DUCHENY: You have all kind of those factors to think about. But in this case it was because I was Budget Chair and Polanco I think may have been Majority Leader or whatever. But between us Polanco and I got interested in this whole issue and we started going to New Mexico and trying to figure some of these issues out. It resulted in a bill that I carried at one point, I think I carried it, I think I did it, but the employees over there didn't have a way - it was sort of interesting - they didn't have a way of dealing with labor issues because the New Mexico law didn't cover them because they were California employees and all of this was done under a federal contract but the federal law didn't cover them. It was very confused.

And there were some efforts to organize employees, technical employees, and some of that kind of thing. I told them, I said, 'Well here's an option but I don't know if you want to do this. You guys tell us what you want to do and we'll help you. But if you want to be under -- the only thing we can offer is to be under HERA, under our -- but then if you have an issue you would have to come to California in our California system.' But that system was better than no system and they chose that and I carried that bill. So there are some oddball bills that come out of different kinds of issues like that.

And later in the Senate I maintained the Select Committee on Los Alamos or something, because -- on energy labs. Then we realized it included Lawrence and Livermore. Later in the Senate there were several issues because that was when the federal government suddenly decided to

bid out the contract and UC kind of got cranky about whether they were even going to continue it and I had to go work with Governor Richardson and their legislature to try to keep UC in and going to the locals. There were a lot of issues in that that were interesting, sort of outside of us. Again, the value of being a member, you get to do a lot of things that aren't directly related to -- you say you get to learn something new every day. That was the one I was going to -- because that started around that period, was when we started doing our New Mexico thing.

VASSAR: So your time in the Assembly drawing to an end. There is a Senate seat likely opening up in two years.

DUCHENY: Two years.

VASSAR: You're Vice Chair of the Latino Caucus so you need to find somebody to maybe fill your seat.

DUCHENY: Yeah.

VASSAR: Did you get involved in the Assembly?

DUCHENY: The one who stepped up was the councilman. That's a long, local back and forth story. But Juan Vargas stepped up. It wasn't a need to recruit, they were there.

VASSAR: They were there.

DUCHENY: He was already in the Eighth District, the Eighth Council District from the City of San Diego, it was the district that overlapped in part. I forget if there was much of a contest for that one, I don't think so. Following him I did help get Mary Salas to run, I did help get Hueso to run later when I was

in the Senate. I got Hueso to run when Mary ran for my Senate seat in 2010 left. But I think Vargas just sort of stepped up into that one. It kind of wasn't my choice but it was -- as long as -- and the fact that it was going now to other Latinos was good and the district, you know, that was important.

VASSAR: Yes.

DUCHENY: But that wasn't a big deal. And he stepped up pretty early. It was pretty obvious, he was an elected official from a major portion of the district and he had a high name ID. One of the secrets is folks with city council seats often have much higher name ID. Local folks have much higher name ID. They're always in the paper. City council members, county supervisors, they are in many ways better known than Assembly Members or Senators in their own ways. Ask Richard Alarcón, ask Alex Padilla. When they were city council members from Los Angeles and Padilla was President of the Council, they're like in the paper every day. He got elected to the Senate, it's like, 'Who are you?' But it is sort of an irony.

In my case, Vargas was way better known in some ways than I was. I had been in the Assembly at that point for six years but Vargas had been in the papers. And he was better at that. One of my things that I didn't do as much as some members was really focus on some sort of media about anything or different issues.

VASSAR: Right.

DUCHENY: I got quoted here and there and I was frequently on Spanish-speaking television, I would be doing budget speeches, I would be doing what I needed to do and when people called for interviews I was always available. But I didn't have some sort of big press strategy.

VASSAR: Pursuing the press.

DUCHENY: Other people do that more so and Juan was one of those and he did way more of that. Again, the local issues are always on the front page, the state issues are like, yeah, whatever. And maybe the issue will be out there but then they're not going to talk about a whole delegation's worth of members. So I didn't have nearly as much name ID probably as he did at that point.

Now I don't remember being particularly involved in the 2000 elections. There may have been some friends that were running in different places that I may have tried to help out. But yes, I knew at that point Steve Peace would term out in 2002. That was likely. Although the district as it was drawn at the time was not one I would have been terribly comfortable in. So his district as it existed post-'92 redistricting, the one he ran in in '94, was not one that was really my turf, let's put it that way.

VASSAR: Got it.

DUCHENY: Totally. It moved a lot east of here, went into La Mesa and into eastern parts of the county that weren't kind of as familiar to me and weren't my base turf like here. It did include still -- we still overlapped quite a bit. He still had some of Chula Vista and some of that, but it didn't have some of

my core constituencies and the base that I went up there to represent, in my view. It didn't have some of that. It was something to watch and it was something to be conscience of and people knew that that was a likely possibility, but as the district was drawn then it kind of wasn't my cup of tea. But redistricting was coming up. So in 2000 you want to start watching redistricting.

VASSAR: Right.

DUCHENY: But I was fortunate and blessed. Several people stepped up to make donations to San Diego State and the President of San Diego State created a position we called the Presidential Fellow, for me to go to San Diego State for a couple of years. Because we all did see that it was probably an interim. So you didn't kind of want a full-time job. I didn't want to go back to practicing law and taking new cases. I sort of needed to kind of be loose.

VASSAR: So was it more teaching or policy advising or?

DUCHENY: It was more, I used to call it reality check on campus; a lot of kind of what I do now too. I was associated with the School of Public Administration and I made myself available basically as a guest lecturer in any number of different classes related to public policy and public administration and those kinds of things. Additionally, part of my deal with them was to do, every semester that I was there, to do one large, public event where I would invite folks who were with my interest.

For instance, in the first one, I think in 2000 -- let's see, when did I get out? So I got out of office in November of 2000 so it would have been the beginning of 2001. The spring semester of 2001 we were still coming out of the energy crisis. Oh yes, all of 2000, that's what I remember about 2000 was learning about energy at the end of the year.

VASSAR: Right.

DUCHENY: Suddenly at the end of session we had this huge crisis with energy. I it was right before the break in June, it all hit like in June. And we all had to hustle and we had to learn more than I ever wanted to know about energy. And I had to do one of the bills and Susan did -- and we tried to explain to people how it was statewide and do things with LA and people just didn't get it. And we said, 'Okay, if you don't want to do it we'll do it for San Diego and we'll just do it, but you're next, LA.'

VASSAR: Right.

DUCHENY: We could see what was going to happen. Once we saw what had happened then we knew what was going to happen.

And the piece that I got involved in, and I don't remember the number of the bill, but I did it together with Senator Battin - it was then-Assemblyman Battin, I guess - from Riverside. But we worked on the piece that had to do with the supply of energy and I think renewables and incentives for solar and doing some of those things. And everybody had pieces. There were multiple, a lot of pieces, but we ended up doing some

of that work. And certainly it was hitting our constituents so we had to get in the middle of it.

But in the spring that came up again in a different way. And I've forgotten what the issue in the Legislature was but there were some huge issues with that. So the forum that I chose to do for San Diego State was an energy-based forum. And I remember because I had talked Debra Bowen, who was Chair of the Senate Energy Committee at the time, into coming down to be one of my speakers on this panel that was going to have this discussion. And I had some of the lobbyists from the renewable side and the independent energy producers. I had a panel, basically, designed. And Debra, and I remember only because we had it all set up, it was all scheduled, and that week they had some crisis and Debra couldn't come at the last minute because this crisis broke out and she had to be there and they were doing legislation around the energy issue still. So I did an energy forum like that.

I did a great one that I really enjoyed, I think in the fall, on tribal government and sovereignty and we called it "Beyond Gaming". We talked about tribal sovereignty the way I like to do it, a lot of the bills I had done, Indian child welfare. I had been involved in tribal issues in different ways, including in the Assembly.

One of my favorite hearings ever, if it is still on file someplace, was a hearing on this Indian child welfare bill in the Assembly when Sheila was Chair of Judiciary. The first year that I tried that bill was probably '98.

Whoever brought it to me, one of the tribal members. The woman I had worked with on some of the CalWORKs issues for tribes, she came to me like on the last day when you have to put bills in and presented this very complicated little issue and it was like, 'Oh.' And I understood it and I thought, 'To me that looks logical.' So I hustled to get the bill in print and didn't realize that it would be as controversial as it was. So when that bill came up for hearing that year I was sort of blindsided. I got to the Committee and saw the analysis and the night before it was like, 'Oh my God, this is constitutional, there's this, there's that, everybody is going to be every which way from Sunday.' But I realized kind of too late that everybody didn't see it as simply as I did. I thought I was just doing something that made perfect sense.

So in the Assembly the first time I carried it, the bill -- most people stayed silent because it was just too much and it was that time of the year when it's the end of the year and you're cranking out and whatever. It was kind of time of the year and it was just -- And I realized and I felt bad. I felt badly because I really understood the issue and I really cared about it. And I talked to the proponents and I said, 'Look, we're going to come back at this and I now see where we are and I now understand what we need to do. And we need to do this in a much more orderly way and we need some time to educate people. This is an education project and we need to really spend some time with people. So what we will do is right away as soon as

the session is over we will start in the fall getting this bill ready for next year. And that's what we did.

VASSAR: Right.

DUCHENY: We reintroduced it in '98 and we had -- I'm pretty sure it was -- probably '99. This was probably -- Because it seems to me Gray Davis is the one who signed the bill, that's why I can kind of do the years. And I think it was the year before it probably went down and then when he came it was one of my first bills that I introduced. There were several bills I had like that. I had some issues on the border, border health, creating a border health office, doing some things for border environment.

VASSAR: Right.

DUCHENY: I had several issues that kind of had died in different places and I brought back after I had a new Governor and a much stronger Legislature. But this was one of them. And we worked it quietly and we talked to people and we did a lot. I got a lot of tribes engaged from all over the state and really worked with Sheila to set up the hearing at a time when people could pay attention and actually listen.

VASSAR: Right.

DUCHENY: So that it wasn't in one of those weeks when you've got to just hear everything in five minutes. We really worked to make it, be at a time when that could be done. And she did that. And we had, I don't know, it was probably an hour or two, the hearing on a single bill. And I brought up attorneys who I had worked with who understand juvenile law, I used

different kinds of resources. I went back to what I knew from juvenile law, which is why this bill to me had made sense.

VASSAR: Right.

DUCHENY: But we had run into constitutional issues. There were adoptions lawyers who were unhappy, there were a lot of issues with it. But we had this very methodical and very thorough hearing and people actually paid attention and members sat and listened. They weren't just running around and hadn't made up their minds in advance. You see those hearings a lot of times where everybody is just running around and it's two minutes, it's yes/no, roo-roo-roo. Who's the interest groups? We actually had tribes. We had tribal members, we had children. It was a -- we set it up and then we had people. We had our panel of lawyers and judges and we did a lot. People told me later, I heard this later from lobbyists and people around the building. You know how people watch the TV or they're walking around?

VASSAR: Right.

DUCHENY: Several people came up to me in the next week and said, 'So what was that you were doing the other day?' Because people would stop and catch and it was like, oh, there is this really interesting hearing going on on something I don't know anything about and none of the lobbyists, the normal lobbyists are there. It wasn't kind of the bill that -- there's always the bills you always know are the big issues and there's lobbyists on both sides; this wasn't one of those.

VASSAR: Right.

DUCHENY: None of them had, very few of them had a dog in this fight, right? Some of them who represented tribes knew what we were doing, there were several folks related to tribes. But most of the time when people see those folks, it's gaming. This was a totally different realm. And the members, and somebody told me, and one person said, 'I never saw a hearing before --' this is a very-seasoned lobbyist who said, 'I never saw a hearing before where when it went in I don't know that you had any votes and when you came out you came out with a unanimous vote.' By the time we were done we persuaded everybody. But at the beginning you could tell there wasn't, it wasn't clear. We had been working some of them in advance, we tried to prep them. Oh I know what they said, they said it was where so many members asked so many questions and at the end of the day voted for the bill. Because there were so many questions and people really wanted to understand it and they made the effort to understand it.

VASSAR: Right.

DUCHENY: And we made the effort to make sure everybody who could possibly answer whatever question you have was there to be able to help do that.

And Sheila, I give Sheila a lot of credit, she was the Chair of Judiciary who let me have that hearing. But it's a good example. I just like to use that one as an example for future folks. It was my first real Indian child welfare bill. I did several more later in the Senate and some other things.

Anyway, the fall of 2001 when I was at San Diego State we actually did, I brought in some tribal leaders and invited them as a panel. A woman who had been a city manager type but at that time was kind of the equivalent of a city manager but for a tribal government, an administrator for a tribal government and some actual tribal leaders from different tribes. A lot of people came. Students were interested and we talked about tribal government and we talked about tax issues and what's the relationship between the tribal governments and state governments.

VASSAR: Right.

DUCHENY: We talked about it in a government sense, not in a gaming sense. Because by then gaming was big; '98 had happened and we'd changed and we'd done all the gaming stuff. That was also done with Cruz initially and later with Gray.. We did all those compacts, the '99 compacts with Gray post the '98 election where the proposition whatever passed.

VASSAR: Right.

DUCHENY: All those kind of things. We had had all those prior discussions. Cruz had been very engaged on that one in prior years and later we worked out with Gray, once Gray was there and after that one proposition lost or passed and then it got thrown out. The tribal gaming had been a whole issue with Pete Wilson. It had never gone well, we finally got it straightened out by the time it got to Gray.

But this was not, my whole thing was sacred sites and government relationships and people understanding the relationship of sovereignty and

stuff was important. And I was on, one of the things I got appointed to during that year or two.

VASSAR: With your connection to the Governor I would expect some sort of appointment.

DUCHENY: Yes, they weren't things. But it was Steve Peace. One of the last things he had done before 2000 had been involved with trying to think about regional, local government structure. He had a thing he called the regional. He did a bill that basically created this regional -- what did he call it? RGEN²³ [pronounced Regis]; Regional Government something, anyway. It was sort of looking at -- he had some issues with SANDAG as it was at the time.

But the push that we were all, one of the sort of theme policy things that runs through a lot of my work later, had a lot to do with transportation and housing and planning and how do you do those things. And some of it is these regional governments. And all of us, I think, were starting to see some of those trends. Where cities that used to be more separate were now together and now how do you plan your transit, how do you plan your roads, how do you deal with your environmental issues, how do you do your housing?

VASSAR: Right.

DUCHENY: How do you do what became, when I started in the Senate became, we started talking a lot about jobs/housing balance. How do you get people so they live near where they work so you're not driving in traffic for two

²³ Regional Government Efficiency Commission.

hours to get from one end to the other? How do you build housing where people work and how do you get people to work where they live? Some of those kinds of issues were starting to surface and bubble.

So the REGC commission was only for San Diego County but it was a way of reorganizing regional government and thinking about how cities and counties and that should work. And part of whatever Peace's bill, had created this commission and had different entities appoint different folks to it, including the Governor. It wasn't my idea but when the Governor's Office calls and says, 'Would you please do this for us?' I wasn't really in a position to say 'No.'

VASSAR: Right.

DUCHENY: And it turned out to be very interesting to me. Actually I didn't think initially, it wasn't kind of my issue. This would have been Steve's thing and it wasn't really my issue. But I actually found serving on this commission with -- and I was there with several people from all of the different parts of the county so there were representatives from north county and east county and south county that the County and the cities picked and the transit districts. There was a variety of folks. And I was the Governor's appointee, right?

VASSAR: Right.

DUCHENY: The Governor had gotten a couple of appointees and I was one of them. But it meant all these hearings and doing things. And one of the issues I raised there was the tribal government issue. And we had worked -- and so

with some of these things you learn from one arena you take into other arenas. One of the things I did focus and I forced them to have a hearing on one of the reservations here. And talk about how we are doing land use planning? You can't keep having a map that has blank spaces wherever there's a reservation. People are planning and they are building and they have rights to do that but people don't always understand those things.

So I was serving on the REGC commission, I was doing this work at the School of Public Administration. So I did one of these I thought was an interesting issue for everybody to start to understand better, especially in San Diego County where we have 18 tribes, tribal governments, is to -- so that was one issue.

And then in the spring I did some work through the Institute for Regional Studies in California with Paul Ganster, who I still work with closely, from San Diego State, who is the person who has done the most work, certainly around here and for the last 30 years, on California/Baja California relations and that kind of thing. He and I did some work on how to help growing environmental technologies learn how to do business with Mexico, particularly Tijuana and Baja California. How we might hook up green technologies to the growing things that were happening in Baja at the time. So that was sort of another. So I did some of those public projects.

VASSAR: Right.

DUCHENY: I was available to the President to do some community outreach in a variety of ways and I was available to a lot of different folks to do public

policy. I remember doing one graduate seminar on CalWORKs for the social studies.

I traded somebody teaching me how to use those new GIS-type systems because I knew redistricting was coming because the census was 2000. I traded somebody teaching me how to use that software for me talking about the political side of redistricting in their class. I did several on budgets so I was sort of a resource person I guess you would call it.

VASSAR: So one thing that happened very soon after --

DUCHENY: I learned how to use email too because I was out of the Legislature and I had time.

VASSAR: One thing that happened shortly after you left office, I believe this was January of 2001 while the energy discussions were wrapping up, was the truck hit the Capitol and a few months later we had 9/11. So in the gap between when you left the Legislature and when you eventually came back a lot of things had shifted with people's relationship with government.

DUCHENY: All those things happened, yes.

VASSAR: As someone who was not in government at that time can you tell us about your 9/11 experience? You were out of office, you were in a public education setting. What was that like and how did you see the response to that?

DUCHENY: And you would have had a different perspective if I had been in office, I suppose. I remember the day, I remember how everybody sort of -- just

like I remember my fifth grade class teacher telling me when John Kennedy was killed. I remember that.

And it was very odd, I don't have a really strong picture of it but I remember I was actually receiving an award that had kind of been made to me from work I did in the Legislature but the group was having their event in San Diego and it was now. Even though it was September of 2001 it was probably for some bill I did in 2000 or something, it was kind of one of those. The Water Reuse Association or some such and they had invited me to come speak and they were presenting me with this little plaque that had to do with something from when I had been in the Assembly.

And that's where I was. You're walking through the lobby of the hotel where they're having this conference that you're going to attend for an hour or two. And you walk by the television and there is this strange thing going on and you can't quite figure it out.

While we're sitting there, and it was sort of disconcerting because all of that was going on and yet we were sort of doing the business of whatever they were doing. But this had just started. Remember, in New York, 9:00 a.m. it had started, at 6:00 here. So it was on TV. By this time it's probably 8:00 or 9:00 in the morning here. It was starting to -- and some of the people here were from out of town.

So it was during the course of that, that everything started to change in the sense that all of these people suddenly had to figure out how to stay here because nobody was going to get to fly anywhere.

VASSAR: Right.

DUCHENY: I was in that setting of the tourism of San Diego, right? Where people coming here for conferences all the time and all the hotels. That message started to come through. And I remember some friend of mine was there who worked at UC, I think, and I remember sitting with her. She had family in New York that she had called in the morning and we talked about it. I remember talking with her a little bit about kind of that whole feeling of disorientation. I did not have family at that time in New York that I'm aware of anyway. It took a while to get it because it wasn't like you were sitting home watching the TV and understanding it. It was sort of this fly-by thing of seeing the TV and seeing the building fall and kind of not -- I don't remember really absorbing it except right away the airports were shut down.

And here the impacts. And I guess the long-term impact that certainly I have seen the most and spent the last 16 years fighting in different ways was the shutdown of the border. The border was shut down for a couple of days. And people were stuck on both sides and people were stuck over there without clothes. There were all kinds of those kinds of issues that came up around here.

VASSAR: Right.

DUCHENY: People who you go there to work, you live here, or you live there and you work here; but you couldn't get across. Or you were just there for a couple

of days but you didn't bring any extra clothes. There were a lot of those kinds of issues. And that's what I mostly.

And the impact. Certainly all of us who work in border issues and border arenas always talk about that as the change, the hardening of the border is what it's called in academia and in a lot of publications since then. It became much more difficult to do things. Up until then we used to go down for dinner all the time. We used to do a lot of things then and it's become -- just like the airports became much more difficult.

VASSAR: Right.

DUCHENY: Flying became this whole thing with the bag, with the little bag with the liquids and the no shoes and the things you've got to walk through.

All of those kinds of things got, I think that's sort of been the biggest impact. In other ways we've spent a lot of time over the last several years trying to compensate for those. At least certainly in the border region that's been the biggest impact that I -- as people got interested in trying to make it harder to cross and most of us who live around here are trying to figure out how to make the lines shorter.

VASSAR: Right. And did security for legislators change at all before and after?

DUCHENY: Some. I think the building. They put those new bollards in front.

VASSAR: Yes.

DUCHENY: I wasn't there that day. I remember, I think I was -- I had been in Sacramento -- I was going to Sacramento. I forget. Somehow I remember hearing about that and calling some members because, you know, there are

still people that I knew were there because I had only been there the year before. And calling and saying, 'Oh my God, what happened and where is everybody?' Trying to kind of understand what had happened.

I think they did tighten security. There were some changes in security at the building after that truck incident. But I wasn't there at the time it happened so it kind of didn't, it wasn't direct, it was more indirect. I was aware of it but it wasn't something that I --

So the other two or three things that I did: So I served on that REGC commission. I learned a lot that stood me later about transportation and land use from sitting on that REGC commission that I initially was sort of reluctant to be engaged with but I actually enjoyed the experience and learning and understanding better how local government works and what these relationships between local governments were and transportation and land use and planning. And some of those issues were not issues that I had done a lot with in the Assembly; that was interesting. And it related to the public administration classes I was teaching and some of those things too.

VASSAR: Was that primarily undergraduate or graduate classes you were teaching?

DUCHENY: Mostly undergraduate. I did a couple of master's classes but mostly undergrad.

And then these research-type things. Paul and I worked, we worked with a graduate student to do the work and we did a conference in Tijuana on this environmental technologies issue. And there was that piece.

And then I also was sitting on the board of the San Diego Natural History Museum and I think I sat on the Anza Borrego Foundation Board too during that period. That's when I first got on those two nonprofit boards. And that goes to my -- the Natural History Museum actually during those two years did its strategic plan update for ten years, which included their strategic plan became focusing the museum on the Southern California/Baja California Peninsula region; so the region from here to Cabo. Which to me was really a plus and I really wanted to do that and that was important.

And the Anza Borrego Foundation, Al and I started working with that, and that's about preserving land in the biggest state park in the state, which is Anza Borrego State Park. The foundation helps acquire lands that then go to the park and do some other supportive activities at the park. And one of the things we were able to start, and I think we started it maybe just from me working with them even before I got out of office, but Al and I talked to them. And it went with my thing about lowering the park fees and some of those things.

We did a lot of tours of things during those years too. We toured parks, we went to places to see stuff. I remember one year early in my Assembly career, Al and I took our Easter vacation and visited prisons. We went all the way up to the SHU, up to the one in, the one above Eureka. Because I remember we stopped and we had dinner with Dan

Hauser and his wife in Eureka and then we went up to the one up north of there. We sort of went from Sacramento.

VASSAR: Right.

DUCHENY: We went to the one --

VASSAR: Folsom?

DUCHENY: I think we did Folsom and Vacaville and then the one -- what's it called? Crescent City²⁴.

VASSAR: Crescent City, right.

DUCHENY: Up there. We sort of took the Easter break. Because I had a bill, I had a bill to try to encourage that all prisoners ought to work. It seemed to me pretty logical. And as a rehabilitation thing, people doing things in prison was better than not doing things.

VASSAR: Right.

DUCHENY: And Donovan²⁵ has always been in my district. Donovan was a prison in my district. And I thought that was a great prison reform. Wilson vetoed the bill due to cost, in their view. And to me, of course, the idea of not training people to do anything useful when you get to the outside, if you really want a cost, that's where your costs are. I did a lot later in the Senate with prison reform. .

And I think Gray appointed me also to what I wanted to be in, in part, the Commission of the Californias still existed. Well we sort of revived it under Gray. It had died, it had met in '94 and then after 187 passed no

²⁴ Pelican Bay State Prison in Crescent City.

²⁵ Richard J. Donovan Correctional Facility.

Governor in Mexico was going to meet with Pete Wilson so it hadn't met. When Gray came back in he hired staff that actually was dedicated to California/Mexico affairs so he got active in Board of Governors. He actually hired somebody from my staff who had helped organize these trips for him.

One of the first things he did too after he got elected, because we had done that prior work in '97 of him going when he was Lieutenant Governor, the President was in a position to invite him immediately upon the election in '98 when they saw that he had won, the next day we had a letter inviting him to go to Mexico City. Because this was the opportunity with Wilson gone; the opportunity to reestablish the relationship with California at the Governor level was huge. I think by February we were all in Mexico City with Gray Davis.

So that ended, sort of kind of put a cap to that work that I talked about. Post-187 for me had been keeping that relationship, doing these things. And so we had taken legislators and we had done work with legislators and we had done work with state legislators and we'd kind of kept relationships in different ways. And we had the opportunity to take a Speaker and then the opportunity to take a Lieutenant Governor and now the President met with the Governor. And at that point they're all going to do whatever they do and people like me are no longer as much involved.

VASSAR: Right.

DUCHENY: So actually after that point I never did a lot with Mexico City. When I came back to the Senate what interested me most was building the relationship with Baja California, the regional relationship as I would call it. The Commission of the Californias had been that entity in prior years. It started back from, I think, the first Jerry Brown administration and through Deukmejian and through all of that there had been one. But then it pretty much died in '94. And when Gray got reelected one of our pushes was to restore that. It got restored kind of at a staff level but unfortunately one of the things we were never able to do was get them, the three governors to meet. Scheduling and kind of get this thing going again in a new direction. But there was still technically on the statutes and in ways there was a commission so I got appointed to it.

And within that commission the one functioning piece that actually was kind of working in different ways was an environmental piece and I was on that, the commission that was the environmental commission of the three Californias and working with California EPA and they had relationships with folks. So I got to go down and meet with the Governor of Baja Sur and do some other things that were helpful but I didn't reach my goal of getting the three governors together.

So that was why when I got reelected in 2002, by 2003 I started this notion of a legislative forum of the three Californias where the state legislatures met together, the members of the state legislatures could meet

together and a lot of the work that the Committee on Mexico Affairs that I had in the Senate was built around that.

VASSAR: Right.

DUCHENY: I really didn't go to Mexico City that much after that because after that Governors were all good. Governor or President, they all had relationships, they're all good.

VASSAR: Right.

DUCHENY: I was still in touch and I'm engaged with folks but it was different.

But in 2001 the other thing to watch was redistricting because 2000 was the census. So I think we did some of the work too to voluntarily help push people to get the census to be correct; all of those kinds of issues were out there.

VASSAR: Right.

DUCHENY: In 2001 we were looking at the redistricting. And once I had some time actually to learn how to use computers a little bit and learn how to use the Internet. In the Assembly I think they barely got me on a flip phone by the time I was out of there. We didn't have -- and email was something that existed, but if you were going to talk to me my staff had to print them out. If I was going to read them it was because the staff printed them out.

VASSAR: This is somebody who was on the, a member of the IT?

DUCHENY: Yes, Information Technology Committee, whatever. (Laughter.) That had more to do with budget. That had to do with state -- the reason for that had a lot to do with the state budget poor information technology purchasing

questions. This was about creating the information technology department or how was the state going to cope with this.

VASSAR: Right.

DUCHENY: Because we had had all those huge issues and I had dealt with most of them. The child support and the child welfare and all of those computers. We could not -- prisons were still transferring files on busses. It took three weeks to get a prisoner's file from one end of the state to the other. And toxics, we can't trace toxics as good as UPS.

Our information and our technology systems for the state. It's so odd for a Silicon Valley-based state, that to save our lives the state could not figure out how to purchase a computer system that worked. And part of it is because of our size.

VASSAR: Right.

DUCHENY: And so the welfare folks would tell us, 'Well, you need to do this. And this system works great in Rhode Island.' We'd say, 'That might be nice for Tulare but what about Los Angeles?' In other words, people missed the scale. So something that might be effective in Massachusetts, let's say. Well Massachusetts is about the size of LA County population-wise, that's nice. We have to make something work not only in LA County but it's also got to work in rural areas. We have different kinds of needs that make it difficult for us to spec out computer systems that work for us throughout the state.

VASSAR: Right.

DUCHENY: We have just had very poor, we have had to pull the plug on computer systems and child welfare systems and child support systems. It's just been a struggle. I think that's probably what that was really about.

And there were people who did actually understand Information Technology, people like Debra Bowen and Dutra and folks who were involved in it, but a lot of the issues of a committee like that, to the extent it was there, would have been around this kind of, how do we set up a system for purchasing it. And I think the state is still struggling with this. The last round of problems was even in the Controller's Office we couldn't even get one to write checks right. I dealt with those issues over and over again in different periods and different times and different formats in the budget.

No, really, my staff had to print out emails. I was just not, I was barely on, like I said, probably a flip phone of some kind. They would lose me in the building all the time, we didn't have pagers. This was the good old days, members, we just did whatever. They didn't have a leash on you nearly as good as staff later learned to have leashes on you.

But during that time I had time. And actually what was great for me too, to use that opportunity at San Diego State, was to actually take time to read some of the things that I always wanted to understand better about the budget, but when you are in the middle of doing it you don't have time to absorb on the bigger scale. So really trying to look at some of the state and local government finance issues. Reading LAO documents; I was reading LAO things. And I knew where to find all those things and I just had never

had time to sit and kind of think about them and how you present them to others and how do you take that knowledge and share it with students in classrooms.

So in order to prepare for those I actually got a chance to kind of absorb and think about and go look for different documents and things that they had written that at the time I'd get them, I'd read them quick to catch what I needed to catch to get done what I needed to do tomorrow, but now I had time to kind of sit and think about some of those things. So that was a great opportunity.

And then I was engaged in all these sort of issues and then redistricting came up. We actually got the software and Al learned how to use it. And we had a friend who could reconfigure it, because it did take some computer skills to get the thing so you could match the data and do all that stuff. So we actually had our own system where we tried to understand kind of what would be the impacts of different kinds of -- and we were looking even at the city council and the county supervisors as well as the state races and some of the other stuff around.

I had time to do things like that, which I wouldn't have had time to do in the Legislature. But I kept an eye on the process at the legislative level. I knew I did want to run for Senate and I knew what I thought was the district that I would like to see.

VASSAR: Right.

DUCHENY: And it had to do with multiple issues but basically the fundamental question I thought for them was going to be -- because when you looked at the numbers you knew kind of what the options kind of were. To me the big question was, do people want to consider the border a community of interest? And if the border is a community of interest then you need a district that includes Imperial County; that hooks Imperial County to Chula Vista a lot the way Steve Peace's 1980 district did for the Assembly.

But by now the population growth was such, and the numbers we were looking at, I think the 2001. We were looking at 850 I think was the Senate number. So 425 was the Assembly number and 850 was the Senate number, something like that. And so we actually took the opportunity to go out to Imperial County and actually sat with people out there and called meetings or got invited to them or however people were organizing these discussions and tried to help people understand, here is what people need to think about, here are the issues in redistricting. The Senate is having hearings on redistricting, they are coming to San Diego. What do people want to tell them? What do you want them to hear? How do you want your members to react? This is kind of an education process, both in this area and that area.

And I learned, too, from some of those visits that Imperial County had, there's a lot of family ties between Imperial County and Chula Vista and South Bay San Diego because a lot of folks out there, first of all, a lot

of families, the kids come to San Diego State and they never go back because they find a job over here.

VASSAR: Right.

DUCHENY: But there is also the San Diego/Imperial Counties Labor Council, the Caltrans District that is San Diego and Imperial Counties, the Caltrans District 11 includes Imperial County. There are a lot of entities where we go this way. And the truth is, of course, Imperial County was the last county in the state because it broke off from San Diego County. It was part of San Diego County until after the Canal.

VASSAR: 1907?

DUCHENY: Thereabouts; 1901 maybe. Yes, somewhere around there, the early 1900s. But it was part of San Diego and eventually it became its own county. But it was the last county designated in the state and it has always been tied to San Diego. But these districts had been tying it to Riverside. There was some logic to portions of that but not all of that. So the previous district, Senator Kelley, who was one of my great friends and I did a lot of things together with Senator Kelley, particularly around water and those kinds of issues. I looked to people like him and actually later my relationship with Dennis Hollingsworth and some others was built around agriculture and water, learning about agriculture and water issues. But Kelley's district had been -- well actually at one point Marian Bergeson had Imperial County in a district that started in Orange County.

VASSAR: Orange County?

DUCHENY: Because it had to do with population. There wasn't a lot of people in between here and there.

VASSAR: Right.

DUCHENY: But Senator Kelley, when I was in the Assembly, Senator Kelley had the district and it ran from his home in Hemet, pretty much through Riverside and then down to Imperial County; which made it basically, in most ways, going to be a Republican district. And the Assembly district, after I described the '92 redistricting where Peace had to make a decision, the Assembly district had gone that way. And that was Battin followed somebody. Julie Bornstein had it and then Battin beat her.

And a lot of that was because what you had were basically Latino Democrats, low turnout, small county, Imperial County, hooked up to Palm Desert and Palm Springs and some of those areas in order to get the population up. Well the other way to look at the world was to say, is that the world that you want or do you want to be hooked up to your Latino cousins who live in Chula Vista?

What I learned also, there is a lot of logic to the Coachella piece of it, the eastern Coachella, as I would call it, in Riverside, because that is the agricultural area that is much more like Imperial County. It's desert agriculture, a lot of the same population, a lot of the same issues except for different irrigation districts and those kinds of things. But in terms of the agricultural portion of Coachella, and I think that's how this district initially came about in some ways; and Kelley was agricultural too, over in

Hemet in those days, now that's all sort of much more suburban-like, much more suburban-like around Riverside and Hemet. Kelley still had his orange groves in Riverside and still does to this day. I think he had them declared a preserve at some point during his legislative career so they couldn't do anything except ag on that land. He's got orange and citrus groves, grapefruit. So in a lot of ways it was this agricultural and more desert-type agriculture as opposed to a Fresno-type agriculture district.

VASSAR: Yes.

DUCHENY: There's logic to that. But that was kind of, people had to think those things through. So I learned how to think about those issues and I looked at how the maps would work. And I went out to talk to people and I said, 'You all need to decide what you're going to say.' And I wanted the district. And this probably goes to the 2001 thing. Duncan Hunter²⁶ was just -- he was the Congressman who was just ranting on the border and making life miserable with his stupid fence. And I wanted to get -- one of my goals in life, just a purely local one, was to get Duncan Hunter off the border so that people wouldn't listen to him about the border anymore. But you had to do the Congressional district and the Senate, you had to kind of look at some of those issues.

VASSAR: Right.

DUCHENY: I just didn't think -- somebody like that should not be representing the border. He represented El Cajon. Really? But he had East County border district in his area. And he opposed the trains that we were trying to do.

²⁶ Duncan L. Hunter, Congressman 1981-2009.

He opposed a lot of stuff. But he wasn't a bad representative in a lot of ways. He had also had Imperial County. In the Congressional District Imperial County was hooked to him and he was from El Cajon. But he had East County San Diego, which is very relatively conservative, put it that way. And Kelley had had that too. Kelley had East County San Diego with his Riverside, East County and then out to Imperial County for the Senate district. And the Congressional district was also sort of East County San Diego hooked to El Cajon, which makes some logic sense on a map. In a purely geographic look at the lines kind of way there's logic to that.

But in a community of interest sense and in a civil rights sense and in an empowerment sense, that doesn't really work. And folks in Imperial County, it's probably about 70 percent Latino. It's a small county. The population at that time was probably 170,000 maybe, something like that. And you're going to be in a district with 850,000 people. So who are you most like? And yes, there are issues. Are they similar to the urban part? No. But do you have the same Caltrans District? Do you have the same American Lung Association? Do you have the same Boy and Girl Scout Council? Do you have the same labor unions? All that stuff is done this way, east to west.

VASSAR: East to west.

DUCHENY: So it's San Diego-Imperial Counties this and San Diego-Imperial Counties that. San Diego-Imperial Counties Community College Association; the

community colleges are considered a consortium, all the San Diego districts and the Imperial Valley district work together. There are a lot of ties that are there. And you had, what I started to learn more and more, I knew these different families and it was like, I would walk a precinct in Chula Vista and the guy would say, 'I'll take an extra sign to take to my cousin in Calexico, my brother in Calexico.' And I'd be in Calexico and the same thing would happen, 'Oh, I'll take one extra and we'll give it to a guy in Chula Vista.' And that was after I was walking precincts, but I started to see some of those kinds of connections between folks and I'd spent a little time in the Valley.

So I advocated and we looked at maps and we tried to figure out how to do something. We thought about how to do it and I helped some of these folks testify and got folks to testify before Senator Perata's Senate Committee on Redistricting. My fingerprints were kind of on this thing but to me there was an argument to be made that the border was a community of interest. And it was a little tricky because in some ways I had benefitted from having Senator Kelley as also a border representative and I wasn't quite sure it was good to have just one person, as opposed to two representing some of those issues.

VASSAR: Right.

DUCHENY: Especially when it had been a Democrat and a Republican, there was value to that.

VASSAR: Right.

DUCHENY: And [Senator Jim] Battin too had worked with me on border issues for Imperial County's side. But it was, I think, for the voice of Imperial Valley folks to be heard, they were going to be buried if they were with East County or with Palm Desert; that was just the reality. They were a small Democratic minority in a very large Republican district. And hooking to us created some other dynamics that would help with the statewide redistricting in the broader sense. Because by Imperial County -- And then what eventually they did include Coachella Valley with Imperial County in the Senate district, in the South Bay Senate District. That allowed for there to be a second district in San Diego that was suddenly a lot more friendly to Democrats.

VASSAR: Right.

DUCHENY: We had always had these challenging districts with Dede and Susan and all these districts had been like the tossup kinds of districts, we had a lot of tossup districts here. And that allowed for you to create a little more room in other districts in other ways. I look at the map from the bottom up.

VASSAR: From the ground up.

DUCHENY: Everybody else numbers from the top down -- north to south. I look at the map from the bottom up -- south to north. But there were some other things that benefit from that. I wasn't involved directly in it. I did have these conversations with folks, I did sort of play around. We also submitted some maps for the County and the City trying to do some work with some

of the local groups who were working for Latino districts and trying to get fair redistricting. So those were kind of going on in 2001.

And then meanwhile in 2001 we started organizing for a campaign. The tricky part of that was whether Juan Vargas, who had just won the Assembly seat, was going to as an incumbent Assembly Member, want to run for that Senate seat once it got drawn that way.

VASSAR: Right.

DUCHENY: And it became a fairly heavily Latino district. If you draw it that way it's a pretty heavy Latino district. I had to go spend some time with him to see if he wouldn't run against me. That kind of worked out. But that was the only possible --

VASSAR: Right.

DUCHENY: Once that district was drawn that way there weren't a lot of folks that could do it, to be honest. It was a district where you had to know folks and you had to be able to do certain kinds of things. It was just a tough, it wasn't an easy district to run in. And it had all that Coachella Valley and you had to drive from here to there. It was kind of crazy; in the end I'm not sure that really made a lot of sense. And I had to go -- once they finished drawing the map I went out to Coachella more and there wasn't anybody I knew very well. I knew like three people out there; I called all of them. One of them called me; he worked for one of the tribes out there. He said, 'We had them draw this extra little thing so my house is in your district now.' He was up there when they were doing it. I wasn't involved in the

lobbying and really going up there. I kind of let go. But I sort of tried to make this point and then I moved on. But I remember my friend and he called me, he said, 'We just drawn in your district.' And then I called my other friend, 'Okay, now take me around town and introduce me.' My friend was on the school board. I said, 'Okay, show me around and show me the neighborhood.' Once those maps were drawn, whenever that finished in 2001, that's when; so I wasn't a serious Senate candidate until I could see what district was going to be there and whether I lived in it, to be honest.

VASSAR: Right.

DUCHENY: To me, those things matter, right?

VASSAR: Yes.

DUCHENY: I actually like to live in my district. Where my house was going to end up was anybody's guess until the end of 2001. But the way it got drawn was very comfortable for me in the sense of the constituencies that I like to represent, issues that I had been interested in. I did like agriculture and Colorado River and water issues and border issues. And it gave me, the Senate district to me, it was sort of a lot of, it had all of the elements of California. I had desert, I had mountains, I had forests, I had beach, I had coastal issues, I had urban school districts, I had rural school districts, I had agriculture, I had urban core redevelopment-kind of areas. And maybe it was some of that budget perspective because I had gotten used to statewide and kind of issues on a bigger scale. But to me that was fascinating and it

was a lot of people that I really cared about. These were people I knew and got to know even better as I had the opportunity to run in what was -- yes, it was a challenge and yes, I had been out of office, which isn't the easiest thing get people to know who you are.

And an awful lot of this district had not been in my Assembly district, certainly all of the eastern part and, frankly, all of eastern Chula Vista. Chula Vista had grown dramatically during that period and I had only in the Assembly represented the western portion. But the eastern portion hadn't had a lot when I first started in the Assembly and by then it had a lot. There were a lot of new houses in eastern Chula Vista. We had a lot of new areas to get people to know me so we really did a serious campaign in terms of ground and mail and some of those kinds of things.

But I didn't draw a Democratic opponent, which helped a lot, or if I did it wasn't like a Juan. Then the primary would have been the real deal.

VASSAR: Right.

DUCHENY: But some guy who hadn't really run before. And he hit me a lot just on the budget and all the budget spat. There were a lot of those kinds of things and this and that. He was out there, he was a little aggressive. He got his signs. But he didn't have a lot of resources and the Caucus knew better than to target the district. Burton was watching me but I was more of a watch than a worry. My commitment to him was only, I won't task your resources; I can pretty much probably take care of this one but I don't have a lot to share at the moment. I didn't have a lot to share yet until I could

get there. And he was more concerned that I take that district. And it had conservative tendencies, this wasn't a liberal district exactly. It had had Duncan Hunter and Kelly, it wasn't, you know. And it was a lot of new territory for me so I really needed to get out there.

We actually got an RV and we took it out there and we would have these little, sort of, park it on the side of the road and put up a sign like a mobile office, I guess we called it. We called it "mobile office." Al would go out the week before and put up signs and say, Denise will be here on Saturday at 10:00 at this location in front of this little store or in front of this little whatever in these rural areas. I had all these very rural areas in the back country east of San Diego, Jacumba and Boulevard and all these unincorporated parts of San Diego, which I didn't really know that well either and then these rural areas of Imperial County and Coachella. And so we took our little mobile office out to the Salton Sea and Yuma and got to know the Quechan Indian tribe. I had to really -- I really enjoyed that part of meeting. And I guess it was without the stress of a campaign where you had to spend all your time sitting in a room trying to raise money. That I actually had time to get out and get to know the constituents and get to know the district and try to do it that way. Now you couldn't exactly just walk a district that big.

VASSAR: Right.

DUCHENY: But walking in selected areas. And walking in the sense that we used this mobile office and we'd say, 'Okay, Denise is here' and then people come

and like a little coffee klatch. Setting up coffees, we did a lot of that kind of stuff. And there were all these new constituents even in this part because of the new housing and because people turn over a lot in some of these inner city districts and that kind of thing.

VASSAR: sure.

DUCHENY: And Imperial Beach was now part of it. I had not had the beach areas before. Coronado and Imperial Beach were now part of the district. I had bought this house in '99 but it was a second house, I still lived in Logan. Our house we were watching for the district was mostly Logan but I also had Imperial Beach. I had a home here, I had this residency, but we used it as a second home, kind of, at that time. We didn't move in here full-time until like 2009 and rented that house out. But through all that time I always lived in Logan. Throughout the entire time I was in the Legislature until the very end I pretty much lived in Logan, which was two blocks from the law office that I had had, which converted into the campaign office.

About halfway through 2002 I stopped the San Diego State and then just was campaigning. Through 2002, so I was there like 18 months, give or take. And then I stopped because I knew I was in campaign mode and it sort of wasn't fair to them.

VASSAR: Right.

DUCHENY: And campaigned through the end of 2002 until I was elected in November.

VASSAR: And that's where we'll stop.

[End of Session 2 - September 13, 2016]

[Session 3 - September 14, 2016]

VASSAR: This is Alex Vassar here with Senator Denise Ducheny at her home in Imperial Beach. Today is the third day of recording, it is September...

DUCHENY: Fourteenth.

VASSAR: Fourteenth, 2016. It is the first sunny day that we have had so far.

DUCHENY: We had a sunny afternoon yesterday.

VASSAR: We had a sunny afternoon yesterday. It's a nice warm day here. We are getting ready to talk about her time in the Senate. I think we've got a little bit more to talk about with the Assembly.

DUCHENY: A couple of more things on reflection. It was just such a -- that whole end of the '90s to me is sort of the most fascinating period and a lot of things happened. We were talking yesterday about how there were resources and so there were opportunities to try to stretch and do things and do investments and so there were investments in housing and transportation and a lot of things. And a couple of big ones that came up, one other big one that came up was the school facilities were in dire straits all over the place and how to figure out how to make that deal work became a huge issue by '98, '99.

But before that I want to just go back and tell two legendary stories sort of from my first year as Budget Chair that are sort of instructive on the institution, I suppose, in some ways.

We were called, and I hadn't mentioned this before, but in '94 after that election that ended up being so tight and all that, one of the folks who

was elected in that election was Tom Bordonaro from the Central Coast area. And Tom was probably one of the first members, at least to my knowledge, that had to use a wheelchair. Willie during that interim month before the whole fight about who was going to be Speaker after December 1, actually got in, they got the maintenance people and whoever in there and made the back areas of the Legislature accessible to disabled folks, which had not been done before. And it was sort of surprising in some ways that it hadn't been done before. And I think the buildings had been made ADA accessible in the public sense, but the issue of people getting in and out of committee hearings hadn't kind of been dealt with. On and off the floor wasn't that hard but the committee hearing rooms was the issue.

And the other thing Willie did, I think he restructured, quickly restructured the back room lounges so that they were more equal in size. Because traditionally there had been so many Democrats that one room was way bigger and the Republican Caucus room was way smaller. It was clear there was going to be a more even house so there was some work that was done there. But in the course of that they also did this work to make the Assembly committee rooms ADA accessible. But that was not done in the Senate at the time. Willie did it really quickly as soon as Bordonaro was elected, before he was even sworn in, because he saw it coming.

So come that first year that I was Budget Chair in '97 when Cruz was Speaker, one of the sort of interesting moments from the perspective of women and such. As we came up to coming in to conference I pushed

Cruz pretty hard. I wanted, I knew what I wanted. I was the new Chair, I was confronting, if you will, the Senate Budget folks who had lots of experience. Mike Thompson had been there a long time, Mike Thompson was the Chair, and how we were going to position ourselves. And Cruz was the new Speaker and Lockyer was an old hand too. We sort of had this imbalance and '97 was that year that was the year that the longest-serving member was from '92. And here you had the Senate who had all sorts of experience. And to the extent they had new members of the Senate they'd all served years and years in the Assembly so you had a very big mismatch in the sense of inequality and if people were going to respect you in some ways. As a new Chair and the first woman and some of those issues, I really wanted a conference committee that I could rely on and that had good backup and people who had substantial policy experience in the areas that I was not as strong in. In other words, I had a lot of experience with the Education Subcommittee but not as much with Health and Human Services or Judiciary or some of the other ones.

VASSAR: General government.

DUCHENY: General government kinds of things. So I asked her and then asked Cruz that Senator Escutia be appointed to the Conference Committee as the second Democrat. The second Republican was the Vice Chair, which was Gary Miller, who had been Chair the year before. Gary had been Chair when I was Vice Chair so we had kind of worked together and knew how we all worked but I asked for Martha as the second. And it's partly

because Martha had not been like the budget leadership but she had served on a whole variety of budget subcommittees in her time so she had some of that experience. And she was Chair of Judiciary. Trial courts was continuing, was an issue in some ways, and some of those kinds of issues. She had a breadth of experience in health and some of the other areas that to me was helpful as backup for somebody who didn't have as much in some of those areas; so I really wanted Martha. And Cruz was back and forth about it and he wasn't, it was sort of very late in the game for naming conferees before he decided to do that. It goes to some of the concern, I guess, that folks had of, you've got a Latino Speaker and then suddenly you're going to have two Latinas on the Budget Committee and two women. There were some things to think about. And she did have, like I say, leadership, she wasn't the Apropos Chair, she wasn't some of those things, but she had that experience. And she was one of the '92 people so she had more legislative experience than I did and she had some of this background that I wanted. We really pushed. We said, this is the right person for this job at this time in terms of somebody that I could really work with. So Cruz made the decision to name Martha to the Conference Committee. But he did it right at the last moment, like Conference was going to get ready to start like tomorrow or the next day or something and Martha was named conferee.

So we immediately called her. She and Suzanne Wierbinski, who was her Chief of Staff at the time, came with her as the staff person from her

office who was going to be working on this stuff. And we were all in my office starting to brief her. We were starting to brief for conference, right? There's a lot of briefing that goes on for Conference. And so we had Budget staff in there and Suzanne and Martha and I forget who-all was there but we were sitting in my office.

And suddenly we had this group who burst in the door and the visual on it was just sort of interesting because it was all men. And it was Senator Lockyer and Senator Thompson and the Chief Consultant to the Senate Budget Committee; all large men, right? And we're all sitting having this briefing and it's a lot of women in the room. It was me and Martha and Suzanne and some of my staff. And it was sort of -- you could see everybody go, 'Oh, wait.' And this is something -- and you don't realize it now but that had never happened. Cathie Wright had been on the Senate Committee, it wasn't like there had never been women on the Conference Committee, but it wasn't that normal. And here you were with the Chairs. It was just disconcerting, I think. And they walked in and we were sort of shocked because they just sort of came in without calling; they just sort of showed up at the door and popped into my office and it was like, 'Okay.'

And they wanted to deal with the logistics for the next day for Conference Committee. And since Mike was going to Chair Conference Committee it was going to be held in the Senate Budget Room; it was going to be held in the Senate. You switch houses, whoever is the Chair it's their room, right? And so we were going to be in the Senate Budget

Room. And then folks looked around and we said, ‘Suzanne is coming with us so what are you going to do about it? And Suzanne is going to be her second.’ And at first they were sort of, ‘Well, she can sit in the well.’ We said, ‘No, no, no, no, no. Each member is entitled to one staff person on the dais.’ Sometimes you change them by subject matter but certainly the second person usually has just one person that’s there almost all the time, right? The first person, you’re switching out your subject matter staff. So it paused. I tell the story only because that’s when the Senate figured out they had to figure out how to make disabled access to the dais in 42 -- what is that called?

VASSAR: In 4202?

DUCHENY: No, 4202 is the Assembly Room.

VASSAR: Then 4203.

DUCHENY: Okay, yes. So the Senate equivalent room. It was like overnight, within the next day.

VASSAR: Which is now the John Burton Hearing Room.

DUCHENY: Okay. It was like overnight they figured out how to create a ramp that would create access to the dais. It was sort of temporary and it got fixed and became permanent later in the Senate but that was actually the trigger event. And we said, ‘It’s fine, you can hold it in our room, but we’re not changing people to accommodate you. We can hold the hearings in 4202, it’s fine.’ But they didn’t want to do that. So overnight they figured out how to -- how the Capitol can work sometimes. Overnight they figured out

how to make that work. They made it temporary for a bit and then they were able to make it a more permanent thing later. It's just sort of one of those.

And later in that same budget year there was the semi-legendary incident of "The Keys" as it was known. And it was the night that we were trying to work on the issue of the immigrant benefits in the welfare context. We were called to Conference. Again, Thompson was Chair so he could call the schedule. But usually the way you do that is pretty much by agreement between the Chairs and you're on call a lot because you're working on things in-between and then suddenly it's time to go into session and do things in public and start. We were at that part where you're starting to close things. You have some hearings that are sort of big and open and trying to just go through the items. And you get through the littler stuff and then you leave the bigger stuff and you keep going back to the Conference book.

VASSAR: Actually, a quick question. What would you do? When you were on call for those long days during Conference Committee, what would you do when you were not out on the dais? Did you relax or did you study?

DUCHENY: Oh no. No, most of the time what you were doing was briefing up for the next round in a variety of ways and/or trying to figure out what the solutions were that people could agree on. So there was a lot of back and forth between staff and members. No, no, no, there is no down time in Conference. There is public time and there is not-public time.

VASSAR: Right.

DUCHENY: And a lot of it is from the hearing or whatever you have done in public. You try to get a feel for where people are at and what the concerns are or what the issues are and then you go back and you say, 'Okay, how can we resolve this?' And you look for packages of ways to solve things. You look for wording that solves issues. No, you're pretty much in full budget mode. People like me, I would barely get to the floor and I vote late. I wouldn't even -- because I was doing so much in the office or with staff or multiple staff or however you do that.

A lot of it is working out the final wording or the package deals or how much money you're going to put to this and how much to that. You end up seeing these things. As you filter through you start to see, okay, this is how much we have, this is where we want to go. This issue is very important to this house or this Caucus or this leadership and so how are we going to balance that demand with this demand? You're sort of filtering it together. You spend a lot of time in Conference sort of doing some of that vetting with staff and briefing up for the next round and sort of the staff coming back and you say, 'Okay, staff and the Governor have talked, the Finance have talked and this is where we think something is possible' and members saying yes or no and then trying to work it out. You spend a lot of time doing those kinds of things.

There's a lot of back office stuff that goes on during Conference. In fact, more of it happens there in some ways than happens in the public.

And it depends on the Chair in some ways. As a Chair I was very big on having the bigger public meetings a lot. But there are points at which, okay, we sort of all know where the deck is now, now let's try to kind of figure it out.

And each package has its own and you've got constituents on all the different sides that are talking to people and you're trying to, you know. The welfare and the doctors and the nurses, there's all kinds of people that have interest in Budget so there's a lot of that kind of discussion that has to go on to figure out where are the things that are appropriate policy. A lot of that discussion has to happen outside of the public.

Anyway, on this one night.

VASSAR: Actually, can I ask one more question?

DUCHENY: Yes, sure.

VASSAR: There is a ballot measure coming up in the near future²⁷ that will require bills to be in print for a few days before they are voted on by the Legislature. I remember hearing from people who worked on the budget that there was a strong feeling that a budget bill would not hold up to public scrutiny for three days before it was -- there is a reason --

DUCHENY: You don't do that.

VASSAR: It's passed and it gets sorted out later. So how do you think having, just as -- if this were to pass how do you think having a budget bill in print for three days would affect the budget process?

²⁷ Proposition 54 appeared on the 2016 General Election ballot. It was approved by voters by 64.5%.

DUCHENY: It's hard to tell. Now that it's only a majority vote it's a little less dramatic.

VASSAR: Yes.

DUCHENY: The two-thirds vote made it difficult. I don't know that it was so much the budget bill itself and I think at some point we did require the budget bill to be in print for at least 24 hours or something. People needed a chance to kind of see what was in there. But most of that was pretty clear if you were following Conference because the budget bill is really drafted in Conference. The tricky part and the one that has everybody schizy and causes bills like this proposal to come forward are the trailer bills. That's where the policy issues are and that's the ones that are harder to interpret up front. The budget bill itself is line items and you can look in there, if you know what's going on and you followed Conference, you know they did a million or they took this out or they added this in. You can follow that pretty well throughout the process so when it's drafted it's the amendments.

Remember, the budget bill, this is something most folks don't recognize about the budget. The budget bills are introduced the day the Governor's budget is introduced. It's really not -- the Governor does a press conference and he has a book and Finance tells you what they've suggested but the bills are actually drafted by Finance. But the moment they're drafted the Budget Chairs in each house introduce the bill and the bill becomes the property of the house. So yes, the drafted bill that then carries my name is the bill that was drafted by the Governor and Finance.

And what the Budget Committee does for the rest of the year is amend the bill, right?

VASSAR: Right.

DUCHENY: So you have a base bill. And really, in truth, most ongoing expenses are what they are and you don't end up amending tons of it. You focus on the issues where there are issues. The Governor has augmented things or he's come up with a new policy or a new program, those kinds of things. And folks tend -- or where there's been issues with the bureaucracy that you want to focus on. You actually have to weed through the LAO and Finance and the staffs of the houses trying to find focus on those issues. Those become the issues of the hearings and the subcommittees and such and a lot of the bill is left pretty much intact. But then everybody knows where the issues are. One house does one thing and one house does another thing and sometimes that's actually done on purpose so that it can go to Conference so people can keep talking about it. There are a lot of variations on that theme.

We were at the stage, whatever time of the year it might have been, but this particular night, suddenly without us having agreed to it in advance, Thompson called Committee to public session. We were on call of the Chair and suddenly we had the call. And Martha [Escutia] and I were sitting in my office and we were in discussions and we were in briefings but we didn't believe that we were going to get called in until -- the issue that was pending, the big issue that was pending at the time was

this issue of immigrant benefits, which our Caucus had staked kind of a line on. Our Caucus had said, there has to be some way that we deal with lawful, permanent resident immigrants in some of these programs, like food stamps in particular and some to SSI. And how we do that and whether we can afford it, all that had to be worked. But we were working on those issues with the Governor's Office and with others.

So Martha and I were in my office and suddenly the call comes in that you're supposed to head down there. We said, 'Well, wait a minute?' And we could see kind of a setup where the Senate had been jamming to close these items. The Senate had been jamming for a while to close these items at a certain amount and we weren't there yet. We were not ready to close on those items because we were trying to figure out where we could get with the Governor, basically. And we needed the Speaker to have some room to continue to talk to the Governor and try to figure this out.

VASSAR: Right.

DUCHENY: And Senator Lockyer, who at the time was the Pro Tem, was out of town that day, which made it even -- he had been in Los Angeles for events of some kind and he was like, down south, he wasn't in the building. And suddenly Thompson calls us in so Martha and I looked at each other and we said, 'Wait a minute, what's that about? Is there something that we don't know that's happened, that's closed?' And we weren't expecting this, right? So we went down to the Speaker's Office and we said, 'What's this about, right?' And the Speaker didn't know and the Speaker didn't

want us to be trying to close those items because we were still in this sort of, we were in a difficult stage in negotiation. And Curt Pringle, who was our Minority Leader at the time, was actively engaged in trying to kind of broker between the Speaker and the Governor and we sort of had a thing going on.

And the Speaker said, 'No, we're not ready to close.' And we said, 'We didn't think we were ready to close on this, why are we going on?' Because there was sort of no other thing pending and it was like we were going to get jammed up to try to close on an item in a public fight that we weren't ready to have. We'd had enough public discussion about the issues and we all knew where we stood but there hadn't been a resolution.

So we were in the Speaker's Office and we didn't leave the Speaker's Office and we just stayed there. And they kept calling and calling and trying to find us and they sent the sergeants to find us and they got all, you know. And we sent somebody from Cruz's staff over to the Committee Room to say, 'Hey, our Caucus isn't ready to go in. We're not ready; we're not interested in having this hearing tonight.' And for some reason, and I never talked to him about it later, but Senator Thompson was just, you know. And he sent the Sergeants to look. We were in the Speaker's Office and then we were in the -- actually they sent some folks to the Speaker's Office. We went out onto the floor and we were in the balcony and we were kind of around in the conference room of the Speaker and

some other places. But we basically stayed within the sanctuary, if you will, of the Speaker's Office and the floor.

And then the reporters started to figure it out and they were coming around; it got real crazy that night. And Thompson just kept sitting there and he just kept everybody in session. I remember later Gary Miller telling us, the next day he says, 'The next time you're going to do that just tell me and I won't go sit there.' Because he wasn't -- he didn't have -- he wasn't part of trying to jam us up. It was sort of like they're trying to jam you up. And Miller wasn't really part of that and he just didn't know what was going on and nobody had told him. We hadn't told him because we didn't know until we got this call and we went asking the Speaker what was our position on this and the Speaker wasn't ready to go. So we ended up --

And one of the things, the story came out that Thompson at one point told the sergeants to go get the keys out of cars so we couldn't leave the building. And boy, when Cruz heard that one he went, Cruz hit the roof. He called in our sergeants and said, 'What are his sergeants doing messing in the cars of my members.' You know, the Assembly/Senate. There are Assembly Sergeants and there are Senate Sergeants and he sent the Senate Sergeants to go get our keys. We weren't trying to leave the building so that wasn't an issue but they kept putting this pressure that the sergeants had to go bring us into session.

It got kind of escalated to a very strange place. The press got wind of it and everybody was -- because we just weren't there. They had this public

meeting with the TVs on and two empty chairs. Basically that means there is no quorum, and that's what we were doing, we denied them a quorum, right, by both of us not being there. If one of us had gone we'd have been - - but by both of us being gone they were denied a quorum.

VASSAR: Right.

DUCHENY: And that's why they were trying to, 'Well get somebody here.'

Finally, it was late at night, probably around 10:00 or something, Lockyer got back into Sacramento. And I remember -- and Lockyer apparently, we didn't see it on TV because like I said, we were just having our discussions where we were having our discussions, but Lockyer went into the room where they were sitting, where they had been fuming and sitting for I don't know how many hours, two or three hours, and he asked Thompson to give him the keys so he could give them back to the Speaker. Because the Speaker was, by this point the Speaker was livid, right? The Senate Sergeants taking the keys from Assembly cars, aargh! The protocol. Once Lockyer got back into town he sort of figured out what was going on.

VASSAR: So Thompson had the keys up on the dais?

DUCHENY: I think so, I think he took them or something like that.

VASSAR: Wow.

DUCHENY: He had the sergeants bring him the keys. It was crazy. And Lockyer eventually calmed him down and shut the thing down so that these conversations could go on. And literally at the point when all this was happening, we knew Curt Pringle was in the Governor's Office having

these conversations trying to figure out where we could get to on this, right? We needed that information to come back before we were ready to go in. Basically that's how this all started. We wanted that information back and the discussion with the Speaker before we were prepared to go into conference on those issues again, publicly.

VASSAR: Right.

DUCHENY: We needed to understand where that all was. So for us it was like, 'Why are they calling us into session, we all know this discussion is going on?' But it wasn't really a Senate, it wasn't so much their issue, it was our issue. And it was our issue because the immigrants were our issue.

VASSAR: Right.

DUCHENY: It was our Caucus who had staked a claim on this. Now the Democratic Caucus in the Senate was not particularly opposed but it wasn't their issue, let me put it that way; it was our issue. We knew that we couldn't have the first Latino Speaker and not take a stand on this kind of an issue. Again, it's just our constituents, it's our clients, our constituents who were at risk here. So this discussion was going on and all of those things happened.

And eventually -- and I believe it must have been later that night. The scene that sort of sticks in your mind, there was sort of the being in the Speaker's office and then I think it was later that night that we had to have the "come to Jesus" about, okay, where can we go and how far do we push this? I remember a scene in my office and I imagine it was probably that same night, and it was Martha and myself and Cruz and Antonio. Antonio

was the Majority Leader. And we had gotten word back, this is where we can get to, this is where the Governor told Curt he could do and Curt and the Speaker had talked and everybody kind of talked and here was the proposal, basically. And we all kind of then had to digest that. It wasn't what we wanted but it was movement in the right direction and the question was kind of, how far can we push this?

VASSAR: Right.

DUCHENY: How much farther can we go, given this sort of dynamic and given our own caucus? At some point people like to close a budget and this was probably way past when the budget was due. How are we going to close this? How much further do we hold out, if you will, in some ways, for more and is there any room there? In other words, it's a negotiating thing but is there room? Has the Governor gone as far as the Governor will go or is there a little more we can get out of this? You're sort of having that kind of analysis. The decision we made that night was for Cruz to go and do a face-to-face with the Governor the next day and to test that sense of, okay, one-on-one, here we are, what do we do, where are we going from here?

VASSAR: Right.

DUCHENY: And it turned out we weren't ready to close that night. Now we got close. I think at some point that evening after Lockyer got back and Lockyer and Pringle and Cruz and the Governor, everybody was kind of doing their thing. We sort of took the break at night - and this was probably like at midnight we were having this conversation - and said, 'Okay, tomorrow

morning Cruz will go see the Governor and Bill Lockyer and tell them we're not going in until Cruz meets with the Governor. This has to kind of happen first.

But that story of the keys kind of got around. I think it was in the paper and stuff so I thought I ought to explain it a little bit.

And the other couple of things from the Assembly were later. We talked yesterday about how the budget got so much better, the state was prospering, the dot-com boom in the late '90s, we had come out of that recession from the early '90s that was caused in part by the defense industry collapse. But with the defense industry and the BRAC and some of those issues, what came out of that were new industries.

VASSAR: Right.

DUCHENY: And so new industries in Silicon Valley. In San Diego what it meant was people -- Qualcomm opened. There were new types of industries and innovation that occurred in California and suddenly we were flush again. And it was a time, especially after Gray Davis got elected, it became this sense of investment. That there was an opportunity to invest in long-term maintenance issues, in parks and in infrastructure and in all kinds of different ways and in schools. There was a lot of pent-up demand for those kinds of things so there were a couple of big deals, if you were, that mattered. They were propositions that ended up on the ballot and passing.

The big one that I recall working on, and this goes to one other thing we sort of skipped over yesterday, but it was we talked about the transition

from Cruz to Antonio. But there was one more transition before I left the Assembly, which was from Antonio to Bob Hertzberg, which again was the Speaker to his own Majority Leader. In some people's view, the Majority Leader pushing a little sooner than folks thought might have been necessary, or at least certainly than the Speaker might have wanted. But it often happens.

VASSAR: This was in 2000?

DUCHENY: It must have been in early 2000, yes. Well, because Antonio, like me, all of us were termed out in 2000 and Bobby wasn't. And Bob had been the Majority Leader and he had been that position for Antonio for the whole time. They were old friends from LA from way back; they had ties that went back. But Hertzberg had been his Majority Leader. With Hertzberg as Majority Leader I remember negotiating the school bond measure that became Proposition 1A or something on the ballot.

VASSAR: This was 1998?

DUCHENY: Yes, I think this would have been '98. Yes, the school bond measure.

VASSAR: And water was 2000.

DUCHENY: Okay. So the '98. So this would have been that first year of Antonio's Speakership then, right? So '98. Yes, '98 is when Cruz --

VASSAR: Yes, 1998.

DUCHENY: This was a big issue for Antonio and Antonio had worked on this issue the year before. The schools, the school bond, that was a big issue for him. And he had worked on it the year before and I think we just hadn't, they

hadn't gotten to where they needed to get to. In '98 it kind of came back around. And it was funny because I remember, I think we had done these meetings to some degree in '97 and hadn't gotten there.

And by the time we came to '98 it was all the same people in the room but they were all in different places. Jim Brulte had been in the Assembly, was now in the Senate. Bill Leonard had been in the Senate, was now in the Assembly. Antonio had been the Majority Leader, now he was the Speaker. A lot of the same folks who had had a conversation earlier in one year, but we sort of brought the same team back together.

The issues had a lot to do with how we would do matches and how you could have -- what was happening in part was developers were being put on the hook for paying all these facilities everywhere because there weren't the funds to do it with and then it was raising the cost of housing and it was creating other issues. So how you thought about --

VASSAR: Right.

DUCHENY: And what did locals have to do and how much local bonds should there be involved. All those issues were in this discussion because it was not just, put a bond on the ballot and do whatever. It was more of a big policy question about how to restructure how we do school finance, not just put up money and be gone. So I remember those conversations.

And I think it was around that year.

Because actually one of the seatmates that we didn't talk about was -- there was one year, maybe that year, that Bill Leonard was my

seatmate. There was an uneven number of members. It was after Bill returned to the Assembly in 1996

DUCHENY: When Pringle became Speaker in '96. And maybe even before that. We might have done it even before that, actually. But there was the house floor, like that first one that we talked about and Trice and Mountjoy were next to us. People were kind of all over. There would be two Democrats or two Republicans, generally speaking, at a given desk, but the desks were mixed around in some ways

After that when things were so tense and the house was sort of this even house there was a thing to put Democrats on one side and Republicans on the other side of the house. And partly because it was almost even you could kind of do that, but it was also to maintain discipline on procedural votes and some of those things. It was easier if you had -- Especially with a lot of new members it was easier if you kind of had everybody where you could kind of keep focus on certain leadership and be able to make sure people understood. Because of the nature of the house in those days there were a lot of procedural votes and those kinds of things where you needed caucus discipline in some ways, so they had done that.

But I remember that later when this came up, and I think it was because we gained a lot of seats in '98 and suddenly there were way more of us. But it was an uneven number for some reason and so the odd couple,

if you will, was me and Leonard. Leonard and I shared a desk, I think it was after '98, probably '99 then, after the election of '98.

VASSAR: Right.

DUCHENY: Because that would have been when he came back to the Assembly and Bill and I were seatmates for a while.

VASSAR: How was he as a seatmate.

DUCHENY: He's great. I like Bill Leonard a lot and Bill and I got along. And he was on my Education Subcommittee and we did some things. Bill is one of these Republicans who he was conservative but he believed in government and he wanted to get things done.

A lot of folks they'd have ideological views but in truth most of the work that you if you're doing what you are there to do, is things that you can find common ground. It's not rocket science to talk about education and, yes, you can have differences in approach. Generally speaking, my experience was people came there more or less to accomplish the same thing, they just had a lot of different ways of getting there. Yes, there are philosophical things. And outside of the big, sort of, pure ideological issues like abortion or gay rights or some of these things that were sort of purely ideological, most things that you're doing, if you're doing government the way I think - and personally I was - as I said earlier, I was never big on bills about behavior and controlling people's lives and super regulation. My interest was in, how do we make the things that government has to do, that we all have to do collectively, work.

VASSAR: Right.

DUCHENY: Schools and roads and all the things that you can't do as an individual that you have to do collectively are the things that Government needs to be involved in. So when it comes to those issues, a lot of us could find a lot of common ground. I always liked Bill and that worked out decently for all of us. But I don't remember if it was a whole year or whenever; you could look up the seating chart. But I remember that Bill and I sat together for a while and we were the odd couple.

But we worked out this school bond thing and it was another one of these kinds of example - and I use it because - like the CalWORKs and some of those things, these are collective works. Whoever the author might have been at the end of the day, probably Prop. 1A [SB 50 was the bill, Leroy Greene was lead author and Antonio was co-author - may want to FN this?] was probably Antonio because he was Speaker at the time and it was his issue that he had started the year before, even when he wasn't Speaker and then we had kind of revived and we had come to this. And I remember the photo of the like 6:00 o'clock in the morning picture of all of us red-eyed because we had been up all night trying to figure out how to make this work and we had finally come to some resolutions on a lot of these issues and that one got on the ballot.

And then again in 2000. Well 2000 had a couple of things and that will lead us back to the Senate where we belong. But 2000 there were two major things; both happened in the late summer.

We were working on the water bond and we had been working on it the year before. I think it was the same time as the school bond and stuff; I think we had been working on the water bond. And we got really close. Probably in '98, I guess.

VASSAR: Yes, '98, yes.

DUCHENY: We got close in '98 when Bill Jones was still the Secretary of State. And I remember he kept coming around and we'd have to keep calling him. It was like, what day can this go to you and still get on the ballot? It was that close to the edge. And he kept pushing the date for us a little and then it was like, okay, it's date or I can't get it on the ballot.

VASSAR: The Voter Information Guide has to be printed and ballots have to be printed.

DUCHENY: Yes, it's got to be printed and we need this many days to print. And we all worked back from, okay, it has to be in print these many days and it has to be printed by this and you have to work back from the printing. So there was this deadline. Generally that deadline is a little bit before that and sometimes you can push it four or five days and you can do a couple of things but we had reached that. And we got very close on a water bond that one year and we just, the deadline came up and we couldn't close it. And I guess that was -- well it was 2000 because that's when Machado's -- no, that was '99.

VASSAR: 1998.

DUCHENY: '98. So then when did Machado's son die, '99?

VASSAR: August 1998.

DUCHENY: Oh it was '98, I see, okay. We were working on the school bond and the water bond sort of simultaneously. And the water bond had a conference committee and Senator Machado was the Chair of Water in our house and he was leading our side and Senator Costa²⁸ -- well, he wasn't Senator Machado then. Then-Assemblyman Machado and Senator Costa. And I remember I was on there and I believe Senator Peace possibly too. There were a few of us who had been engaged with water issues for a long time and budget issues and that kind of thing.

And we were in this hearing in 4202 and we just starting an ongoing conference committee kind of discussion of this water bond when somebody came in and whispered in Senator Machado's ear and he went tearing out the back door with this sort of terrified look on his face and we all -- it was sort of shocking and nobody quite knew what was going on. And some of us went back to talk to staff and the sergeants to figure out what was happening and unfortunately that was the news, that his son had just been killed in an accident on their family farm. I remember all of us sort of being -- it was just shocking.

And I think it goes to this question of members, members are a family too in different ways. And it's a family because you have this unique experience of kind of living together in this odd environment and being away from home together. Like being college students in a dorm, I used to

²⁸ Jim Costa, Assemblymember (1978-1993), State Senator (1993-2002), US Representative (2005-Present).

say sometimes. You're together in these short periods of time but you're also pretty intense; the relationships that you build are pretty intense. The whole house felt that loss for Mike. And I remember, I think we actually shut down for a day or two so all of us could travel to Linden for his son's funeral.

And it sort of was a moment that in other ways there had been all these contentious things going on and there was a lot -- in '98, so that would have been the Governor's race. There was a lot. There were a lot of races in play, there was a lot going on. But it was that sort of moment that's like just human and normal and you're a family and everybody sort of stops and says, 'Okay, time out.' Several of us, it wasn't everybody, but a very large contingent of members -- especially because it was so close and we could drive down.

A huge contingent of members; we literally shut down the floor in both houses so that people could attend the services for Mike's son. It was in a small church. They had to put up big tents outside so all of us would fit because there were too many of us, plus the family and the locals. It was family and you needed to be there for Mike. People felt that pretty strongly.

We came back and sort of -- Mike stayed out longer. A lot of us said, 'Okay, now we really need to try to do this water bond. Because it was sort of Mike had been leading some of that charge for a long time. And we really tried. I remember I wasn't a big piece of it but it was sort of like we

took little pieces. 'Okay, go solve this piece.' My piece I think that year was groundwater. Get all the stakeholders and the different folks. You had to keep getting different people in the room to do some of these things. And we tried and we got real close.

And that was when Bill Jones -- Bill Jones wanted us to succeed. Bill Jones was a former member who was an agricultural guy from the Central Valley, knew water. He was relevant in this discussion and wanted it to occur. But he was like, 'There's only so far' and we just could not -- I forget what the issues were that we couldn't close but we just couldn't quite close it. And people felt sort of let down that we couldn't -- I remember the feeling that, okay, we didn't make the deadline, we're not going to be able to close this, and all of us feeling badly about it. But we did get the school bond out that year.

VASSAR: Right.

DUCHENY: And in the fall we sort of picked up and we went to some -- there were some outside groups who often brought members together with folks to talk about big issues like that, environmental and business-related issues, and we spent the fall -- I remember going to one of those seminars that fall on water. Because it was like, 'Okay, look, we all know we have gotten this far. We pretty much have large agreement on some big pieces. What do we need to talk about?' It gave us an opportunity to think about that in the fall. And I think we came back the next year and were actually able to put the bond together for the 2000 ballot.

And those are just examples of how legislation works. Sometimes you just don't, you don't get there and then you do. I think the school bond was the same thing. I think we tried it the one year, it hadn't kind of got there and the next year we came back and we were able to get there. You just have to hear everybody out and understand all the different issues and understand what will meet these needs without hurting those needs and sort of going back and forth a long time. And then wording becomes its own problem.

And then finally at the end of 2000. So Hertzberg sort of did the same thing, kind of maybe, in some people's view may have jumped the gun, but I think he felt like everybody was watching, it was the final year, Antonio was termed out. And I think other members started, members start to do what they start to do and who wants to be Speaker and who is going to be Speaker. And Hertzberg saw an opportunity to gather his support, which was substantial already, and just shut it down and have a vote and get it done. He saw that he had the votes. Once people have the votes they tend to call the question, that's kind of how that works.

So that was early 2000. So for me, that was a little tricky because I was still the Budget Chair but this was a new administration and I was termed out just like Antonio. There is often a move to change Chairs as much as there is to change Speakers because there are newer members that want to succeed and be there the following year and all those kinds of issues so that wasn't real clear.

But in other ways, and the same thing with Antonio with me and then with Hertzberg was that I actually knew what I was doing and I had been doing it and it's a tricky job and it's just not something you jump into without kind of background as easily. And Speakers need strong Budget Chairs in order to do things, especially when you're a new Speaker. So there was certain job security for me once I sort of wormed my way into that position. There weren't a lot of folks around then, because again you have these term limits. You've got new members coming in all the time. There was nobody who had that experience.

There were folks who wanted it and who became Sub-Chairs and folks that worked with me to learn, just as I had learned from Bob Campbell and Vasconcellos, that was certainly important to do and I wasn't going to deny that. But I think it would have been a little awkward, although I think there was some thought of it. Basically I was able to work with Hertzberg. And he came in late enough that we had already done the initial budget analysis, we were already setting up the hearings. It was kind of tricky to be shifting a lot of committee assignments around. I don't remember how many have shifted. He had to put Antonio on things.

But there wasn't -- the same thing happened as with Antonio, there wasn't a lot of movement because it's the second year of the session, people have been where they've been. You've got the same administration; it's not like when you had the wholesale change when you move from Democrat to Republican Chairs, that's a whole different world.

So there were some movements. I'm sure some members moved around and there was some change to the Chairs. Again, because several members were termed out and you have different things going on, people running for other offices, that kind of stuff that causes people to want to change.

So I was on my third Democratic Speaker, my fifth Speaker - or seventh if you count Doris and Setencich. In my six and a half years in the Assembly it was Willie, Doris, Setencich, Cruz, Antonio and Hertzberg were all Speakers.

VASSAR: And Curt.

DUCHENY: And Curt. Right, seven. I knew there were seven.

VASSAR: That's a lot.

DUCHENY: Seven Speakers in less than seven years.

VASSAR: Yes.

DUCHENY: And through four of those Speakers I was the Democratic lead on the budget, either as the minority or the majority. And different folks every time, sort of adjusting to different styles and different folks.

Fortunately, I had worked with Hertzberg on some issues like the school bond. Hertzberg and I had bonded a little bit over the school bond the year before working on that issue so we knew each other, we knew how to work, we knew how we worked large deals together, we had done some of that on that and I think some other issues too, so we had a relationship. And for him, one more year with me in place would have not been that difficult.

So we worked on the budget that year and we got to June. And this was the year -- in '99 and 2000 we got very close to having budgets on time. Steve Peace was still Chair of Senate Budget and we had worked together in '99 with Gray and 2000. And both of those budgets, I don't think we quite made the June 15th deadline but we did, pretty much, make the July 1st deadline, at least for passing from our house. They perhaps weren't signed until July 4th or 5th but we basically were within the realm of on-time budget. For a two-thirds budget.

And it was partly because we were very fortunate to have the resources. You weren't making difficult decisions, you were just trying to kind of spread it around and make intelligent decisions. But there was opportunity to do tax cuts and made some Republicans feel better, there were opportunities to do a lot of different things, and we did a lot of that in those days.

But at the very end, and this kind of goes to that personal thing like Machado's son. I was at the very -- it was toward the very end of Conference that year that I got word and it was in an odd way and time and place. Well, my father died at the end of Conference that year. I came back to San Diego. He was here in San Diego. The word came to me just like early in the morning. I think my husband called my chief of staff, she came over to my house to tell me so I wouldn't be alone; and it was during Conference when you're kind of tense and not sleeping and kind of crazed. And we were nearing the very end of Conference.

And the person who had been -- one of the things we did with Hertzberg, and this was again about this transition kind of thing that started to happen, but we sort of had a second to me, an alternate. We added not only the second conferee, which in this case for several years now post-Antonio the second Democratic Chair was the Appropriations Chair which was Carole Migden. Because of the Appropriations position Antonio made that decision and that sort of stuck as a pattern. It was never necessarily the pattern before that but since then that stuck a lot, that the Chair of the Budget and the Chair of Approps sit as conferees.

But that was not something that was really tradition. Like I said, the year before we had had Martha. In other years it had often been, very often it had been Sub-Chairs because Sub-Chairs knew the budget more. Approps is about spending the money afterwards but it's not about budget and so often it had been Sub-Chairs, which personally I think may have been a better way of doing it. And which is why I had Martha, because she had not been a Chair but she had been on subcommittees and that kind of thing. But the decision was made at some point, Carole became the -- And what Hertzberg did, which it wasn't a bad thing, I think, and I agreed with it, he put an alternate. So we had to negotiate with the Senate about it but we said, we need an alternate to sit on Conference to actually have to learn it.

VASSAR: Right.

DUCHENY: Not with a vote but somebody who is there who is sort of learning, participating in the briefings, and learning the process and issues. And it was Tony Cárdenas.

VASSAR: So in this case it was the end of Conference?

DUCHENY: It was the end of Conference.

VASSAR: And you flew down to San Diego?

DUCHENY: So because we had that system Tony was in place and Tony was able to take my seat for the final whatever batch of things that were left to do. There wasn't a lot left at whatever point that was. I talked to Steve that morning; he said, 'Just go home, we'll figure it out.' And we were fortunate that we had started that thing of the alternate because we had a Democrat in place who had been following the briefings.

VASSAR: Was up to speed.

DUCHENY: Had been there for all the briefings, and that was kind of the idea. Was you had somebody who was learning it and who was sitting through all the briefings and who was there and ready so that the following year when I'm termed out you have somebody who is ready to go. And in this case it was Tony Cárdenas. Tony did the end of the budget, actually. If you ever look back at the record, Tony Cárdenas was Chair for the last couple Conference Committees that year because I came home.

Now we're in -- we went through the period between 2001 and 2002 yesterday.

VASSAR: 2001 to 2002, so 2002.

DUCHENY: Yes, back in, yes.

VASSAR: In 2002 you had an uncontested primary, no other Democrats.

DUCHENY: Like I say, this district was not the easiest district to run in. Because it was new, but it was so large. Driving from Imperial Beach to Blythe, that's a three and a half hour or four hour. It's a long way from Blythe to Coronado, is what I used to say.

VASSAR: And then the general election rolled around and you got 56 percent.

DUCHENY: That's pretty good.

VASSAR: You got higher in your second round but in that round you had 56 percent.

DUCHENY: So many new constituents.

VASSAR: And 16 points ahead of the Republican in the race so that was an easy election.

DUCHENY: It wasn't that easy.

VASSAR: The following year you got --

DUCHENY: It was easy in that sense but not in the -- I actually spent a lot of time getting out there to know these rural areas and these new communities in Imperial Valley and Coachella and East Chula Vista. We spent a lot of effort on it. But it was partly because that kind of effort lets you know what the issues are so that you can be a more effective member too. Not just campaigning for me, it was also -- I was reasonably assured that I would be able to win, but it was a lot of folks didn't know you and you don't know them and you don't know their issues, so it was important to make the connections to people that allow you to do your job later. It was

a lot of work through that. I considered that Senate race a lot of work for us from a campaign perspective. But yes, it wasn't --

VASSAR: Desperate.

DUCHENY: Desperate political and it wasn't 27 votes and we had money and he didn't and we could do some things. We could do radio, we could do mailings, we could do some stuff. We didn't over-extend but we spent a fair amount. We had the ability to do that. In Sacramento I was still viewed as semi-incumbent.

VASSAR: Right.

DUCHENY: And certainly Senator Burton was comfortable with me and Senator Perata, who had helped draw that district and Senator Polanco was still there, so I had a lot of friends in the Senate. The people in the Senate were mostly people I had served with in the Assembly. By that point, as term limits kept affecting both houses in different ways, people that were in the Senate were mostly people that had served with me in the Assembly, right?

VASSAR: Yes.

DUCHENY: In both caucuses.

VASSAR: So when you got to the Senate you were made, immediately, first term you were made, first session you were made Chair of Housing and Community Development.

DUCHENY: Yes.

VASSAR: Dennis Hollingsworth was your Vice Chair.

DUCHENY: Yes.

VASSAR: The first of a number of committees that you would chair in Senate.

DUCHENY: Yes, Dennis and I were together a lot, yes.

VASSAR: You were a member of Agriculture and Water Resources.

DUCHENY: Mm-hmm.

VASSAR: Banking, Commerce and International Trade with Dean Flores as Chair and Hollingsworth as Vice Chair for that committee too. And you were a member of Budget and Judiciary.

DUCHENY: The Budget Subcommittee. Oh, was that the year I got to do Judiciary?

VASSAR: Yes, the very first year in the Senate.

DUCHENY: Yes, I know. Well the Senate is a lot smaller. The first thing you learn about the Senate is it's half as many people to cover the same number of assignments, right? So you have smaller committees. You have a sense of that more power in a sense because you're smaller committees and that kind of thing. But also you have to spread people around in different ways. I wanted Budget, John knew that I wanted to track eventually back into Budget. But they had named, when Peace was termed out -- I ran because Peace was termed out, right? They had named Wes Chesbro as Chair of Senate Budget. He had been, I think, a Sub-Chair and such. He had been sort of tracking toward that for a while and Burton went ahead -- I actually would have loved just going in and becoming Budget Chair again but the Senate is a much stronger sense of seniority and some of those kinds of issues and I understood that, but I wanted to sort of keep my finger in the budget. And Burton appreciated that.

Burton had been the Pro Tem when I had done those '99 and 2000 budgets with him and we had done big deals like the CalGrants entitlement. That was a big priority for Burton that we in the Assembly helped with and Senator Ortiz carried the bill. But I had carried the issue in Budget for a long time and then Senator Ortiz had the policy bill. But Burton and I had worked pretty well together, sometimes crisscrossed around Steve, different issues, different ways. So Burton was pretty comfortable with me in different ways.

I don't know why he picked Housing for me, it's beyond me, but it worked and it gave me a Chair. And I had good staff on Housing. And then I wanted the budgets. And he picked four, I don't know why. Actually it was good for me because I had -- all my time in the Assembly, to the extent I sat on subcommittees, I sat on Education. Once I became Chair I didn't sit on a subcommittee anymore. But that was my, all my subcommittees. So my knowledge of some of the other areas all came from Conference and from the big budget and from keeping track of all the subcommittees. That became part of my responsibilities as Chair. So I knew all the issues in ways but not that nitty-gritty, running a subcommittee is a different -- the kind of issues that come up in subcommittee are different and it's interesting to hear. So being on four was good because it was general government, had a lot of different issues that we could cover. I think Senator Dunn was the Chair of the subcommittee that year.

And Judiciary was not one I asked for. Martha became Chair of Judiciary that year, if I recall correctly.

VASSAR: Yes, yes.

DUCHENY: And Martha wanted a committee that she could work with. Actually that experience for me -- it was never a committee I really wanted, as an attorney. But Judiciary dealt with all these evidence issues and oddball lawyer, it was the lawyer's committee. It did some things that were some of my issues. They actually did, I think, the HOA [Homeowner's Assn] things went through there. There were some interesting issues that went through Judiciary but it wasn't one I'd ever paid attention to, to be honest.

I had always been sort of on this -- my theme for all my campaigns was jobs and education and I always tried to stay focused on economic issues, education issues. And then I would pick up these stray themes like the Indian child welfare or the Native American heritage. There were other things I did but a lot of it was focused -- and a lot of those were district-type issues for us.

And Martha asked and sort of insisted that I be on Judiciary. And it was sort of like when I asked her to be the conferee in the Budget. I want somebody on there that I know knows what they're doing and will back up and I could work with. And it was actually a fascinating experience. That Judiciary Committee was actually the most interesting Judiciary Committee hearings, I think. Again, sort of like I described that hearing with Senator Kuehl before, the Judiciary Committee in the Senate that year,

we had a really interesting mix. It was only, I think, seven members and it was Martha, me, Sheila, Byron Sher, Professor Sher we used to call him. Professor Sher, Professor Kuehl and me and Senator Cedillo. And Senator Cedillo, like Antonio, had legal education but had never been a practicing attorney, right? So you had a little bit of more real people perspective. And on the Republican side I think it was Ackerman and Morrow were the two lawyers. See, two lawyers. So you had a whole committee full of lawyers and one legally educated non-lawyer, which was Gilbert.

Some of the hearings - I know lobbyists told us later - this was the committee that nobody wanted to go to because between us all we knew a lot. And we all knew the issues and we all studied the issues and we all were lawyers so we all -- going to the Judiciary Committee in that time was often seen as like when you go to Appellate Court or Supreme Court hearings, when you go and the judges ask you questions. As a lawyer, at least, you're used to that kind of being at the bar and sitting there and asking questions. A lot of times I think that's what the Judiciary Committee felt like to folks who were testifying on bills because we had this just enormous intellect on there. Byron and Sheila and Martha, there weren't a lot of smarter people around town in those days than those folks.

VASSAR: Right.

DUCHENY: And then you had people who had been sort of practicing attorneys like me and Morrow and Ackerman who had been kind of practicing attorneys

more and you had Gilbert for kind of the real world perspective. You had sort of an interesting mix of folks.

And several issues, Martha would come and you'd try to work them out. And sometimes we didn't agree. Sheila and I had both practiced family law, for instance, and didn't always agree on approaches to some of those issues. She was way, she was more always -- not wrongly. There were women's issues. But how you approach it and do you be more balanced. And I guess I had represented a lot of families in all kinds of circumstances so I had a little more maybe broader look at it and she would sort of be, 'No, it's about this.' There are differences in how you approach some of those kinds of issues. But in this context you could have these intelligent legal arguments, basically, with everybody.

I don't remember all the different bills or anything, I just remember those hearings. You had to really be prepared. And Martha would generally know in advance, kind of. She would check around, where are my votes and where is the thing, and she would propose amendments that would get us to the place where you would get the bill out or not get the bill out.

VASSAR: Right.

DUCHENY: She knew what some of us needed. And some of us would say, 'Hey, look. If it's amended this way I'll consider it.' And we would have these great discussions. And having Byron there, serving closely with somebody like Byron Sher. And Byron and I, I don't think we sat on any other

committees together, but we did a lot of -- we did a lot of budget, environmental work together in different ways and I appeared before his committee on a variety of issues. He was environmental, whatever that committee was in the Senate. And Kip Lipper was working for him and so Kip -- ultimately a lot of the budget environmental issues I worked with him and Kip on issues, both when I had been in the Assembly and then later in the Senate.

Natural Communities Conservation Preservation [NCCP] was a big one for me and I did a lot of work on that issue and had to spend a lot of time convincing Byron and Kip that this was a good idea. It was new at the time, I think it was probably when I was in the Assembly, but San Diego was the first one to sort of do this, the multi-species habitat conservation plans and the idea of doing multi-species rather than individual endangered species and how do you make that work for planning purposes and being able to do that. Well, I had gotten sold on the concept but it was partly because the first place that kind of happened was in San Diego and so then I worked on trying to convince Byron and Kip and folks that this was a good idea statewide in different ways and that we ought to have a way for people to do that. And it's become actually very common since then, even on the Colorado River and the Delta and others, we use the NCCP. But it was sort of the first rounds of those were how I got to, I think, know Kip and Byron better.

But it was great to have the experience of somebody like Byron who could talk through some of the issues on taxing and intellectual property in the Silicon Valley kind of issues. Byron was from San Jose. That was a fascinating committee that I never asked but I found fascinating.

And the Dennis story, coming in as a freshman. Dennis was new. I knew of him from local elections.

VASSAR: He represented part of San Diego County?

DUCHENY: We actually were neighbors in the East County. My district in East County kind of comes along, it had a narrow strip along the border to get to Imperial County, and Dennis had everything above me that was East County, sort of. And it was the old -- it had been Kelley's district, in part. I had watched the election and he was seen, down here at least, kind of in the way you sort of see politics as they happen. This was a Republican district and the fight was between himself and Charlene Zettel.

Now I had served in the Assembly with Charlene. Charlene was close to me. Charlene actually picked up my border legislators when I left in 2000 and she was there when they actually got the grant to establish on firmer footing the border legislative conference, which still exists today. That all happened while Charlene was Chair following me during those two years that I was out. But in 2002 she was termed out and she and Dennis ran against each other for this open seat. He was seen as the more conservative. Charlene had been the pro-choice Republican woman kind of person that had survived in the Assembly a lot of attacks and such from

the Republicans. So it was a nasty, Republican primary and then after that it was kind of over, right.

So I didn't know anything about Dennis other than that, you know, kind of coming in. I'd never met him. He actually lived in Temecula. He was representing a large chunk of San Diego County but that district also included a lot of Riverside and he lived in Murrieta or Temecula up there.

But we first met, it turned out not only was he named Vice Chair of the committee I was named Chair of but his office was next door to mine. So on whatever floor we were on, we were next door neighbors, office next door neighbors in the building. Fortunately, he had a staff person, I think his chief of staff was Greg Hurner, who I knew some from the Assembly, who had worked with I don't remember who, but had been involved with water issues. That's how I knew Greg was from that world.

And he was very good friends with who became my first chief of staff in the Senate, Wendy Mitchell, who had worked for me in the Assembly as well. Wendy had been part of my budget staff in the Assembly on environmental and resource and water issues. And she was the one actually who, she and I were the two who said, we learned everything we never wanted to know about energy in 2000 during the energy crisis. Wendy was my staff person who got pushed into that universe with me and she and I had been through that together. I forget what she did in-between. Then when I came back in 2002, initially I don't know that she wanted to do that job and it wasn't something but I called

her and I said, I need somebody just to help me in November. Forget the December, we'll deal with that later, but in November is when they pick Fellows and I need a staff person who can do interviews of Fellows and try to help me get set up so I can get a Fellow, because I knew I was going to have less staff.

But the Senate, one of the other differences in the Senate is you get not sort of this, I don't know. In the Assembly it was kind of these dollar amounts, but in the Senate they had a really orderly - God bless Greg Schmidt. They had a very orderly process that said, this is how many staff you get at these positions and they had pay scales, like civil service, there's a pay scale. If you're a Leg Aide here's the scale, that you can get from this to this and you move up in steps. And so you start at this unless you come in for different reasons in the middle and you get to there. And that's the scale for that position. You get your assigned staff by position, not by some generic number. So you get a chief of staff, you get a district staff, you get district things. The nice thing for me was people with multiple-county districts got extra. If you have multiple counties people understood that you would need extra staff to cover different counties at the district level, right?

VASSAR: Right. So tell me about the importance of Fellows.

DUCHENY: Fellows were the best. And actually I think it was my Fellows who -- one of those budget deals, probably in the Assembly I think, was to increase the Fellows program. I think we did that on my watch and it was my Fellows

who pushed it. Fellows that worked for the Budget Committee, they knew where to pull the triggers, right? And it was true.

I had Fellows I think just about every year. I think there might have been one or two years when I didn't have Fellows in both houses, between the two houses. It might have been the minority year in the Assembly, possibly, I don't remember which years, but I remember there were one or two years where I didn't have Fellows. But almost every year I had a Fellow.

They were the great boon to society because they are free labor to do -- they were Leg Aides that you didn't have to take out of your budget. And I knew coming into the Senate I was going to have this base budget and I knew I had to -- but I needed a staff person who could go work those things out with resources and trying to start to think about who do you want to hire and people were going to send you résumés and people were moving around.

VASSAR: Right.

DUCHENY: Staff would be moving around from members who were termed out and all those. And you had to work with Human Resources, with Dina²⁹ and [Greg] Schmidt, and you had to work with the Rules Committee.

The Assembly was very much this sort of Speaker thing. There was a Rules Committee but the truth was the Speaker just made decisions about

²⁹ Dina Hidalgo, Human Services Officer for the Senate Rules Committee (Source: California Legislature Handbook, 2011-12).

things like that and you often went and just begged for an extra staff person and an extra position or different things for different reasons.

In the Senate I found -- it was great, it was much more orderly, but that meant you had to interact in a different way. And I needed a staff person who could understand those things, who could work with that, who could figure out that system a little bit.

And Wendy [Mitchell] came in, and of course you don't have any staff when you're in the month you're not really a member after the election, but I knew the Fellows interviews were coming up. And I said, 'Figure out the Fellows interviews. If you can just come and donate one month for me to get set up and start to pick the people that can be the core staff. I knew the district staff I could figure out, in different ways I did some different things. I kept some of Steve's staff. But I had to hire people in Imperial County and Coachella and figure all that out. And find offices and get somebody to pay for the offices in all these places. I had a lot of different things to do to set up. But my core in Sacramento was, 'Help me with the Fellows and figuring out some of these key staff positions and then see where we go.' And Wendy offered to do that and helped out there and then as it evolved she came around to figuring out that she'd be willing to come back. I've forgotten where she had gone to during those two years. But she did eventually come in as my Chief of Staff.

And that was the greatest find ever was Phyllis Chow. She had come from Jimmy Costa. She was one of those where the Senate Rules, working

with Senate Rules you find out who are the available personnel that are kind of being displaced because members have left and Phyllis was the greatest find ever. She stayed with me the whole eight years that I was in the Senate as a scheduler and basically run-the-office person because that's what you needed. Somebody with her experience who knew -- all the lobbyists knew her, she knew how to manage an office, she knew systems, she knew how to manage young, new staffers who came in who didn't know how to find things, she knew how to get things done through Rules. She was just a treasure.

VASSAR: And she would adopt Fellows from other offices.

DUCHENY: Did she?

VASSAR: Yes, I remember that was definitely -- your office was a --

DUCHENY: A haven.

VASSAR: A haven, a safe place for Fellows because you had Phyllis.

DUCHENY: Well, and because our office always was that way, even in the Assembly. Fellows were important to me. And I had had some great Fellows. I had some great Fellows in the Assembly and in the Senate. They were also people that were active in the Fellows program and in recruiting Fellows and helping me get Fellows in the future. Some of my staff became the people that recruited or sat on the committees with the Fellows to pick them later and stuff like that.

And I had had -- and it was during that period. I think it was when I was in the Assembly and we had that opportunity again with kind of the

additional resources; I think we expanded the Fellows program while I was Chair of the Budget Committee and made more slots available to all three, to the Assembly, the Senate and the Executive. But we grew the program some and it was at the urging of some of my Fellows.

Yes. So Wendy came in and so Wendy became my Chief of Staff up there for a couple of years until she found another gig.

VASSAR: So one other thing. What returning to the Senate allowed you to do was get back involved in California-Mexico issues. You were on Gil Cedillo's select committee on immigration and the economy.

DUCHENY: Yes.

VASSAR: But you also had your own committee, you had a select committee on California-Mexico cooperation. As a new Senator coming in, I was interested in the thought process of you picked -- for a select committee it's really up to you to select members. And so the members that you picked, you had Ashburn, Cedillo, Denham, Escutia, Torlakson and Soto. How did you pick those members? That seems like a good group.

DUCHENY: I don't know. Yes, it was a good group. And I think it was basically who was interested, was more than anything, people who actually were interested. And in particular, I think as I mentioned yesterday a little bit, my focus by the time I got to the Senate was more on the question of the relationship with Baja California and Baja Sur than it was with Mexico City.

Like I said, Gray had become Governor, Mexico City was done. 2000 was the election of Vicente Fox. Fox had come here to campaign. Gray Davis was active in Border Governors, had his own business going on with the Border Governors and with Mexico City and Fox eventually came. I remember going to one event when Fox came and Gray hosted an event for him in Los Angeles. That relationship was sort of taken care of in different ways, even with the transition from Zedillo.

I had been closer to the Zedillo administration, I didn't really know the Fox folks that much. My one friend who went to work in the Fox administration was somebody I had worked with at the Natural History Museum. Our chief biologist, a sort of researcher from the museum, became the Director of Ecology for the National Institute of Ecology under Fox.

And I had been at the museum and we had to struggle about whether -- because I held those positions right until I got elected. Basically I resigned from both the Natural History Museum Board and the Anza Borrego Foundation Board when I became a Senator. The Anza Borrego people were 'Oh.' I said, 'No, you really don't want me to be on your board when I am now going to be here, because I can do more for you there than I can do for you here.' And Anza Borrego substituted Al, Al became a member of the Anza Borrego Foundation Board. The museums and those, they were nonprofits who -- where the park was eligible for funding

and all those kinds of things and to me that would have been like a conflict of interest in some ways. I couldn't do it and I didn't have time either.

But Exequiel Ezcurra, who now is at UCR running the UC MEXUS program, had been at the museum and he got the call from Fox, will you come and work for me, basically. And I had watched him struggle with that because he didn't really want to go to Mexico but then you were offered that. It's sort of like I said when Gray Davis's office called and said, 'Would you like to sit on the REGC commission?' It's not like you can say, no. The Governor calls and says, 'Will you do this for me?' You say, 'Okay.' And that was kind of what happened to Exequiel with the President. It actually took like two calls but the president convinced him to go.

I did know a little bit but I didn't know Fox. I hadn't known Fox before, I didn't know people around him as much. And Mexico City, like I say, now was no longer, it was not contentious. We had solved a lot of the 187 problems, we'd gotten through that. And I was interested in building this local relationship, the regional relationship, and that had been reinforced through my work on the master plan at the museum and some of the other things that I was doing.

And now I represented the entire border, including the Imperial Valley and Mexicali and those areas and so that became important. And I have always had a soft spot. Al and I for many, many years starting in like when we first got married in 1980, had traveled to Baja in different ways. We

used to go camping down there. We'd go to San Felipe and San Quintín and we'd driven all the way down the peninsula more than once. We used to go to Loreto and Mulegé. If we got vacations that's where we would go. We'd take four or five days or a week or two at Christmas or at different times. And we had been to Cabo and we had done all those things. So we knew people.

And we always felt a strong affinity for Baja Sur. Baja Sur is different because it is sort of disconnected from the border but it still has border issues in its own odd way. So when you do border legislators, Baja Sur never gets included because they don't have a contiguous --

VASSAR: It doesn't touch, right.

DUCHENY: It doesn't touch. But it's a peninsula and so they don't touch the mainland either. They're not part of mainland Mexico in the same way that the more southern states of Mexico are.

VASSAR: Right.

DUCHENY: The Sonora or even Sinaloa or Guadalajara or Jalisco. Baja Sur is just there and its whole life is tied, really, to Baja California and really to California. And so many of the folks as Cabo has developed. I first went to Cabo in 1973, '74 when they had just put the road through. Those areas, there was nothing there then. People now, when you look at Cabo, it's a huge tourist -- it's lots of hotels and restaurants and all of that going on. But we had started going there when it was -- well, I had started going there when it was nothing. And Al and I had been there in the early '80s

when it was still pretty small and they were just starting to develop it. But to me, the nature down there, some of the beautiful stuff.

The movie that we did, that Exequiel did with us at the museum called Ocean Oasis was a movie about the Gulf of California. And when he became Director of Ecology, and even before that I think when we previewed that movie - when I was still on the board of the museum we previewed that movie in Washington and in Mexico City and it led to the preservation of islands and preservation of areas in the sea and the gulf and stuff. So we had had that affinity for a long time.

And it sort of upped the ante when I saw that Gray Davis and the Governors weren't really meeting, how we might build that relationship from the legislature. Kind of the same thing I had done before. And the thought occurred to me that the state congresses, our equivalents, we should meet. And I found a fellow, a supporter of that notion from Baja California at the first border legislative conference meeting I attended after I got into the Senate. One of the legislators from Baja California was there who I shared this vision with and who agreed with it. Which isn't that common. Baja California doesn't always see Baja Sur that way, but this particular legislator understood that vision and appreciated it and so he and I together started the process of doing the invitation to get Baja Sur to come and our legislatures to start to meet in some fashion.

The first meeting, I remember it because it was an odd weekend. It was my birthday weekend so it was March of 2003. And we had the meeting in

Ensenada, so that was kind of part way so Baja Sur could come. But it was the weekend that Bush invaded Iraq, which created -- some members of ours that were planning to come suddenly at the last minute didn't come because there was sort of a sense --

VASSAR: Right.

DUCHENY: It was one of those, not quite 2001 moments but it was security concerns and people who were planning to attend didn't at the last minute from California. But that committee would have come out of sort of interest in those issues. I probably sent out a note to people and said, 'Who is interested?' And that's who came back, kind of thing. And probably Gil and Martha I just did so I'd have somebody I knew. But some of the others. Ashburn had been with us in the Assembly. Denham was new but he was representing that Salinas area district and his wife is Mexican.

VASSAR: Right.

DUCHENY: For some reason they were interested. And later I remember him going with us and Ashburn. Ashburn stuck with me throughout on some of these issues. Denham went to one or two of those. I think when we had it down in Baja Sur Denham and his wife came to one.

And the other one who later was interested in these issues was Aanestad, Sam Aanestad. Sam as a dentist had been a member of those doctors without borders-kind of folks. There's a group that does a lot of work in Mexico that dentists go down and they do the facial reconstruction for the Rotary Club or whatever those kinds of things and he was one of

those. So he had been doing that for years. It turned out I didn't find that out until way later in the Senate. But he had been doing that and he had -- he actually owned a condo in Cabo. You find out different things about members in different ways that people don't expect.

And Roy was always very interested in the Mexico relationship, so a lot of it was based on that.

The other one who went with us, I remember special, to the first one we held in Baja Sur of those meetings, was Nellie Soto. Nell Soto from Pomona. You always remember the picture of Nell dancing and she was 75 if she was a day.

Just being down there and meeting the members and really enjoying it and building that relationship that we built with these members from the different states. That committee was focused a lot in that direction and it was sort of who was interested in participating in those kinds of things. They didn't all participate, they didn't all ever go to everything. The committees were more for, it allowed me a little staff room. It allowed me a staff person, basically, who I assigned in my -- it was actually the person, I think, who was the on California-Mexico budget was actually somebody I used in my Coachella district office. But she is a Mexican from Mexicali and she was able to do a lot. She helped me throughout doing a lot of work on those issues. And Al on the side, he and his secretary on The Southern Group also, did a lot of the advance work. Because all these things I had to kind of do off-budget. Trying to get these things organized and build these

relationships, you have to have time to do that and I didn't always have time to go down there. So my staff or AI or both -- so I had one staff person I could sort of dedicate to some of this. So a lot of the select committee had to do with that.

I think I also had an energy, I probably did the Los Alamos thing again or a while in the Senate.

And I had a third select committee. At one point I had a third select committee on Colorado River issues. I had three, I think.

But it was basically because you have an issue that you care about. You talk to the leadership and some of them you maybe get a staff or not get a staff. And the Mexico, it helped me get an extra staff person too.

And people knew you needed to keep that up. It had kind of died. At one point earlier I think the Senate had had something like that. I think Senator Kelly at one point had some kind of Mexico thing, but there hadn't been consistency to that.

I had started that committee in the Assembly. When I came to the Senate I wanted to keep doing that work and make it clear that I had that Chair, because it allowed me sort of a portfolio for the discussions with Mexico, gave me a basis to go have these conversations and talk to people and to be a member of the Border Legislators and some of those things. So having that Chair kind of created that table. You don't just say, 'I'm Chair of Housing and I want to come talk to Mexico.' It was helpful to be able to say.

VASSAR: Right.

DUCHENY: And to me it was a sign that the Legislature, it was important too for the Legislature to say, the Mexico relationship is such that it is important to us to have a committee that pays attention to the relationship with Mexico at whatever level. I thought it was important for the Senate and they did too by then.

VASSAR: In your second session of the first term you were still on Budget, Budget Sub-3.

DUCHENY: No, that was second term. That was after Perata that I got stuck on 3.

VASSAR: Stuck on 3?

DUCHENY: That's a whole story of its own. I think I stayed on 4 through the first term, the full term, I thought, but maybe not.

VASSAR: You became Vice Chair of Senate Ag.

DUCHENY: That was when they split Ag and Water. The problem with that was that they split Ag and Water. And when they split Ag and Water -- I had been on Ag and Water, which I liked and I actually liked them together. When they split them it was because they were taking a much more environmental bent around water than an agricultural bent around water and they split ag and water. And Maldonado, it partly allowed Maldonado to have a Chair but they needed somebody to be Vice Chair for Maldonado. I think I had the majority of the Committee. I think he was the Chair but I had the majority of the votes. I think we had a Democratic majority on that committee but Maldonado was the Chair. So it was sort

of, I was like the lead on the Ag Committee in some ways. I think that's how that -- I don't think we had a Republican majority, we did allow Republican Chairs, that's different.

VASSAR: Yes.

DUCHENY: There were always a couple of Republican -- and the Senate had a stronger tradition on that too. I think Morrow was Chair of the Veterans.

VASSAR: Veterans Affairs, which you were on.

DUCHENY: Yes. That was not uncommon in the Senate in those days, I don't know if they still do that, but there were Republican Chairs often in the Senate, that was often the case. But if you were a Democratic majority in the house, you generally had a Democratic majority on the committee too. So if you were -- the ag thing was sort of like that. But I think the reason I ended up on ag was the split of ag and water, was when ag and water were split up.

VASSAR: One of the things that was notable about --

DUCHENY: And I had the ag district. By then I actually had an ag district.

VASSAR: Right, you did.

DUCHENY: Unlike when Cruz put me on there and I was just an urban person. Now I really represented desert ag.

VASSAR: So one thing that was notable about you was your relationship with Republican lawmakers. That was the thing as I was preparing for this and I spoke to former staffers and other members who had served with you, that was one thing that came through was cigars with Republican legislators. That you would spend time with them, which I think may have been a

reflection of your time with the pre-term limits crowd. Can you talk about it? And looking at the members that you served with in your first term.

You had the wide range from --

DUCHENY: McClintock.

VASSAR: Rico Oller and Tom McClintock to Bruce McPherson and Aanestad and Ashburn and Poochigian. That was a pretty wide range. So who were the Republicans you were closest with when you first got to the Senate and how did those relationships develop?

DUCHENY: There was a mix. There were the ones that I knew from the Assembly, so people like Ashburn came over pretty much together with us and we had our common things around like these Mexico issues. Well Ashburn we had worked closely with because of the CalWORKs. Ashburn, he had done the human resources for the Republicans during -- human services for the Republicans during the whole CalWORKs debate. So Ashburn we knew pretty well from those kinds of issues.

And Ashburn and I share a birthday so that's sort of one of those other side little deals. We share a date; not the year but a date. When we got to the Senate I think he was right down the hall from us in the same hall, so I was next door to Hollingsworth and I think Ashburn was down the hall. And Phyllis and somehow his staff, they figured out how to have a joint birthday parties. Once we got to the Senate it became the joint birthday party thing. Every year there would be this joint office party for our birthdays.

So I started to tell you about Dennis [Hollingsworth] before because Dennis, I had this sort of image of him as this ultra-conservative, but I had also worked with the ultra-conservative Bruce Thompson in my Assembly time who was from a lot of the same district that Dennis came from, who represented a lot of the same north county kind of area.

VASSAR: Right.

DUCHENY: It didn't take long. Partly the relationship between Greg Hurner and Wendy Mitchell was part of it, part of it was just the timing of issues that came up and part of it was him being assigned as my Vice Chair for reasons that will always remain a mystery to me on whatever issue in the housing. He and I ended up serving on these committees together, kind of was one piece.

VASSAR: Sure.

DUCHENY: But the big one where we found common ground was on Ag and Water. I looked to Dennis in part on the ag issues because Dennis was somebody who actually had worked a farm. Dennis knew dairy and he knew, in other words, he was an ag guy. His degree from San Luis Obispo was in ag, he had a farm, his family had farmed. So on ag issues it wasn't something I knew innately. I learned my district and I certainly worked with my growers and I had worked with growers in the previous, in the Assembly too to some degree. But now I actually represented all these growers in the Imperial Valley and Coachella Valley and I got to know a lot of them. But when certain policy issues would come up on ag I would use Dennis in part

as a touchstone; explain this issue to me. Why does somebody care about this or why is this a problem or not a problem. Explain to me why I should like this or not like this. Help me understand it. So on those kinds of issues, if I ran into something that I wasn't sure about or I wanted to kind of check the facts, how does this work in the real world so I can understand how this policy will impact the real world. Tell me how this works. Dennis was somebody I would go to on things like that.

And water was where we -- because when I came back in 2002, so that session starts in 2003, right?

VASSAR: Mm-hmm.

DUCHENY: That was the culmination of the big Quantification Settlement Agreement discussions that had started when I was in the Assembly and were part of even some of those discussions with Machado and Costa that Steve and all of us had worked on. There was an earlier version, basically, of an agreement. Again, another one of these big, all night for weeks on end set of sessions in the Assembly had been around trying to get agreement between Metropolitan Water District and San Diego District and those around Colorado River issues, even during the Assembly. So the first round of that had kind of happened when I was in the Assembly. And I had been part of it because I represented San Diego and a lot of the issues were between Metropolitan Water District and San Diego, even though San Diego was a member of the Metropolitan Water District. We had all kind of worked on these Colorado River issues.

Well now I represented, as I used to say, in 2003 I was there representing all of the warring agencies on the Colorado River. I had the Palo Verde District, the Imperial Irrigation District, the Coachella District, the San Diego District and the Metropolitan Water District were all in my district. So Metropolitan because San Diego is a member of Metropolitan so you get the kind of two for one.

VASSAR: Right.

DUCHENY: But they were at war most of the time, always have been. And there was this issue that had started in the '90s and we knew about it and it had kind of worked its way through and there had been -- there's all kinds of issues related to this. But Kelly and I had worked on it, we had all worked on some of this in the '90s.

And we had gotten to a certain place and there was sign of a truce but in '03 we were pushed by the federal government; we were forced -- California needed to make what we eventually called the Quantification Settlement Agreement, the QSA it's known as. And it was because we needed to have California meet its true obligation on the Colorado River. For many, many, many years California had taken more water from the Colorado River than we were technically entitled to.

VASSAR: And we bought that from Arizona?

DUCHENY: No, we just --

VASSAR: We just took it?

DUCHENY: We just got it because they didn't use it. The deal on the Colorado was always, and it starts up in the north. You sort of have the north basin and the south basin and the south basin is Arizona, Nevada and California. But basically the law of the river was that if somebody doesn't use it on the way down you can use it. So both California and Mexico, because Baja California is also part of the Colorado River allocations through a treaty that was signed in 1944 that exchanged Rio Grande water in Texas for Colorado River water for Baja California; it's a 1944 treaty and that's the deal. But unfortunately for Baja California, at that time there weren't that many people there and the allocation that was given to Mexico was what it was but it's a firm amount, it's 1.5 million acre/feet, period. So it's an amount that was assigned to them. And when those agreements were made assigning, okay, Colorado is entitled to this much, California is entitled to this much.

VASSAR: Were these percentages or was it – [no correction]

DUCHENY: No, they were acre/feet. They were assigned and that's the problem.

VASSAR: They were hard numbers rather than a percentage of the --

DUCHENY: They were hard numbers, exactly. And they were done in a year of the high water mark. And so ever since then the river has never met. People used numbers that we now know were higher than what the river really produced, basically.

VASSAR: Got it.

DUCHENY: So they basically over-allocated the river on the first round. But for many, many, many years not everybody used their full allocation.

VASSAR: Sure.

DUCHENY: Colorado didn't have that many people, Wyoming doesn't have that many people, it was a long time before Vegas had enough people to use their full allocation, Arizona for many years didn't use their full allocation. But by 2002, in the late '90s when everything was growing everywhere, Phoenix was growing and Vegas was growing, all of a sudden everybody wanted their full share, right? And California, basically Metropolitan Water District, had been kind of a hog here and Mexico had actually benefited too, Mexico had gotten a little extra water too than what it was entitled to over the years. But it's because we were at the end of the line.

VASSAR: Right.

DUCHENY: If the water is still in the river, okay. So we had to figure out, basically in behest of the -- and as the droughts and there were a whole lot of issues. California and Arizona litigated the Colorado River issues for 30 years. I think they had settled in the '60s over a lawsuit that started in the '20s. There were a lot of issues around this.

But in 2003 it sort of came to a head. California had to agree with Arizona and Nevada that we were going to live within the 4.4 million acre/feet that California was entitled to. And if we were going to do that, because at the time we were probably taking closer to 5 million acre/feet, generally, I've forgotten what the actual number was but it was more than

4.4 generally we had been taking over these years, probably 5.2, something like that. And we had to figure out and convince Nevada and Arizona that it was true and that we were really going to do what we said we were going to do; we were going to conserve water and we were going to do things that hadn't been done in order to convince people that we would live within our 4.4 million acre/feet of water that we were technically entitled to.

And the federal government was engaged and involved because the federal government is the master of the river.

VASSAR: Right.

DUCHENY: So there was a lot that had to be worked out at that level. And so that meant internally we had to figure out who gets how much between Palo Verde, the Indian tribes, Imperial County and Metropolitan. And meanwhile you had San Diego alone trying to figure out how to get water from the Colorado River directly to San Diego through conservation in Imperial outside of the Met because of issues between the Metropolitan and San Diego in general and how much Metropolitan would charge.

And this goes back to the early '90s again, before I was there. But in the early '90s when there was a big drought, through the late '80s, early '90s there was a big drought, very similar to the one we've had recently these last few years. Statewide. In that period of drought we got to a place where Metropolitan actually threatened to cut off pretty much half of San Diego's water. It had to do with how the priorities within Met and how the priorities worked. But basically San Diego was in great danger of a very

serious water cutback and it sort of alerted, everybody in San Diego became very conscious of, we're over-dependent on Metropolitan and the Sacramento River water that comes into Metropolitan and how are we going to become more self-reliant? Basically San Diego, starting in the early '90s, made a focus on, how do we become a little more self-reliant?

That led to things like the Diamond Valley Reservoir so that we had southern reservoirs that were south of the Delta. So that if there were issues and when there were years of good water we could store water and then we could take it in years that were less. We didn't have a lot. Prior to the Diamond Valley we didn't have a lot of southern, south of the Tehachapis storage, right?

VASSAR: Right.

DUCHENY: It's mostly up north coming out of the Delta. And so those kinds of things had come up during the '90s. And San Diego in particular launched this kind of, how do we have a more diverse water supply? How do we make sure that we have some more security and that we are not totally dependent on the Met? So part of that answer was, oh, Imperial County, if we could conserve agricultural water they could sell it to -- water markets became an issue during the late '90s. All of those things started to kind of become current in water world.

So by 2003 this was kind of back to a head and we really had to figure out this Quantification Settlement Agreement. Arizona and Nevada

were hysterical because California was just, nobody believed us and we were just jerks and thirsty with big straws.

And within California, Imperial Irrigation District has the claim on the most water of any Colorado River district. Palo Verde has first call but Imperial Valley has a much bigger call. And it has to do with very old water rights laws. We used to call them Pre-'14 Water Rights. But it has to do with who took and who used and usage and such.

A lot of these issues are urban and ag and they're desert and all of the above.

And then there had been the issue of lining the All American Canal. Lining the canal was a water-saving measure for California to conserve water in Imperial that could then be sent to San Diego or Metropolitan; however, that impacted Mexicali's groundwater basin.

So all of these were border issues for me, they were all issues that we all had to deal with in different ways. Like I said, I represented, I was in this interesting position of representing all of the warring water agencies. Everybody. And they were all my constituents, right?

VASSAR: Right.

DUCHENY: So it was unique but it was a benefit and a minus in multiple ways. How do you balance all that? So Dennis became somebody that I had to work closely with on this. And Dennis understood these issues. He knew Imperial Valley; his father had worked out there. He knew Riverside. He understood water and ag issues in ways that were very -- and he was a

Republican and had good ties to the then-Secretary of Interior for Bush. It was the Bush administration in Washington and we had to do a lot of this work with the feds. So Dennis was somebody who had good ties with those folks too. And partly because Hurner and Wendy, again, knew about these issues and knew those two and we got involved with working on all this stuff. And it was my issues and my district. And Machado was Chair of Water, I believe, probably. So working with, again, Mike and people that you knew.

VASSAR: Right.

DUCHENY: But Dennis was the new kid on the block. And Dennis and I, I remember we had this sort of neighbors, I didn't really know him. And I remember the one night we went together and it turned out there were two different - it must have been County Day in the Legislature, you know how there are always different days when all the folks came up - and both Dennis and I had to both go to the Riverside County and the San Diego dinners or receptions or whatever they were having. So we kind of met up at those. And it was like, 'Oh, okay.' We sort of didn't really know each other but I remember meeting him at one of those and it was like, 'Okay, I'll take you to San Diego if you'll take me to Riverside.' Because I didn't know anybody in Riverside, he didn't know anybody in San Diego. It was one of those kinds of deals. It was like, 'Okay, I'm here with you on this one and I can introduce you to all these folks and tell you who they are, and you

take me to the other one and tell me who all those guys are.’ So the neighbor districts thing had its role in this discussion as well.

Just because we all had to work on this water issue and it was something that very interested in. He wasn’t necessarily on the committees or it wasn’t his district so much, he was western water, but he was San Diego too.

VASSAR: Right.

DUCHENY: And we had a San Diego delegation in those days. A lot of times both in the Assembly and Senate I -- and by then I guess I was almost sort of the -- I think Dede was still there so Dede would have been the dean of our, but we used to have San Diego delegation meetings. We would try to meet around issues that we could all get together on that helped the region.

VASSAR: Right.

DUCHENY: And so that’s how Bruce and I had become friends and Morrow and I were friends and all of us. Because a lot of times we would work on the transportation issues or water issues or things that were important to use that maybe our regional perspective on would be different. And the only way San Diego ever gets anything if LA or San Francisco have different views is if we are all together.

VASSAR: Right.

DUCHENY: And one of our great advantages was always that we were a bipartisan delegation. So we could get things done sometimes. If we had agreement on broad parameters of what we wanted out of certain bonds or certain

deals or certain policies, if we had agreement within the San Diego delegation and SANDAG and the County and folks worked very hard to make some of this happen, then we were in a unique position because we could work both caucuses.

VASSAR: Right.

DUCHENY: The LA delegation had maybe one or two Republicans and the Bay Area delegation had none and the poor Central Valley people had no Democrats, at least until later with more Latinos getting elected. But San Diego had a kind of an interesting little, it was a relatively small delegation but it could exert influence.

VASSAR: Right.

DUCHENY: And especially during the years that Steve Peace and I were Budget Chairs and Dede Alpert was Appropriations Chair; so we had some pressure points as well. So a lot of us all worked together because that's what we did locally.

In addition to I guess my thing with the Republicans probably comes a lot from both the experience of the one year when they were in the majority, but also because I always had to figure out the two-thirds vote deal. My job as Budget Chair was always to figure out where the two-thirds votes were going to come from. So I had to spend a lot of time with Republicans. I spent a lot of that social time with Republicans partly to understand what their issues were, what their districts were like, so I could find places where they could be -- what would be something that would be

of interest to them or that they would care about or that they could work on with me so that they would feel more comfortable that this budget document was something that they could vote for.

VASSAR: But I think there was more to it than that because there was at least one issue, motorcycle helmets.

DUCHENY: I was always with the Republicans.

VASSAR: You were on an issue that Democrats didn't really go with and the Republicans did. A Republican was never going to be able to get that bill through.

DUCHENY: That's true.

VASSAR: And maybe a Democrat could never get it through, but you pushed that.

DUCHENY: A couple of times. I had to carry it once or twice.

VASSAR: So what was it? Did you ride a motorcycle?

DUCHENY: I did after that. It was a district issue. It was people in my district convinced me. And it comes, it goes back to this sort of basic libertarian question of people telling people what to do and not thinking that was necessary. I had bikers in my district who brought the issue. I didn't know about it before I ran for Assembly; but during the time that I was running for Assembly in '94 I met some -- they were business owners. The people who brought the issue to me were business owners in my district who were motorcycle riders and they were fervent about this. They convinced me that their safety was something that they should be concerned about. You

could encourage things, you could do education, you could do a lot of things, but why would we mandate something.

It had already passed, Dick Floyd, it was his signature issue, so it was something Dick Floyd and I used to kid around. Actually we were better friends than most folks thought but Dick and I, that was the one. Because when Dick came back then I knew I was in big trouble. When Dick came back to the Assembly and I had carried the bill -- I only carried it once or twice. Morrow carried it most of the time, he was a big biker.

VASSAR: Right.

DUCHENY: I tried not to carry it most of the time. I think I carried it once in the Assembly and then once in the Senate. But I was always with them. And we had gotten to know those guys. And the bikers actually, once I got committed to their notion that we would try to repeal the helmet law they were very good on the campaigns and stuff for me.

VASSAR: Was that ABATE³⁰?

DUCHENY: ABATE, yes. They were great. They were phoners and they were walkers and they were yard sign putter-uppers and they were good campaigners. Juanita McDonald had been the other Democrat who had been on this one in the past. There had been other Democrats. It wasn't a lot but there were Democrats. And again, it's this kind of Libertarian thing and also if you had a lot of bikers in your district. Certainly with the East County district and those folks I had a lot. I already had a bunch in the South Bay but I

³⁰ American Bikers Against Totalitarian Enactments, a group composed of motorcycle riders.

had more once I got to Imperial and out in East County. So it was just something. Actually Al did buy a bike in '94, around the time I got elected, and broke his ankle riding up to the Capitol with Morrow and a whole bunch of the ABATE guys. Every year they would ride up to the Capitol in January to kind of have their rally. One of those early years, probably '95 or '96, somewhere in there, Al rode up with them. But then he fell and broke his ankle and they had to bring him up and it became this whole thing.

VASSAR: He sold the bike after that?

DUCHENY: No, we didn't get rid of it until just this last year. No, we rode it. We used to ride it occasionally. They'd have the charity events. We did a charity event for the children's hospital in Tijuana. Every year they used to have the bikers do something there. And there were Christmas rides and there was always kind of an ABATE rally ride where some of them would get arrested for not wearing a helmet. But mostly, if I was on it, we used it a couple of times in parades; we used the bike. I would ride on the back. I never did learn how to actually drive a motorcycle but Al did.

VASSAR: And you always wore a helmet?

DUCHENY: No.

VASSAR: No.

DUCHENY: Well, if you were here and you were legal. But we went to Ensenada and Baja, we didn't. It wasn't required in Mexico.

VASSAR: Did you have a different experience riding without a helmet?

DUCHENY: Yes, it's nice. I don't know, I forget. We had helmets. I think a question in a lot of ways was, there are places and places. So if you're on a freeway and then there's the quiet little street or the little road. And a lot of these guys were experienced riders. I'm sort of the view of the camel's nose under the tent. And Steve Peace pointed this out one time and it's true. Once you do that then they want helmets for skiers and they want helmets for skateboarders and they want helmets for bicycle riders. It's just sort of, I don't know, it's government mandating behavior rather than the other.

And where I got to with the bikers actually by me carrying it, in the Assembly one time when I got it out of the Assembly, it died in the Senate, I got it off the Assembly floor once, and it was because I talked the bikers into taking an insurance amendment. Because the issue that they kept coming back to was the health insurance and Medi-Cal and it costs money and --

VASSAR: The taxpayers are going to be --

DUCHENY: Taxpayers are going to be on the hook. Fine. And it took a lot but I got the bikers to accept the notion of an insurance rider, basically, to say, you have to have health insurance if you're going to ride without a helmet.

VASSAR: And it still didn't?

DUCHENY: It got it off the Assembly floor but not out of the Senate. I ran into Diane Watson and Tom Hayden and that wasn't going anywhere.

VASSAR: A different issue comes up.

DUCHENY: Yes.

VASSAR: Ferret legalization.

DUCHENY: Yes, the ferrets too, the same thing, the same kind of thing.

VASSAR: What is it that keeps that issue alive? Is it that many people?

DUCHENY: There's a lot of people. And what it is it's people coming from other places. Like here, I would run into ferrets when I was walking precincts, which is how I became aware of the issue. I'd run into people in trailer parks in Chula Vista with ferrets. A lot of it here is because of military families. So they're coming from a million other places and every other state it's legal except here and Hawaii. So they're like, 'Why are you taking away my pet?' And these older people, there's a lot of evidence it works for AIDS patients and people having a little pet that's a little furry pet that you can -- and the issue is an agricultural issue. And the issue with ferrets is they are non-native and what havoc can they wreak on the environment because they're not from here. And it's a big issue in Hawaii too. In Hawaii it's probably a bigger issue because the island, it becomes a more complex question.

VASSAR: Right.

DUCHENY: But in California, I don't know. The folks who are opposed to it tended to be, it was like fish and wildlife issues. And it was if they get loose and they become wild and they're in places where ducks and birds and geese. There were some issues around those kinds of things that were the issue. So the obstruction to it was always Fish & Game. We got that bill -- there were a lot of Democrats on that one because it's a lot of people in your

districts who had pets and wanted pets and they here, whether you liked them or not. They used to have a group, I think it was called Ferrets Anonymous because it was like illegal so you couldn't have one but everybody had them and everybody knew where to buy the food and everything.

Some of these issues you just learn from literally walking precincts and somebody letting you know, 'Hey, I've got a ferret.' It's like, 'Oh, okay.' That's interesting to know and it helped me understand it. And if they were tame and in-home and spayed. The bills always had things like spayed and this and that to kind of cover some of the issues that people were concerned about. And it got through a lot of times but they would never regulate it. It was more like a resolution a lot of times, I think is how that worked. But that was a pretty bipartisan issue for most folks. I think it had a lot of people on both sides in both directions. It was what it was. I don't know. Those kinds of issues to me were mostly a distraction. I tried not to get involved with carrying them. I had opinions on them but that was it, they weren't my issue. They weren't my issue that I would go out and spend a lot of time and energy on.

VASSAR: So one thing that happened during your first term in the Senate was it was time to elect a new Pro Tem in 2004. And you had a very good friend and you had somebody else.

DUCHENY: More than one actually, there were about three or four of them for a while.

VASSAR: How did that go with Martha and Darrell [Steinberg] and maintaining the Budget Chair?

DUCHENY: Well, I wasn't the Budget Chair, I was a sub.

VASSAR: Not the Chair.

DUCHENY: It was a mix. Let me finish the water thing because in 2003 was when we worked out the Quantification Settlement Agreement and so that was where I spent a lot of time with Dennis and Machado and folks and we ended up with like four bills. Mike had one and Sheila had one and I had one and somebody else had one. And my part of it was the Salton Sea. Mine was partly the commitment that is still in litigation in different ways but the commitment of the State to the Salton Sea was something we worked out.

And Richard Katz, who we had worked with in the Assembly, was now a Special Advisor to the Governor helping us work that deal out. So there was a very complex negotiation in my very first year in the Senate. I was thrown into the -- again, you are not carrying your individual bills. These bigger issues tend to be solved by lots of members working together and staff and all sorts of folks. So it was the Governor's folks, because the Governor had to get involved, there were the federal people involved.

And water is often more of a regional issue than a partisan issue. It's much more regional and you'll see that in later things that happened more recently. But the Quantification Settlement Agreement discussions that led

to bills that I think we all passed in '03, give or take - '03 or '04 - I think '03 we passed them, that first year.

VASSAR: The first year.

DUCHENY: Because that had come to a head. It was coming to a head while I was out. The two years that I was out this issue starting coming to a head. I remember even when I was still out of office going to talk to Mary Nichols because she was the Secretary of Resources about those issues. And I had told her some stuff and she hadn't -- it was really funny because one time I had met with her in LA and I had said, 'Here is where this is going and this is what's happening' because I was on the ground talking to people in Imperial Valley. Again, I was running so I was in Imperial Valley, I was in Coachella Valley, I was hearing all of this, I understood kind of. I was starting to learn the dynamics of this issue from their perspective and from some of those issues. And I told Mary some things. And I don't think they quite understood what was going on in Imperial and something happened and one day she called me and she said, 'Okay, I get it now.' And I got her to come out, I think when I was still running I got her to come out to Imperial Valley and have a meeting with folks out there.

I remember one, I don't think it was a fundraiser, but part of my campaigning I got Machado and Costa to come to Imperial Valley one day and do an ag and water tour with guys in the desert. I said, 'The Valley ag and desert ag are different animals. They're used to the Sacramento issues, not the Colorado issues.' And of course it helped boost me as, if I am

going to be your Senator you have access to some of these discussions and these people. And Costa and Machado both supported me and understanding that had its own value in Imperial County.

VASSAR: Yes.

DUCHENY: So I was involved with it. So when I got there in '03 we were ready to move on that. And I knew it was going to be a big issue and we all had to be engaged at some level.

And that led to working very closely in many ways with Dennis. And then we also had the housing where we figured out some issues together. Redevelopment, I think, we worked on and low-income housing and some of the issues like that that Dennis and I worked on in Housing. Other people's bills but it was committee work.

We got to the end of the '02 to '04 cycle.

VASSAR: Yes.

DUCHENY: So then you have new members again, right?

VASSAR: Yes.

DUCHENY: Included in the group that were termed out in '04 was Senator Alpert, I think Alpert was termed out then too. So Senator Alpert was terming out, Senator Burton was terming out. Some of the really, the ones who to me were those folks who were there when I came into the Assembly.

VASSAR: Byron [Sher]?

DUCHENY: Byron.

VASSAR: Vasco?

DUCHENY: Gosh yes, all of those folks. Folks that had been that sort of core of people I learned from that first term in the Assembly had gone to the Senate while I was still in the Assembly, right? And now they were terming out of the Senate. Now that I had just gotten to the Senate they were terming out of the Senate on almost the same cycle. I got to serve with them for maybe a year or two in the Assembly and then they moved to the Senate but at least I now had worked with them all those years. And so you had worked with them all those years. And now in two years they were terming out of the Senate and we were, again, getting left with kind of the new kids on the block.

VASSAR: Right.

DUCHENY: And yes, we were now way more experienced but it was a lot of the same new kids on the block that had served in the Assembly as new kids on the block together, right? There was sort of that. It was an interesting transition because of that. Yes, we saw it coming.

The big issue that kind of went back and forth, for a while we didn't think Perata was really eligible because Perata, there was a legal issue that had to do with when Perata was elected in a special election to the Senate.

VASSAR: Right.

DUCHENY: So there was one school of thought that thought Perata's term limits were up too.

VASSAR: And he is ineligible to run for another term.

DUCHENY: That Perata was not eligible to run in '04. So Martha started kind of organizing for a possible run for Pro Tem I think when that was still not settled. Martha started gearing up for a possible run for Pro Tem relatively early and we started organizing that way and she started fundraising in different ways and we started, you know, doing what you do when you're getting ready to kind of think about a leadership transition.

VASSAR: Right.

DUCHENY: And somewhere along the way Perata got the ruling that he was, in fact, eligible to run in '04 -- I guess, right? He got to run in '04 again?

Then Perata decided he was in play for Pro Tem.

And meanwhile I think Sheila was another candidate that was around in that period and there may have been one other for a while, although I think the fourth one faded. At the end of the day it was kind of Sheila, Martha and Perata.

VASSAR: And you never looked at it?

DUCHENY: No, no, I was way too new. And I had kind of, I had dipped my toe in that once, in the Speaker thing the one time. It sort of wasn't my thing. I was interested in being Budget Chair and I didn't care who was the Speaker that I was Budget Chair for. But in the long run that's really where I had decided, I think, my talents were best used in a lot of ways. And I was hoping that someday coming back around, I was doing the Sub-Chair and I was doing some of that work, sooner or later I'd be back on Conference and I'd be back in the Budget. That's kind of how I saw it.

VASSAR: Sure.

DUCHENY: And certainly with Martha, and she was willing to step out. To me a lot of times that stepping out to run for Speaker was a courage thing. Cruz did it, Martha was willing to do it, Burton had done it, Perata had done it. It takes a certain kind of ambition, if you will, but also desire and willingness to serve in a different capacity that causes people to be willing to do what you have to do to do that.

And I was caught up in these issues, more like these water issues. To me, I'm just a policy person and I really like getting my hands dirty and putting everybody in a room and settling big issues like water and schools and budgets and things, that's just kind of what I like. I learned over time that I liked to do it. I didn't know that when I got there but over time as those things came up and I got involved in them that's what I learned that I liked to do.

But I was certainly there for Martha from the get-go and was part of the core. There is always a core around any given Speaker candidate and we really, she was set up. And she kept talking to Burton and we kept trying to figure out when this transition. Because we did not want to do what had happened in other things. Nobody was going to push John Burton out and nobody wanted to do that.

VASSAR: Right.

DUCHENY: A lot of us would have objected to that; people on every which side of the futures debate, nobody. John is John. And people had an enormous amount of respect for John and John was a great leader for everybody.

The Republicans too. John is a big liberal but John believed in the house. And John was Rules Committee Chair in some way for a reason. And even the McClintocks of the world had a lot of respect for how John ran the house. There is something to be said for that. It keeps peace on the floor. He knew how to work the Republicans and make stuff happen and work with the Minority Leaders. As much as he would seem like a bombastic liberal in some ways he really had that appreciation for the institution that is so important.

And McClintock sat behind me on the Senate floor a lot and McClintock is another kind of interesting story. We weren't particularly close. We used to fight all the time on the floor and we'd have speeches back and forth. A lot of budget issues because he was very interested in budget. He always got hung up on budget.

VASSAR: Right.

DUCHENY: And sometimes we could find common ground. On nitty-gritty stuff where the departments were doing things that were just not what the Legislature had said or, you know, there is a lot of what they always used to try to call "waste, fraud and abuse." I never believed in that, but there certainly are a lot of places where folks, how many positions and how do you do this? When you get to the nitty-gritty stuff and is this program good or not?

Pushing bureaucrats to be honest with the Legislature. That legislative oversight role has a lot of value. Often in some of those kinds of cases we could find common cause with somebody like McClintock to say, this program doesn't make sense or this -- you could find common ground. Big issues like the vehicle license fee or there were other issues where Senator McClintock was way out there.

But we also occasionally were together on these semi-libertarian issues and also some of my -- a lot of Republicans had some appreciation for the fact that I was not unfriendly to the gun lobby. And with me, I wasn't always with them on everything and I wasn't extreme but I believe in registration, I believe in all those things. But I was not knee-jerk and I was an open door, which most of the gun folks that at least worked around the issues and the members too, knew that they could talk to me about it and I would listen. That was really what most of that was. It wasn't so much that I just voted knee-jerk for them or against them but I would open my door.

A lot of Democratic members felt so strongly about it that they wouldn't really even entertain the notion. Anything that restricted gun access was good for them. And I was a little more nuanced about it. This one, okay, or maybe this but if you amend it. In other words, I was open to hearing some of their arguments around some issues that I thought were just too -- mostly because they were unworkable. A lot of the ideas that come up for guns are just not very practical and it comes out looking in a

record and if somebody runs against you later -- nowadays it certainly would look like a pro-gun thing. But it really had a lot to do with some of those bills were just not practical.

VASSAR: Right.

DUCHENY: And if you talked through it with people. And again, people like Senator Hollingsworth or certainly among the Democrats Rod Wright, Joe Baca and there were others, you could learn how it worked in the real world. Like for instance, the one gun bill I remember and then they had to do the amendment the next year. And Rod and I sat there and tried to tell, I don't know who, the Governor and people, we said, 'Look, this is going to ban guns that people use in Olympic training practice.'

VASSAR: Right.

DUCHENY: We had some of those folks in our district who were Olympic shooters and the poor lady couldn't use her gun. Suddenly her gun in California is banned and she is training for the Olympics. It's the nitty-gritty practicals. It is very difficult to write those bills in a way that doesn't have unintended consequences.

VASSAR: Right.

DUCHENY: Those were the kinds of issues that sometimes it was what it was. They weren't issues that I carried or that kind of were my issue, but they come up all the time because people had bills and you had to decide which side or whatever you were on, it's just kind of like that. And certainly in my district there were an awful lot of gun owners so there were a lot of folks

who cared about these issues and who would tell me about it at a local level too, about how it might impact them and that kind of thing.

VASSAR: Right.

DUCHENY: So yes, there were those. We were talking about, I forgot.

VASSAR: About Martha.

DUCHENY: Oh, '04 Martha, okay. But anyway, nobody was going to -- the timing was something John had.

VASSAR: Take out John.

DUCHENY: The timing was something John had a lot of control over but people had to figure it out. And we tried. But the Senate is such a small caucus. I think we had like 25 members at that point, right? It's different than the Assembly where it was like sort of rough and tumble and 40, 50 people you've got to try to figure out and round up.

VASSAR: Right.

DUCHENY: This is a small number of people who were seeing each other every day in very close quarters, so trying to figure out where your votes were was a whole thing unto itself.

VASSAR: Did you do the vote tally card with signatures?

DUCHENY: More or less, yes.

VASSAR: In the '80s that was a way to --

DUCHENY: Yes, you try to get people to at least commit, whether it was signing or, that's a little pushing it for most folks. You've got to take people's word.

VASSAR: Right.

DUCHENY: People have to learn how to commit. It's either a commitment, or if you are not going to be committed you better tell somebody. But there were a lot of folks who were kind of back and forth. And Martha talked to them and Don talked to them and I talked to some. Our little group included people like Torlakson and Gilbert and Nell and some of those that were pretty -- Martha had a core. I think everybody had a core of about -- and again, you only have 25 members, right?

VASSAR: Right.

DUCHENY: So Don had probably a core.

VASSAR: Thirteenish is the magic number.

DUCHENY: Yes, 13 was the magic number. Well Sheila never had quite as many. I think Sheila maybe had three or four and Martha probably six or seven. If I could sit and think about them I could probably figure it out. And Don had sort of a core. So it was kind of all over the place. And Don's core, there were several members who took a long time to make up their mind, who actually listened to everybody and talked to folks, so there were several members who it was hard to tell exactly which way they were going.

VASSAR: Do you remember any of those?

DUCHENY: I don't want to --

VASSAR: Okay.

DUCHENY: But at the end of the day, and it was a secret vote in the Caucus, it was a secret ballot in the Caucus.

VASSAR: Is that how that usually works?

DUCHENY: I don't know how that usually works, it was the only time I experienced it. Other times, a lot of times it is sort of by acclimation once you figure it out. Once everybody sort of has a feel for which way it's going, if it's going someplace, then there is sort of an acclimation process and that's what we had done.

VASSAR: But this was a real live --

DUCHENY: This was a real live, kind of, we are all close and how do we think about this. And actually thinking about the process was something a lot of us had to spend time. I even remember going to see Perata toward the end of when we knew the vote was coming. Eventually John sort of set the schedule of, 'Okay, there will be a Caucus vote on this day and this is when, and whoever it is won't take over until the end of the year when I'm gone.' There was sort of a whole, that whole thing got worked out at one point and then there was going to be this vote. And I don't remember exactly when it was but I'm sure you do or the newspapers certainly did. But it was leading up to it. Then you knew where the deadlines were for trying to figure out how to line up your votes and stuff. But yes, they agreed to make it a secret ballot, which for better or worse, I don't know, you could do it any way you want in different ways. But I think it was wise on John's part in this particular instance because it was a little bit, you don't really want to create more divisions between people and there were clearly some divisions going on.

VASSAR: Sure.

DUCHENY: And they weren't super-antagonistic divisions except there was this sense -- Martha obviously would have been the first woman, she would have been the first Latina, there was a lot of that to it. But also what there was more of was an issue of longevity and some of those issues.

So literally I think the reason -- and then you had all the folks who were not going to be there, voting. You had all the termed out members voting also, which made it a little bit disconcerting. Because frankly, at the end of the day, it was most of the folks, most of Perata's support came from people who were not going to be there the year he became Pro Tem. Perata's support came from people who were terming out, more so than Martha's. Martha's core were more people who were going to be there, who were more recently elected to the Senate, who had served with her in the Assembly. Again, you have these relationships over time. Perata had only served shortly in the Assembly before we went to the Senate, so a lot of us who had just come over in '02 from the Assembly, we had all served longer with Martha, right? So there was sort of an interesting mix at that level.

And I think for some members the decision, what hurt Martha in part was Martha was termed out in '06 and Don, after that decision, was not. Don wasn't termed out until --

VASSAR: '08.

DUCHENY: Until '08, right? He could run again in '04 and Martha was termed out in '06. So there were some folks who felt like having somebody who could be there longer was important, the same way John had been there like six years or eight years or whatever. John like six years had been the Pro Tem.

VASSAR: And a lot of these people who had served in the Assembly with you had seen the similar seven Speakers in six and a half years or whatever it was and, hey, continuity, a cool thing.

DUCHENY: Yes, 'Oh, there's a thought.' And Perata was not seen as sort of -- despite the fact that he had the extra term, Perata wasn't seen as sort of a newbie, the way somebody who might have had longer -- who had come in later would have. And frankly, it didn't break down as much because there were several -- I think to some of our disappointment, several of the Latinas voted probably with Don. Some of them were initially with Sheila. And one of the problems became because Sheila insisted on staying in through a first round of voting. Pretty much by the time we were getting close to this vote we pretty much knew Sheila had, I think, three or four that had committed to her early and that's where they were and where those were going to go was kind of one of the question marks in this deal. If Sheila could have felt comfortable pulling back and supporting Martha up front, the first vote might have taken care of it.

VASSAR: Right.

DUCHENY: But when it went to a second ballot I think Martha lost by one vote. It was literally that close. It was a very divided caucus in that sense. Again, it

was a secret ballot. Most of us have opinions about who we think didn't vote that was supposed to vote, but there was a sense -- actually when the first vote came in the way it did, a lot of folks, actually most of us thought, okay, this is done, Martha gets it, because we knew who had to move around.

VASSAR: Were they fairly closely together the first round?

DUCHENY: Yes, it was like --

VASSAR: Okay, let's look at a second round or was it a, 'Oh, let's break for lunch.'

DUCHENY: No, no, it was pretty much, okay, let's --

VASSAR: So we're here now.

DUCHENY: No, it was pretty much, everybody knew where everybody was going at that point. Everybody knew kind of first round, second round kind of, there were senses for that. I didn't think anybody wanted to prolong the agony of a caucus and a speakership fight that had actually been going on for longer than anybody wanted it to have gone on. There was a lot more -- those kinds of things always create all sorts of dynamics within a caucus and it is just difficult. It was pretty civilized. It wasn't like it was rancorous, it wasn't any of those kinds of things, but it was tense because everybody is talking to everybody all the time and everybody is kind of hustling everybody and all these things are going.

But I think it was partly that Sheila stayed in and got whatever votes she got on that first ballot. But that meant everybody knew, 'Okay, so there's three or four that have to switch.' And Don and Martha were more or less

even, I think, however that must have worked out. Anyway, it was like, 'Okay.' But on the second round at least -- I think John may have not voted, that may have been part of it too. And John up front said he wouldn't vote, which added to the drama. So I think that made it weirder too because I think that would have left us at 24. I don't know, I forget. I don't remember all that gory detail; Martha would remember. But it was very, the essence of the day was kind of it was very close.

VASSAR: It was close.

DUCHENY: And on the first one we all -- a lot of us, at least those of us who had been working this deal, kind of said, okay, this looks pretty good. We think the people who are likely to, likely were not there, may be there, and we thought -- and I think even Don thought -- you could see it on his face. Don thought, 'Okay, Martha's probably got it.' It was that close every which way from Sunday. But as it turned out, Don won. It was a little bit of a gut check thing. I remember all of us going to committee hearing that afternoon and sort of, it was a little, it was a little disconcerting.

And it was partly because I think some people that we thought had committed to Martha didn't, didn't come through, and that was frustrating in its own way. That creates dynamics between members. If you can't trust members, that becomes kind of one of those. And people don't admit things and it was a secret ballot and who knows who did what to who. In some ways that was probably better because if you stick up hands then

everybody could have been throwing things at each other. This was John's way of settling this, this was John's kind of process.

But I do know that most of the folks, some of us talked to each other and said, 'No, I'm with this because.' And I knew several people felt like this question of longevity of was important. It wasn't personal to one or the other so much. So it wasn't that kind of a personal fight but certainly it made us kind of have to think about where was your future.

But again, we were in sort of the same situation as with Katz, it was, I'm still going to be there, I'm not going anywhere, I'm not up until '06. Especially these four year terms were the greatest thing in the Senate, was four year terms. But I'm going to be here and we're all going to have to work together.

And the truth was, again, we were advantaged in a way. It was the same kind of advantage we had when we took the vote for Cruz when Richard became Minority Leader, when we knew we were the minority and we just took our vote. But it was, they're going to need us. They need us more than we need them. And in Perata's case this was exceptionally true because, again, we knew most of the people who were going to be termed out were the people who had voted for Perata. So Martha had maybe one or two of them but a lot of the termed out folks were the folks who had voted for Perata. So Perata was going to need the rest of us to run an administration.

VASSAR: To hold on.

DUCHENY: Not just to hold but to run a house.

VASSAR: Yes.

DUCHENY: Perata was going to need the rest of us. It wasn't like you can just dismiss half the Caucus and not make them Chairs. It didn't work that way anymore. The old kind of Gang of Five days, it wasn't like that. A, it was too close, there were too many people in play.

VASSAR: Right.

DUCHENY: And the secondary part of it was, who else are you going to make Chairs? You ain't got that many Democrats. It's like, what, are five people going to Chair ten committees? It doesn't work that way. So in ways, risk but not risk; you know what I mean? It is what it is, you take your position. And everybody knew. And I had all my arguments for why Martha, I thought, was the best because of some policy and her history on Judiciary. There were a lot of reasons that you support people.

VASSAR: Yes.

DUCHENY: And how they would run houses. You support people because you support people. And I think Perata and all of us on both sides, this was a pretty mature caucus. Like I said, there were people leaving and there were some people that had been around for more than a minute.

VASSAR: Right.

DUCHENY: So it wasn't -- there was disappointment and there was whatever but there wasn't rancor, I don't think, in any way. I think we went and talked to Perata. It didn't take but a minute before Don and Martha were talking and

we were talking about some of the future and the issues and things like that. So I don't think it was a real long kind of thing.

But come the end of '04 and the new crop comes in and the other folks leave and all of that happens, the question of Chairs for the next term becomes relevant and it was, hmm. That could have been how you get sorted out.

And I think that's when - because I remember this conversation. Diane Cummins had come to work in the Senate. After she had worked for Pete Wilson she had come to work for the Senate once John Burton became the Pro Tem; she had become the budget person for the Pro Tem. So I had worked with her when she was Finance and I worked with her as the Senate lead when I was in the Assembly so we all knew each other pretty well. And it was Diane who came to me someplace along the way in the fall of -- maybe we did do Chairs. Did we do Chairs in '03? Is that what you saw there? Because it didn't happen until '04.

VASSAR: Ana Matosantos was a consultant to Senate Budget at that time too, so that seemed like quite the committee.

DUCHENY: I didn't know her as well because she wasn't, she would have been Health and Human Services. And at the time, I think while she was there was when I was on the other. Because I knew her, I worked with her more when she was Finance Director than I did when she was in the Senate.

VASSAR: Got it.

DUCHENY: I knew when she was Finance Director that she had been Senate but I hadn't really worked with her that closely in the Senate. But Diane worked for Burton. She was the budget person for the Pro Tem.

VASSAR: Right.

DUCHENY: After Perata got elected. I don't remember whether it was during the transition or after we actually got sworn in, the new people in '04, I don't know kind of how all that timing worked, how Don did the transition. But at some point Diane came to me and said, 'Don wants you to Chair Sub-Health and Human Services.'

VASSAR: Sub-3.

DUCHENY: Sub-3. And I was kind of, I knew Health and Human Services issues from having worked on conference and I certainly had done CalWORKs and I had done others, but those were not issues. That's a very difficult duty, it just is. The Sub-Chair of that, you have huge hearings, IHSS and the Medi-Cal and they're complicated and they're all so huge and difficult hearings to kind of think about. And I just had never done that subcommittee. I had done 4 now, I had done Education and the other one. The numbers are different in each house so it's kind of confusing but I had done General Government, I had done Education. And Wes Chesbro was still the Chair of Budget and he maintained that Chair after Perata took over. So Perata tried not to upset the applecart more than he had to but there were a lot of people who left and you had to move everybody around because of people leaving, there was sort of that piece of the puzzle.

VASSAR: Sure.

DUCHENY: But Chesbro wasn't one of the ones that was leaving yet, Chesbro was out in '06 with Martha.

And so I didn't know. And I remember Wendy and we were like, 'Oh, my gosh, and Perata, ooh, how is he going to treat you?' Because I was clearly, like I was sort of Martha's lieutenant. There were people who voted for her, that's one thing. There were people like me who are clearly kind of the lieutenant types. And Martha I think talked to Don about some of these things. And Martha herself needed a committee for two more years. Martha was still there for two years.

VASSAR: Right.

DUCHENY: So all of us, it wasn't like any of us were going anywhere and we all had skills that he needed, so in a lot of ways it wasn't that hard. Don is a practical enough guy that Don understood that he needed us and that we had skills and he needed to figure out how to use us. So that wasn't as difficult as it may have looked from the outside. But the one that threw me for a loop was that one. I thought, okay, I'll keep doing what I'm doing, it's whatever it is. And Diane came and said, 'No, Don wants you to chair.' At first Wendy and I were like, 'Ugh, Health and Human Services, argh. That's a huge assignment and it's a difficult one and it's a pain and you have all the constituency groups coming and begging at you every day.' It's a difficult assignment. But Diane convinced me because she told me the reason. Diane said, 'Look, here's the problem. We're going to be

facing issues around CalWORKs. There's going to be people going after CalWORKs.'

Because remember, the other thing that happened, let's not totally ignore the world, in '03 was when Gray Davis got recalled. So during the midst of all this was when Gray Davis got recalled and Arnold Schwarzenegger became Governor. That led to all sorts of other complications that I think were really difficult and that had happened even before John was out. So that was in '03, right?

VASSAR: Right.

DUCHENY: So we had started '02 with my term. When I got elected to the Senate Gray Davis got reelected and Cruz Bustamante got reelected and we were all kind of the same place as I was in '98.

VASSAR: Steve Peace was at Finance. When you first got elected --

DUCHENY: And then Steve Peace went to Director of Finance.

VASSAR: That was a good world.

DUCHENY: This was kind of a world I recognized, right?

VASSAR: Yes.

DUCHENY: And then we had the recall election. So we had worked on that too and that very difficult message. I remember some of these meetings when Cruz was making the decision whether to run or not and we really ran up against a problem that all of us looked at and we said, 'Look, it looks like Gray Davis may not get 50 percent.' And the awkwardness of the recall thing

was that Gray needed 50 percent but the person that would win afterwards didn't need anything, right?

VASSAR: Yes.

DUCHENY: It was 500 people and the top one wins. Literally there were like 100 candidates on the ballot, right?

And Gray needed 50 percent and nobody else did. Somehow that process probably needs to be changed so that you have a runoff afterwards so somebody has 50 percent. But there was a lot of concern in our caucus and in other places that Gray might -- we wanted to support Gray, we agreed that Gray should not be recalled, this was a totally bogus recall, it was totally wrong to do it, and all of us agreed with that. Gray had just won an election. It's like, if you didn't like what he was doing then vote him out in the election, but they didn't do that. So he won the election and the recall was kind of disconcerting because of that.

But the polls and things would tell you it was shaky whether he could get the 50 percent, especially with a bunch of people on the ballot. And even before Arnold came out, the question of whether another Democrat of some stature should run was out there because it was sort of like, well, if we run somebody is that like you're running against Gray. And we don't really want to run against Gray but we also kind of wanted to hedge our bets that there was somebody in the pool that could win if Gray was recalled.

VASSAR: Right.

DUCHENY: So the other one who looked at it seriously I think was Garamendi.

VASSAR: And he was the first major Democrat to jump in and then he jumped out 24 hours later.

DUCHENY: Well, that was because a lot of us had started to coalesce behind Cruz. And a lot of us saw Cruz as the possible anecdote, in some ways, because then you have the Latino vote, he had statewide. Garamendi did too in a different way but Cruz might be able to rally vote differently.

VASSAR: Right.

DUCHENY: And it sort of created continuity in a way because Cruz was Lieutenant Governor. So if you're going to recall the Governor then elect the Lieutenant Governor. Okay. There was some logic to it from that perspective. If Gray had gotten sick, Cruz would have been Governor. So there was sort of some logic there. Cruz was set up. But Gray really didn't like having anybody run. Unfortunately, kind of that's what happened in that election.

And then there was the Arnold factor and you really needed somebody with high name ID if you were going to try to -- Arnold had never been in government but he had this big name. There were probably some real Republicans on the ballot but it was kind of the Trump phenomenon. So there was that whole issue.

So we'd spent a lot of that year actually, at least down here Al did some work. We did some independent expenditure work for some groups that wanted to support Cruz. But it was a very difficult message to say, no

on the recall, yes on Bustamante. We always made fun of this campaign, it was, “No on Recall, Yes on Bustamante”. It was odd because the recall, you couldn’t vote “yes” on Gray, which made it very hard for people, I think. If you supported Gray Davis you had to vote “no.” Which really doesn’t make a lot of sense but that was the message. It was an awkward, it was a difficult campaign from that perspective. Supporting Gray Davis was voting “no.” And then you had to pick among these 100 names that were on there so we were supporting Cruz as the alternative. So you needed to vote both, you needed to vote “no” on recall, and by the way, vote for Bustamante on the other list just in case the recall wins, right?

VASSAR: Right.

DUCHENY: It was a very awkward message and it was a very awkward thing.

And then Gray got sort of unhappy about Cruz running because he felt like that was almost like putting him in contradiction to him. Most of us, we saw it the other way, we saw this kind of backup plan and that Democrats needed a place to go just in case they didn’t prevail on this, right?

VASSAR: Right.

DUCHENY: And as it turned out I think Gray got like 49 percent of the vote.

VASSAR: Yes.

DUCHENY: Gray really won that election, if you will, and that was what we intended. But because you needed 50 percent, he didn’t, and Arnold won with like 33 percent or something crazy like that. But partly Gray in his campaign kind

of choked off some the resources that might have helped Cruz overcome Schwarzenegger because he needed them for him.

VASSAR: Right.

DUCHENY: There was sort of a contradiction. They weren't close buddies Gray and Cruz and that was a little bit more contradiction than -- probably if we had been able to keep that closer and more together it might have -- maybe we could have prevailed, who knows. But there were some differences there in how people approached. But a lot of it had to do with strategy, it wasn't really a personal thing in a lot of this, but anyway.

So that had all happened. So when you get to the post-'04 election, now you have Arnold has already been Governor for a year, so the '03 budget we had to deal with Arnold, right?

VASSAR: That was October.

DUCHENY: The election wasn't until the fall, right?

VASSAR: October of '03.

DUCHENY: Of '03, right. But he immediately did stupid stuff. He immediately went in there and screwed up the vehicle license fee deal that we had tried to undo, upulling the trigger and doing some of that to kind of stabilize the budget because of the '02-03 recession.

VASSAR: Driver's license was the first thing he did.

DUCHENY: Were we at that stage? Yes, I guess we were.

VASSAR: It passed and then they -- the first thing he did was --

DUCHENY: We had to pull it back.

VASSAR: They pulled it back.

DUCHENY: We pulled it. Oh gosh, I remember that meeting.

VASSAR: So you were there to vote for that and then also the repeal.

DUCHENY: Yes. Well that was a decision we had to make strategically. We talked to Brulte and Gilbert was carrying the bill. We thought, great, we had it because Gray would have signed it; then Gray was gone.

VASSAR: Yes.

DUCHENY: And Gray, we pulled it back so Gray wouldn't be caught with it right before the recall. Again, this is the impacts of the 2001 towers.

VASSAR: Right.

DUCHENY: We were at the very brink of -- Bush had been elected understanding immigration so Bush wasn't a --

VASSAR: A border state governor.

DUCHENY: And we were pending possible immigration reform at the federal level, so it did seem like an opportune time. And in many ways I almost wish maybe if Gray had signed it that would have been good. But Gray, we were running into some -- there were some technical issues about how to do it and duh-duh-duh that caused them to not have it got to Gray.

And then, I forget, and then we probably did it again. We all carried that bill every year, we all voted for it every year. We started voting for it in the Assembly in '98 or '99. The first time we put that bill -- I remember talking to Gilbert about putting that bill up the first time and it was because Jackie [Spier] and some folks had pushed this notion that everybody had to

have insurance on cars. And it came from that. And if car insurance became mandatory, well you can't get car insurance if you don't have a driver's license. So for us that was sort of, you're basically cutting a lot of folks out of the world in terms of cars. And you're forcing the insurance but then you won't even let them qualify for the insurance. It's like, wait a minute. That's actually when Gilbert said -- I remember talking to Gilbert on the floor about this that this sets up the contradiction that allows the argument for drivers' licenses to take a different turn. And it allowed us to start to build a coalition with agriculture and with insurance guys and with other folks. We said, all these people will buy insurance if you let them have a driver's license, right?

VASSAR: Right.

DUCHENY: That had started probably in '98 or '99. We had started working on this then and gotten to where we got to by it just kept coming around. But yeah. And I remember the time we did the repeal or the pullback or whatever we did.

VASSAR: So it went to the Governor?

DUCHENY: No, we actually repealed it.

VASSAR: Gray Davis signed it.

DUCHENY: Gray signed it.

VASSAR: About two or three weeks before the recall.

DUCHENY: So we did pass it. Okay, so we passed it to Gray, Gray signed it and then came Arnold won.

VASSAR: Yes.

DUCHENY: And Brulte, I remember we all talked to folks. What we were facing was a possible referendum. I think it had to do with that. What we were facing was folks threatening to referendum it, another kind of 187-type election on the referendum on the driver's license. And folks were gathering signatures. They were all feeling very bravado because they had won the recall.

VASSAR: Right.

DUCHENY: And so there was sort of this very difficult, we had a very difficult conversation. I think I was on vacation someplace. Somewhere I remember having this conversation. But I remember we -- no, I guess I was here. But we all had to think that one through and worked it through with the Republicans, in part to head off this referendum because we weren't sure. And the problem was, if you lose a referendum or there's a constitutional amendment or some crazy thing that they do by voter initiative, it is much harder to someday overturn that and undo that. And the concern had to do with that.

VASSAR: So it gave short-term benefits to the Republicans and longer-term benefits to the Democrats to pass it later.

DUCHENY: Yes, it allowed it to continue to be around. You'd have to really talk to Gilbert. I remember Gilbert and Brulte and a lot of us talking about some of those issues at the time. I think that was what --

VASSAR: That was helping.

DUCHENY: I think that was what caused this to -- yes, because that's right, we did sign it, we did get Gray to sign it, we did get all those. I was thinking we did that. But yes.

And then he had pulled back the -- right away he had pulled back the vehicle license fee, which was a \$6 billion hit to the budget. For all the fights about budget we had in the following years, the gap, in my view, was always the same \$6 billion and it was always the \$6 billion that he took out with a stroke of a pen on the first day he walked in the door without knowing what the heck he was doing or why. It was just, I'm going to do that, without understanding. And this goes to the guy not having government experience, without understanding the consequences of the decision. And we struggled with the budget every year after that. With a couple of, you know, we had some not-so-bad years, '05, '06, '07 things started to straighten out. Because we had the sort of recession from '02, '03 and then we got hit hard in '08, starting in the late '08, '09. '09 and '10 were the worst but '08 was when you sort of saw it coming and it hit. By the end of '08 we were having issues and by '09 it was just chaos.

And always it came back in many ways to that very first decision of Schwarzenegger's because he didn't understand what he did. And he freaked out after he realized he'd just cut off all this money to the cities and said, oh, well we have to give the money back to the cities. And that's how you have to do it through the property taxes. So you end up changing the property tax thing and sales tax and you end up with all sorts of convoluted

ways of defining government. I still teach a class in this, it's ten weeks, how the Prop. 13 after-effects is because we don't straighten out who should have responsibility for something and what revenue stream should pay for what. That they can produce revenue and then who spends it, so that you make those lines. What we have done in the state over many, many years, starting in 1978, is sort of totally confuse the lines of jurisdiction. And this is why you keep having these realignment conversations and stuff is because the state gets money but it pays that money directly to schools and local governments. And school districts are local and they run it but they don't have access to the revenue. The person who has responsibility for decisions around spending doesn't often have any kind of control over revenue and so you don't have a nexus anymore.

Before Prop. 13 you went to the school board and the school board decided whether to raise property taxes or not for the schools in their district. After that the state sort of makes decisions about dispersal. It is still your property tax. One of the great myths of California that people don't understand, especially because the cities and the counties made such a big deal about the ERAF, the Educational Revenue Augmentation Fund, and that is, Sacramento taking our dollars. The truth is no property tax dollar ever leaves the county that it comes from, it's just how it gets distributed. And unfortunately what Prop. 13 did was give the decision-making to the state even they are local property tax dollars. The decision-making went to here in terms of allocation, but the property tax dollar that

comes from San Diego County never leaves San Diego County and goes to Sacramento. What happens is the question is, how much of it goes to the school district, how much goes to the city, how much goes to the county, how much goes to the special district, the water district, the library district, if you have them. In different counties you have a lot of small, special districts. But it's how the property tax dollar is allocated.

And people blame it on Sacramento because they say, well you're in charge of schools. Well, schools have always been funded mostly by property tax, but Prop. 98 said, okay, but you backfill it with General Fund. And after *Serrano v. Priest* in '72 and after Prop. 98 you have this sort of combination of property tax and General Fund, funding schools.

So the counties would come to me and say, well, we should get that money. And I'd say -- and it's the state's -- well the state will just backfill the schools. Well that's like just saying, okay, the general fund should pay for schools. Well, if you want to do that, I think there is an argument to be made for that. But then let's have a bigger conversation and say, schools are totally General Fund funded.

Well then there's no money left for anything so counties, you're in charge of all the Health and Human Services. Let's have that conversation, right? You have to -- these things all balance and that's that the perspective. I was always privileged, I thought, to gain insight from doing these budgets, having all of these budget fights in all the different ways.

So in '04 anyway, somewhere along the way there when Perata was doing his transition and all that they came to me and Perata asked me to Chair the Health and Human Services Budget Sub. And it was because they could see that with these budgets coming up there was going to be a lot of challenges around -- particularly Diane saw that there were going to be attacks on CalWORKs. There were going to be issues in Medi-Cal, there were a lot of pending issues in Medi-Cal, there were going to be issues in IHSS. And they were big and they were complicated and they were going to take a lot of work in the Budget Sub. And Diane prevailed upon me. First Perata asked and we were sort of, 'Oh, my gosh.' And I talked to Diane.

And I think it was a tribute in some ways to the experience. Again, I was one of the few people that had that much budget experience. Now Vasco is gone, Dede is gone, people who have been sitting on Budget Conference, Dede had been sitting on Budget Conference the last couple of years with Chesbro after Peace left. Vasco obviously. Vasco had not done Budget in the Senate. He chose and he Chaired Education in the Senate the whole time he was there. But you had people who knew and all of them were gone. And literally by the time you get to '04 I'm probably the person with the most budget experience, including Chesbro. I had more budget experience than Chesbro, who was the Chair, but he had only become Chair two years earlier and I had done budgets for six years before he got there.

So there was a sense that Perata saw that these were going to be major issues and you needed a member who could get in there and work on these issues, basically bottom line. So they prevailed upon me to take that Sub-Chair of Health and Human Services.

And with that, just so you can get to the end of that year, that was the first year that I ended up being the conferee, the second conferee again, on Budget Conference. So I started Budget Conference my third year in the Senate. So I did two years on Conference before I became Chair again. Over the 14 years I did 6 years and 5 years on Conference. I did 11 years on conference out of the 14.5 that I was there.

VASSAR: All right.

[Recording Paused]

[Recording Resumed]

DUCHENY: So where were we?

VASSAR: So we were in the Senate.

DUCHENY: We had done Don Perata's election.

VASSAR: Don Perata was elected Pro Tem.

DUCHENY: Pro Tem. We were starting that year I became Sub-Chair of Health and Human Services.

VASSAR: And you knew that because of how many members there were in the caucus you couldn't get cut out because they still needed you.

DUCHENY: Well, completely. It's what do you need to be? It's a question of where you are going to be the most useful and what -- and Perata was that kind of

Pro Tem. He wasn't going to be somebody, it wasn't about the votes, it was going to be about; 'How do we set up a house that works?' And Perata was going to be practical. It wasn't what I requested but it was their request after Diane Cummins came and made the explanation of why they thought it was important for me to do the Sub-Chair that year.

And I suppose I may have asked at that point or somehow it evolved during that year that if I was the Sub-Chair of that and those were going to be big issues in the budget that year that I would need to be the conferee, and Perata was okay with that too at some point. I don't remember exactly what order all -- the conferees aren't ever named until right before Conference.

VASSAR: Right.

DUCHENY: But I spent all year doing those heavy duty, trying to figure out how we were going to solve some of these big CalWORKs, Medi-Cal health issues and stuff with Diane and the staff and the folks.

VASSAR: Was that primarily reimbursement rates or was that?

DUCHENY: No, I think it was they were trying to change, a lot of how you try to change the money in CalWORKs has to do with changing the policy.

VASSAR: Got it.

DUCHENY: So that's why Diane wanted somebody who really understood the policy like she did who had been there the first time. We were some of the few that were left who had been there for the first round of that.

VASSAR: Right.

DUCHENY: Ashburn had been there with us and that was about it of who was left in the house that was part of the original core group of folks who worked on that issue. And I think that's where it really, that's what it really was about was somebody who understood how CalWORKs was formed, what it meant. And I don't recall all the different things that people were proposing to do but it had to do with that.

Reimbursement rates was always an issue and certainly later when we had to do cuts that became an issue. But the whole premise of CalWORKs was not about the reimbursement rates, it was really about the supportive services and it was about the child care and how much of the CalWORKs federal grant allocation you put into things like child care and how much time you granted people to get education and how much break you sort of gave them if they needed these heavy services and stuff.

Because what had happened with CalWORKs was the early years, a lot of folks did get off of welfare. It worked for the first -- and part of it was it happened to, fortunately, coincide with the improvement in the economy so there were more jobs available. So the shorter term people, what we used to call sort of the easier cases, moved off pretty easily.

But what we were getting it to by 2002, and then you were hitting a recession so you have a higher caseload, all those things started to play into it. So it's about caseloads and it's about -- we had folks that are harder to serve. So these issues of substance abuse and domestic violence and some of those, people with lower levels of education.

VASSAR: Right.

DUCHENY: And then suddenly we're starting to have people running into time limits who haven't really met that, so how do you handle some of those issues. That was the kind of stuff, very technical and things. And then there were people I've seen with things like in-home supportive services was a big issue and that's Medi-Cal rates and hospital rates and all of those kinds of issues. And federal monies were changing. So there were a lot of things in play that were all in that universe that were going to be important for the larger picture budget.

VASSAR: Right.

DUCHENY: And we had to walk through it. And the best way you do that is having these public hearings in subcommittees. Perata knew I knew how to handle those kinds of situations, so there I was.

VASSAR: All budget hearings go long, but that particular subcommittee tends to be one where the line goes out the door.

DUCHENY: Yes. They fill 4203 or 4202, whichever one you happen to be in.

VASSAR: As a Chair running one of those committee hearings is there a strategy or is it just let everybody, keep everybody to their talking points?

DUCHENY: Yes, you have to do that. There's a couple of things. At least my philosophy on it, some people run them different, I believe strongly that everybody who has a right to be heard and has something to contribute. What I would try to do in some of those situations with the huge hearing groups and stuff was to have the panels and the initial part set up in a way

where a lot of their issues got on the table. And people in the audience that were there because they traveled and they had their concerns could hear that members were responding to those, that we were asking the questions that the LAO and Finance were saying whatever they said. So everybody could hear what the different views were, what the options were that LAO might be suggesting, what option the Governor had proposed, how members were reacting to those options. And by our questions you would see that or by our comments to, 'Wait a minute, I don't think that works at all, rah-rah-rah.' I would be grumpy about something, you can signal to people where you're trying to go, and some of that.

And then the other is to force those folks who maybe have different views, the Republican members, the Finance Department, to hear the 600 people who were there to say, this is how this would affect me in real life, right? And the real life stories do matter. Yes, you have to try to control it a little bit and get people to stay within a minute or two minutes, especially the more of them there are. You have to try to keep it within reason and you try to encourage people to be in groups and say, I support what the other guy said. If you want to put yourself on the record, fine, but if you are really just saying what somebody else already said just say that.

VASSAR: Right.

DUCHENY: You have to try to, you try to accommodate as best as you can but at the same time -- make sure people feel like they're heard, that's the important part to me. And some of it was you gained stories that to me were useful

for later when you're making the argument. Having heard all those folks gives you argument to make later.

What else was I on that year? I don't remember.

VASSAR: You were on the Senate Governmental Modernization, Efficiency - Figueroa's committee - and Accountability.

DUCHENY: Okay. So that's a whole story by itself. Okay, that's a separate story. This is 'Recall Arnold'. We had talked about Arnold became Governor, which was whatever. And one of the first things he did, it seems to me, it was very early in '04 -- he got elected in '03 we said, right?

VASSAR: Right.

DUCHENY: So early '04 he formed that --

VASSAR: Oh, the CPR, California Performance Review.

DUCHENY: Performance Review Commission. Well guess who? It was sort of like the same problem I had with Gray Davis calls up and says, you're going to be on the REGC commission. Arnold called up and said, you're going to be on the CPR. The CPR had stakeholders and different folks on it - you'd have to go back and look at the record of who all was on it - but one of the conditions of it was that there was representation from each caucus in the Legislature. So there was a Democratic Senator, a Republican Senator. I think it was Brulte and myself. And I suspect it may have been Brulte who suckered me into this; you could ask him but I've always sort of suspected. Because Arnold wouldn't have really known me that much but somehow I was the one who was appointed. I did know a lot of Arnold's staff. Arnold

did hire staff that we had known from Wilson. Costigan, others, there were people in Arnold's staff who knew me. There were finance people who still knew me. I had been around for a while by then so people knew me at that level. And I think I would have been a comfortable choice for Jim and I don't know if they really asked Don or not. I just don't know how the Governor made those choices. But anyway, by hook or by crook somebody insisted that I sit on that.

VASSAR: Right.

DUCHENY: So I was on that committee all year, whatever year that all met.

VASSAR: 2004.

DUCHENY: And those had hearings all over the state. We had public hearings in Riverside and here and I forget. We had to travel all over. I remember traveling to places. And then we'd set up topics by, there were topics kind of by agency, almost. You sort of had one day where you talked a lot about Natural Resources and EPA and one day where you talked about Health and Human Services and one day where you talked about Education and some of those issues.

VASSAR: Right.

DUCHENY: And we had some really interesting hearings. And there were a lot of -- I never thought it was going to do what Arnold, I think, thought he thought he was doing with it. It was never about waste, fraud and abuse. The Budget Oversight Committee does all that.

VASSAR: Blowing up the boxes.

DUCHENY: The blowing up the boxes what was it was sort of intended to do. But it was not necessarily a bad exercise, in my view, to have a restructuring of government discussion. I was hopeful that some of that might lead to some restructuring of taxes and some other bigger discussions that had happened, again, toward the end of the '90s. I think that was the committee with Dutra and we talked about taxes. There were a lot of efforts to relook at this sort of state and local finance relationship, to look at the sales tax, the sales tax on services issues, to look at the Internet sales issues. All of those things had been around when I was toward the end of my time in the Assembly in different ways. Hertzberg led some of those conversations, Dutra, a lot of people were involved in those conversations. We were trying to do some big stuff.

So Arnold's idea of this Performance Review Commission, although I think he thought of it as just, let's just find the waste in government kind of thing, most of the rest of us knew that wasn't really where this could go. But there were opportunities to think about more efficient ways of doing government. I thought of it as an efficiency commission more than a performance review.

VASSAR: Got it.

DUCHENY: But there were a lot of possibilities and different ways to consolidate agencies. There's a lot of this stuff that ends up being there just because of history, not because today it fits the model, right? So I think having the

conversation that we did -- And the hearings actually, those are worth -- I'm sure they're archived someplace, the hearings.

VASSAR: Yes, I saw them.

DUCHENY: I thought about them in recent years. I thought of looking some of those up occasionally for some of my classes and stuff. There were some really interesting discussions.

The ultimate recommendations that came out of it, I don't know that I agreed with all of them. I remember agreeing with some of them and I remember, I am not sure if I kind of actually voted for the final report or not because some of what they were proposing didn't make sense. But the bottom line, there were a bunch of recommendations. There were some really good people on this commission, both Republicans and Democrats in the sort of broad sector sense, people that were Regents and people that were business people, business roundtable types and those kinds of folks.

VASSAR: Right.

DUCHENY: So it was actually a better exercise than what I thought just from the initial thing that they did. So that committee, which only I think existed for that one session.

VASSAR: The Figueroa, yes.

DUCHENY: Yes, that Figueroa committee, that was the committee that Don, we talked to Perata, that Perata and I and some others agreed, should be set up to effectuate the portions of the CPR that we all thought were worth

effectuating, right? Because the CPR couldn't do anything but it made recommendations.

VASSAR: Right.

DUCHENY: Well those recommendations, if they were to happen, had to be done legislatively. So it made some sense from our perspective and from Senator Perata's perspective for us to say, okay, let's tackle those and let's see what we can do.

VASSAR: Sure.

DUCHENY: So that's what Liz's committee was for.

VASSAR: Got it.

DUCHENY: And that's why I had to serve on it, because I was one who had served --

VASSAR: You were already a member.

DUCHENY: I had served on the CPR and I was doing Budget; somebody who understood some of those kinds of issues and I knew a lot of the agencies because of Budget. So I was on there because of that.

What was most interesting about that era and checking out those bills, if you will, in the end; after that committee met for whatever, all year, did whatever we did, we had a couple of different bills, we tried some stuff. The bills that we ended up passing out were all what I and some of the staff would have called the lowest common denominators. We passed out bills that everybody could pretty much agree were all things that were reasonable efficiencies that could have helped. They weren't huge, they weren't big, blow up the box, get rid of big agency things, because those

were harder discussions and some of those we didn't all agree on what some of the recommendations were.

VASSAR: Right.

DUCHENY: But a lot of the recommendations were very natural to any review of a government structure like that. And so the bills we passed out, and I think there were like maybe three of them or something, that were sort of, let's take the stuff we can do and let's propose those, right?

VASSAR: Right.

DUCHENY: We sent all those bills to Schwarzenegger and he vetoed all of them. So after that we were like, 'Why are we doing this? Why are we going to have the harder conversations and the bigger ones that we could have continued with, if the Governor is not even going to accept the recommendations of his own?' Literally, we had put in legislation a whole series of the recommendations from the CPR.

VASSAR: That he created.

DUCHENY: That he created, that he said was the big thing for efficiency and all this and then he vetoed it all. I've never kind of understood that. It's worth kind of looking back at those bills. I don't recall them that well individually. I don't think I carried any of them, I think Liz or --

VASSAR: The Committee.

DUCHENY: They may have been Committee bills. John Howard, I think, was the -- Ed Howard? The staff person for it. I still work with him on some other stuff. We had some decent staff, we did all this work and we did it bipartisan.

And these bills I think went out of the house practically unanimously. It was strange. I don't know what the Governor was thinking. But that's what that Committee was about. So it's sort of an interesting footnote committee that never existed other than then and that's why it existed, so it's worth explaining.

VASSAR: And that's why it didn't exist in future sessions.

DUCHENY: Before or after, yes. That's why it didn't exist before or after.

And then I was on Conference that year. I don't remember the budget that well. It was a budget. But those were a little tight those years, I think, '04. We were starting to come back out of the '02 kind of collapse of the dot-com collapse that was '02.

VASSAR: Right.

DUCHENY: By '04, '05 we were starting to come out of that. By '05 -- well this would have been -- now we're moving to '05-06.

VASSAR: This is '05-06, yes.

DUCHENY: Yes. And '05-06 was when I was, yes, '05-06 was when I chaired Health and Human Services so, yes. But those budgets were a little better. I don't even remember who all the members were. That would have been Chesbro was Chair. I don't remember who the Republican Vice Chair was, to be honest.

VASSAR: Of Budget?

DUCHENY: Yes.

VASSAR: In?

DUCHENY: In '05-06.

VASSAR: In '05-06 it was Chesbro and Hollingsworth.

DUCHENY: Oh, it was Hollingsworth already?

VASSAR: Yes.

DUCHENY: Hollingsworth became Vice Chair of Budget in '05-06?

VASSAR: In '05-06, yes.

DUCHENY: Oh, because Brulte left and Ackerman became [Leader]? Did that go with Perata becoming [Majority] Leader?

VASSAR: So Ackerman was out [as Minority Leader] by 2007 so yes, that sounds about right, because he was in for about two years.

DUCHENY: Is that all? Ackerman wouldn't have left, Ackerman left --

VASSAR: 2007-2008 was when Ackerman was out and Cogdill got in.

DUCHENY: Oh, out as leader.

VASSAR: Oh, are we talking about leader or are we talking about the Senate?

DUCHENY: Okay. Well Senate. But Ackerman didn't term out until '08.

VASSAR: '08 right, he was out in '08.

DUCHENY: So he was leader --

VASSAR: And he was out as leader in '07 and Cogdill got in.

DUCHENY: Okay. But that means he became leader. Brulte must have termed out in '04 with Dede and them.

VASSAR: Yes, because Bob Dutton got in.

DUCHENY: Okay. Those are the pieces that I was having trouble with.

VASSAR: Right.

DUCHENY: My Bob Dutton story is a quick Bob Dutton story. But this was in '02 when I was elected. There are two or three good stories actually from that actual election night. Not election night but the night before the swearing-in night, when you come back up for December after the '02 election?

VASSAR: Right.

DUCHENY: Of course we were still happy then, it wasn't Arnold yet. Gray had won, Cruz had won reelection. There were several new members and I was one. I was new to the Senate but not new to the world. I remember one dinner. One story is the Latino Caucus had a dinner for all members from both houses one of the nights before the swearing-in is going to happen; with families because you know all the family comes up for the swearing-in and all that. And we had a dinner. Fabián Núñez, later famously the Speaker but at this moment the new member of the Assembly who nobody knew.

The new member in the Assembly Fabián came up to me at that dinner, this Latino Caucus dinner, which by then the Latino Caucus was a substantial number of people; not like when I first got there in '94 and there were 10 of us on a good day. This was now twenty-some members from both houses. And we had more than ever in the Senate because a whole batch of us got elected, myself and Senator Cedillo, Senator Flores, all of us got elected kind of at the same time and Martha was already there and some others. And then there were a bunch in the Assembly.

But Fabián came up to me and said, 'You have to come over and say hi to my mother.' 'Okay.' Well, his mother votes for me, which was

something I always held over the Speaker. I used to say, he may be the Assemblyman and he may be the Speaker but his mother votes for me. And he told me at this dinner, he says, 'You've got to come say hi to my mom because she has been getting your Christmas cards her whole life and she wants to meet *La Senadora*, she wants to meet *La Senadora*.' His mother is Latina and they grew up just east of Logan Heights in an area we call Shelltown. He went to San Diego High, that whole history. Fabián was from our neighborhood. He was a lot younger than me so I didn't know him as a young person but he had gone to high school, him and Kevin De León and those guys, they were kind of all from the same group and they were all from Logan. Ben Hueso is also from Logan; all those kids were from Logan.

And I had been his mother's Assemblywoman my whole career in the Assembly so his mother was really used to voting for me. And one of the campaign things we did, one of the things we did to maintain during the time that I was in office and we knew we were going to have to run every two years is we sent Christmas cards to constituents, not just to friends and donors. We had donors too but we used to do a constituent Christmas card mailing that was pretty substantial. We would do like 20,000 in the Assembly and we did it a few times in the Senate with like 40,000.

VASSAR: And it would have been campaign funds.

DUCHENY: Yes, with campaign funds.

VASSAR: So you avoid the 200 mailers.

DUCHENY: No, these were not, these were not that kind of mailers, these were campaign mailing. But they weren't campaigny, they were just --

VASSAR: Right, they were just connecting.

DUCHENY: -- Denise and Al. Merry Christmas, Happy New Year, Denise and Al. Usually they were just regular cards. A couple of times in the Senate we actually did pictures of ourselves and sent them out. A lot of members send out Christmas cards. It's not like a vote for me campaign thing but it's, yes, a campaign expenditure.

VASSAR: Right.

DUCHENY: But as a campaign expenditure, doing that helps people, it keeps your name in front of people so that when you are running a year or two later people still know who you are and have a connection.

Well, it turned out his mother was on my Christmas card list so Fabián said, 'My mother says she wants to meet *La Senadora*' because she was used to voting for me.

VASSAR: That's awesome.

DUCHENY: So I went over to meet her.

[Pause Recording]

[Resume Recording]

DUCHENY: So there was Fabián. And then we had a party, I think it was a party for Cruz probably. Everybody has sort of the parties before you come in or maybe it was even the same night after people get sworn in. There's a lot of that going around.

So I'd had this experience with Fabián and I went to whatever the party -- and I'm pretty sure this was Cruz's event, for some reason I think it was Cruz's reelection event. Somebody else came up to me. It would have been Nicole Parra would have been elected that year. Well I had known Pete Parra, who was a county supervisor, he'd come and see me when I was in the Assembly, you know people. So I saw Pete and, oh, here is my daughter Nicole, the new Assemblywoman, who I wouldn't have known.

It happened to me once or twice. I'm trying to think, I think there was one other one. And the straw that broke the camel's back was when Bob Dutton's father came up to me and said, 'Hi, it's so good to see you.' He and I, his father and I, his father had served in the Wilson administration.

VASSAR: Right. School construction.

DUCHENY: Well he was doing that at this time.

VASSAR: Right.

DUCHENY: By this time he was doing the school construction. Maybe he had done the joint school construction committee in Wilson's but he had also done -- when he and I worked together I believe it was on, it had to do with workforce training, it had to do with a workforce program. Anyway, he and I had done work together. I want to say the Employment Training Panel, possibly.

VASSAR: ETP?

DUCHENY: Things like that. Something like that that had become a budget issue for different reasons that I had some interest in, that I wanted to change how they were doing business because they weren't doing very well with minority businesses, some of the businesses in my district, there had been some issues around that. And he had been working for the Wilson administration so I knew him from that but I hadn't seen him in a few years. Wilson had been out, things have changed, I've been gone. And here I am at this party with Cruz and he comes up to me and I'm 'Oh, gosh, Dutton, how are you?' It's just Dutton, a guy you knew. 'Hi, how are you, what are you doing here?' Oh, well I'm here with my son, the new Assembly member.' And I said, okay, that's it. I am now on the third son of somebody, the son or daughter of somebody that I've known, and it was a Republican this time, I'm out of here. It was two or three Democrats where it was like I knew -- no, Cannella's kid³¹ wasn't elected yet then.

VASSAR: Right.

DUCHENY: Somebody else's son or daughter. Well Kevin Murray had been before because I served with both Willard and Kevin but that was the only father-son thing.

VASSAR: Tucker?

DUCHENY: No, I never served with Walter, I only knew Curtis. But during this '02 election there were two or three of those for some reason. And the Dutton one was the last one and it was like, okay, this is like the second or third

³¹ Ducheny served with Sal Cannella in the Assembly during her first partial-term. His son Anthony Cannella was elected to the Senate in 2010.

person that's come up to me. And this time it was a Republican and I know the father and not the new member. I was like, I'm out of here. It was just for fun but it was -- Ted was his dad's name, right?

VASSAR: Ted, yes.

DUCHENY: So Ted Dutton. So here was Ted and he's going, 'Oh, come and meet my son the new Assemblyman.' It was like, 'Okay.' I started feeling old because it was like I knew the parents and everybody and suddenly all the children were becoming members.

VASSAR: Right.

DUCHENY: Anyway, that was my '02, my '02 story. So we're back to '05-06.

VASSAR: '05-06.

DUCHENY: So who? So Hollingsworth became Vice Chair of Budget. So then we would have worked together --

VASSAR: And Hollingsworth --

DUCHENY: I don't know that he was on my subcommittee. I don't think she stuck him on my subcommittee.

VASSAR: So Hollingsworth started as Vice Chair of Budget in '05-06 with Chesbro.

DUCHENY: Chesbro was still there. But who was the Minority Leader then? It must have been the switch from Brulte to Ackerman. Ackerman would have appointed Hollingsworth; that's the way that worked, right?

VASSAR: Yes. I believe Cogdill put Dutton [on Budget]. No, Dutton was there by the time Cogdill got in.

DUCHENY: Yes, that was a different -- well, I forget.

Dennis didn't like it that much. Dennis did it but Dennis suffered. But I do remember Conference Committee with Dennis. I remember the Conference committees now that you mention it. I remember the Conference Committees having Dennis. And he did serve with me as Vice Chair I think for a while too.

VASSAR: In the following session.

DUCHENY: In the following session.

VASSAR: So at the end of 2006 you were unopposed in the primary.

DUCHENY: Yes, okay.

VASSAR: And you actually got a higher percentage of the vote --

DUCHENY: In the general.

VASSAR: -- in the general than you had the first round. The first time you had been in the fifties and the second time you were in the sixties.

DUCHENY: I think I had a weaker opponent too. I don't remember the Republican. Did I get to the sixties in that one?

VASSAR: You did get to the sixties.

DUCHENY: Well I had worked, I tell you, the first four years of the Senate I worked the district a lot. Because again, it was just like I said when I was running in '02, that district was so large and so complex that it took a lot of handholding.

Oh, here is another, and this kind of goes with the Hollingsworth stories. But the two big things that happened during those years, the big things that happened in the East County here were the fires, the wildfires in '03 and

subsequently the wildfires in '07. Well previous to the '02 election I had never represented the East County back country, which is where a lot of that occurred. The '03 fires were huge and it was something we weren't really probably as ready for and the confluence of where those were was mostly in Dennis's district and mine.

VASSAR: And at some point you authored a fire prevention fee bill as part of the budget.

DUCHENY: Probably, there were probably several of them in different times and different ways. There were a lot of different fire issues over time. I tried a couple of times to get -- well in the Assembly I think I even fought to get firefighters four on an engine. There were some issues like that we had dealt with over time. The fee thing came in different ways. If my name was on that it was probably just because it was a trailer bill.

VASSAR: Budget, yes.

DUCHENY: Again, we had talked about in '03 how Dennis and I had been working together on the QSA issues. But what also happened that fall was the fires. And in '03 when the fires hit it was pretty crazy down here. I remember I was at a conference back east. I actually flew in the night -- my plane got almost delayed, almost got wiped out. The LA airport shut down because the tower was in Ramona; so the tower got hit that hit LA but for some reason San Diego flights could come in but the LA flights couldn't. I was in an East Coast airport trying to figure out how to get out of town.

And we were literally in the hotel room that morning watching and it had been San Bernardino that had been on fire. In other words, for a couple of days we had known there were fires out here but they had been like in San Bernardino. And suddenly that Sunday, just as I was preparing to come home we started hearing about San Diego and you're calling home. So it was like I went to the airport early thinking, am I even going to get home. And then you got there. And for reasons that sort of were strange, my plane was one of the few that went out. There were a whole ton of people that were getting canceled and things were going on all over the place. And some of the LA people got bumped to our plane, but our plane was the one that went out.

I remember it only because flying into San Diego that night, we were literally flying between -- you could smell smoke in the airplane and you were flying, you could see -- it was dark already so you could see a ring of fire on this side and a ring of fire on this side as you were flying on the path through Otay. Because there had been a fire that started closer to the border in Otay and one that was farther north. And I think it was the next day or had it during that day had it jumped the freeway and Scripps Ranch. That never happens that it jumped the freeway. It was in San Diego. This fire was in the city of San Diego just north of here. The 15 freeway, it was east, it jumped the freeway. Getting west of the freeway, nobody ever --

VASSAR: That doesn't --

DUCHENY: It was just unheard of. Fires like that are usually back-country; it was real serious. And so I came home.

We represented several of the communities in the East County, this is Jacumba, Boulevard, and Campo and all those areas were part of the impacted area, very seriously.

VASSAR: Right.

DUCHENY: And that's where Dennis's and my district come together. So Dennis had way more of it because Dennis also had the North County fires but we started doing a lot of work together on the emergency stuff, our offices talking to each other. And I think we started the thing even that year although I remember it probably more in '07 we were better organized and we actually used to have like daily conference calls with the San Diego delegation. Everybody kind of on, okay, what can everybody do? Whose office is doing what? So we were coordinated about it. I think Dennis and I sort of led that. But I think that was more '07 because we learned from '03. In '03 we were all new members and we were just trying to figure out how to do things.

And we were doing things, at least in my own world from our staff, we were doing things like trying to take water to folks and dealing with evacuation centers and taking food and water out to the East County. I got on the phone. Things like calling Home Depot and asking them to loan generators to people, because we had no power for weeks out there. Well, in the back country here no power also means no water because they are all

on wells. So there were a lot of issues like that that you don't even think about until you're like dealing with them, right? And we just kind of scrambled, our whole district staff and everybody. And Dennis and I and our staffs had to work together a lot on those things and trying to coordinate to make sure different things were covered in different ways.

But after that we learned a lot, I think. Certainly in my area we did some things to shore up emergency connections. They did these CERT Trainings and a lot of families got trained in how to respond better. It was interesting because by the time the '07 fire happened we were, in fact, a lot better organized. Because of our experience in '03 we had now generators in key places so people could get the water going and we could --

And that one I remember I think we were in [Imperial Beach] for some reason that weekend. It was a weekend so we were home. Or maybe it was fall. I forget. But I remember it was like we looked out the door and it was foggy. You saw the smoke kind of and you could smell it kind of and it was like, 'What's going on and where is it?' And we got in the car and kind of followed the smoke and got to a certain place where the cops wouldn't let us go any further toward -- and it was headed toward our district. We headed out through Chula Vista and got to 94 and then they said, no, we've closed the road. So all my constituents back there were already supposedly evacuated and stuff, but they weren't. But by getting out there then we went to the evacuation center.

But we were better prepared. We had generators in place, we had people that had been trained and helped get older people out, phone trees. We had done a lot of things, my district staff did a lot of this work, working with the folks in the back country over those years. And that one I remember because Dennis and I -- and that was the one where they used Qualcomm as an evacuation site. We had people at the Qualcomm Stadium.

And our other members whose districts weren't necessarily impacted by the fires were helping out providing whatever in the second fire. So that was another one of those kind of experiences that we all had together and just kind of working and getting on the phone every morning. I remember this thing of getting on the phone with a bunch of members and the emergency services people from Sacramento. Who has to do what to who today and what's up, right, kind of thing?

VASSAR: Yes. The '07-08 session got started. You were the Chair of Senate Budget, Hollingsworth was the Vice Chair. And the only other committee you had was Senate Ag with Maldonado as the Chair. Had you requested to drop all other committees?

DUCHENY: Probably. Whatever. I don't know what else I would have done but probably. If you're going to take on Budget and it was big and they were heading into some issues. I don't know that I officially requested it but if they didn't need me, I didn't need it. And I was doing my select committee work. I had select committee work. That seems a little bit strange but we

had a lot of new members. We had a lot of Democrats so you didn't need -- when you have fewer members you have to serve on more places because you need to create majorities. I'm not sure. The '06 election, what did that produce?

VASSAR: I don't remember offhand.

DUCHENY: Perata was still there.

VASSAR: Yes.

DUCHENY: Yes. That was part of the reason Martha had -- because Martha was out in '06, right?

VASSAR: Would have been out in '06, yes.

DUCHENY: Martha would have been out in '06.

VASSAR: So you're the Chair of Budget.

DUCHENY: Okay. I think I kept a sub-chair. I think what may have happened and the reason I may have not had other committees is I may have kept the sub-chair while I was chair.

VASSAR: That's unusual.

DUCHENY: I don't recall that but I -- off and on it's happened in the past. I know Chesbro, like before they made me Chair of Health and Human Services I think Chesbro had had that. And if we were facing some of those same issues that I had dealt with, I don't recall.

VASSAR: So what did you see coming? The Governor releases the budget. Starting in '07 and the economy is?

DUCHENY: Well the other thing that -- one more thing we need to talk about that was '06, and this was something Perata and I both felt very strongly about. In '05 and '06 we started working on the infrastructure, the notion of the infrastructure proposals. And so the big bond for '06 was the transportation bond. Which is not to be ignored because it was a very -- The \$18 billion transportation bond was things that Perata and I and Torlakson, several people who were interested in such things, had started working on it I think probably in '05, some.

But in '06 Perata came out. In Caucus we talked about things. But the idea that we would advance this notion that we were the Democrats, we were about fixing this infrastructure, became a big thing. It was a big signature issue for Perata, it was something he was very concerned about. And so we had worked on that in '06.

I always thought one of the pluses and minuses of some of these things. But by doing that -- Arnold embraced it. I think it was our way of getting out. Oh yeah, the year before was the ugly year with Arnold. '05 was that year when he started out the State of the Union declaring war, as I used to call it, and then we had to spend all year killing his wars. And it was post -- we had done the CPR thing.

VASSAR: Was that his --

DUCHENY: He came up with a pension thing or something. He came out with some crazy stuff.

VASSAR: Was that when he did the initiatives, like five initiatives?

DUCHENY: Something like, we kill them all. Did he do initiatives?

VASSAR: Yes, there was the year of reform was 2006.

DUCHENY: Okay. In '05.

VASSAR: You're right, you're right.

DUCHENY: '05 is when he screwed up.

VASSAR: Yes.

DUCHENY: '05 was when he messed up. It poisoned that year in a lot of ways because I remember thinking about it as the year -- he started out his State of the Union with these ridiculous things that were literally like going nuclear. And he started them on Day One and we had to spend the rest of the year showing him how stupid they were. And whether he got them through initiatives or he -- but they were like these -- it was like pension things. It was an attack on unions.

VASSAR: Right.

DUCHENY: It was just way out there. I don't remember what all of them were but I remember the feeling. What I remember are the emotions of some of the things. And I remember thinking, gosh, and we had to spend all year fighting that stuff. And our response to that was to come back with serious infrastructure proposals, which was the transportation. So for us it was a way of coming back and saying, we have an initiative for us to do. Our initiative was to do transportation funding and to deal with some of the backlog and to fund projects all over the state for goods movement and a lot of things.

VASSAR: Right.

DUCHENY: So we worked on that. I wasn't one of the main folks in it but my little, I made sure my piece that I cared about got in there, which had to do with border infrastructure. The Trade Corridor Infrastructure Fund, which funded the ports and land ports of entry and seaports. San Diego Port was in my district too.

VASSAR: So by then --

DUCHENY: Me and Perata, Perata had the Oakland Port. So a lot of those kinds of issues we were able to address in part in the transportation bond. So that was '06.

But the flip side of that was Arnold embraced it and ended up actually campaigning for it while he was up for reelection. I often wonder whether had we not sort of given him that opportunity to look sane after the prior year when he had just been a nightmare, whether [Phil] Angelides might have actually defeated him. Really it was the only election Arnold had to run like a real election.

VASSAR: Right.

DUCHENY: And the transportation, it was sort of like he just turned on a dime. After we defeated all of whatever he had proposed in '05 and made -- I think he did make a special election ballot.

VASSAR: Yes, it was, it was.

DUCHENY: A special election ballot and we had to fight the ballot wars and we defeated him completely on all his silly stuff.

VASSAR: Yes, all of them.

DUCHENY: But it took a lot of energy out of the house of doing normal things, to have to do those fights and fight the initiatives and fight the campaign and do all that.

VASSAR: Right.

DUCHENY: And so our response to that was this kind of, we're going to go now do -- now can we go do the real work that we really wanted to do last year? Because we had been talking about the other the last year and we just couldn't, there was no momentum to do that because you were busy fighting all these silly wars.

So we came out with that and Arnold turned on a dime and just acted like, okay, well that's over, next, moving on. And he got right into the transportation bond thing and then he supported it and then he won reelection in '06. So I just kind of thought that's worth noting.

But yes, by the end of '06 then Chesbro was termed out.

VASSAR: Yes. Heads back to the Assembly.

DUCHENY: And Perata was kind enough to name me to Chair the Budget Committee again so there I was. But at that point I had sat on Conference for two years in the Senate with Perata so all of that was -- we were doing quite nicely. Perata and I always worked well together on any number of things. It may have been that I felt like there was enough going on that I didn't want any others but it may have also just been they didn't need me and that's fine, and that was fine with me too.

VASSAR: Right.

DUCHENY: And I was doing a lot of the Mexico stuff so I had other commitments in other arenas too. I don't remember what else I might have been doing.

Well, I had run for reelection in '06 and it goes to that. But I did spend a lot of time the first four years doing a lot of district handholding. There were these things with the fires, the back country, these small communities, and then doing a lot in Imperial County and Coachella Valley. And I had done a lot, which is why it was harder to defeat me and I was in pretty good shape all over the district, even in the more Republican kind of areas. Doing a lot of work with the growers and we had done the water stuff. We had done quite a bit.

But it's sort of a relief. At that point you know you don't have to run again; except then you have no campaign because you can't raise any campaign money anymore, but whatever. But it kind of frees you up in an interesting way that you don't have to do campaigns anymore. It's like there's not much you can do about it because the law at that point had made it -- at that point the laws had changed in such a way that you weren't allowed to have -- except they had made the \$50,000 officeholder thing. You could raise \$50,000 a year in an officeholder account but that was it. And you couldn't raise campaign money unless you had a future campaign.

VASSAR: Which a lot of people created accounts.

DUCHENY: With term limits. A lot of people created accounts for different offices that some of them never ran for. That to me was difficult. It makes it awkward

because in caucus things you do want to kind of try to support the caucus and do what you can but I had to do it in other ways, more like showing up and helping people and your name helping them.

VASSAR: Right.

DUCHENY: Calling. And you can call and help them raise money, you can do things like that, but I couldn't do my own money and transfer it.

VASSAR: Right.

DUCHENY: I don't remember. '07-08? '07 wasn't a bad budget year yet. '08 I think -- by the end of '07 a lot of us who did budgets, we could see the recession coming before it came, I guess is how I would describe it. I think a lot of us saw that there was this -- this bubble wasn't going to last. And that there was a bubble and it was very much like the bubble at the end of '88-89 before the recession of '90. You could see all the symptoms were the same.

The houses were -- if you were in my district, where people were building houses like crazy in '04, '05, '06, Chula Vista had grown. By the time we got to my second election my district had probably grown by 50,000 to 100,000 people. Imperial County was a high-growth area, Coachella was a high-growth area and eastern Chula Vista was a high-growth area. All of them were some of the ones that took the biggest hits because that was where people were selling the houses to people for more money than the house was worth and the loans were higher. All of those issues were out there and they were starting to hit, I think, in some of our

areas. And we could see that the bubble, we could see that people were buying houses at rates that were more.

VASSAR: Right.

DUCHENY: And I don't think we all understood at that time all the crazy mortgage stuff that had been going on with the loaning of money to people who really didn't have the credit for it. All of those issues were swirling around in '07.

I don't remember that budget being really bad. The best budgets I remember in the Senate were like '06 and '07. They were sort of better budgets.

As '08 started we could start to see it coming but it hadn't really hit.

VASSAR: Right.

DUCHENY: But we could see where it was going. And of course by the end of '08 we were -- the TARP and the world had turned and Obama became president.

VASSAR: Right.

DUCHENY: Everything was topsy-turvy and the whole country was in recession. But I think we did -- was that the -- one or two of those years, '08 or '09 we must have done like five different budgets, I felt like. There was a series of budgets that were done. Because every time we looked around we had different numbers and we had to make adjustments. We did the budget and then we did, we had to do a supplemental budget and then we had an amendment to the budget and then we had to -- in fact, I think at the beginning of '09 we probably had to do like a February budget to cut

things that were in the '08 July budget. I think we even did an '08 fall budget. It was '08 and '09 were the years when we -- I remember the sense that I did five budgets in one year or something. It felt like it. I don't remember how many there really were but I remember. We must have done a base budget in June of '08 and then.

VASSAR: So there was a --

DUCHENY: We had tough, those were tough discussions.

VASSAR: -- a session day in July 2007. One of the budgets.

[Recording Paused]

[Recording Resumed]

DUCHENY: To be honest I think those years, I may have tried to block them because they were so awful.

VASSAR: There was one day, it was July 20th, 2007, and Perata ordered a lockdown in the chambers that lasted 19 hours. The Senate stayed in session for 19 hours to encourage the Republicans to vote on the budget. It was one of the longer Senate session days to that point.

DUCHENY: The Senate you didn't see that, that was more of an Assembly technique in the old days.

VASSAR: Right.

DUCHENY: I'd have to actually look at the '07 budget to try to recall what the issues were. Was it because we were asking for taxes?

VASSAR: I believe it was those --

DUCHENY: That's probably, that was probably it and I don't think the Republicans were there yet to appreciate that they would get it. One of the problems, it was generic to the entire Schwarzenegger administration, was that Schwarzenegger didn't often have Republican support so we got caught a couple of different years in a situation that felt very awkward.

We would make agreements that we thought were agreements with the Governor, because the Governor would insist on -- always in budgets Governors insist on certain things and you go back and forth and you try to figure out what to do. But we would get caught in a problem where you would make these agreements through the Governor and then find out that there were no Republicans supporting the Governor. And so you'd have to have made a deal with the Governor and then you would have to start over and make a deal with the Republicans.

And that was really awkward and it made me -- I remember somewhere along there was when I used to say, I knew I was in trouble when I started longing for the days of Pete Wilson. Because of our differences around 187 and that; but when it came to things like budget and actually doing legislation, Pete was a governing Governor. Pete knew line items. If I was fighting for my farmworker housing Pete knew where my \$2 million was stashed for my farmworker housing. Pete was as detail-oriented as I was on budgets and he understood those things. And he had his bigger policy issues and he was good on a lot of the health and human -- he wasn't an ideologue on budget, he was more of a make the

government work budget. Well I could work with that. We didn't always agree on things but you work within certain parameters in that kind of world.

But Pete always brought Republican votes with him. Pete knew how to do this in a way where he was bringing the Republican caucuses along to the extent that you could get whatever votes you might -- what he and Willie or whoever the Speaker was at the time might feel that they needed to make something work.

Arnold, that just was not the case and that became really, it started to make things really difficult because you couldn't -- it was like -- and especially for Democrats it was very frustrating because it was like, you had to keep giving blood at the bank every time you turned around, to different folks, different ways, and you couldn't ever make a universal kind of Gang of Five deal very well. I think it even got to where they wouldn't really have five at the meetings or the meetings of the five became -- people never liked those and they weren't the best way of doing business but when they were done right they were effective.

They were never meant to be whole negotiations, they were closers. When we got to -- at least when I was in the Assembly and with Mike Thompson and all those, we would do a lot of the heavy lifting kind of through everybody talking to their own, everybody to their caucuses and the Finance to the Governor. And a lot of it could be closed in Conference but there always was the place where it's, okay, now we're at this sort of,

how are we going to put this package of issues to bed. And that's when you would go to the Gang of Five and sort of say, okay, how can we solve this?. It wasn't necessarily -- it always had a very poor outer appearance but there is something to be said for people who are empowered by their various folks and folks, caucus members coming in to those with, 'Look, this is how many votes I have if we go here and this is how many votes I have. If you want to go there then you're going to have to find the other half of the votes.' You actually have to have conversations like that at some point.

VASSAR: Right. So what do you remember about Cogdill's term as Republican leader and the budget that ended at --

DUCHENY: Was that when that switched? Was that the night they did the coup on Ackerman? Was that that same night, that whole?

VASSAR: There was the transition from Ackerman to Cogdill and then Cogdill ended up only serving one term in the Senate because of frustrations with the budget.

DUCHENY: But Cogdill. Somebody did a coup on somebody else someplace along the way.

VASSAR: It was --

DUCHENY: Was it Cogdill did the coup on Ackerman?

VASSAR: No, no, it was Hollingsworth.

DUCHENY: Did the coup on Cogdill.

VASSAR: On Cogdill.

DUCHENY: I just remember the coup. Okay. And that was ugly. I remember that night and that was ugly and we were all taken aback, it was pretty ugly.

VASSAR: So I think my recollection was that both parties were in caucus and Democrats had no idea what was going on in the Republican caucus?

DUCHENY: We did at a certain point. It became clear because Maldo walked out and Ashburn walked out, there were some -- and they were just like, 'We're not going to be there for this, this is just not a good idea.' I think it was probably Maldo and Ashburn who were the most disconcerted by what they saw happening.

I liked Dave. I had worked with Dave -- I think we had been -- maybe we had just worked on ag together. There were some issues. Cogdill had worked on water, Cogdill was a water guy and Cogdill was also an ag guy, and we had worked together on some stuff, maybe served on committees together. Maybe he was on budget. He might have been on a budget sub at some point.

VASSAR: Yes.

DUCHENY: Maybe '07, maybe one of the reasons that I did Budget-only, that may have been the year that I did a lot of full budget committee hearings. There was one year, one or two years in there where I kept insisting that everybody had to come to big budget committee hearings and hear those 500 people that were going to show up in that auditorium because this was when things were going to get tight. It may have been '08 but I might have started some of that in '07 where I held more hearings of full Budget

Committee or I created a sub where I could talk about -- that may have been the year that I created a sub where we could talk about revenues. At one point I created a subcommittee that I put Dutton on so we could have discussions about revenues. Because at some point revenues have to be part of the budget discussion and that kept always not being -- it's not the way the budget is set up because the budget doesn't do that.

VASSAR: Why is there not a regular subcommittee?

DUCHENY: Because that's Rev and Tax. It's considered a very different issue. And a budget is actually only a spending bill. In the federal government they separate Ways & Means and Budget from Appropriations, but in their world what we would call budget bills are appropriations bills. And truthfully, the reason that the so-called, quote/unquote budget bill always required two-thirds is because it's actually an appropriations bill. Budgets don't require two-thirds, what requires two-thirds is appropriations. Urgency legislation and appropriations are the requirements of two-thirds. So it's spending bills that require two-thirds. And a budget bill is the ultimate spending bill. It is one big spending bill. That's all it does, it allocates resources.

VASSAR: Right.

DUCHENY: So the budget bill, you have to take assumptions about revenues that the LAO and Finance and projections, but they never appear anywhere in the budget except in the -- sort of the Governor's explanation of the budget will say, the budget assumes this much. We are going to get this much

from income tax, we are going to get this much from sales tax, we are going to get -- they'll show you the trends. In other words, all of those things are part of the narrative budget documents.

But the budget bill itself just says, Judicial Branch, they get this. By agency, by line item. The line items of the budget are really just a spending bill. It says, this many million dollars and this many million dollars and it's what it is.

VASSAR: And one other thing from early in that period. Another budget-kind-of-related issue was the attempted recall of Jeff Denham.

DUCHENY: Oh, Lord. Oh yeah, I forgot about that.

VASSAR: And so that was --

DUCHENY: That was probably in '06, '07. He would have gotten reelected in '06, right?

VASSAR: That was 2008 because there were two issues facing the Democratic Caucus at the time. One was the insurgent Assemblyman Mark Leno running against Carole Migden. At the same time the recall of Denham.

DUCHENY: That never took off.

VASSAR: Did you, were you --

DUCHENY: I don't think that ever actually -- we decided not to do that at some point.

VASSAR: Were you involved in either of those? You had worked with Carole.

DUCHENY: I supported Carole because, just because. We all kind of, it was a little bit awkward because Leno was an Assemblyman, I think, at that point. We understood some of the issues with Carole but Carole had been working

with us for a long time. I certainly had a relationship with Carole. Don felt, generally speaking the obligation of the Caucus is to defend your members. We helped Carole as much as any of us could, we did whatever we did. It was a little awkward when Leno showed up. We had to try to figure out how we were going to handle that.

And the Denham thing, I remember it floating around but I remember folks deciding this was just way more energy than people wanted to -- I forget what he did. Denham just turned into a whole different person the second session, in my sense. Both he and -- the other one who was like that was Runner when he came to the Senate. I did pretty well with Runner. Runner was my Vice Chair in Assembly Budget for a lot of years and Runner and I did pretty well over there. When he came to the Senate he just seemed like a much harder person, more difficult. Much less compassionate. He was arguing for very different issues than he had in the Assembly. Those changed somewhat.

But I always liked Cogdill and I don't remember what we worked on that much. He was a more taciturn sort of person. He was never a chatty, sociable kind of guy with folks and that may have been one of his problems in the caucus. He was a straight-up kind of guy. We always did fine. I remember the issues that we worked on together would have been things like water and perhaps some agriculture issues.

VASSAR: The water bond.

DUCHENY: Then the water bond. Well that was later, even after he was not Speaker anymore.

VASSAR: No longer leader?

DUCHENY: Not leader. But he and I and Hollingsworth. I was going to talk about that. But that was '09.

VASSAR: Right.

DUCHENY: And we had sort of survived the '08 budget. But the '08 was, I think, the year we started with the one budget and had to go like two or three budgets down the road. But I don't remember the lockdown thing. What would that have been about? Did we solve it that night?

VASSAR: No, no, it ended up --

DUCHENY: We had to break and then --

VASSAR: Yes.

DUCHENY: Yes, those kinds of things are difficult to make happen. I think we were trying to get the Governor to put pressure and get some of these people to come off. Was that the year -- which year was it that we had to do the -- that Maldonado held everybody hostage for his silly amendments that created all the havoc for the election?

VASSAR: The top two primary, yes.

DUCHENY: Because what year did he run and get himself killed? He ran for Secretary of State against Strickland and lost in the primary in '06.

VASSAR: Controller.

DUCHENY: Controller.

VASSAR: So he ran for Controller in '06.

DUCHENY: In '06, okay. So that's what started all this stuff.

VASSAR: And then he ran for --

DUCHENY: A lot of this was that.

VASSAR: And then he was -- by the time 2010 rolled around he was the Lieutenant Governor.

DUCHENY: Yeah, yeah. But that was different. But it was the '06 election where Arnold survived. You had the Strickland/Maldonado fight that led a lot of folks to be looking at those kinds of problems. Because the Republican Caucus, frankly, was having its internal issues. I remember later, Maldonado talking --

That caucus was not very friendly to some of their members. And as their numbers shrunk that probably became more frustrating because by now we were winning elections sort of everywhere. We were beyond 25. I think we were at 25, which in the Senate meant we were two votes short of a two-thirds majority.

VASSAR: Right.

DUCHENY: So that became problematic for the budgets. When you had to do budgets where you actually had to have a substantial portion of each caucus it's one thing; when you have a budget where you are just looking for one or two members to so-call, pickoff, that's a very different dynamic.

VASSAR: Right. So which is better in terms of a quality budget?

DUCHENY: To me I like it better if you have to get the bigger. Truthfully, even the budget we did with Pringle where you actually had to figure out where the center was and you had to get buy-in from both sides to do something.

Now personally, I would never recommend two-thirds as a policy. I think two-thirds is too much because it essentially means one-third of the people get to veto; one-third of the people actually get to make the decision, which is sort of frustrating. Especially when it came to the taxes and revenues that go with budgets, that was problematic.

I was never a big fan -- I was with Ken Maddy who often proposed and I agreed with this and we did it for school bonds. I think for future public policy purposes it would be good to do for transportation bonds, things like our TransNet that folks are still doing in all the different counties for the COGS, and I think for budgets the right solution would have been 55 percent. I think it's important that something as big as a budget document have more than just a bare majority. A 21 vote or 41 vote budget, that's a little, I don't know. That to me would be of concern if it was that close and you had a budget that's really only half the people supporting it. You know what I mean?

VASSAR: Yes.

DUCHENY: I think probably the budgets they are getting now, even though the requirement is 50 percent, are more supported by a larger number of people than an exact 50 percent.

VASSAR: Sure.

DUCHENY: But I was always a little leery of the 50 percent theory, but I also think 66 is way too much. I think 66 allows the tyranny of the minority, which is what happened throughout all of those budgets, both in the good years and the bad years. Because the one-third then get to decide where is the point at which -- it comes more on them.

VASSAR: Right.

DUCHENY: I suspect -- I don't know who they were working in '07. Maldonado was always one who was more reasonable about a lot of things and Maldonado was always a target. But after his experience in '06 I imagine that '07 may have been the night that we were arguing about that Maldonado was starting to put together his idea for his -- was that the year that we did that, that was passed that? Because it was on the ballot in '08, right?

VASSAR: The top two primary?

DUCHENY: When was the bill?

VASSAR: I thought that was 2010 because 2012 was the first where we had the top two and the new term limits.

DUCHENY: Oh, so it was '09. Oh, okay, so then it was '09? Well '09 was the worst budget year on earth so that was probably the one we needed to trade that to get the taxes we needed. Right? We had to do tax increases in '09?

VASSAR: Right.

DUCHENY: And to get Maldonado to vote for tax increases we needed to do that. And I think there was one other thing we had to do besides that. Which not a lot

of us liked, that top two primary was something that I was never really sure I felt good about voting for.

VASSAR: I remember there were Senators on the floor crying when they were explaining their votes.

DUCHENY: People felt like, yeah, people felt very -- well, I think it felt very wrong to be doing that as kind of a hostage for a budget. And the budget was in crisis. We were in a cash crisis. We had a lot of things going on. The Controller had no cash. If we weren't passing budgets then people weren't getting -- in a lot of those sessions, when you went past July very far you start -- real people's lives are really the people affected, not just own paychecks that were being withheld and our staff and all that.

VASSAR: Right.

DUCHENY: Yes, we would get paid again in the long run and so would the CalWORKs and Medi-Cal recipients, but it is much harder to survive if you're not getting your -- your doctors getting Medi-Cal reimbursements and families getting IHSS and welfare payments. Some of those things get continued but you run into some -- and vendors aren't getting paid. There's a lot. And then at some point the Controller is running out of cash. Not only does he not have authority to pay people but then he's literally having to borrow extra money, which costs us more to do short-term things, we have to do short-term borrowing. There's a lot of components to that.

VASSAR: Right.

DUCHENY: I think it goes to the two-thirds problem. I think that's what finally led people to do the 50 percent thing. Because that kind of thing, holding everything up when you had more than a majority of a caucus, a house, a whatever. You had a very strong majority who would have voted for a whole lot of different things and no ability to get that through; the fact that you're one or two votes short of being able to do something sane.

VASSAR: Right.

DUCHENY: And then you end up doing things that are totally extraneous, really, to the actual issue.

VASSAR: Right.

DUCHENY: Like that. It was very -- nobody felt good about that. But it was the kind of thing that the truth was and this is California politics as they are today. But the Maldonados and Schwarzeneggers of the world could never win a Republican primary. Arnold could never win a Republican primary and Maldo couldn't either.

VASSAR: Right.

DUCHENY: They can win -- in larger primaries they have a better opportunity, to be honest. The Republican party had gotten so just like -- again, sort of California prescient of what's happened nationally, the sort of Tea Party and this sort of mix. We had that weird mix of people who were the more conservatives. As the party gets smaller and as it had less here you had that more core, more conservative core, I think, come to the forefront.

VASSAR: So if it helps moderate influences like the Tea Party is the top two primary something that you --

DUCHENY: In theory.

VASSAR: Outside of the budget.

DUCHENY: Yeah. I --

VASSAR: Didn't like the way it was presented.

DUCHENY: Yes, that was problematic.

VASSAR: But in theory.

DUCHENY: I wasn't a particular fan of this particular version, to be honest. To me, if you're going to say what people are trying to say with that, I would have preferred -- I don't have a real problem with nonpartisan elections. To me, that's how we do city councils and county supervisors and college boards and school boards and stuff all over the state. To me, if you're trying to say, we just want people to vote for the person, people can vote for whoever they want, to me you should then just do that. And if it were up to me, if you got 50 percent in the primary then you wouldn't have a runoff, just like in the county or the city.

VASSAR: Right.

DUCHENY: These one-on-one awful runoff things are like the worst. Granted you would have some with the top two because somebody won't get 50 percent if there's five people running, but in many cases it's just a waste of money. If you're going to do it at least make some efficiencies and save some money for the county clerks out of it. That you have to run an election

after somebody got 80 percent in the primary and somebody got 20 percent and the same two people have to run in the fall, that's just a waste of time and money. So to me, if we were going to do it just go all the way and say, it's a nonpartisan election. But say, people can put your party on the ballot. In other words, you can identify yourself with a party as part of the thing. But if you are doing away with party primaries then just do away with them. I don't know.

And I didn't like kind of being hostages for it. I think that was a fair conversation to have about the -- there was a fair discussion that was being raised and by Steve Peace and others who were Independents.

VASSAR: That was who wrote that exact bill.

DUCHENY: It was Steve who wrote this, I knew that. But it was -- that's a fair conversation to have. Leveraging it to the budget was, I think, very problematic for a lot of people. It just is. But we did it anyway.

VASSAR: One thing that happened at the end of --

DUCHENY: Don't watch people making sausages, they say.

VASSAR: The 2007-2008 session. At the end of that session Nell Soto decided not to seek another term in the Assembly. She had moved over from the Senate to the Assembly.

DUCHENY: Yes.

VASSAR: And that started kind of that 2009-10 session where Nell Soto, out of office, in February of 2009, died.

DUCHENY: She died.

VASSAR: And you also --

DUCHENY: I remember many of us went to the funeral, I remember going to that funeral too.

VASSAR: And you also had the two Senators who died in 2010, Cox and Oropeza.

DUCHENY: Oropeza was the same year?

VASSAR: Yes. It was July and I believe October-ish.

DUCHENY: I remember going to the Cox funeral because it was in Sacramento right there. I remember, I remember seeing his daughter at the funeral and it turned out she worked in the Governor's Office and I had worked with her and I just didn't even -- I hadn't made the connection between her and her father.

VASSAR: So how does that affect the Senate in terms of Senators? You talked about the family. How does that, what is the feeling when there's a vacancy and it's going to be -- and then when a new member comes in and is taking the place of?

DUCHENY: You know, I don't know. You just, you know, life goes on. It does impact people that somebody died and certainly especially when they were ill like Jenny had her cancer and people were aware of that.

And even now when people die afterwards. Vincent, he was out of office but it was something that a lot of us were conscious of. And even, frankly, well, it was while we were out of office but Gilbert Cedillo's wife died right before we came back in '02 and that was very emotional.

VASSAR: Right.

DUCHENY: And he had been out a lot taking care of her the previous two years so you're sort of involved with people; you know about some of those kinds of things. And like the Machado's child issue and some of those things.

VASSAR: Right.

DUCHENY: With Jenny, I don't know. I had worked with her off and on. I wasn't as close to her as a lot of other folks were. She had tried to follow me in Budget. She had tried to -- I had tried to mentor her a bit on the budget in the Assembly. She was Budget Chair for a minute in the Assembly after I left, after Tony [Cardenas now Congressman if you want to add FN]]. I think Tony was there and then her.

It's empty desks and it's awkward because then you don't have votes. It can be difficult in those ways sometimes if it's the wrong time of year or if you're in a close situation. I don't remember either of those being that much that way.

I had worked with Cox. I had traveled with Cox some. I got in trouble, it must have been the fall of '08 that a whole bunch of us --

The Senate has the international relations and would organize trips for Senators to work with other governments in various ways at different times and different things. I had the opportunity, it was great to travel a couple of times on some of those too. We did one to -- I actually ended up on two to Argentina. I remember doing with I think Senator Escutia and Senator Alpert before they termed out and then another one later with a different group of folks.

But Cox, we were in India. Cox and Ackerman and me and there were several of us, Cedillo, there were probably 8 or 10 of us, it was quite a substantial group. Corbett, I think, because she had a lot of Indians in her district. So there had been this trip to India arranged.

And we talked about -- there were some meetings with one state where we talked about things like water conservation and what we were doing and things that might have been transferrable, technologies that we might have sold.

VASSAR: Right.

DUCHENY: These are all sort of semi-trade and visibility trips for California. And they would set up meetings in different venues and, yeah, you get a little tourism on the side. It was horrible. I never should have gone, I knew it, but it's like you had arranged it all before the world collapsed. This is '08 so we had done whatever budget but we had new numbers coming out as soon as July, September we were starting to see new numbers. This is when the TARP, the Obama election, all of that stuff was going on, that whole business, and the world was collapsing.

And we were looking for, we knew we were going to have to do special sessions on the budget and we were actually looking at whether we needed to do -- in fact, I don't know if we ever settled the budget that summer. We had sort of limped along in some fashion. And I've forgotten what it was but I know in the fall we were still sort of churning.

VASSAR: Right.

DUCHENY: And I asked. And all these plans had been made sort of before that was apparent. These kinds of things get planned far in advance and several members were involved in this trip.

VASSAR: Right.

DUCHENY: And our spouses, some of them went with us and so we were paying that with the campaign and you're sort of doing all this. And I remember talking to Perata and thinking, maybe this trip needed to be canceled completely because maybe we needed to be in town because there had been some discussions going on right before we left in October or whatever it was and Perata said, no.

We had gotten to a point where the discussions that we thought were going to happen over the next whatever period of time, month or so, were all going to be pretty much leadership discussions. It was going to be time -- in other words, we had gotten things to a certain place and we had certain proposals on the table and the question was going to be kind of can leadership, can the Republicans get there, can the Governor get there, how are we going to get to solving some of this. Because we were literally going to have to talk about taxes and people had to get serious about it.

VASSAR: Right.

DUCHENY: And I remember being concerned about it but going anyway. And then ending up on long distance calls with Perata from India and literally actually sitting down -- because I had with me on this trip many of the relevant Republicans that would need to vote for something if we were

going to come up with something. So some suggestions were coming out and it was like I had to actually call like a little coffee session. I had termed out members. What it was is I had the opportunity to do something in a lame duck session, I think. And Cox was there. I remember Cox being there, he was grumpy about it. But basically the two I was sort of targeting is Margett and Ackerman were there.

And Margett and Ackerman were both termed out and were not having to come back. They were on this but when we got back -- so they would be there in lame duck. If we were going to have a lame duck session and try to do something in November they were going to be there. And one of the things we were looking at was the opportunity to try to do some things that would solve some issues up front before the '09 budget came out. To try to get a couple of things in place in a lame duck session where people would feel less endangered if they voted for them, basically.

VASSAR: Right.

DUCHENY: Was there some opportunities there with things that Perata and I and others were looking at. And I remember only because they were there with me and so I had to figure out, you know, how to have these conversations about here are some ideas that are coming out, what could you be open to, what would you suggest, trying to have some conversations like that actually while we were there.

VASSAR: And that didn't work out?

DUCHENY: And then being forced to come home. And then I had to come home early and I had to change flights three times. It must have cost me a fortune, I don't even want to remember, because I had to -- we got the wrong flight on the wrong -- my staff changed my reservation so I could come home early and picked the wrong date. We got confused because you're so far away in time.

VASSAR: The International Date Line.

DUCHENY: Yes, it was something like that. And it was sort of we got confused about what Friday and Saturday were or something. I thought they had made the proper change and then I went to look at it and it was saying, but that plane was yesterday. No, it's today, I need this plane to be today, not yesterday. It was one of those kinds of things. And it was because at whatever point we made this decision or whatever Perata wanted to put a bill up on the floor on whatever Monday and the way this trip had been organized, we weren't due back until Monday or Tuesday or Wednesday or something.

VASSAR: Right.

DUCHENY: For whatever reason I remember Al stayed two or three extra days. You can check the dates, it was the date of the Mumbai bombing. Because I remember my husband was flying home the day that the Mumbai hotel was -- the terrorist attack on the Mumbai hotel happened like the day Al was leaving India to fly home.

And they had one extra city. We actually cut the trip short. We took one whole city off the agenda.

They did one stop that a few members went to and then some of us just had to come home early. It was just that kind of --

And it was because we were going to set up a session for the following week and I was going to have to present our new budget bill. So we had these calls and I remember having some of these conversations there. And I remember coming back to Sacramento so that I could kind of prepare for whatever we were going to be doing the next week and do whatever I'd do.

But later in other campaigns, subsequent campaigns, there was a nasty cartoon in the UT³², why was I in India when the budget was burning. And it wasn't like that, I knew exactly what I was doing. I had done all my work ahead of time. Perata and us had talked about it. We had decided for those couple of weeks it was unlikely that anything would need to break. And then as it turned out it kind of sort of got to a place where we did need to do something in November and we came back. For some reason somehow that was still a hit. It was like a big, we shouldn't have been wherever. Of course they didn't mention the eight other members, including Republican leadership, that were with me. It was just me, for some reason.

VASSAR: Yes.

DUCHENY: But I was the one who came back and actually presented the budget bill so I don't know what anybody was complaining about. I was the one who actually came back and put the bill together, got all the notes together and presented the bill. Unfortunately, I don't think it passed. I think we made

³² San Diego Union-Tribune.

an effort then to try to pass, I think it was we were probably trying to reinstate the VLF and do a couple of the sensible things. Because I always thought the VLF -- people never really understood that it's a property tax and it is deductible from your federal taxes.

One of my theories of how you do revenue is it is always better to have revenue from sources that are federally deductible because for the average person, then you're not paying the full freight. Yes, it's not 100 percent or whatever sometimes, but to the extent you're paying state income taxes and state property taxes, you are deducting those from your federal income tax obligation. Well, for the state, that's great. Taking money from the feds and giving it to the state, that's a good thing. So why you would ever substitute a non-federally deductible tax for a federally deductible tax was always beyond me. And the vehicle license fee was a federal deductible tax because it's basically a property tax, it's effectively a property tax.

VASSAR: Right.

DUCHENY: It just was always the wrong one to do that with. I came up with any number of variations. I always thought, I've understand why the 2 percent and we had already cut the, we had cut it several times over time. But that final cut to it that happened I think after 2000 or 2001 or 2002, I think that final one that made it really a nightmare, happened after I was gone, during that period that I was out. But it was -- to me that was the sin. And had we been able to restore it, even to a full 1 percent, right now it's .65 percent, if

we could even restore it to a full 1 percent. And if it made everybody feel better we could dedicate it to roads, we could do some things with it. But even just that would have helped stabilize the budget at different times.

VASSAR: Right.

DUCHENY: And truthfully, I was never for -- and Arnold, I think one of the awful things that happened along there was Arnold supported the sales tax increase. I think it was '07 or '08 that we ended up voting for a sales tax increase, which was like the worst of all possible things. And it was just like, why can't people do what's sensible if you're going to do it?

VASSAR: Right.

DUCHENY: And he got, I think that was why Abel, Abel had to vote for some of these tax increases. But the sensible ones have to do with progressivity and income tax. And things like vehicle license fee and things like that people just resisted. And the other one I kept pushing in those days, I remember through all those different sessions and all those different budgets we did over the next two or three years, I think that's when I had that subcommittee where I was trying to get folks to pay attention to what are the sensible ways to approach revenue issues. I'm willing to engage in larger reform discussion. You can cut exemptions. And one that kept coming up and Arnold even proposed one of the years was the sales tax on services. That's come up over and over again.

VASSAR: Right.

DUCHENY: The big one that I was on, which did get resolved shortly after I left the Senate, finally, was we used it to call it the Amazon one but it had to do with Internet sales. There was this inequity, if you will, where the Barnes & Noble who has a brick and mortar building in California, and so is thereby employing Californians, paying California property tax, withholding state income tax on employees.

VASSAR: And collecting sales tax.

DUCHENY: And collecting sales tax, is at a disadvantage versus Amazon who doesn't have a building in California but sells exactly the same book for the same price or a less prices because they don't have to have a sales tax. And finally. It took years. Dede and I and Bowen --

At NCSL this has been an issue throughout states throughout the country for years as catalog and Internet sales, especially as those grew as a portion of the sales in the economy it became a bigger and bigger problem for states throughout the country. NCSL kept trying to come up with a way to do a uniform sales tax but it was really hard for everybody to agree on what all things is everybody going to tax and those kinds of things.

VASSAR: Right.

DUCHENY: So I had been involved with those discussions before. But at some point it became perfectly obvious this was ridiculous and it was becoming too much money, it was becoming too important to our economy in this '08-09 challenging period. That's like a billion dollars was being left on the table.

And yeah, we came up with a way where people could put sales tax on the bottom of your income form and pay a little bit based on -- the truth was, and I remember this hearing and I said, 'When I buy my book on Kindle,' which I bought because Dave Cox talked me into buying a Kindle and it was for that trip to India because it was like, 'You're going to be on this long plane ride.' And Dave Cox showed me the e-readers. The first time I ever saw an e-reader. He showed me the thing and he said, 'You need one of these.' And I got one; it was Dave Cox who showed me about Kindles. But I got so angry somewhere during those hearings that I got rid of my Kindle and bought a Nook because I was so angry at Amazon because they were being -- and I insisted, I am going to buy Barnes & Noble, I am not going to buy Amazon. I said, 'If I buy my book for \$10, I am not going to figure out the 10 cents and keep track of it all year. But if you ask me to pay the extra 10 cents I am not going to not buy the book, right?'

VASSAR: Right.

DUCHENY: So come on. And Amazon was just, 'Oh, we're going to lose all these little jobs and we're going to close up all these shops.' And New York was challenging them, we were challenging. And once New York and us both challenged them finally they came around. And basically it took us getting, but it took us getting Home Depot and Barnes & Noble and all those guys on the program to get people to pay attention to it. I think that bill passed after I left but by that point Amazon had kind of conceded.

VASSAR: Right.

DUCHENY: They sort of gave it up at some point, I forget when that happened. That happened after I left.

VASSAR: After you left office, right.

DUCHENY: But I remember holding those hearings and trying to make some of those points along the way. And it was these Republican members, it was just, could you please just understand this. They had a lot of trouble voting for these taxes, even if you could propose reforms. We were real close one year with Hollingsworth there, when Hollingsworth -- I want to say Hollingsworth was Leader by then, not Budget Vice Chair. One year we were very close, during the tough years, probably '09. Was Hollingsworth Leader by '09?

VASSAR: Yes.

DUCHENY: Yes.

VASSAR: Early '09, I think, is when he got in.

DUCHENY: We thought we were there, kind of on a -- and it was because you could put these packages together. You can do reforms, you can do realignment, you can do -- this was then after Perata left, it was Steinberg. This was when Steinberg had become Pro Tem by then.

VASSAR: Right.

DUCHENY: So Steinberg got caught with the horrible stuff because Perata left. So that would have been -- that's right, so that was that whole -- Perata and us were trying to do it before he left. And as we had these termed out

members that potentially could feel more comfortable voting for something because they wouldn't have an election, they weren't having another election in the foreseeable future, so that they might feel more comfortable actually being able to vote for something that otherwise might have been difficult for them.

VASSAR: Right.

DUCHENY: And so we had a lot of hope for that sort of November window. But for reasons that I still regret and don't know what else we could have done people wouldn't vote for the -- we put that option on the floor. And I remember. Like I say, I came back and set up the bill and did all the work to get it together and get a bill on the floor but we didn't have the votes for it. And I think we went around and around for about a week just to at least try to prove that we were trying, and didn't get there.

VASSAR: Right.

DUCHENY: And then it was a new session and then we had a new Speaker, a new Pro Tem anyway. The Assembly didn't change that much, I suppose, at that point. Well Karen Bass, where was the Karen Bass window? Was that the Karen Bass window? I remember the first budget, what do you call that, like a budget press conference I did with Karen. She became Speaker right before a budget or right before like May Revise. I remember, when she became Speaker it was right before May Revise. It was already like we were already at that stage of whatever. Because I remember her coming to

the May Revise budget, sort of -- like that little press conference you do after you see May Revise and you're commenting on May Revise.

VASSAR: Right.

DUCHENY: I remember her being there. I think she had just become Speaker.

But yes, those years were, the '08-09, starting with that fall and trying to set things up because we could see that '09 was going to tank. And already the '08 revenues that we had projected were lower and we were having to kind of look at all of that. And I don't remember if it was that year or -- it was probably a combination of between those two years that we must have done -- it felt like every two or three months we were doing a budget bill because we were always constantly getting revised revenue projections and new dramatic problems and caseloads were going up.

In '09 we also had to figure out how to effectively spend the Federal Stimulus funds from President Obama's package enacted at the beginning of his term. It added funds, but often with different restrictions or guidelines than in existing programs.

And you know, the worst part of recessions like that is the demand for the services that the state generally supports go up disproportionately with the revenues going down. So you not only have \$20 billion less in revenue than you had the year before, but you have more people who need community colleges because they need to be retrained for jobs they just laid off from. You have more people who need child care; you have more people who need welfare. You have more people who need some of the

services and who are eligible for Medi-Cal or who are eligible for IHSS because they are not working or their family is not working anymore. And then you have all the people with the housing. All of those issues at the same time that you have less revenue.

So yes, you look for new efficiencies. The first line of defense are things that you know you can kind of get away with. And then you look at the big things like realignments. That's why we did so much and we kept looking at the prison realignments, how to cut the costs of the prison care. But we were under those mandates too. Remember, the other big issues during that whole period --.

VASSAR: Prison overcrowding.

DUCHENY: Well not just the overcrowding but we were under the lawsuits with the --

VASSAR: The receivership.

DUCHENY: The receivership on the health care. And Machado did a lot of the heavy lifting on that. Machado was my Sub 4 Chair throughout some of those periods and he did a lot of work on the prison issues. I remember the one year we did good work on the juvenile justice reform package.

VASSAR: Right.

DUCHENY: And again, those things helped us reorient revenues in a way that helped us save money that as we got into these other problems at least we had some pieces of it worked out.

VASSAR: Right.

DUCHENY: The juvenile justice realignment was a big package that Machado did a lot of work on. And then we started trying to do the bigger prison realignment and then we kept trying to look for some of those ways of doing things to help think about how these revenues could work. But at the end of the day you need to plug -- and to me, even though -- let's just say I think the deficit was probably like \$20 billion, in terms of the sense that what we had projected we would have, we now had \$20 billion less, kind of thing.

VASSAR: Right.

DUCHENY: The truth was, the fundamental core problem remained that same \$6 billion that Arnold vetoed on the day he walked in the door. That was always the sort of structural deficit, in my view. The rest of it was yes, you have a recession, you have less revenue. But that core \$6 billion, had we had that money. When we got to '09 if during '04, '05, '06 and '07 we had had that \$6 billion the structural deficit would just not have been as severe. We would have been able to weather a lot. We would have started to cut back, we could have made some adjustments. It just would have made life a lot easier.

And we ended up doing that silly sales tax because he couldn't get anybody to buy onto his services fees when he went after the golf. I don't think he was necessarily wrong with that, but it's a much bigger discussion. And we had tried that in the Assembly. In '99-2000 we tried to really have that conversation about sales tax on services and people just always get, it's too hard. And then you get, well which services? And is it attorneys and is

it accountants or is it -- so Arnold tried what seemed like a logical one, which was golf courses and amusement and theater. He went after the sort of leisure, luxury piece. And people didn't -- you should have seen the golfers. I represented Coachella; you should have seen the golfers come out of the woodwork.

And as John Burton used to tell -- I remember one time we had to talk about that in one of the earlier versions of this discussion and John Burton said, 'I just don't want to hear from every barber and beauty salon in the state.' And it is that, it's the auto parts. The easier ones, the logical ones to start with, truthfully, are things like the auto repair bill where you pay half a bill --

VASSAR: They already have the sales tax.

DUCHENY: -- because of the parts but the labor is not taxed. So if you could just put the tax on the entire bill instead of only a portion of the bill it would make sense. There's always been a lot of variations on that, BOE³³ has done a lot of work on it. We thought there was opportunity. The opportunity to do some of those more creative reforms was, in fact, that sort of, crisis creates opportunity and so the opportunity to do that was '08-09. And it was just hard.

So the realignments that happened were portions of that. The bigger prison realignment that was done didn't really happen until after I left with Jerry and that. I was working on a version of it and trying to do some things to -- I proposed at one point and it didn't finish was "parole courts" I

³³ State Board of Equalization.

called it. But the notion of people -- one of the big costs in prison was people going back from parole. And I used to call it the washing machine effect because you'd throw people back in prison for eight months and then out again. It's like you're not programming them. State prisons are not really set up to deal with people in increments of less than a year. Prisons are designed for people who get sentenced to more than a year.

VASSAR: Right.

DUCHENY: Counties were designed for people with less than a year; that's the way the world was designed. So you can't do programming, you sort of just send people back. It doesn't do any good to anybody and it really has no beneficial effect on the person either.

Other states -- and Hawaii was an example and there was a great judge in San Jose, Santa Clara County, that I worked with on this issue for a long time. And it led to -- Leno did the big bill that was one piece of that reform, which was the felony probation piece.

VASSAR: Right.

DUCHENY: So there were a lot of pieces of some good reforms that came out of some of that crisis. My notion of the parole courts was when you're called on a -- if you're a parole violation you go to a specific court with a judge and you set up something in the order of a drug court. Where you're actually dealing with what's the violation issue about and where the judge has the ability like in a drug court to say, 'Okay, you're going to this program, you're doing this job, or you're going to go to jail for a week.' In other

words, what you do is you do what they call “flash incarceration” but you do things in drug court like that. It’s just to get your attention [clapped hands] and for a week and now can you go back into the drug program, please. You know what I mean?

VASSAR: Right.

DUCHENY: And you have multiple folks working on a team to help make those things happen. And I thought a lot of those kinds of things could have been helpful but we were coping with a lot and we couldn’t cut the prisons the way we would have liked because we were under the court mandate and we were doing the thing with the sick, we had the receiver on the -- and poor Machado spent hours and hours with those folks, the court guys that were overseeing those cases.

VASSAR: Right.

DUCHENY: We had the mental health case and the doctor thing and the guy that then was the receiver. And we had all of those kinds of issues pending and it was just, you know, those were nightmare years. Turn it off for a minute.

[Recording Paused]

[Recording Resumed]

VASSAR: Okay. So we’re getting to the end of your time in the Senate.

DUCHENY: I think so.

VASSAR: As you were finishing up --

DUCHENY: ’09 and ’10 are kind of a fog, literally. All of those budgets and over and over again. We’d have to look at the stats to make sure. At some point

along the way Liz Hill retired and then Danny [Alvarez] decided he couldn't take it anymore and went over to do Education Policy Committee, went over as consultant to Education. But he helped me set up. And Keely was great; Keely Bosler who is now in -- well, she then went to Finance and now she is in the Governor's Office with one of my other former staff, Kim Craig;, they are all in the Governor's Office now. But Danny left and then we had to pick a new LAO. That was an experience of its own. Whatever year that was, I've forgotten what year that was.

VASSAR: During your last term you added on as a member of Labor and Industrial Relations.

DUCHENY: Yes, and some other committee.

VASSAR: And PERS.

DUCHENY: Those were not my choices, they were Steinberg needed people for whatever. They weren't things that I would have asked for but you've got to do what you've got to do.

VASSAR: Got to do what you've got to do. As you were finishing up you were looking at other options or did you look at statewide options when you were leaving the Senate?

DUCHENY: Not really. That decision would have had to have been made like in '06 if you start a committee or something.

VASSAR: Right. Or local?

DUCHENY: I thought about it a little bit.

VASSAR: Supervisor?

DUCHENY: That was a possible. There was a -- it looked like the supervisor who was there might have been considering leaving but I don't think it would have been then, it probably would have been two years later or something. At some point we talked about it and he didn't -- and he is still there today. They now have term limits and so he will be out in '20, but he is a Supervisor. He's a Republican who I have worked with for all of these years. He ran for Assembly, actually, in probably '92.

VASSAR: Against you?

DUCHENY: No.

VASSAR: Oh, further north.

DUCHENY: In a different district, next door district, next door. He's Chula Vista but he was the next door Chula Vista district. But it was the same year. I did mine and his was like another district. It had to do with the redistricting. But he was a different district then. And he was defeated in the Republican primary by a kind of a nut case that served with us for a couple of years. Right wing. Where's that list you had?

VASSAR: Where is that list, yes.

DUCHENY: I'm trying to remember his name. I don't remember his name. He was only there the one term.

VASSAR: So this was somebody who started in '94.

DUCHENY: In '92, I guess. I take it back. Because in '94 I think what's his name won, who then got into trouble for other reasons.

Some of these people you hardly remember them until you remember them. Oh boy, these are alphabetical. This was Senate, right?

VASSAR: So you're looking at --

DUCHENY: I see, these were by the year, okay. So he might have been -- the year that he lost -- he might have run in '92 rather than '94. Let me just go down. No, I remember all those folks. Tom Connolly won in '92.

VASSAR: He was an interesting guy.

DUCHENY: Yeah. But whatever had happened before.

VASSAR: Was he --

DUCHENY: So then maybe it was '90 that the --

VASSAR: Because Tom Connolly was a Democrat.

DUCHENY: Tom Connolly was a Democrat. What happened was Greg Cox ran and lost in the primary to the person whose name I can't remember (it was Steve Baldwin), the right wing guy who later went back east and became sort of a family -- what is that organization? One of those -- he was one of those folks. He was sort of the right wing guy, Cox was sort of the moderate. Cox had been the mayor of Chula Vista. He was a sort of a Wilson, if you will, kind of Republican. He was actually pretty close to Pete. And he ran and the other guy won the primary and maybe that's why Connolly won the general. It was something along those lines where Connolly won the general.

VASSAR: Did you know Connolly well?

DUCHENY: Not too well. I served with him for whatever time he was there and then he got into all that trouble and then he left.

VASSAR: Yes.

DUCHENY: He was there maybe two terms?

VASSAR: I think he was a one termer.

DUCHENY: Okay. Only one term? Oh yeah, because then Susan.

VASSAR: Did he get in trouble while he was in the Legislature?

DUCHENY: Yes. That's when he got picked up with the prostitutes on El Cajon Boulevard or something.

VASSAR: Oh, and then he had more trouble after he left office.

DUCHENY: Maybe.

VASSAR: Okay.

DUCHENY: But I think, I think that's what caused him to lose an election, if I recall, it was something along those lines. And I'm trying to remember who -- who was the guy who beat -- anyway, Greg Cox had run somewhere along there in the early '90s. He lost in a primary to this one guy. That guy was subsequently -- I'm feeling like that guy might have served one term, but one way or the other -- he might not, he might have never served, that may be why.

VASSAR: Right.

DUCHENY: It's because then Connolly beat that guy in the general. Because that was the same district. Then Greg actually went to work for Pete, he worked in OPR, the Office of Planning and Research in the Governor's Office. Greg

worked there for a while during the Wilson administration. And then came back and he got appointed to become county supervisor. He was an appointed county supervisor in 1994 when Bilbray won election to Congress. When Bilbray beat Lynn Schenk in '94 he was the sitting supervisor. So the supervisor seat came open before the election was scheduled, there wasn't a scheduled election for that supervisor seat, and Bilbray went to Congress and the supervisors or the Governor, whoever gets to appoint the supervisor, appointed Greg to that position.

VASSAR: So Tom Connolly defeated Steven Baldwin.

DUCHENY: Steve was in there. I remembered the Steven but I couldn't remember the Baldwin, that was it.

VASSAR: Yes.

DUCHENY: So Baldwin had beat Cox in the primary. Because Cox probably would have won.

VASSAR: Right.

DUCHENY: If Cox had won the primary he probably would have won the general. Connolly never would have been heard of if Cox had won the primary, to be honest. Because Cox was pretty well-known around here, he's well-respected, he was a good, moderate Republican, a good guy to work with. He'd been a mayor, he'd always been nonpartisan in office. He was a Republican but he had been a nonpartisan office holder and was well-respected everywhere. He went to work for OPR.

Then '94 came and he was appointed to the supervisor and he's been there ever since; he's still there.

VASSAR: Got it.

DUCHENY: Cox represents the South Bay. He represents everything anywhere close to my territory. He was from Chula Vista. He's all of Chula Vista, he's got all of National City, he's got all of the South Bay, basically, part of the county. And he's had different --

VASSAR: So he wasn't going anywhere.

DUCHENY: Yeah. It was kind of questionable and somewhere around there they ran an initiative for term limits.

VASSAR: Right.

DUCHENY: Which, who it was going to affect and when. But it hit in such a way that Greg still got I think ten years, even after the term limits passed, because he was in the middle of a term and he still got two terms or however that worked. So he actually was eligible to run again.

VASSAR: Right.

DUCHENY: And Greg, there were people that say, 'Oh, we should have Democrats on the board.' But the truth is Greg votes pretty well. He's a very hard worker in terms of he really pays attention to the district. He's that kind of hands-on. He likes being in a nonpartisan office. He has been honored and been the head of CSAC and NACo and he's been involved with all of those things over the years. At a district level he's very good. The Bayshore Bikeway. He was always coming to me with, 'Okay, I've got a

new project, Denise, and what part can the state play in helping us do things with bond money or with budget money.’ So Greg and I had an old relationship. If he might have stepped down. The only seat that kind of was interesting to me would have been potentially that one.

But I really was ready to not be in public office. I think had there not been the term limits I probably would have run at least one more time for the Senate, just because I did enjoy what I was doing. Although those last few years with those very difficult budgets made it a lot less, I don’t know, it was -- you felt a lot -- a lot of the end there felt to me like a lot of the work I had done in earlier years was sort of getting undone.

VASSAR: Right.

DUCHENY: We weren’t doing the investments that I thought were important and progressing off of some of the work we had originally done in the Assembly in some other years. On the other hand, I really liked my district, I liked my constituents, I enjoyed representing them and their issues. If had the option been there I imagine I would have run at least once more for the Senate. I’m not sure I would have taken much more than 12 years; that might have been my max out level.

But I was ready to step back and to do something else. The Legislature had changed so much too and a lot of it was that term limits. All these new people in the Assembly, every two years you had 40 new people to meet. The Senate wasn’t quite so difficult, the new people that were coming in tended to be people you would know in some way, even

the ones who came directly to the Senate, which was unusual but it had started to happen more frequently. Originally Chesbro was the first one to do that, then Dunn when Dunn won in '98 when Joe Dunn beat Rob Hurtt in Orange County.

VASSAR: Denham and Padilla?

DUCHENY: No, Denham started in the Assembly, Denham came to the Assembly first. But Padilla.

VASSAR: He did? Was he?

DUCHENY: Yes, Denham beat Lily Cervantes, I think. Didn't he? I seem to remember serving with him in the Assembly but maybe I'm wrong. He ran and lost then, maybe he won afterwards. I thought he served -- maybe he didn't serve in the Assembly. I've forgotten if Denham would have done that.

VASSAR: I always had him on my list of members who --

DUCHENY: That's possible. I think he ran one time for something and lost and then, you're right, he -- you're right, he probably beat Rusty, right?

VASSAR: He did.

DUCHENY: Okay.

VASSAR: Yes, he ran for Assembly in 2000 and lost and then was elected to the Senate in 2006.

DUCHENY: Okay, that's why I think of him as Assembly, because I remember him running for the Assembly.

VASSAR: So he got to the Senate the time as you.

DUCHENY: Anna beat him then probably the first time, Anna Caballero probably beat him the first time.

VASSAR: That's probably who that was, yes.

DUCHENY: Anna probably beat him the first time. But the Senate district was different. I'd forgotten that he went directly to the Senate. Yeah, you're right. So Denham had done that. I hadn't known him before other than that he had run.

VASSAR: No, he was defeated by Simón Salinas.

DUCHENY: Simón, of course, okay.

VASSAR: That was that other part of that.

DUCHENY: That's when Simón beat him. But I forgot he went directly to the Senate, you're right. And Alex, though, was the other one I was thinking of.

VASSAR: Yes.

DUCHENY: I thought of Dunn and Chesbro and Alex. And Alex I had known, we knew Alex from the '90s. He helped run the campaigns, the coordinated campaigns that we did in '98. And then he worked for Dianne Feinstein, he was a field person in some ways and did some campaign work. He had been involved in a world where I had met him more as a staffer and he was a -- I think it was right when he came back out of MIT or whatever, he was doing campaign work. So I knew him a little bit from some of that and he helped -- I think he probably helped, he was on the original Tony Cárdenas campaign in '96. I think he helped Alarcón in '98. Alarcón was the other one who went directly to the Senate first, at least, ended up back in the

Assembly later, and Chesbro also. But they went back to the Assembly. But they didn't serve first in the Assembly, they came directly to the Senate.

VASSAR: Right.

DUCHENY: But Alarcón was a sitting city councilman in LA when he got elected to the Senate and I certainly knew him. In fact, on one of the very first trips that I - first as an elected official, I guess, as an Assembly Member - trip to Mexico City to meet President Zedillo, Alarcón was on that trip with me. He at that time was a city council member from Los Angeles. It was a trip that the Mexican government organized for of Mexican heritage elected officials but at local government levels, at state and local government levels. So the San Diego consul picked two people, the LA consul picked two people, a few people from -- other consuls in Texas -- in Illinois, Texas and California. So two or three different consuls in different areas were asked to select people to be part of this delegation, basically, that went to meet with President Zedillo; the year is a little vague but '95, '96. Well, Zedillo was elected in '94, the same time I was, so it was after that, but it wasn't long probably after that. Alarcón was still on the city council in Los Angeles. That's how I had first met him. So when he ran we -- at least you knew of them if you didn't know them.

And Alex certainly we knew because he had worked for Tony, he had worked for Richard, at least in Richard's campaign, but he had worked for Tony, I think, in the Legislature. And then he had run for city council and

people knew him. He was well-known in Los Angeles from his city council and then he became president of the council and he was the Chair of the Latino League of Cities, so he was somebody who had a presence in Sacramento in other ways as well. So when Alex was elected to the Senate this was somebody that you knew.

VASSAR: Yes.

DUCHENY: But I think we are going to see more of that. This new term limits, this 12 year term limits is probably going to create more of some of that sense. But it was great to have him there. I love Alex and it's great that he is now Secretary of State.

VASSAR: So looking back at the people who were in office your last year in the Senate.

DUCHENY: There's Migden but she went out, right?

VASSAR: Migden was not there your last year.

DUCHENY: This must be the year before.

VASSAR: That must have been the year before.

DUCHENY: No, Alex would have been elected in -- well, he went out last year so he would have been elected in '08.

VASSAR: '14, '10, '06.

DUCHENY: '06 maybe. He did one whole term with me, yeah, that makes sense. And Nelly, Nelly would have been out in '06. That's when Negrete got there and Oropeza was still alive. Maldo sat behind us, I remember that, and Eddie. And Carole was still there so it was --

VASSAR: Any other stories about these people?

DUCHENY: Individuals? Let me think. Which one was I thinking about before we -- Wyland was sort of interesting. Wyland was from San Diego. Wyland is an interesting guy.

VASSAR: How would you describe him?

DUCHENY: My bond with Wyland had to do with --

VASSAR: He was always career tech.

DUCHENY: He was all about education. But he and I went to the same college, he went to Pomona College. Our bond was we were Pomona Alumni in our own, odd little way. And with the San Diegans, you flew up there together. Actually he and I did our most work together on that labor committee. He was on the labor committee when I was that last, that last couple of years. We worked on things like unemployment issues and workers' comp issues. He actually knew a lot about some of the labor issues. He was a business guy. He had like a lumber yard or something.

VASSAR: Lumber, yes.

DUCHENY: But he was very interested in education, that was always his pet. So you could work with him. He really wanted to focus on policy and he hated dealing with the politics and things; it's kind of the Pomona person in him. So we worked on a few things.

And Denham the first term was pretty good. But once he started thinking he was running for statewide or Congress or whatever he ended up running for he became much more conservative. He realized he didn't

have to run again in this district with all the Mexicans and then he got into preaching some very difficult stuff.

And Battin and I, Battin and I were an interesting relationship because we overlapped, sort of. Actually in the redistricting discussions Battin supported what I sort of wanted because it allowed him to get a more Republican district and drop off half of the Coachella Valley. He had represented Coachella in the Assembly; his Assembly district was Coachella-Imperial. And he and I had first really worked together when we got caught up in the energy struggle in 2000, when we got caught up doing the energy bills to fix the crisis from the energy crisis of 2000. So when we were both in the Senate, by the time -- I guess he probably went to the Senate first because I think Kelly termed out before and went back to the Assembly for those two years, which he was very unhappy.

VASSAR: And he still has one term in the Assembly left.

DUCHENY: Yes, he just couldn't take it. I think he went back for the one term and then the redistricting happened. And the new district for him would have just not been, it wasn't what he wanted to do. And he wasn't, he didn't like -- he was what you talked about earlier, he didn't really like being in the Assembly, it was just not the same kind of place.

VASSAR: Right.

DUCHENY: And having been as many years as he had in the Senate with a much more collegial atmosphere. Kelley was one of those guys you really did budgets with and was serious about those things. Kelley was on a lot of the

committees. He was "the guy," the Republican go-to on ag and water. He was, for me, on those issues -- we had a lot of common issues because he had the East San Diego County so he was part of the San Diego delegation in that sense, even though he also represented a lot of Riverside. And he had represented Imperial in the -- he represented Imperial County too, which later -- a lot of my familiarity with Imperial County and a lot of those issues I gained from working together with Kelley. And from doing things and what we talked about earlier in the budgets where you did things, you learned other people's districts because you needed to understand what they needed and what their constituents needed in order to make budgets comfortable for them, right?

VASSAR: Right.

DUCHENY: And Kelley was one of the reasonably reliable Republican votes for a budget as long as there were enough things in there that he -- there was nothing in there he hated and there were enough things in there that he liked. He was one of the people that could be persuaded to vote for a budget on a regular basis because he understood, as many Republicans did when I first got there, and certainly in the Senate, people like Ken Maddy and him and Craven and Frazee -- Frazee was in the Assembly. But a lot of them knew that you were trying to make government work so you struggle for the compromises and you struggle to keep maybe things out that you really, really can't live with, but on the other hand there's a certain

level of you understand it's compromise and it's a budget and the state needs to move forward.

VASSAR: Sure.

DUCHENY: All those guys were more of that sort of people and Kelley grew up in that environment. Kelley came in in in that environment to the Assembly, then went to the Senate and was in that environment. So I learned a lot from Kelley. Kelley and I were good friends. Kelley and I are still good friends. Actually when I ran later for things Kelley actually gave me money even though he was a Republican. He would come to my fundraisers just because. His wife became good friends. We worked on a lot of things. And it was partly because of the Mexico stuff. He really cared about the Mexico business. He understood that relationship. He had represented Imperial and the border region so he understood the border relationship. He went to Mexico City with us on some of those earliest delegations that I talked about.

Even Battin who was much more anti-immigrant, probably much more pro-187, went to Mexico City with me and managed to not say that he was for 187 in the presence of anybody. Because he understood that he represented the border district and that there was an important trade relationship and other relationships you had to work with. So he wasn't as involved in it but Kelley was very serious about it.

Kelley actually did a lot of work and had done work helping people figure out how to do wells. He had been a Peace Corps kind of guy. I

don't know if he was actually in the Peace Corps but he had done work like that in developing countries because he was an agricultural specialist. He had his groves, he was a citrus grower. So Dave and I, Dave was a great guy.

But Battin, a little more contentious and a little more raucous. The way he won his election and beat Julie Bornstein in '94 and all that was very -- and he was part of that whole caucus when they were fighting to get the majority and things got very, very partisanized right about the time he came in; he was sort of part of that. So we were never really close until we got into working together on this energy thing.

But then as the Senate came forward he actually -- in the redistricting I think he was actually in one house or the other when the redistricting was being done, unlike me. I was out those two years, he was still in for whatever reason. He probably went -- well, Kelley would have been out in 2000 and Battin would have moved on earlier, right?

VASSAR: Yes. Because Battin was out in 2008.

DUCHENY: Okay.

VASSAR: Pretty sure. Pretty sure.

DUCHENY: Oh, Kelley probably didn't go to the Senate until '92. Kelley didn't go to the Senate until -- he was in the Assembly for a long time, probably for -- I think Kelley might have come in with those Prop. 13 babies or something, he came in around that period.

VASSAR: I think he was on that list.

DUCHENY: He was in that group of Nielsen and those guys.

VASSAR: Nielsen and --.

DUCHENY: I think he may have been part of that group in the Assembly. And then --
So he didn't --

VASSAR: Bill Leonard, that's who I was thinking of.

DUCHENY: And Bill, yes. So he didn't go to the Senate until late so he wouldn't term out until 2000. That's what happened, okay, I couldn't remember all the years. But Battin had come in in '94 so he termed out of the Assembly the same time I did in 2000.

VASSAR: Right.

DUCHENY: But Kelley's seat opened and Peace's didn't. So Battin was in the Senate when they were doing the redistricting with Perata. Perata was in charge of redistricting for at least the Senate and the Congress. The way it divided was the Assembly did the Assembly and the BOE and the Senate did the Senate and the Congress. That was sort of more or less the arrangement. And Battin supported my theory of the district and he even supported, I think, whatever Polanco and Perata and them all talking about it up there. But I think he supported the Coachella being attached to the Imperial, Chula Vista. And he understood that because he was representing all those areas. It forced his district a little more western Riverside. But it gave him only Riverside and no Imperial and no San Diego, which the Kelley district had had all of that.

VASSAR: Right.

DUCHENY: And then, I don't know, it all changed because then Dennis got what had been part of that after that redistricting. But Battin ended up in a district that was basically only Riverside and it was mostly the Riverside where he lived, he lived in Palm Desert. So basically everything west of -- basically west of Indio except Cathedral City was thrown into my side of the coin. So the Coachella piece that I had was Cathedral City, Indio, Coachella and everything out to Blythe. And then Imperial County and then came across the border and picked up the south San Diego piece. So two-thirds of the people lived in San Diego.

VASSAR: Right.

DUCHENY: But Battin, actually it was taking part of a district that he had represented but he was okay with that. And we became -- just as I was neighbors with Hollingsworth in San Diego I was neighbors with Battin in Coachella. So we shared a lot of overlap because the Coachella Valley is pretty united. So he had Palm Springs and Palm Desert and I had -- and he had La Quinta and I had Indio so we were right up against each other. And in that area those are kind of an association of governments, they all have similar issues, they have common issues and common delegations coming to Sacramento all the time together, so Battin and I had --

And Bonnie Garcia in 2002 had won the Assembly seat out there. I had been supportive of Joey Acuña who ran against her. Joey and I bonded. And actually that was, for me running in that new district, hooking up to somebody who knew that portion of the district better than I did was him.

And then Joey decided to run and so I supported him. I had known Joey from when he was on the school board in Coachella. As the Budget Chair in the Assembly I had done some work to help out Coachella for different reasons and Joey had been on the school board so I knew Joey from Coachella. And he was one of the people I called when I learned that that was going to be part of the district that I was then looking at running in. One of the few people I knew out there was Joey and he was still on the school board then. And it was after that I was already committed that he looked at it and made the decision to run. But Bonnie was Battin's, had worked with Battin, she had been working with Battin. So I worked with all of them. And Mary Bono was our Congress person. So I was the only - - at that time I was the -- there were certain events I went to out there. I was the only Democrat elected in all of Riverside County to anything above the city council.

VASSAR: So the only two people I can think of that have not come up yet are Shirley Horton and Mary Salas.

DUCHENY: Yeah. Well I helped Mary, I set up Mary to follow -- Mary I've known for a long, long, long time. I'd known Mary here for years before. She was on the city council here when I was in the Assembly. I had supported Mary.

VASSAR: Right.

DUCHENY: Shirley, of course, I supported Vince. Vince had worked for -- Vince Hall had worked for Gray Davis and I had known Vince Hall since he had initially just as a young college student he had been working on the Filner

campaign in 1987 when we worked with the Filner campaign because of our Bayfront issues before I was anywhere or anything considering any of this. So I had known -- Vince was somebody we had known for 30 years.

VASSAR: So that was an easy call.

DUCHENY: He had worked for Filner and Filner had been our district so for me that was even a question mark. I knew Shirley, Shirley had been the mayor of Chula Vista, but I wasn't particularly close to her. She was just a person and she was a Republican so we were with Vince. But working with Shirley was fine. Shirley was quiet but she was always cooperative on the San Diego delegation issues. We worked together on issues for Chula Vista, we carried bills together. Shirley was a -- Shirley is a moderate, rational, sort of in the mold of Greg Cox and others. Republicans from this area, we have a lot of them who have always been -- they're not big on ranting and raving about abortion, they are not anti-environmental, they're pretty sensitive.

VASSAR: Brian Maienschein. Brian Maienschein now.

DUCHENY: Brian Maienschein is another one who worked with Toni Atkins when they were on the city council. We have a history of that. Even Rocky Chavez; Rocky is always an odd vote. I have talked to him, he is just, this Trump stuff is making him very unhappy. He is just not somebody who thinks any of that makes any sense. He is a Latino and he gets it and he went with me on some visits to Tijuana not too long ago.

Since I have been out of office one of the things I do is try to help newer members and different people in different places appreciate some of the border issues, particularly our border infrastructure issues, because we try to get bills for funding. I work with Senator Hueso who now has the seat that I held and others.

When Mary was there -- Well Mary was there as the Assembly when I was in the Senate and actually I tried to set her up. We thought Mary would be my successor in the Senate. Juan Vargas decided to come back, even though he had been out of office and pretty much out of sight for about four years at that point. He decided to come back and run for Senate. Mary was the sitting Assemblywoman so I spent a lot of time with Mary over the last year or two that I was there introducing her to folks in Imperial and Coachella, the newer parts, the parts that she wouldn't have represented because she was just like I was, she represented one portion of San Diego and now she was going to look at this Senate seat that had all these other people in it. So I spent a lot of time helping her meet those folks and we thought that's where this was going and then Juan decided to run.

VASSAR: Right.

DUCHENY: He came in with a lot of independent expenditure funds and a lot of -- he still had a lot of name ID even though he had really kind of been invisible for the -- for three years he went to work for some insurance company after he termed out of the Assembly. And there was sort of no place to go

because I had taken the Senate seat. And he had been kind enough to step back. He stepped back because he tried one more time to run against Filner in whatever year he termed out of the Assembly, in 2006?

VASSAR: Right.

DUCHENY: He ran against Filner for the third time and was unsuccessful and then he sort of went off and worked for the insurance company. But in '10 he reappeared -- I'm mixing up my years because it was '10 when they ran for my Senate seat because obviously that's when I termed out.

VASSAR: Yes.

DUCHENY: So I think he ran --

VASSAR: '06 would have given him --

DUCHENY: '06 would have been -- no, that's it, that's what it was. So he ran against Bob for the last time in '06. He didn't term out until '06.

VASSAR: Right.

DUCHENY: Because he didn't get elected until 2000 when I termed out of the Assembly. He followed me to the Assembly.

VASSAR: And in the Senate.

DUCHENY: And in the Senate in the end, yes. But he had a four year break in some ways. And Mary had followed -- well Ben had followed him to -- Mary followed him to the Assembly.

VASSAR: And Ben followed --

DUCHENY: And then Ben followed Mary. And we helped -- I did help Ben. I thought of Ben, I thought Ben was a good candidate when Mary was going to have to run for Senate before her term limit was up because I was leaving.

VASSAR: Right.

DUCHENY: Ben was somebody we all looked at as somebody to run for the Assembly seat. I'd known Ben -- Ben's father helped me in my very first campaigns probably when I ran for College Board. I had known Ben's father and his family for years. I didn't know Ben as well personally, I knew some of his older brothers better, and his father. His father was well-known in the Logan community here, he grew up right here.

Mary I worked with. Mary actually the last couple of years that I was up there she lived in the apartment like next door. She moved into the same complex where I was in like the same building but over one or two and upstairs instead of downstairs, whatever. Mary was like a neighbor.

VASSAR: Right.

DUCHENY: And so we would spend evenings talking about some of the issues. And also as she moved into this campaign mode, talking about things. Mary was one of those folks. And even today she is mayor of Chula Vista now. We work closely together on a variety of things.

The other one who was sort of interesting that last period I remember well was Kevin Jeffries from Riverside.

VASSAR: Firefighter?

DUCHENY: Yes, the firefighter, volunteer firefighter.

VASSAR: Yes.

DUCHENY: He was one who -- he was interesting. He was very conservative. He was kind of that same sort of, I don't know, the Hollingsworth and those kind of guys. And at first I wasn't sure but he became -- he was interesting. His wife, they bought one of those condos in that complex that was near where I lived and his wife would come to Sacramento. This was something in the old days used to happen a lot.

VASSAR: Right.

DUCHENY: I remember actually one time when I first got elected to the Assembly there was still something -- it was sort of a -- what did they call it? PALS or something.

VASSAR: PALS, yes.

DUCHENY: Right? The --

VASSAR: Protective Association of Lonesome Souls or something like that.

DUCHENY: They were the spouses of the members. But that group had always been all women.

VASSAR: Right.

DUCHENY: For like forever. And there were all these great women. Hersch Rosenthal's wife. The people that were active in it like -- and the Hausers and the Frazees -- these are the kinds of things that used to happen. The Hausers and the Frazees, Frazee was a Republican, Hauser was a Democrat, they shared a duplex in Sacramento so they lived next door to each other and their wives hung out all the time. And both of them were

the kind of wives that generally flew up the week with the member and then back. They were the wives that could do that kind of thing, that didn't have other outside employment.

VASSAR: Right. Did Al come up?

DUCHENY: Al came up occasionally but he would never do that. He wouldn't go on a regular weekly basis. He would come when there was something fun to do. Al liked to come when there was a good party coming on or there was a fundraiser. Al would come when there was something. For the big ceremony events, periodically, it was always different. He would come occasionally but never for like the whole four days or never -- he wouldn't come up for long things. He would come up because.

He knew Gray and he was on the Boxing Commission during Gray Davis's first term, things like that. So he had some interests in things. He would come up maybe sometimes with the Anza Borrego Park people because he was on the foundation board. When something like that was happening he'd come and then he'd be with me but he'd be there. So he would come periodically but mostly when there was a reason or something going on that he wanted to go to. If there was an event that he wanted to go to he'd come.

But some of these other in the older days, and this didn't happen as much in our time although -- well Linda Ackerman used to stay up there a lot, [Tom] Harman's wife I think stayed up there a lot. Some of them had houses, they bought houses and that kind of thing.

Folks who had kids, that was always the tricky one. I remember Joe Baca and the young kids. Do you send your kids to school in Sacramento or where you come from? There's sort of these awkward things.

VASSAR: And that became an issue with Rod Wright. Where is your residence? And his argument was always, well I spend the majority of my time in Sacramento.

DUCHENY: But I have a voting residence. But he owned the house that everybody complained that he didn't live in. Anyway, but he'd owned it for a long time.

VASSAR: Yes.

DUCHENY: But I wasn't there for most of that discussion, that was post- my time. I knew Rod really well. And Rod was another one who -- I think he was out for a period like me because he and I had served together in the Assembly. He was one of my sub-chairs. He was my sub-chair of local government and prisons and all that stuff in the Assembly for budget. His office was right around the corner from mine on the sixth floor. And he was -- when he would be up late night my staff always enjoyed it because he would play what they all liked, was great music, late at night, real loud. Rod Wright's office was right around the corner. So Rod and I had become friends from the Assembly.

And I had known Rod, Rod had been staff to Maxine Waters so I had known Maxine for a long time. So Rod knew a lot of -- what was interesting was because Rod knew a lot of the issues that would come up.

Rod had been there when Maxine had done the bills. He was really helpful in a lot of key issues and he knew a lot of the issues.

So I knew him from the Assembly and then when he came to the Senate that was great. Again, it was somebody that you knew from working with in different ways. Although we didn't work as much -- there was nothing big that we worked on in the Senate. Maybe the CPEC stuff; the question about the postsecondary schools and some of those issues were big with him.

VASSAR: So to move to the --

DUCHENY: Correa, all of these people you had different key help.

VASSAR: So to move to the Unemployment Insurance [Appeals Board].

DUCHENY: Okay, sorry. Well, in the Senate we -- I don't know, I don't know that I was thinking about any of those, but at the end I did think I needed a pause and I didn't know kind of -- the idea of having health insurance and actually getting a little more time in PERS. Because one of the -- post-1990 there was no legislative retirement and there was no -- the thing that always frustrated most of us - and I think we tried an initiative one year, Brett Granlund and some of us, and Brett as a Republican too - was, just let us join PERS like our staff. The staff can all join PERS. Let us just have normal state employee pension rights, would have been great for most of us.

And the fact that that initiative not just did away with a special pension, which I can understand, was just like, can't we just be in PERS

like the staff? And for people like Dion Aroner, she had like 20 years as a staff person, or Cruz even. They were staff people and they had PERS for the time they were staff, and so the time they were members they don't get any credit for.

And I was like that. I had PERS credits from when I was on the College Board, I got a few PERS credits -- one of the reasons I went to San Diego State was because I could get PERS credits for the time that I worked there. So I was looking around for an opportunity to maybe build up my PERS a little bit more. And there came an opening for the Senate to appoint somebody to the Unemployment Insurance Board and Darrell agreed to do that. It was not something I had first looked at but it was interesting and I was an attorney and they needed -- and it was a difficult time because that was when they were going through a lot.

VASSAR: Yes, unemployment was --

DUCHENY: Unemployment was a mess for the next couple of three years. That '08, '09, '10 had ballooned the unemployment. Actually Bonnie Garcia had been appointed, Schwarzenegger had appointed Bonnie to that and Bonnie did a really good job. Actually it was kind of interesting because we got over there and after all the dust -- and poor Bonnie was doing it like with one other person [it was George Pleascia, who had been Republican leader in the Assembly]. The Board was pretty empty for a while, that's, I think, how it came up for me. And all of us got on at the same time. It was me, Ashburn and Hollingsworth and we all got on at the same time. And

[Alberto] Torrico, I think, from the Assembly. We all came in at the same time. And poor Bonnie and whoever the one other person was, were just overwhelmed. They were just so understaffed. They were doing -- and the caseload had ballooned.

VASSAR: Right.

DUCHENY: And partly because the federal government had done all these things to mitigate the unemployment, to extend unemployment benefits for longer periods of time. And then there were conditions if you got the extensions, there were all kinds of complications to that. I got a little familiar on Labor during those last couple of years when Bonnie would come in as the person from the Board to try to explain what they needed and how we needed to -- what legislation that we might have needed to do or budget issues that we had with unemployment insurance. But I had learned a little bit about it from that.

And they were sort of desperate for people to get on there that could be up to speed quickly so that was really interesting. And as it turned out, between the Governor and the Speaker and the Pro Tem, you had four former members get on there all at one time with Bonnie and George, who were also former members. Ashburn and Hollingsworth and I all sort of got there at the same time, we got there together. And I think Torrico. I think we all did orientation together that next January after we had just termed out of the Senate, we were all back in Sacramento in January with a three week orientation on unemployment insurance appeals and how to

adjudicate them and all of that stuff. It was interesting and to me that was a good pause.

And I actually -- I probably should have stayed there the four years but I -- well, that was another redistricting year. What happened to me at the end of 2012 was because of the redistricting and because of the nature of the Senate race that Juan had beat Mary by just a few -- actually, he initially conceded to her and then it was way late votes that it turned out that he had beat Mary for the Senate. But having just taken that seat it was a little bit disconcerting to me that sort of the day after he started representing in the Senate he announced for Congress. Because as soon as Bob Filner said he was running for mayor then Juan said he was running for Congress. And I wasn't geared up to do it and I wasn't planning on it at all, but after the districts came out in the summer a lot of people called me because the way the district got drawn --

VASSAR: Did you play --

DUCHENY: Juan didn't care what the district was.

VASSAR: Did you play GIS games again this redistricting?

DUCHENY: No, I didn't have anything to do with it, I was doing the unemployment. I really had no intention and it's probably why I lost. I really wasn't geared up to do that, I had not kept a campaign infrastructure in place, I really had no intention of doing that.

I actually enjoyed doing the unemployment board work. Like I say, at that time it was a heavy load. There were a lot of cases. Because of all

these different extensions and things the feds had done there were a lot of appeals because there were multiple ways to appeal. If there is just one program then there is one appeal and that's it. But if there is -- every one of these things could create an appeal and there were a lot of different extensions and ways things were going.

There were some interesting cases. Bonnie and I did a lot of work on a couple of places for -- gay marriage was an issue.

VASSAR: Dependent benefits?

DUCHENY: Yes, benefits for gays. If you were married in a state that didn't have marriage or you were in a state that did. There were a lot of different kinds of things that we tried to resolve. I've forgotten. But I remember staying on the board through one whole decision because it was an important decision and we had been working on it for a while and working it out with staff how to -- what was the position that was kind of precedent-setting, in some ways. We did some interesting ones and some of it was just day-to-day figure it out things.

VASSAR: Right.

DUCHENY: But we had actually -- that team on there was actually a very good team, I thought. We had balance in different ways, we had sort of a labor perspective, business perspective, we had people that had different experiences in different businesses so you could look at issues in different ways. There was value. It was like, okay, help me understand how this business works so we could figure out if this person had done something

that was particularly wrong and made you not eligible or was it really, you know, how to look at the actual doing of that job to understand those things. That was interesting.

But what I really wanted to do is where I've ended up and I think it was the right thing.

VASSAR: So what are you doing now?

DUCHENY: I am at the Center for US-Mexican Studies at UCSD and I do -- they call me a Senior Policy Advisor but it's sort of another one of these -- and it's part-time. I intentionally went part-time there because I wasn't ready to do that. I actually took some time off too after the Congressional race. I took some time where I just kind of didn't do much. But I had some consulting, I did a little bit of consulting if people asked. I wasn't hustling business particularly but people wanted me to help them.

And actually I'm getting to do a lot of the same projects that I worked on in the Legislature. I'm seeing projects through. I'm still working on border infrastructure, trying to get -- Somewhere - I forget, probably '06 or '07, I always forget what year that bill was - I did the bill that allows there to be a toll road at the border for a third crossing. We worked with SANDAG and others. And we got the permit, I remember, because Arnold was still in office and the Governor of Baja California that I worked with a lot, Guadalupe Osuna was still in office, we got one of the fastest presidential permits ever given for that project, but we are still, of course,

gathering the money and putting the project together and getting it built and that's ten years later. I think that was '06 or '07, maybe '08.

And so there are some business owners in the Otay Mesa, which is areas that I used to represent, who are concerned about these border issues. And so what I have been able to do for them -- I had been working for them. I also did a little work for cities when they did all that crazy redevelopment stuff after I left.

VASSAR: Right.

DUCHENY: I got calls to help some of the cities try to work their way through that mess. At least Imperial Beach where I live, I was able to help them a little bit, doing a little consulting on that, it was a big issue. A lot of cities had big issues and so I had to learn and understand it. But I knew some of what -- I knew how they had gotten to where they got to because some of those issues had come up when I was in -- and again --

VASSAR: Sure.

DUCHENY: These budgets those last few years, we did take money from redevelopment. But I knew what all the issues were around it and I kept telling -- this was their own -- this League of Cities, this was their fault and I told them all. We said, look, yes, you don't like that we're taking some of the money from redevelopment and redistributing it back to the schools sometimes, but it's either that or the truth of the matter is you don't have entitlement to redevelopment. Redevelopment is a creature of the Legislature. And if -- the one thing that we all know is legal, they kept

arguing that some of these things weren't legal and they filed these lawsuits, and by filing the lawsuit they set themselves up.

VASSAR: Because a decision has to be made.

DUCHENY: Well, and the problem is the only decision that was possible at that point was no redevelopment. They set themselves up for destruction because the one thing the Legislature does have the power to do is undo what it does. The Legislature created redevelopment, it has the power to uncreate it, and by trying to finagle around the edges of something and whining about when the Governor did the thing. And this was post my time but when Jerry Brown, they had done the thing that they considered, and rightfully so, was sort of extortion. It was pay this much or die.

VASSAR: Yes.

DUCHENY: And most of them grumblingly paid this much, but the League decided to sue on it. And I tried. When I was there we hadn't gotten that far, we were taking certain amounts of funds from there from -- redirecting them. We weren't taking anything, we were redirecting. I always had to explain to people we were redirecting funds from that redevelopment area back to the schools in that same redevelopment area. The money was not leaving the redevelopment area, the question was, were you going to support the schools in the redevelopment area or were you doing something else?

And given the dire straits of the budget and the inability of the general fund to really support 98 the way it should have, the ability to do that

helped some of these communities stay alive. And if people could have understood a lot of those things but it was so hard.

And I spent a lot of time during all those difficult years in '08 and '09 in particular, I guess, and probably through '10, I would hold roundtables in my district - I even did them in some other people's districts - trying to help people understand the budget. Understand how this works, understand what the tradeoffs are, understand how some of the -- and I would have, at least my way of approaching it in a district, I would get all of the different parties in the room, the folks who were health services, the folks who were human services, the folks who were concerned about education and the city people and the county people and it's like, okay, let's all sit here.

And the prisons I represented. In the Senate district I had five prisons in my district, so the prison reforms, all those things were issues. And trying to get rehab money going in prisons rather than -- and when the Governor wanted to cut the rehab stuff and the teachers out of the prisons it's like, this is totally backwards from what we need to be doing if we're going to actually lower the cost of prisons in the long run, you need more teachers, not fewer.

But getting all those folks in the room so we could all talk about, well, you want everything for you but if you get yours then he, you know. Let's all understand this. I did it in part -- one time I did a talk like that for a group at UCSD and this guy who was a friend of mine, a Republican who

ran one of the business groups here, the Connect Group, and he was this Republican who we always used to kind of spar. We were friends but, ah-ah-ah, the tax and spend liberal and all that. And I went through my whole discussion of those taxes and at the end of it he said, 'Okay, I get it, we have to pay taxes.' Yeah. And he was a fairly conservative Republican but a business-type Republican guy.

VASSAR: Yes.

DUCHENY: That was sort of my mission those last, all of those years, I think, those last two or three years, was to try to help people understand it. And even my district staff learned how to put these PowerPoints together so that I could kind of have these talks. So I spent a lot of time in those last couple of years, I remember, doing talks like that to various groups, whether in Sacramento or here or in different; in my own district I would convene my own folks together.

The same thing with my school districts. Earlier we had worked on an issue, I think it was -- I forget but it was probably during Schwarzenegger's administration. It was a big issue around my school districts were some of the lead plaintiffs in some lawsuits around bilingual ed or -- I can't remember now, that's terrible. It was a big deal and I did legislation to try to cure it. But I remember pulling -- I would do that a lot. I would put all the different urban and rural school districts together and try to say, 'Okay, so what kind of things?' Just so that I'm not, people don't think you're

doing one thing and not the other. It's like, 'Okay, let's talk about what does everybody need and how do we balance some of those things.'

So I'm still doing border; so the Center for US-Mexico.

I did the consulting, the consulting came up as it came up in bits.

For a while I affiliated with University of San Diego, the Trans-Border Institute. It wasn't really a paid, it was more like just go there and help out, do some projects and get a little stipend. We were trying to get some projects going. The notion we had to build.

Really what my goal was, and I think maybe sort of taking the Unemployment Board and certainly the short-term run for Congress kind of deterred me from where I really, I think, knew I wanted to go, which was, I wanted to keep working on the three Californias. The last meeting of the legislatures of the three Californias was 2010, a spring before I left. And I did take -- I got Ben Hueso to come to that meeting as a new Assemblyman just to try to get some continuity going with some people meeting people.

VASSAR: And it hasn't.

DUCHENY: But nobody, it takes a lot of work to do those things and it's kind of work sideways of what you're doing if you're doing legislation and that.

The Border Legislative Conference has continued because the Council of State Governments took it over and was able to have funding from USAID and others to maintain it for a long time. It's now less and we are having to raise more private monies to try to keep that going. But we

actually just got a grant and I am going to get to host it at USD; we are going to host a Border Legislative Academy, which is something we have talked about for years there, a two-day kind of legislative training for new members in border state legislatures. That one has continued but the three Californias was a little tougher to institutionalize, it just wasn't ready for that.

VASSAR: Right.

DUCHENY: There's a lot of interest still, I still have contact with members, but the legislatures there change over more quickly. They now have the ability for reelection, so the next round of members may stay there longer and there may be some more opportunities with them.

But I wanted to continue working on those kinds of issues, on building that regional alliance with the Californias, and so I did a little bit of TBI for a while. Both David Shirk who was there, who I was working with, and I at some point went over to talk to UCSD. And UCSD had a new Chancellor, there were some new things going on over there. And they had not been very border-oriented in their history. The Center for US-Mexican Studies has a very long history in this area. It was one of the first real, US-Mexico institutes started in line 1979, '80; Dr. Wayne Cornelius, who is a legend sort of in that world, but focused a lot on immigration and migrant issues and social sciences and it's run a Fellows program that most of the really in both countries, the best-known scholars on US and/or Mexico

relations or Mexico government are folks who have been through that center as Fellows.

VASSAR: Yes.

DUCHENY: They go there while they're working on their doctorates. They meet each other and they're on campus and they do a lot of work together and they have been doing this for years. They have had a couple of other programs that have been in and out. Centers like that, it's a research center, it's not really a teaching center, it's more of a research center.

VASSAR: Got it.

DUCHENY: But it's now -- in the original years it was sort of separate but now it's part of the School of Global Policy and Strategy, which is basically the International Relations School of UCSD where they do masters' in international relations and a new, just starting a master's in public policy. But they were looking to strengthen the Center and their current director was leaving. And what I wanted, what I went to talk to folks on their campus about was, look, I really would like a place where I could work on this Three Californias and kind of do this regional and border stuff and if you're interested I'm interested. It was that kind of a relationship. And they were and there I am.

I help organize events. We've started a great new thing called *Frontera Fridays*. Get to take folks down and across the border on a quarterly basis to -- we see it as a region. it is one region. And there's a lot of people that now appreciate that that in 1993-94 would not have

appreciated that. It is now kind of pat talk for the chamber, the cities, everybody here. There's a lot of people in San Diego who don't have a total appreciation for it but there is a certain level of folks who now really, we talk all the time in a lot of worlds about one region. And we are the San Diego-Tijuana region. And we are an economic region, we are an environmental region, we are a region in a lot of different ways and we need to be more close. And my particular focus is always how we make the governments work so we have the mechanisms to make some of the planning work and some of those things.

VASSAR: Right.

DUCHENY: But we do the *Frontera Fridays*, which helps people build this regional identity to get people from the community and from the campus to come and -- we pick a theme and we do different things. We have been able to do those.

Actually before I affiliated with the Center I had had some discussions with a program, it's not a department, it is a multidisciplinary program of urban studies and planning. The then-director of it, Steve Erie, who is a long-time political scientist, written books about Los Angeles and the Metropolitan Water district, he's a well-known political scientist. But Steve I had run into. I hadn't seen him in years and I ran into him at something that he and I ended up together on, like an advisory committee helping do something at the Trans-Border Institute at USD. I said, 'We should talk.' Nathan Fletcher? We never talked about him.

VASSAR: Yes.

DUCHENY: But Nathan, Nathan who had come to the Assembly while I was in the Senate, they had just hired Nathan over there. His regular job is at Qualcomm but he's --

VASSAR: He teaches.

DUCHENY: He teaches, he lectures. And I had seen that in the paper and so I called Steve Erie and I said, 'Well if Nathan can do that. I was in the Legislature a lot longer than Nathan was, I can do that. If he can do that I can probably do that, we should talk.' I said, 'I had never thought about that kind of thing but if you're doing those kinds of things and you want practical people.' Because that wasn't kind of UC's history of being more the practical people, SDSU was a little more the practical people.

VASSAR: They were more academic than practitioner?

DUCHENY: Yes, they're more PhD theory people, and I didn't realize they would do that. And in this particular program Steve had made a point of having a whole stable, if you will, of lecturers who were the more practical people from around town, San Diego politics, on transportation bringing people that work at Caltrans. Like Mike Madigan who had been a water person who had worked with the Wilson administration, people who had hands-on planning in water or those kinds of experiences, a water lawyer, Cary Lowe, they have several of those.

So I talked to Steve and I looked through their curriculum and I said, 'What have you got that's a course that would be the kind of thing?' And

what he had me visit was they had a course on regional government that I visited to see how it worked just to kind of get a feel for how these classes.

VASSAR: Right.

DUCHENY: Because at San Diego State I had made a rule, I don't do syllabuses and I don't grade papers but I will appear in any class and I will help facilitate things and I can --

VASSAR: The students have to love that.

DUCHENY: But I don't -- well, it's just that I wouldn't teach, basically, is what that meant. I wouldn't take responsibility for a course.

This time it was, this is like it would be a real teaching assignment and I had to think about how that worked and how would I handle a whole class. It's one thing when you're a guest lecturer and somebody else is responsible for the class and they're doing all of that work and you're just there and you're trying to share your experience, which is what I was willing and happy to share, just like we have been doing for the last three days. To sort of share what I've learned over time in different ways. That to me was interesting.

So Steve and I talked. And I looked through their thing and they had a course called, I think it was called -- it's called California State and Local Government Finance, something like that, State and Local Finance. And I looked at it and I said, 'Well I could teach that, I know that.' And it turned out that at the moment they didn't have anybody to teach that class. There

had been somebody who had been a previous county CAO³⁴, there had been people like that teaching it in the past, but that person had decided to no longer do the guest lecturing.

VASSAR: Sure.

DUCHENY: So the class actually hadn't been taught for about a year or two at that point. So they signed me up to teach that.

And then I talked to Steve and I said, there is only one other thing I would be willing to teach but I have to invent the class. And it came out of visiting this regional class. I said, if you're going to talk about regional government, I have a great passion for regional government from the REGC and from other things. But for me, the regional governance is bi-national and you have to teach -- what we need is a class where people understand the region as a bi-national region.

VASSAR: Right.

DUCHENY: It sort of goes with the research I was doing at the Center. And so he helped me. We created a class that got approved by the Academic Senate and so for the last three years I have taught each of those two classes twice in the last three years, I guess. I've taught one of them three times. I've taught the budget class three times now and the other one twice. They didn't offer my bi-national class last spring. What I was doing was teaching one class in the fall and one in the spring. They didn't offer my bi-national class last spring but I am now going to offer it this fall. I am offering that class this fall instead of the budget class. So I may only teach

³⁴ Chief Administrative Officer.

one quarter in the future and kind of alternate the classes. It's kind of the demand of the students and what's there that we figure that out.

But I do that kind of separately as a lecturer and then I'm a part-time, you'd probably call me an administrator of some kind at the Center for US-Mexican Studies. But really it's just two of us doing a lot. There's some other staff around but we do a lot of public events. They were just doing -- yesterday we had the former ambassador from the US to Mexico who was here and I hosted a breakfast. A lot of it is keeping up with things. I attend meetings, it's building community relations on behalf of the Center and keeping our presence in the community, attending a lot of the bi-national events, of which there are many, there's a lot of committees and activities here.

VASSAR: Right.

DUCHENY: What I brought to them was those local connections and knowing all of those folks, including all the folks in Tijuana. And now that's built up quite a bit in the last year and we're doing some great work at the Center. I get to do what I -- in the Legislature doing the Mexico, the things I wanted to do with Mexico always had to be kind of like a side, especially once I had the responsibilities of things like the budget. And I did them but they had to be kind of your side job in some ways because they weren't directly related.

VASSAR: Right.

DUCHENY: I did do legislation that related to the border, the bi-national border health office, I did things on the border environment, I did this bill to allow us to allow SANDAG to have the lead on building this third border crossing and have the state involved with that issue. And as a consultant I am still kind of involved with that issue and tracking it and trying to get that thing done; before I die I'd love to see it.

And we did one other great project I didn't -- I watched this project at a local level, supported a lot of folks as we tried to move this, this was another one that took like 20 years, but we got the cross-border air terminal built and opened last year. And it was all built with private funds and you have to pay to use it because it had to be tolled because it had to be private, because you can't get the federal government to pay enough to build some of great ideas. But we now have a cross-border air terminal, it's great, and it was something some of us early thought of. Like in 1994 we thought of this idea. Because the Tijuana Airport is just directly across from the fence so we can use the Tijuana Airport without having to drive the car into Tijuana and leave it at the airport.

VASSAR: Right.

DUCHENY: You can drive up on the US side and walk across a bridge and be in the Tijuana Airport and then take your flight. It's a wonderful new invention. And it allows -- the San Diego Airport is kind of impacted and can't go to a lot of places. From Tijuana you can fly direct to Shanghai. From San Diego you would have to go to LA or San Francisco to do that. There are

some different kinds of -- and you can certainly go to a lot more places in Latin America and Mexico from there and more frequently, more frequent flights. Sometimes you can go to the same place but more frequent flights.

VASSAR: Right.

DUCHENY: So being able to just be immersed in those projects and this notion of the region and the relationship with Baja California. And to some extent I'm working, too, on another project with the former State Historic Preservation Officer Wayne Donaldson. He and I are on sort of a committee that's trying to start the process of naming a World Heritage Designation, a UN World Heritage Designation, for the Camino Real de las Californias, all the way from Sonoma to Cabo.

VASSAR: Right, the full route.

DUCHENY: Trying to create a corridor, basically a cultural -- we call it -- I would call it the cultural and historic corridor, a cultural and natural corridor, bi-national. And I don't think there's very many world heritage sites that are within more than one country and it's our vision to someday have people appreciate the three Californias as kind of one large region in certain ways.

Sometimes just from talking about this today. We think back of all those times and it's hard to even imagine being as busy and doing all of the things at one time that I can remember these stories. But it's sort of amazing to think of all the different things that were sort of all the balls in the air at one time and all the different things that you were doing and all the meetings that you were having.

VASSAR: Right.

DUCHENY: Every day was constituent meetings and staff meetings and then voting meetings, all of those things, and then at night and in the early mornings reading while you were in Sacramento. Really, people think it's some kind of vacation but when you're in Sacramento you're working like 24 hours a day. You're on all the time and you're working. And even when you're out at one of the sort of local watering holes, whether you're having a drink or dinner or something.

VASSAR: Or attending a reception.

DUCHENY: You're really sort of working because you're there, because you have an agenda. At least for me, I didn't go to stuff unless there was somebody there that I needed to talk to for some reason. You would go to a lot of the evening things because some constituents were there. You know, the chambers are there, somebody is hosting something, but also because often keeping those relationships was important to getting other things done. Those are the people you called when you wanted to do a bill that was related in their world, that you needed to understand their view. There was value to all of those things. It's not like you're there just to party, to party. At least for me it was very much of a, everything had a purpose, I guess. You relaxed a little sometimes and you had fun, but part of that too is the building the relationships with members.

I started to talk about Kevin and his wife. I did get strayed over there. But Kevin and his wife would invite members over to their house.

VASSAR: Kevin?

DUCHENY: Kevin Jeffries.

VASSAR: Okay.

DUCHENY: And Jeffries and his wife would have these small soirees and they would invite these Republican members. And then he'd get me to come over there so I could argue about budget with everybody. But it was a way of trying to open up the dialogue, at least. And we didn't always agree and we didn't get to where I wished they would have all gotten to but at least we kept it civil and we had real conversations and we shared views. And he really made an effort to at least create that dialogue by inviting people socially to his house. He did some of that kind of thing.

And I started to talk about that because there was that old -- in the old days with more of the spouses going up and the Frazees and the Hausers living in the same -- and the wives would all go together and do things on the weekends. One time during that period Al decided, Al got invited to a PALS thing and he decided to go; the only man. This was something they went to see. Gayle Wilson invited the PALS over. And there's this great photo someplace, I haven't seen it in years, I don't know where it is, but it was Paula from the Valley, the San Fernando Valley, Paula the Republican.

VASSAR: Boland?

DUCHENY: Yeah, Paula Boland. Well her husband and my husband were the only two men in this whole event; and they had the best time. And there's this picture. Al had his sunglasses on and he was standing with Gayle Wilson,

he looks like her bodyguard. But the women were very nice to them.

Mrs. Rosenthal and all of them, they were fawning over Al. ‘Oh my gosh, we’re so excited that he came.’ And that was in the days when there just weren’t that many.

VASSAR: Right.

DUCHENY: And what women were there didn’t always have spouses. I remember Leo came along after that and other women. Later you had more women, that was another change that’s occurred over time. But most of the women members, one of the things I learned the very first time is, women fight different in caucus and stuff. It was just different. Men would have these raging things and women would try to work things out; that’s just kind of how it worked. But it also was a lot of the women were older or didn’t have children.

The ones that were always amazing to me were these folks with the young children like Senator Escutia, Jackie Spier. Some of the men even with the children. I remember Cruz, the year he was Speaker, it was heartbreaking, his little daughter, the youngest one -- the older ones kind of understood it but the little ones were -- the little one got to a place where she hated the word “Sacramento” because all that meant to her was “daddy is leaving.” That kind of stuff for members is very, very hard.

VASSAR: That’s hard.

DUCHENY: He had to bring her to Sacramento and show her fun things because it had become like --

VASSAR: An issue in the family.

DUCHENY: Well for her, the child was very -- and for young folks, those folks with kids. And Dennis. And Lou Correa had like four kids, I think, [while] he was in the Legislature. Their wives stayed home, a lot of them, but that must have been difficult. And I was certainly one of the ones, I didn't have children. I had stepchildren who were all older, nobody that was hanging around the house exactly.

I had my goddaughter who is now a lobbyist up there and my other one who lives over here. Actually my goddaughter was a Fellow for Fabián in that first year before he was Speaker. And part of the reason she got the job is because she was from the same neighborhood and high school as him, she grew up around here. Her grandmother worked with us in our Harbor View Community Council. You probably know her, Juanita Martinez.

VASSAR: It sounds familiar, yes.

DUCHENY: Juanita is around. But she was a Fellow way back. Sorry, we should quit, sorry.

VASSAR: So thank you very much for --

VASSAR: Thank you very much for spending this time talking with us about your time in the Legislature and sharing your history with us. I hope that the story continues far past what we covered in the pages in this book.

DUCHENY: Thank you.

[End of interview of Denise Moreno Ducheny]

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