

## Ernest and Calvin Take Up New Residence

Pebble Beach, California

**E**rnest and Calvin have set up house in a new home specially designed to reflect their political vision. The recently built doghouse is a beautiful replica of the U.S. Capitol and was constructed on the property of FOE chairman Al Shugart in Pebble Beach. It will serve both as a residence and operation center for Ernest and Calvin.

Sources close to the two canines have reported that they are delighted as can be with their new house. Chairman Shugart says that Ernest is looking forward to holding FOE receptions and other official gatherings in front of his picturesque new establishment.

Pictured at right, Calvin and Ernest pose in front of their new headquarters.



## Attorney General Gives Ernest The Go-Ahead

Soquel, California

**F**riends of Ernest recently unleashed FOEPAC (Friends of Ernest Political Action Committee), the organization that's prepared a voter initiative that would allow "none of the above" as a choice in state and federal candidate elections in California. FOEPAC plans to have the initiative ready for the California ballot for the March 2000 primary election.

On January 4, FOEPAC was notified by the Attorney General's office that the proposed initiative had been officially filed, giving FOEPAC the OK to proceed. The following Monday, January 11, FOEPAC held a press conference at Friends of Ernest headquarters in Soquel. Television and newspaper reporters were

brought up to date on the recent progress of the new initiative.

Patterned after a similar Nevada law, this initiative would allow California voters to register opposition to all candidates running for a particular office by choosing "none of the above." In this way, disgruntled voters could reject all of the candidates running for an office and have it officially recorded and reported. "Hopefully this opportunity for voters to register a protest will increase citizen participation in the California electoral process," said Al Shugart, Chairman of FOEPAC. "Once we succeed in California, it is the intent of FOEPAC to carry the "None of the Above" reform initiative to other

states with a ballot initiative process."

The debate has already begun. Anne Henderson, legislative director for the state League of Women Voters commented, "I can understand why people feel they don't have a choice." But Henderson believes it wouldn't have any practical effect. Daniel Wirls, a political science professor at University of California, Santa Cruz believes it would do more harm than good.

Supporters of the initiative believe that such a provision would help combat low voter turnout, produce better candidates and result in less negative campaigning. "Even before ballot qualification, FOEPAC

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## From The Chairman:



Welcome, FOE members, to our first issue of The Ernest Voice. This publication is intended to keep you informed of all of our latest activities, and I'm pleased to report that we have some worthwhile projects under way. You'll find complete details in the articles that follow.

Because this is our first issue, I thought it would be appropriate to introduce our staff. Teri Erickson, FOE General Counsel, is in charge of research and government correspondence. Karen Seifert handles all the finance and administration duties at our brand new National Headquarters and continues to keep our treasurer, Calvin, informed. Judy Plummer is Director of

Communications and Chris Shugart is our newsletter editor and Executive Director.

I have lots of other things that require my time, so I work for FOE on a part time basis and for free. I also continue to consult with Ernest on the perplexing problems of government.

I hope our first issue of The Ernest Voice is but one of many issues to follow. We plan to publish every two or three months, depending upon what information we have to share with you. Our overall objective is to do some good, and have a good time doing it. We hope you enjoy it.

– Al Shugart

(continued from page 1)

has experienced overwhelming support," said Teri Erickson, Executive Director of FOEPAC. "We anticipate people who might otherwise stay at home on election day now choosing to vote, which could have a big impact on local and statewide elections."

Now that the None of the Above initiative has been approved by the Attorney General, FOEPAC has 150 days to collect the 419,094 valid signatures required to qualify for the California ballot. "We've already had a lot of interest from people wanting to sign our petition," said Teri Erickson. "We can now take advantage of the momentum that's been building since we originally filed our initiative."

Since the initiative has become official, thousands of signatures have already been collected. With the amount of media coverage that's been developing, FOEPAC is confident that the public is becoming well aware of the new ballot initiative. If voter support continues on its current trend, it does appear that dissatisfied voters will have a new choice for the California elections in the year 2000: None of the Above. □

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### The Ernest Voice

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## From the Rooftop

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### Misleading Polls

by Chris Shugart

Opinion polls are the latest rage. Sure, advertising and marketing firms have employed them for decades. Politicians have used them longer than that. But the public opinion polls of today have turned into a spectator sport. Consequently, they've become more of an entertaining diversion than a reliable political gauge.

Many politicians may be learning this for the first time. The recent Clinton scandal has demonstrated the shortcomings of survey polls. On one hand, Clinton's approval ratings in the polls remained high. Yet many elected officials seemed eager to distance themselves from the scandal-damaged Clinton administration. Have they had a crisis of conscience? No, they've had a crisis of constituency.

For the elected official, public opinion doesn't count nearly as much as voter opinion. The weakness of opinion polls is that they don't necessarily show which respondents vote, and which ones don't. Everybody has an opinion. Not everybody votes.

The bottom line is that the people who really count are the ones who go to

the election polls. Public opinion polls only register those who bothered to take the time to answer questions over the telephone. They don't indicate how many refused to participate. And they usually don't distinguish the voters from the non-voters.

There's a political reality to this that's become outstandingly evident. On a recent segment of Larry King Live, Senator Diane Feinstein expressed less concern about the recent survey polls than she did about the 1,500 phone calls her office had received in the previous week.

The results of the November elections in 1998 were a surprise to many who believed the polls indicated a significant Republican victory that never happened. The unreliable nature of polls illustrates an important point we should always remember. Your vote does count, and it does mean something. Politicians may not always appear to respond to the will of the people. But you can count on them to respond to the voters who have the power to put them in office and remove them as well. Let's not underestimate this demonstrable fact.

# Where'd They Get That Figure?

by Teri Erickson



When the Wall Street Journal or the New York Times report that the unemployment rate has increased, or that manufacturing employment has expanded, those reports are technically correct. But what they should be saying is “the Labor Department has told us that unemployment rate has increased (or that manufacturing employment has expanded), but we have done no independent verification of this information. In fact, we don’t even know how the Labor Department gets their statistics.”

Jacob Schlesinger, a staff reporter for the Wall Street Journal who regularly writes stories based on Labor Department press releases, told me that his paper has never researched (or even asked) where the numbers come from. “We’ve done some research on the CPI (consumer price index), but that’s about it” disclosed Mr. Schlesinger.

So, Friends of Ernest decided to find out where all these labor statistics numbers come from. An investigation of Labor Department resources reveals an interesting anomaly: There is a wealth of information about what the government does with the numbers they have—enough mathematical formulas to keep the entire math department at MIT busy for a year—but almost no information on how the government gets the numbers

statistics they publish come from a sample of between 3 and 5 people out of every 10,000. Department officials rushed to explain that this is statistically valid by any statistician’s measurement—the large size of the sample (all those 3 to 5 people) is what counts, not the ratio between sample size and total population. FOE issued another query, contending that such a sampling method is valid only when the things being sampled are similar and don’t have a lot of variables (like a barrel of beans, a favorite example in statistics books). The Department of Labor hasn’t yet responded to us on this.

We also learned that samples from one area are used to measure and assess another area. When you read labor statistics about Santa Cruz County in California, you should know that NOT ONE PERSON in Santa Cruz County has been surveyed. The Census Bureau arbitrarily applies data to Santa Cruz County that has actually come from Lake County. Lake County? To examine this further, Friends of Ernest had to compile its own statistics. (See table, below)

Our own compiled numbers clearly illustrate just what an “apples and oranges” comparison this is. Santa Cruz County and Lake County appear to have absolutely nothing in common. Yet the Labor Department somehow considers their

## Unemployment Statistics 101

What they say:

“The unemployment rate declined to 4.3 percent in December,” the Labor Department reported today. “Employers added 378,000 jobs to their payrolls in December, the most in 15 months.” All this according to The White House Bulletin, January 8, 1999.

What they mean:

We surveyed about 94,000 people (out of about 198,584,000, or .0473% of the population) as well as 390,000 businesses (out of 7,189,184, or 5.4%). We test the accuracy of our unemployment numbers annually by looking at employment reports from all employers in the U.S. subject to unemployment insurance. Mostly large businesses are surveyed, because it’s more efficient. To guarantee privacy, we don’t disclose the names of any individuals or businesses surveyed.

County Comparison Data<sup>1</sup>

	Santa Cruz County	Lake County
Population	229,734	50,631
Hispanic population	20%	7%
Density	515 people per square mile	40 people per square mile
Housing less than 100K	3.7%	56%
Rentals less than \$400/mo	17%	65%
Annual income less than \$20,000	34%	53%

they’re manipulating.

FOE wrote the government and asked simple questions like “how many people do you sample, and where are these people?” The government’s response: The

respective statistics interchangeable.

A subsequent call to the Labor Department also revealed that they don’t even publish information in the way it’s illustrated in our table. “No one

ever asked,” said Phil Rones, a Labor Department employee.

FOE will continue to ask.

If you want to see how the Labor Department manipulates data, check out the web site <http://stats.bls.gov/>.

<sup>1</sup> These statistics come from UpClose California Databook, 1991, by UpClose Publishing.

# Did Someone Say “Oops?”



## California Dept. of Education Officials Attempt To Explain Education Code Oddity

While researching California students' abysmal test scores, FOE came across an interesting section in the California Education Code. Section 44758(a) reads: "It is the intent of the Legislature that at least 90 percent of the certificated employees who provide direct instructional services to pupils enrolled in grades 4 to 8, inclusive, in reading or English-language arts possess the knowledge and skills necessary to effectively teach pupils to read."

This raises the question: Wouldn't the Legislature want 100% of the people teaching students to read to have the knowledge and skills necessary to do so? Friends of Ernest wondered: Was this a simple legislative drafting error, or are California standards for teachers such that we would allow 10% of our reading and language arts teachers to not have the necessary skills to accomplish that task? Friends of Ernest attempted to find out the answer. We began with a query to State Superintendent of Public Instruction, Delaine Eastin. She explained that the 10% is to account for a small number of teachers who teach only one subject, like P.E., art or music. FOE noted, however, that the law only applies to teachers who teach "reading or English-language arts," and not to teachers who teach P.E., art or music. (Catsup used to be a vegetable, so maybe P.E. is now Reading.)

Superintendent Eastin referred FOE to Mr. Nicolas D'Amico, a consultant for the state of California. (Mr. D'Amico is a "visiting educator" with the state of California in the Bilingual Teacher Training Program.) When the problem of Section 44758(a)

was pointed out to him, he said that there "does seem to be a discontinuity between this section and [other sections in the Education Code]." He also said that "it's not clear whether they [the Legislature] want to be absolute on this or not" and "[this section] raises as many questions as it does answers."

Mr. D'Amico's vague and roundabout answer ducked the basic question. Why shouldn't 100% of our teachers have the required skills to do their jobs? He offered us a strange analogy: In the case of an airline pilot you'd want 100% of them knowing how to fly. Then he added, "we have to be realistic. Having 100% for teachers isn't as important." Curious words from a "visiting educator."

Upon seeing his comments in print, Mr. D'Amico asked that he be allowed to respond in writing. His concern was that he hadn't expected the information to be publicly released. Did he want to change his story? Did he have a different set of views depending on whether they were being given on or off the record? We may never know. What followed was a second letter from Superintendent Eastin instructing FOE to call Patti Habel, Chief of Staff for Assembly Member Kerry Mazzoni, who is the Chair of the Education Committee for the State of California.

When we contacted Ms. Habel she informed us that she had been the staff person on the legislative bill which eventually became Section 44758(a) of the California Education Code. Ms. Habel noted that originally, the legislation didn't have any percentage requirements; it merely stated that certificated teachers in

reading or language arts should have the knowledge and skills necessary to teach those subjects. A reasonable demand, most would think. The Department of Education didn't see it that way. They requested that the 90% requirement be inserted into the legislation.

Although Ms. Habel couldn't recall the reason for the change, she defended the 90% requirement, claiming that it was "a floor rather than a ceiling." She explained, "it's not possible for every teacher to be trained," and added "it wasn't an issue, it wasn't something that was highlighted." Ms. Habel maintained that "it was not a drafting error."

A call from Erica Hoffman, a Legislative Representative from External Affairs for the State of California, finally solved the mystery. It turns out that there are two sections of the Education Code that are very similar: the one referenced above (Section 44758), and Section 44755. While Section 44755 references K-3<sup>rd</sup> grade teachers in general, Section 44758 applies specifically to 4<sup>th</sup> through 8<sup>th</sup> grade reading and language arts teachers. It appears that the change in the Education Code was intended only for those K-3<sup>rd</sup> grade teachers whose curriculum doesn't necessarily include reading and language arts.

FOE pointed out to Ms. Hoffman that it looked like the Department of Education's requested change to Section 44755 was automatically applied to Section 44758 as well. No one had noticed that the two sections were different. "That's probably what occurred," Ms. Hoffman told us.

What started out as a mere query into a puzzling quirk in the Education Code ended up as an indictment of how our state government answers questions from the public. Despite FOE's finding, no government official has been willing to go as far as admit an error was made, much less attempt to correct it. The California Education Code will likely continue on as is. Our government representatives scramble to explain away potential embarrassment and seem to have a marked reluctance to say "We made a mistake." Instead, the mistake persists, and we get an elaborate song-and-dance when a simple "oops" would have sufficed.



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## Are You an Official Friend of Ernest?

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# ★ Bits & Bites ★

## Spurned by the Humane Society

Citing opposition to the breeding activities of the American Kennel Club, the Humane Society of the United States decided "it would not be appropriate to consider offering or endorsing" the book Ernest Goes To Washington. The Humane Society informed FOE that it does not support the selective breeding of dogs and cats, favoring instead mixed breeds, particularly those available for adoption from animal shelters.

It appears a single mention of the American Kennel Club in the first chapter of the book put Ernest Goes to Washington on the Humane Society's list of forbidden books. One FOE source speculated that the fact that Ernest, himself, is a pedigreed Bernese mountain dog may have contributed to their rejection of the book. However, that issue was never raised.

## FOEPAC Media Coverage Gaining Momentum

Newspapers and radio stations throughout California have been eager to report the establishment and progress of the Friends of Ernest Political Action Committee. What started out as local coverage limited to Monterey, Santa Cruz,

and Salinas, quickly expanded into the San Francisco bay area. Reports have now been published in the San Jose Mercury News, and the San Francisco Chronicle.

In addition to local television coverage, several radio stations have covered FOEPAC's activities, including KLIV in San Jose, as well as KGO in San Francisco, and KNX in Los Angeles. Syndicated radio networks NPR and Talk Radio Network have contributed coverage also.

FOEPAC has appeared elsewhere in the state such as the Sacramento Bee, The Fresno Bee and the L.A. Times, while receiving national coverage in the Wall Street Journal. Judy Plummer, Director of Communications for FOEPAC stated, "We're overwhelmed at the response we've received from media outlets."

## Ernest Takes a Walk With Local SPCA

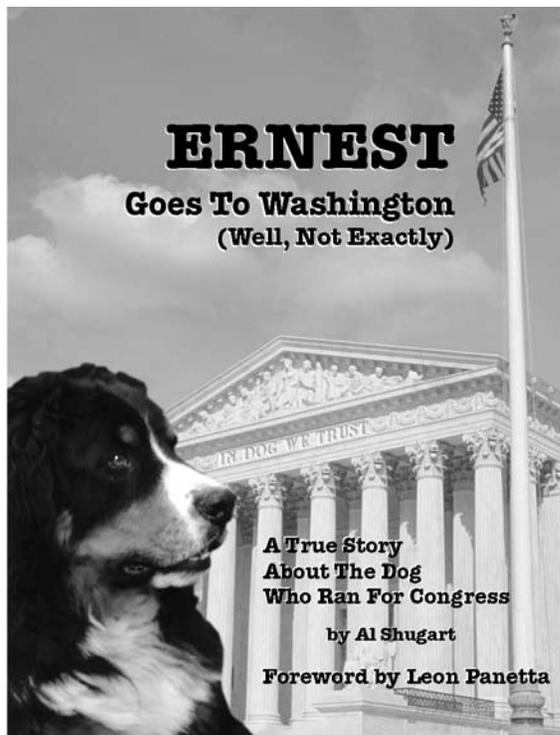
Friends of Ernest is helping support this year's "Wag 'n' Walk" fund-raising event for the Monterey County SPCA. The 2-mile and 4-mile walkathon will raise funds for many of the SPCA's programs and services. Those interested in finding out more can call toll free at 877-477-2262.



## Friends of Ernest Cartoon Unleashed on the Public

Friends of Ernest, the weekly cartoon strip now appears in the Monterey Herald's weekly entertainment pull-out section. It has appeared in the Monterey County Coast Weekly, and is a regular feature in the Santa Cruz County Good Times.

Originally conceived by Al Shugart and drawn by Monterey artist Meg Biddle, the cartoon strip has been an ongoing collaborative effort between Shugart and Biddle for over a year. At one point there was a plan to feature the cartoon once a week on Salinas TV station KION. However, Shugart determined that the time involved made the project prohibitive. Currently, Biddle and Shugart are seeking interest from newspapers throughout the U.S.



## Get the book that started it all!

### **ERNEST** **Goes To Washington** **(Well, not exactly)**

by **Al Shugart**

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**Foreword by Leon Panetta**

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