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Shining The Light On The Fresno County Jail

by Catherine Bailey

1st speaker: "Every new politico attorney does a habeas corpus in his or her first year."

2nd speaker: "Thanks. I need someone around who can trivialize my experience!"

I was bare-assed out of law school when I first met with William Priddy in the Fresno County Jail. If my intent was simple at the time, merely to drop off some law books and xeroxed cases to a friend of a friend, it didn't stay that way for long, not in the face of Bill's earnest, stern and obviously dedicated countenance. I felt sucked in. This crazy dude wants to turn the whole damn jail upside down! He had a list of complaints and grievances that made me feel tired all over. My thoughts wandered to the simple things of law, like roaches in the car ashtray, eviction notices, and the like, while Bill spoke with eloquence and precision about the conditions in the warehouse called the Fresno County Jail. I hung out. For three months Bill and I met every week or so to compare notes, gather data, research and consult with each other. I'd bring him cases. He'd write writs. When his writs went for months without response from the court, I'd check and find they were denied. He'd get all fired up behind the thought of a federal 1983 suit; I'd tell him about Judge Crocker. Let's do a class action, he'd say; that will take years, I said. He thought I was lazy. I thought he was mad. We liked each other but didn't let it show.

About two months ago Bill Priddy filed a Petition for a Writ of Habeas Corpus on behalf of fellow prisoner Josephy Gonzales Reyes, and this petition alleged, among other things, that Joseph Reyes had a knee injury which went untreated and unexamined for weeks by the jail doctor, who eventually sent Joseph to the disciplinary unit (the hole) in response to his repeated requests for treatment. The doctor's rationale: the "limited movement" aspects of almost total confinement. Joseph Reyes was not released from the hole until after his writ was filed, more than ten weeks from the date he was first sent there. Despite his requests, he never received any notice as to the reasons for his confinement, nor did he ever have an opportunity to confront those responsible.

The Reyes petition also alleged prisoners in the Fresno County Jail are denied "access to the courts" — an umbrella rubric covering, in this case, nonresponsiveness of the courts and public defender's office to prisoner's grievances, petitions, and other avenues of post-conviction relief; inaccessibility of legal materials and books; the absence of a law library; and the failure of jail personnel to notify prisoners of out-of-state holds placed against them.

Other issues were of real import to Bill Priddy, Joseph Reyes and others prisoners in the jail but are of less significance legally: the opportunity to visit with one's children (presently denied in the jail); the availability of literature; and the confidentiality of attorney-client mail. The writ was lengthy, and my prose can in no way reflect the drama of deprivation it portrayed. A hearing was granted by Judge Meyers of the Fresno County Superior Court.

Doug Hitchcock of CRLA in Madera wanted to help out, and so did J.V. Henry of Fresno. We had a week to prepare our case — interviewing other prisoners who filed subsequent writs in support of the original Reyes writ, researching, and dancing the Old Procedural Shuffle to get in as much as we wanted without taking such time as to render our case moot. This was a precariously real possibility since Joseph Reyes was about to be shipped off to a state prison, and another prisoner was to be tried the day after the hearing.

Suddenly it had all become very important — we might be able to turn the jail around a bit after all. Bill Priddy wasn't mad, none of us were lazy, and for a week we all worked together like crazy putting together a hearing which would shine the light on the Fresno County Jail.

Our legal stance was fortified by a California Department of Corrections manual entitled "California Minimum Jail Standards," which is Title 15 of the California Administrative Code. Whether the "Minimum Standards" have the force and effect of

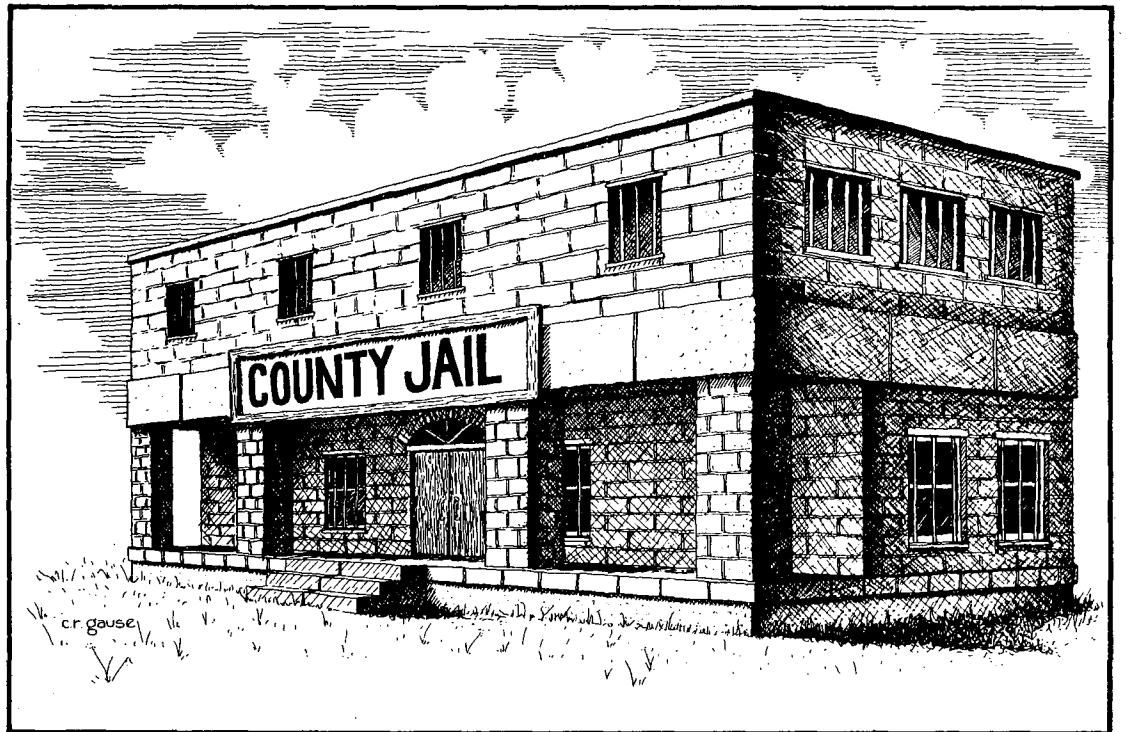


Illustration for Dicta by Cliff Gause.

"Some simple truths: The purpose of a jail is to confine. The effect of a jail is to both confine and isolate."

law is questionable but only marginally, since no judge or sheriff would be willing to admit non-conformance with something called "Minimum Standards" anyway. The standards set therein are far short of that called for by many courts, but they do in most respects meet minimal constitutional requirements. For example, when the "Minimum Standards" speak to the issue of disciplinary due process, the requirements are: an impartial hearing officer, notice in writing to the prisoner of the charges against him or her, a hearing during which the prisoner can speak on his or her own behalf, administrative review of any action taken, and the provision of a report on the proceedings to the

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Judge Hopper
Featured Speaker

Judge Hopper, Renaissance Man

by Kathy Hart

Presiding municipal Court Judge George Hopper was the featured speaker at the 1976 SJCL banquet held Friday night March 26 at the Airport Holiday Inn. Once again, to the delight of some and to the dismay of others, Judge Hopper proved that nothing escapes the slings and arrows of his outrageous wit. One of his favorite targets of the evening was page 3 of last month's *Dicta* ("Moot Court: SJCL's Contribution to the Performing Arts"), which had satirized Judge Hopper in the style of Jonathan Swift, Alexander Pope, and Mark Twain. (Or so *Dicta* thought; Hopper intimated that it smacked more of Herb Caen and low journalism.)

In a speech punctuated with legal anecdotes, Judge Hopper advised law students and lawyers to be innovative, to make waves, to take risks, and to bring their whole experience to the law. Too many lawyers, he claimed, have a cookbook approach to the law, forgetting the larger view. Stressing the need for generalists in today's legal world, he recommended that lawyers work for social change. He also recommended they read the Rules of Court occasionally.

Despite the poor acoustics (those in the back of the room had difficulty hearing the Strains of Hopper above the strains of next door's "Love Will Keep Us Together"), one came away from Hopper's speech (tirade? harangue? exhortation?) with the sense that here was a Renaissance man.

Now Renaissance men knew Latin and Greek, and history, science, philosophy, aesthetics, metaphysics, drama, poetry, and alchemy. They read a lot of books, believing, as Francis Bacon, that "Reading maketh a full man." Theirs was the last era in which man attempted to harmonize all human knowledge into an organic whole. Judge Hopper epitomizes the Renaissance man. He recited a long passage in Latin from Caesar's *Gallia Wars*. Some of the audience followed it as far as "Gallia est omnis divisa in partes tres," but Hopper sailed along and had the troops waging war in Aquitania! And if Renaissance man were a wee bit presumptuous, well Hopper did at one point offer to tell the group how many angels could dance on the head of a pin.

The Student Association would like to thank Judge Hopper for giving an entertaining speech and for providing the audience with a rare glimpse of a unique and vanishing species. In describing himself as unique, Hopper quipped that the word comes from the Latin "unus" meaning one and the word "equus" meaning horse. This judge who can puncture everyone else's pomp and folly showed that he is not above puncturing his own.

Bare Walls Don't Listen

As an unfortunate climax to the 1975-76 academic year at San Joaquin College of Law, the Board of Trustees voted, at the recommendation of the administration, to discontinue the law school's day division. The announcement released by the Board of Trustees proved to be unsatisfactory for many, and as a result it precipitated a general student body—administration meeting at which Assistant Dean John Loomis and Administrative Assistant Dean Oliver Wanger fielded a barrage of questions about the day division and other student problems.

As essential as better student-administration communication is, the general meeting proved to be little more than a place for students and administrators alike to blow off steam. The defect was not in the concept but in its execution—the general forum is not one conducive to the presentation and reception of ideas and constructive criticism.

The classroom has also proved to be an inadequate forum for discussing administrative problems (assuming a student has a class taught by a member of the administration) because the issues and personalities often become confused and distorted out of their proper context.

The health of both the student psyche and the law school (as a progressive and innovative institution which serves the community as well as its students) requires reasonable and regular administrative hours during which students can personally notify a member of the administration of his or her problem or thoughts and later learn of subsequent action or consideration. The administration and the school would have the benefit of direct access to straightforward student opinion.

Up to this time, most dialogue between students and administration has been remedial — smoothing over ruffled feathers after a crisis has arisen, but accomplishing little else.

Both Loomis and Wanger agreed at the general meeting that more and better communication with students is desirable. They have the capacity to make that desire a reality by establishing regular administrative hours at the school.

Day School Dropped

By Patty Noyes

San Joaquin students received letters on or about March 11th informing them that the Board of Trustees had decided that a day class would not be admitted to the law school next year. The notice cited several factors as having influenced the Board in its decision. The projected decline in the number of applicants to all law schools was one consideration. Another factor was the bleak employment picture for law school graduates. And finally, the Board was influenced by the prospective expense of acquiring the new buildings, which would have been necessitated by continuation of the day program.

Despite the validity of these stated concerns, many students were not satisfied with the notice. They felt that such an important decision called for a more detailed explanation. Particularly the day students pondered the effect this decision would have on their own education, and many questions arose. Several teachers took class time to answer these questions; and ultimately, a request was made to have members of the administration participate in a dialogue with interested students. The administration agreed to meet with students during the break period of the night class on March 31st.

About sixty or seventy students attended the meeting. Quite a few of them were day students, who had made a special trip to school to participate in the dialogue. Assistant Deans Loomis and Wanger were present from the administration. Unfortunately, Dean Eymann was ill, and was unable to be present. Mr. Loomis began the meeting with a summary of the reasons why the day program had been dropped. He restated the rationale mentioned in the notice; and he backed this up with a recommendation from John Gorfinkel, the representative from the State Bar Association. Mr. Gorfinkel had indicated that SJCL would probably not have enough students to support both a day and a night program; and since the administration was already running a first-class night operation, he suggested to them that it would be unwise to jeopardize it by getting in over their heads.

Mr. Loomis then gave some information about the financial situation of the school. He estimated that 75 day students and 50 night students would have been required to carry the debt which would have resulted from expansion of facilities, had the day program continued. Since applications for the coming year were only slightly ahead of those from last year, it did not seem likely that the student body would be that large. However, Mr. Loomis reassured those present that the school was in excellent shape to continue operations with its current program. The present day class will be carried through; and they will only be required to take on class at night per year. This is in accordance with the bar's guidelines for day programs.

It was stressed by Mr. Loomis that the decision not to admit future day classes would have no material effect on the education of current students. Some of the students' questions indicated that

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Browning Confirmed As Commencement Speaker

James Browning, chief prosecutor in the Patricia Hearst bank robbery trial, will deliver the commencement address at the 1976 SJCL graduation ceremonies, the administration announced last week.

Browning was appointed U.S. Attorney for the Northern District of California in 1970 by former President Richard Nixon and reappointed in 1974.

In 1974, former Attorney General Elliott Richardson appointed Browning to the Attorney General's Advisory Committee of U.S. Attorneys. Former Attorney General William Saxbe reappointed Browning to the position in 1975. Browning also served on the Special Committee on Revision of the Federal Criminal Code.

A graduate of Fresno State College in 1954, Browning received his LL.B. from Hastings College of the Law in 1959. From 1961-1970 Browning served as Chief Trial Deputy, Superior Court Division, in the District Attorney's Office of San Mateo County.

This year's commencement, at which 17 persons will receive J.D. degrees, is scheduled for May 18 at 8 p.m. in the Pacific College Amphitheater. A reception will follow at the Airport-Holiday Inn.

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Awards And Certificates Presented at Annual Banquet

At the annual law school banquet held March 26, a number of awards were given — some serious, some tongue-in-cheek, some to be proud of, others to be forgotten.

Assistant Dean John Loomis was presented with the award for best teacher, which is traditionally an honor bestowed by the fourth-year class. The rationale behind this is that having endured more hours of classes and more years of false prophets, the fourth-year students are in the best position to select the winner. Mr. Loomis seemed pleased with the award and responded good naturedly when master of ceremonies Chuck Brewer admonished Mr. Loomis to put his horse Josephine out to pasture before the S.P.C.A. got to him.

Scholastic awards were given by Judge Dan Eymann to second, third, and fourth-year students for outstanding grades the previous year. Hornbook awards were given to the highest student in each class; Corpus Juris Secundum awards to the second highest student in each class. In the fourth-year, Debby Davis received the Hornbook award, Paul Hager the C.J.S. award; in the third-year, Kathy Hart received the Hornbook award, Dianne Ophelia the C.J.S. award; and in the second-year Judy Evans received the Hornbook award and John Suhr the C.J.S. award. Each student was to have received a book at the ceremony, but evidently the books had not arrived as only pre-printed, medium-weight beige bond West Publishing Company certificates were distributed.

Gary Austin, outgoing student association president, distributed certificates of commendation to a number of persons who had given

special support to student affairs the previous year. Bruce Owdom was cited for his fine performance as editor of *Dicta*, Dianne Ophelia for her excellent keeping of the books as student association treasurer. Gary gave an award to someone he described as a "behind-the-scenes" worker who had helped in fund-raising and other student government work. The person remained throughout the banquet "behind the scenes," since Gary forgot to mention his name. We later discovered the intended recipient was Marni Lasker, who coached the football team to its spectacular win last fall. Also cited for his persevering work in student government was newly elected president Marshall Hodgkins, who had been vice-president this past year.

Various tongue-in-cheek awards were given by M.C. Chuck Brewer to the following professors: Stan Tuccori, for teaching a property law course beginning with the Norman Conquest and ending with the printing of the Gutenberg Bible; Ollie Wagner, for giving law school exams most resembling daytime soap operas; J.V. Henry, for having the mind most nearly reminiscent of microfilm; Judge Hollis Best, for the longest explanation of the hearsay rule in the history of recorded time; Dan Russell, for being misguided enough to try to make corporations a lively subject; and the two Salisches for being the most dynamic duo since Batman and Robin.

No awards were given for the food, about which the less said the better. Suffice to say it bore a remarkable resemblance to peas porridge: some got it hot, some got it cold, some got it in the pot nine days old.

Academic Calendar

Summer Term 1976

Registration June 1-3
Instruction Commences June 7
Summer Term Final Examinations July 19-23

Fall Term 1976

*Registration August 25-27
Instruction Commences September 7
Thanksgiving Vacation November 25
Mid-Term Examination Week December 13-17
Christmas Recess December 20-January 3

*There will be pre-registration during the entire month of August. All students must be registered by August 27, 1976, or a late fee of \$15.00 will be charged. Books may also be purchased at that time.

dicta

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Mister Be's Nine Observations or, to be less restricting, Nine of Mister Be's Observations

1. The First Rule is that there are no rules.
2. Love is a complimentary mirror.
3. Pride is the banner of wasted blood.
4. There are no constants, only consecutive variables.
5. Imagination is a figment of your reality.
6. Time is measured by the madness of mortality.
7. Justice is a humorless clown.
8. You are free if you know who you are.
9. The Grand Conclusion is that there are no conclusions.

Reprinted from *America-Caca, Selected Propaganda of a West Fresno Derelick*, by Tomas Fuentes, Pacific Publications, Box 321, Ben Lomond, California 95005, (1973). Price: Two Bananas.

Landlord — Tenant Relations

Conference Held in Fresno

by Elizabeth Davis

- Q: Do the landlord and the tenant each have legal duties?
A: Yes (Civil Code Sections 1941-1953)
- Q: May the landlord discriminate against certain kinds of tenants?
A: No.
- Q: May a landlord evict a tenant without notice and court order?
A: No.
- Q: Should a lease be oral or in writing?
A: In writing.
- Q: Can rent be raised during a 1-year lease?
A: No, not unless provided for in the lease.
- Q: Is a non-refundable security or cleaning deposit legal?
A: No, not as of January 1, 1976. The landlord may only keep what is necessary to pay unpaid rent, repair damages, and clean the apartment. (Civil Code Section 1950.5)

There are but a few of the subjects covered in a well-presented, very informative public meeting on Landlord-Tenant Relations held April 2. This meeting, attended by some 235 people, was sponsored by the Fresno Community Council, California State University—Fresno, Fresno City College, and four other groups represented by the panelists including Fresno County Department of Weights, Measures and Consumer Protection (Don Beckman), Fresno Apartment Owners Association (Ken White), Fresno Housing Authority (Tim Sciaqua), and Fresno County Legal Services (Howard Watkins). Also on the panel was Pete Bontadelli, administrative assistant for Assemblyman Kenneth Maddy.

Most of the panelists emphasized the importance of having a written, rather than an oral lease, whether for a monthly lease or an annual term or a 1-year lease. The reason is that a written lease better protects the rights and interests of both the landlord and the tenant.

Further, on the importance of having things in writing, Mr. Beckman and Mr. Bontadelli strongly advised filling out an inventory sheet on the condition of the apartment or rental unit before moving in. This is done by the landlord and tenant together. When the tenant leaves the condition of the unit can be compared to the inventory sheet thus verifying any need for repairs which would come out of the tenant's initial deposit.

An inventory checklist was included in a booklet given out by Mr. Bontadelli. This booklet, compiled by the State Department of Consumer Affairs, discusses "Ten of the Most Frequently Asked Questions" in the area of landlord-tenant relations. The meeting covered most of the questions asked: tenant's right to have his deposit refunded, landlord's obligation to make repairs, eviction procedures and rights, when rent can be raised, landlord's right to enter apartment, prohibition against discrimination or renting practices.

Much of the discussion and questions concerned eviction procedures which were discussed by Mr. Watkins (CCP 1159-1179). Eviction may occur only after adequate notice of intent to terminate is given to the tenant: 3-day notice for non-payment of rent or other cause, 3-day notice without cause. In public housing 14-day notice is required for non-payment of rent, 30-day notice for other causes.

If the tenant does not pay the rent or correct the cause within the specified time, the landlord may go into court by filing a complaint in unlawful detainer. The 3-day notice does not entitle the landlord to throw the tenant out on the

fourth day. Rather, it puts the tenant on notice that the landlord will go to court after the third day if the tenant doesn't correct the situation. If the landlord wins, he gets a writ of possession which entitles him to take possession of the premises and have the tenant evicted.

One of the defenses available to a tenant faced with eviction is that the premises were not physically fit for him to live in. A 1974 California Supreme Court case held that in each rental agreement there is an implied warranty of habitability which may not be in the lease agreement. Civil Code Section 1941 spells out the landlord's legal obligations regarding the physical condition of the rental unit. Civil Code Section 1942 spells out the tenant's obligations in this regard.

Some of the resources available in Fresno County for people needing help with landlord-tenant problems were discussed.

Fresno County Department of Weights, Measures and Consumer Protection (4535 E. Hamilton, 488-3027) serves the entire county

See Landlord page 4

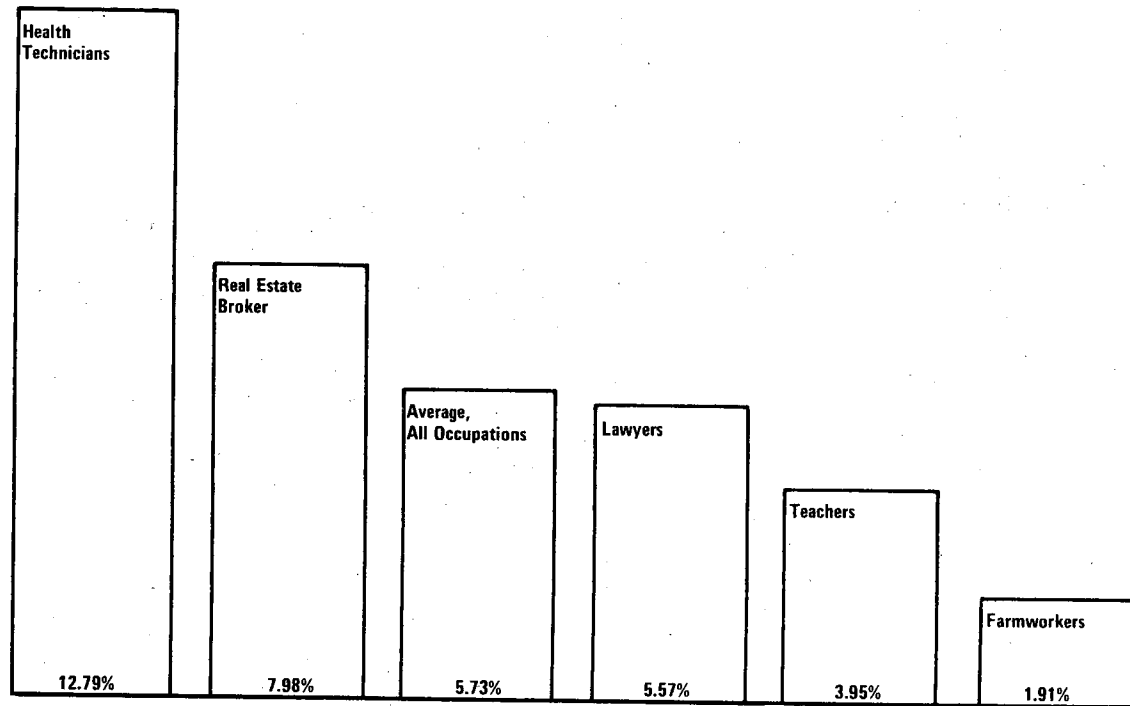
Sex Discrimination Suit Dismissed on Technicality

by Mary Ann Bluhm

The sex discrimination suit filed by the U.S. Justice Department against the Fresno Unified School District has been dismissed. Deputy County Counsel Thomas Riggs prevailed in his contention that the Justice Department should have followed the procedure required of private citizens by first exhausting the administrative remedies available. Under this ruling, the Justice Department would first be required to notify the federal Equal Employment Opportunities Commission (EEOC) of any violation. The EEOC would then conduct an investigation and possibly seek conciliation.

The Justice Department takes the position that the Equal Employment Opportunities Act was not intended to limit the attorney general's authority in the public sector. Rather, the intent of the law was to allow the attorney general to file lawsuits directly against governmental entities.

The Justice Department has filed similar lawsuits across the country, and until a few weeks ago, the practice was never challenged. In the previous challenge, a district court agreed with the Fresno ruling.



ANNUAL GROWTH RATE IN SELECTED OCCUPATIONS,
FRESNO COUNTY
1975-1980

Will San Joaquin Graduates Find Jobs?

Time magazine would have us believe there's hardly a job around for the 1976 graduate. (See their March 29 issue with the article "Slim Pickings for the Class of '76.") Radcliffe art majors are scrubbing toilets, law graduates are working as bellhops, and the rest are joining communes. What about the local job market for lawyers in Fresno County?

The State of California Employment Development Department (EDD) makes annual projections of the number of workers needed in each of 470 occupational categories. (Such categories include ushers, bootblacks, and peddlers; noticeably missing is a listing for chimney sweeps.) EDD's most recent projections, as published in the document "Fresno County Manpower, 1975-1980" (March, 1976), show a need over the next five years for 153 new lawyers in Fresno County. Of these 153, 80 positions are to be the result of economic growth and 73 are to be

replacements for attorneys retiring or withdrawing from the labor force. The 5-year need averages out to be about 31 new attorneys in Fresno County per year.

For every occupation the Employment Development Department includes what is called a "Job Opportunity Ratio," defined as the number of new jobs per year divided by the total jobs in that particular occupational classification. For lawyers, the "Job Opportunity Ratio" is 5.57, obtained by dividing the approximately 31 new openings per year by the total number of existing lawyers in Fresno County (estimated at 550) and then multiplying by 100. Actually, what EDD pretentiously labels as a "Job Opportunity Ratio" is the same as an average annual growth rate.

The average growth rate for all occupations in Fresno is 5.73%, making the growth in the legal profession very close to average employment growth. Some oc-

cupations are projected to have a very high growth rate — statisticians, over 10%; all types of medical and health workers, between 10 and 15%; chambermaids, 10%. Others show low or even negative growth rates — teamsters, 0%; farmers and farmworkers, 1.91%; physics teachers, 1.19%, and embalmers, 2.05%. (See the adjacent chart comparing the growth rate in law with that of other occupations.)

Assuming that San Joaquin law graduates do not lose out to Hastings and Boalt Hall in the local job competition, and assuming that the EDD projections are reasonably close to actual employment growth, we are safe in concluding that San Joaquin's 1976 graduating class and the classes of the next four years will be able to find jobs locally. If it's "slim pickings" elsewhere, as *Time* asserts, the pickings are at least fair to middling in the local law market.

Big Selection of Study Aids

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See Sex Discrimination Suit

page 4

Fresno County Jail

prisoner. These requirements only apply to disciplinary actions which are considered "major", and "major" actions are defined in terms of the punishment inflicted. If the violation of jail rules cannot be handled through counseling or advising the prisoner of expected conduct, the the offense is "major" and the above protections become mandatory upon jail personnel.

The constitutional trigger for the imposition of due process requirements differs only in wording: Whenever "grievous loss" is inflicted for disciplinary reasons in a prison context, minimal due process must be afforded the prisoner. *Sostre v. McGinnis*, 442 F. 2d 178 (2d Cir. 1971). The *Sostre* court was conservative in its imposition of due process standards, but subsequent decisions have expanded the requirements considerably, with some courts going so far as to accord prisoners the "full panoply" of protections set out in *Goldberg v. Kelly*, 397 U.S. 254 (1969). The most notable and persuasive of these cases is *Clutchette v. Procnier*, 328 F. Supp. 767 (N.D. Cal. 1971). The court in *Clutchette* defined "grievous loss" broadly, specifically including confinement in a maximum security area with the loss of privileges, and generally implying that a prisoner, even though in custody, suffers a grievous loss when the nature of that custody becomes more restrictive. See also *Wolff v. McDonnell*, 418 U.S. 539 (1974). This expansive definition is in accord with the "Minimum Standards" definition of a "major" violation of prison regulations.

Some simple truths: The purpose of a jail is to confine. The effect of a jail is to both confine and isolate. There are few prisoners who protest the legitimacy of their confinement once they have been convicted of a real crime against society, but few can see any real justification for the isolation imposed as a condition of confinement. It's a metaphoric death to be locked up in a jail or prison in this country: not only can't the prisoner get out, but the world can't get in either. Prisoners in the Fresno County Jail can have three visitors on their authorized list, and these visitors can see the prisoner for a total of a half hour, for all three, per week. Hard-bound books are prohibited, and visitors who bring legal books to prisoners have to tear the covers off before they can be received. The *Fresno Bee* is distributed one copy to a fifty-man tank. There is one television to a tank, and no television for those being disciplined. Attorneys can see their clients at almost any time, but they can't drop off messages or telephone. No one sees the real workings of the jail except the prisoners and the people who work there; such tightening of the sphincter muscle serves only to protect the institution's secrecy, darkness and failure to abide by the ordinary rules of human decency. It is this arbitrary and unnecessary isolation which frustrates and angers prisoners and turns prisons into uncontrolled fields of war.

The only means available to reveal, expose and remedy conditions inside the jail is through the courts. Prisoners who have money can, of course, obtain post-conviction relief by hiring a private attorney; such luxuries are denied the indigent. This harsh reality creates the exceptional breed called "the jail-house lawyer," here amply represented by Bill Priddy. But Bill Priddy is, as we all are, limited by the tools available to him, and his meagre collection of law books is simply insufficient for his own needs and for his work on behalf of other prisoners.

The leading case on prisoners' right to access to a law library in order to effectuate their legal remedies is *Gilmore v. Lynch*, 319 F. Supp. 105 (1970), aff'd. *Younger v. Gilmore*, 30 L. Ed. 2d 142 (1971). The general rule of *Gilmore* is that prison administrators must provide either an adequate law library or a reasonable alternative means of securing judicial consideration of their grievances. So far only the provision of counsel has been found to be an adequate alternative. *Noorlander v. Ciccone*, 489 F. 2d 642 (8th Cir. 1973). Thus access to law books has not been treated as an absolute right but rather, has been considered a derivative right contingent upon the state's failure to provide alternatives. But the cases so holding all pre-date *Faretta v. California*, 43 U.S.L.W. 5004 (June 31, 1975) which establishes that a criminal defendant has the constitutional right to represent himself at his prosecution. *Faretta* may elevate access to law books to a protected position as a right necessarily concomitant to self-representation. Clearly a criminally accused cannot conduct his own defense without the use of law books.

Faretta is additional impetus to extend the *Gilmore* requirements regarding law libraries to county jails, which have been traditionally ignored in prison law decisions, because county jails are filled with persons who are awaiting trial or disposition of their cases. Several cases have held that these persons should be accorded all rights not inconsistent with the legitimate purpose of confinement. See for example *Jones v. Wittenberg*, 323 F. Supp. 93 (N.D. Ohio 1971) and *Brenneman v. Madigan*, 343 F. Supp. 128 (N.D. Cal. 1972). In *Batchelder v. Geary*, No. C-71-2017 R.F.P. (N.D. Cal. April 16, 1973) the court ordered the County of Santa Clara to provide a law library for the County Jail identical to that required by *Gilmore*.

The Habeas Corpus Petitions are now under submission, and we are waiting. But the effects of William Priddy's fine work cannot be measured in terms of a court decision alone; already several changes have been made in the jail, rules have been revised, procedures have been clarified, and a new respect for the prisoners' ability to protect one another is apparent. Such changes are minor and do not reflect a newly tuned sensitivity to the rights of prisoners; instead they result solely from pressure, legal pressure and people pressure. With this in mind, a grassroots organization of prisoners and their families has formed to advocate for the rights and dignity of prisoners in the Fresno County Jail. This group, Inside/Out, can be reached at 264-9496 in Fresno.

Catherine Bailey is a 1975 graduate of U.C.-Davis School of Law and is currently in private practice in Fresno.

State Bar To Meet In Fresno

The California State Bar Association will hold a four day conference in Fresno next September 18th through the 21st with the Judges' Conference continuing until noon on the 22nd.

The Conference presents a unique opportunity for the students of San Joaquin. Jim Thaxter, president of the Fresno County Bar Association and local Chairman of the upcoming state conference, has indicated a willingness to call on San Joaquin students to assist in supportive roles — the specifics have not yet been outlined. Thaxter states he will do what he can to utilize students not only in the logistics but perhaps also in some of the

business activities if the occasion should arise.

Tom Tusan, president of the local Barristers, feels that there may be a need for some research assistance to provide background material for the various resolutions to be voted on by the local delegation.

Students interested in working during the Conference should inform their class representatives. The Student Association will be working on this project during the summer months.

With a little luck, the State Conference will be a boon to the "public relations department" of San Joaquin College of Law. Here's hoping!

Day School Dropped

they had feared otherwise. One person expressed a concern that there would be fewer electives. Both Mr. Loomis and Mr. Wanger commented on the fact that electives are a product of student interest. Students who would like to see a particular class taught as an elective were encouraged to discuss the matter with their student representatives, who could pass the news on to the administration. Another student's question concerned the possible effect of the decision to drop the day program on the school's ability to qualify for Federally Insured Student Loans. Some students indicated that they did not feel the administration was pursuing this matter with due diligence. Mr. Wanger responded to these comments with an outline of efforts the school has made, is making, and will continue to make in that direction.

Several of the students' questions seemed to indicate a distrust of the administration. During the three weeks which had elapsed between the first announcement of the day school's cancellation and the March 31st meeting, these feelings of distrust and annoyance had been frequently discussed among the students. Most of this dissension seems to have died down since the meeting. Although there was no startling new information divulged to the students at the meeting, it seems to have served a useful purpose in that it indicated to the students that the administration was willing to listen to their concerns and answer their questions.

It was suggested at the meeting that such dialogues should be held on a more regular basis. Perhaps this could provide an opportunity for fuller discussion of some of the other issues raised at the forum, including the process for selection of instructors, the role of the student representatives and of DICTA, and plans for the growth of San Joaquin.

Landlord Tenant Conference

(Consumer Protection was added to the responsibilities of the old Department of Weights and Measures two years ago).

Fresno County Legal Services (1221 Fulton Mall, Rm. 505, 485-9880) provides legal services to low income persons on civil matters.

Fresno Housing Authority (1833 "E" St., 485-3340) has responsibility for hundreds of units of public housing throughout the country.

Fresno Apartment Owners Association (1055 N. Van Ness #C, 485-3440) has a landlord-tenant grievance committee which attempts to resolve disputes brought to it by working with the landlord and the tenant together.

Attorneys Reference Service (Patterson Bldg., Rm. 409, 237-0164) arranges for a one-half hour conference with a private attorney for \$5 for any person needing legal advice.

Sex Discrimination Suit

qualified women, but that it has also filled the positions those women seek with men who are less qualified.

In favor of the school district, some other relevant statistics must also be considered. Given that 60% of the teachers in the district are female, and few hold top level jobs — of this 60%, how many have the requisite credentials for a top level job? Of those who do possess the credentials, how many apply? What has been the rejection rate for men who apply for these positions as opposed to that for women? How many men and women from outside of the Fresno Unified School District apply for top-level administrative positions? The answers to these questions will have an impact on the ultimate decision as to the case's merits.

It is encouraging to note that there is apparent agreement on both sides that regardless of the outcome of the suit, all applicants should be hired on the basis of their qualifications, with both men and women being fully considered as individuals.

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