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For Immediate Use

## **The Supreme Court of California Refuses the County Board of Supervisors' Challenge to Measure K**

On Wednesday, August 16<sup>th</sup>, the Supreme Court of California refused to take up the San Bernardino County Board of Supervisors' challenge to Measure K.

Measure K was approved by more than two-thirds of voters in November 2020. In an attempt to reform county politics, Measure K set one, four-year term of service for candidates elected to the Board of Supervisors. The measure also capped compensation nearly equal to the median household in the county.

Rather than lead the reform effort, the Board of Supervisors chose to dig in and fight the voters. Before the election was even certified, the supervisors filed suit to halt implementation of Measure K in December of 2020.

What followed was a three-year legal battle that resulted in the state's highest court refusing to hear the Board of Supervisors' appeal to Measure K.

A spokesman for The Red Brennan Group, the non-profit that coordinated the defense of Measure K, provided the following:

We welcome this action by the California Supreme Court. By refusing to take up the Board of Supervisors' challenge to Measure K, the court let stand a decision by the 4<sup>th</sup> District Court of Appeal. That decision firmly supported Measure K and the right of voters to set term limits and compensation for elected officials in an effort to reform local government.

And San Bernardino County is in desperate need of thoroughgoing reform in every nook and cranny of government.

San Bernardino County voters should be asking a variety of questions that begin with why? Why did the County Supervisors sue over Measure K when more than two-thirds of their constituents approved the measure? Why did the San Bernardino County Superior Court rule in favor of the political establishment against the vote of the people? Why, when the Appeal Court ruled in *favor* of Measure K, did the County Board of Supervisors immediately propose to *overturn* Measure K by placing their own initiative (Measure D) on the 2022 ballot? Why did the Howard Jarvis Taxpayers Association label the Measure D campaign as corrupt and despicable?

Although the county has a history of corruption, the most recent nonsense began in 2018 when the Board of Supervisors bypassed the state constitution's requirement for a two-thirds approval vote and imposed a special tax on landowners in the unincorporated area of the county. Things worsened in 2020 when, recognizing the threat to their own power and prestige, the supervisors hurriedly slapped together a new charter placing it on the ballot to compete with Measure K's reforms. When the voters overwhelmingly approved Measure K, the supervisors petitioned the San Bernardino County Superior Court, which cannot seem to find a way to *ever* rule against the county, and placed a hold on Measure K. In the meantime,

the county rapidly implemented the “new” charter that allowed supervisors to stay in power three times longer than what the voters had chosen during the election.

In the summer of 2022, the Appeal Court ruled against the supervisors on Measure K. Within four weeks elected officials, backed by public unions, politicians and local developers such as Jeff Burum, approved the so-called Measure D Taxpayer Protection and Government Reform initiative. The initiative was fast-tracked on to the November 2022 ballot. The ruling cabal then partnered to spend over \$1.2 million in support of Measure D. Regrettably, voters busy with making a living simply did not have the time to distinguish the lies woven into the political elite’s Measure D.

The truth is that Measure D:

- Reset the term-limit baseline for each of the sitting county supervisors. In other words, current supervisors can serve *another three, four-year terms!* Supervisor Hagman has the potential to serve 20 years as a county supervisor if he continues to be reelected.
- Overturned Measure K in its entirety and tied elected supervisors’ compensation to that of a superior court judge – and included an automatic raise each time a supervisor is reelected!
- Offered county residents tax protection which they largely already had via the state constitution.
- Threatened voters with a poison pill should those voters ever deign to readdress the issue of supervisor compensation.

If one couples the political misbehavior of the Board of Supervisors with the turmoil created by the recent scandal in the County Chief Executive Office, one gets the picture the county operates as a third-world banana republic rather than an efficient democratic institution. It is an embarrassment to county voters.

Both sides of the county political establishment have gone far astray. For far too long the county ruling class has misused and abused both the legal and political process to stymie real reform of county government. County voters must hold local government accountable and ensure the political class acquiesces to voter-approved reform. To do so, voters should choose candidates that have *no political experience* during local elections. Select the name you *do not* recognize! It can’t make the San Bernardino County political environment worse than it already is.

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