

Case No. S238309

IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA

SUPREME COURT
FILED

FEB - 1 2017

Jorge Navarrete Clerk

RON BRIGGS and JON VAN de KAMP,
Petitioners,

Deputy

v.

JERRY BROWN, in his official capacity as the Governor of California;
KAMALA HARRIS, in her official capacity as the Attorney General of
California; CALIFORNIA'S JUDICIAL COUNCIL; AND DOES I
THROUGH XX,
Respondents.

Californians To Mend, Not End, The Death Penalty –
No On Prop. 62, Yes On Prop. 66

Intervenor.

**SUPPLEMENTAL DECLARATION OF CHARLES H. BELL,
JR. IN SUPPORT OF THE PROPOSED INTERVENER'S REPLY
TO PETITIONERS' OPPOSITION TO MOTION TO INTERVENE**

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CALIFORNIANS TO MEND, NOT END, THE DEATH PENALTY-
NO ON PROP. 62, YES ON PROP. 66

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NO ON PROP. 62, YES ON PROP. 66

SUPPLEMENTAL DECLARATION OF CHARLES H. BELL, JR.

1. I am one of the co-counsel for Proposed Intervener
CALIFORNIANS TO MEND NOT END THE DEATH
PENALTY, NO ON 62, YES ON 66 (“the YES ON
PROPOSITION 66 COMMITTEE” or “COMMITTEE”) in this
matter. I submit this supplemental declaration in support of the
Proposed Intervener’s Reply to Petitioners’ Opposition to Motion
to Intervene.
2. As set forth in Exhibit A incorporated by this reference herein,
on it, cover page, I was identified as the representative for
Proponent KERMIT ALEXANDER, and was identified on his
October 16, 2015 submission of the proposed initiative measure
to the Attorney General for preparation of a title and summary
(Attorney General’s # 15-0096). That measure ultimately
received its title and summary, was circulated for qualification
for the ballot, qualified, and appeared on the November 2016
state general election ballot as Proposition 66.
3. I also served as legal counsel and campaign treasurer for the
Proposed Intervener CALIFORNIANS TO MEND NOT END
THE DEATH PENALTY, NO ON 62, YES ON 66 in connection
with the entire process that led to the drafting, submission and
subsequent qualification effort for Proposition 66.

4. The Proposed Intervener was the official committee that was directly involved with the drafting, qualification and passage of Proposition 66. KERMIT ALEXANDER and the YES ON PROPOSITION 66 COMMITTEE worked together in the entire effort related to drafting, qualification and passage of the measure. Specifically, the YES ON PROPOSITION 66 COMMITTEE participated in drafting the measure and worked with KERMIT ALEXANDER as Proponent to submit the measure to the Attorney General on October 16, 2015 for preparation of a Title and Summary.
5. The YES ON PROPOSITION 66 COMMITTEE also was the principal ballot measure committee that was recognized by the California Secretary of State as “primarily-formed” to support Proposition 66. (See Secretary of State’s Cal Access website: <
[http://cal-access.sos.ca.gov/Campaign/Measures/
Detail.aspx?id=1381724&session=2015](http://cal-access.sos.ca.gov/Campaign/Measures/Detail.aspx?id=1381724&session=2015) >, last accessed January 13, 2017.)
6. The COMMITTEE was formed initially as a primarily-formed ballot measure committee to oppose Proposition 34 (2012), a prior initiative measure that proposed repeal of California’s death penalty. From its inception, I served as its legal counsel and

campaign treasurer. The COMMITTEE also served as the principal primarily-formed ballot measure committee to support the qualification of a proposed death penalty reform measure for the 2014 state ballot (Attorney General #13-0013) that was ultimately withdrawn from circulation and did not qualify for that ballot. KERMIT ALEXANDER also served as the proponent of that proposed measure and submitted a request for title and summary on December 12, 2013. (See Exhibit B attached hereto and incorporated by this reference herein). I served as his representative in connection with that prior submission (see Exhibit B, page 1) and the same COMMITTEE participated in drafting that measure and worked with KERMIT ALEXANDER to submit the measure for title and summary .

7. The COMMITTEE in 2015 and 2016 served as the principal committee for the drafting, qualification and support of Proposition 66. When the Proposition 62 death penalty repeal measure was qualified for the November 2016 statewide ballot, the COMMITTEE changed its name to identify itself as primarily-formed to support Proposition 66 and oppose Proposition 62.

The foregoing is true and correct and of my personal knowledge. If called as a witness, I could and would testify competently thereto. Executed under penalty of perjury under the laws of the State of California at Arroyo Grande, California this 13th day of January 2017.

A handwritten signature in black ink that reads "Charles H. Bell, Jr." with a horizontal line underneath the name.

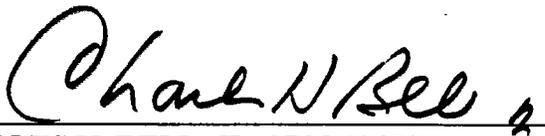
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Attorneys for Intervenors
CALIFORNIANS TO MEND, NOT END,
THE DEATH PENALTY- NO ON PROP. 62,
YES ON PROP. 66

CERTIFICATE OF COMPLIANCE

Counsel of Record hereby certifies that pursuant to rules 8.204(c)(1) and 8.360(b)(1) of the California Rules of the Court, the enclosed SUPPLEMENTAL DECLARATION OF CHARLES H. BELL, JR. is produced using 13-point Times New Roman type including footnotes and contain approximately 577 words, which is less than the total words permitted by the rules of the court. Counsel relies on the word count of the computer program, Microsoft Word 2010, used to prepare this brief.

Dated: January 13, 2017.

BELL, McANDREWS & HILTACHK, LLP

By: 
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CALIFORNIANS TO MEND, NOT END,
THE DEATH PENALTY- NO ON PROP. 62,
YES ON PROP. 66

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury that:
I am a citizen of the United States, over the age of 18, and not a party to the within cause of action. My business address is 455 Capitol Mall, Suite 600, Sacramento, CA 95814. On January 6, 2017, I served the following:

SUPPLEMENTAL DECLARATION OF CHARLES H. BELL, JR. IN SUPPORT OF THE PROPOSED INTERVENER'S REPLY TO PETITIONERS' OPPOSITION TO MOTION TO INTERVENE

on the following parties:

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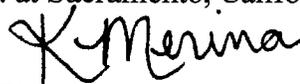
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*Attorneys for Governor Jerry
Brown, Attorney General Kamala
Harris and the Judicial Council*

X **BY ELECTRONIC MAIL:** By causing true copy(ies) of PDF versions of said document(s) to be sent to the e-mail address of each party listed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on January 13, 2017. at Sacramento, California.



Kiersten Merina