

EDITORIALS

Learning from Watergate, Whitewater

WASHINGTON • She burned the tapes. Had Richard Nixon burned his tapes, he would have survived Watergate. Sure, there would have been a major firestorm, but no smoking gun. Hillary Rodham was a young staffer on the House Judiciary Committee investigating Nixon. She saw. She learned. Today you don't burn tapes. You delete emails. Hillary Clinton deleted 30,000, dismissing their destruction with the brilliantly casual: "I didn't see any reason to keep them." After all, they were private and personal, she assured everyone.

How do we know that? She says so. Were, say, Clinton Foundation contributions considered personal? No one asked. It's unlikely we'll ever know. We have to trust her.

That's not easy. Not just because of her history – William Safire wrote in 1996 that "Americans of all political persuasions are coming to the sad realization that our first lady ... is a congenital liar" – but because of what she said in her emergency news conference Tuesday. Among the things she listed as private were "personal communications from my husband and me." Except that, as the Wall Street Journal reported the very same day, Bill Clinton's spokesman said the former president has sent exactly two emails in his life, one to John Glenn, the other to U.S. troops in the Adriatic.

Mrs. Clinton's other major declaration was that the server containing the emails – owned, controlled and housed by her – "will remain private." Meaning: No one will get near them.

This she learned not from Watergate but from Whitewater. Her husband acquiesced to the appointment of a Whitewater special prosecutor. Hillary objected strenuously. Her fear was that once someone is empowered to search, the searcher can roam freely. In the Clintons' case, it led to impeachment because when the Lewinsky scandal broke, the special prosecutor added that to his portfolio.

Hillary was determined never to permit another open-ended investigation. Which is why she decided even before being confirmed as secretary of state that only she would control her email.

Her pretense for keeping just a single private email account was "convenience." She doesn't like to carry around two devices. But two weeks ago she said she now carries two phones and a total of four devices. Moreover, it takes about a minute to create two accounts on one device. Former Transportation Secretary Ray LaHood did exactly that.

Her answers are farcical. Everyone knows she kept the email private for purposes of concealment and, above all, control. For other State Department employees, their emails belong to the government. The records officers decide to return to you what's personal. For Hillary Clinton, she decides.

The point of regulations is to ensure government transparency. The point of owning the server is to ensure opacity. Because she holds the emails, all document requests by Congress, by subpoena, by Freedom of Information Act inquiries have ultimately to go through her lawyers, who will stonewall until the end of time – or Election Day 2016, whichever comes first.

It's a smart political calculation. Taking a few weeks of heat now – it's only March 2015 – is far less risky than being blown up by some future email discovery. Moreover, around April 1, the Clinton apologists will begin dismissing the whole story as "old news."

But even if nothing further is found, the damage is done. After all, what is Hillary running on? Her experience and record, say her supporters.

What record? She's had three major jobs. Secretary of state: Can you name a single achievement in four years? U.S. senator: Can you name a single achievement in eight years? First lady: her one achievement in eight years? Hillarycare, a shipwreck.

In reality, Hillary Clinton is running on two things: gender and name. Gender is not to be underestimated. It will make her the Democratic nominee. The name is equally valuable. It evokes the warm memory of the golden 1990s, a decade of peace and prosperity during our holiday from history.

Now breaking through, however, is a stark reminder of the underside of that Clinton decade: the chicanery, the sleaze, the dodging, the parsing, the wordplay. It's a dual legacy that Hillary Clinton cannot escape and that will be a permanent drag on her candidacy.

You can feel it. It's a recurrence of an old ailment. It was bound to set in, but not this soon. What you're feeling now is Early Onset Clinton Fatigue. The CDC is recommending elaborate precautions. Forget it. The only known cure is Elizabeth Warren.

Voters to act on marijuana

City of Riverside to decide if pot prohibition makes sense.

In June, residents in the city of Riverside will vote on the question of whether or not to permit medical marijuana dispensaries. The city government has long opposed permitting dispensaries within its jurisdiction, for reasons ranging from public safety to fear of violating federal law. Residents must decide if the cost of enforcement is worth it.

Council members Mike Gardner, Mike Soubirous and Steve Adams are cognizant of the national trend towards full marijuana legalization. Mr. Gardner and Mr. Soubirous are supportive in theory of permitting people to use medical marijuana, but would prefer marijuana to either be dispensed in pharmacies or by less-seedy operations.

"If these places were regulated like liquor stores or more mainstream in their approach, with proper lighting and location, then maybe," said Mr. Soubirous. "I'm for the will of the people, but this initiative has some regulations that the city won't be able to endorse."

The initiative would permit up to one dispensary for every 30,000 residents. The council members have indicated some trepidation over provisions that would allow dispensaries to possibly operate around residential neighborhoods.

"Ideally, I would rather have the governing

body decide things," said Mr. Gardner, who would rather see marijuana dispensed like other medications. "I think as the federal government backs off and cities are allowed to do more, then I might be more open to dispensaries down the road."

Both Mr. Gardner and Mr. Soubirous have indicated that they prefer to wait and see how dispensary regulation works in other cities.

Their colleague, Mr. Adams, is far more critical of marijuana dispensaries. "As long as marijuana is illegal, I oppose it," he said. "Marijuana dispensaries are bad for our communities, our schools, traffic because people drive intoxicated, [and for] our children."

California voters approved medical marijuana nearly two decades ago. Thus far, there has been little-to-no evidence that marijuana dispensaries attract crime. One study published in the Journal of Studies on Alcohol and Drugs in 2012 found no association between dispensaries and crime. Further research published in 2014 by researchers at the University of Texas at Dallas confirmed such findings.

Forcing people to turn to unregulated markets ensures that marijuana can be grown and sold anywhere, including residential neighborhoods. Of course, voters will be the ones to decide whether this state of affairs is worth it.

The Fed doesn't want to be audited

Comprehensive examination is needed of secretive central bank.

Sen. Rand Paul, R-Ky., seems to have really struck a nerve with his "Audit the Fed" bill, S. 264. The Federal Reserve Transparency Act would require the central bank to be audited by the Government Accountability Office.

The House passed Audit the Fed with broad bipartisan support in 2012 and 2014, but the proposal was stymied both times when Sen. Harry Reid, D-Nev., then the Senate majority leader, refused to bring it up for a vote.

Now that Republicans have gained control of both chambers of Congress, the bill's odds of passing have improved, and that has officials within the Federal Reserve and the Obama administration very nervous.

Sen. Paul's transparency measure is "dangerous," according to Jason Furman, chairman of President Barack Obama's Council of Economic Advisers. Not to be outdone, Dallas Fed President Richard Fisher tossed out a red herring in an interview with The Hill. "Who in their right mind would ask the Congress of the United States – who can't cobble together a fiscal policy – to assume control of monetary policy?"

His point about the ineptness of Congress is well-taken, but Audit the Fed does not call on Congress to "assume control of monetary

policy," any more than an audit of a company's books constitutes an accounting firm assuming control of the company's policies.

That argument also diverts from the Fed's own poor record, which has seen the dollar lose 96 percent of its value during the Fed's 102 years of oversight, not to mention that Americans have had less price stability than before the Fed's creation and since have endured the most severe, longest-lasting economic depressions in our nation's history.

"Some say the Fed is already audited," Sen. Paul noted in a Breitbart column last month. "Well, when the auditor came to Congress, she was asked the identity of the debt bought by the Fed. She didn't know. When pressed on the case, she responded, 'We do not have the jurisdiction to directly go and audit reserve bank activities.'"

That Fed and government officials would be shocked – shocked! – that people would have the temerity to demand to know how an unelected cabal of large banking interests makes trillions of dollars materialize out of thin air – and to whom and for what purposes that money is given – shows disdain for the tax-paying public and, perhaps, fear of what they might find out.

LISA BENSON / WASHINGTON POST WRITERS GROUP



LETTERS TO THE EDITOR

Let pharmacies, not dispensaries, provide pot

Re: "Hazy polling on Riverside's pot measure" [Opinion, March 11]: My company has had our regional sales office in Riverside for over 15 years. I have seen firsthand what a marijuana dispensary can do to a nice business complex.

About two years ago we had a so-called medical marijuana dispensary located right across the street from our office. Suite C had the doctor who wrote prescriptions, and Suite D was set up with the pot. You would be surprised how many people suffer from migraines, back pain, cancer and arthritis.

For several days we had a constant line of people going

into Suite C. Sometimes we had as many as 30 people waiting outside in the morning. It appeared to take about 10 to 15 minutes in Suite C, and a few minutes later the same people would come out of Suite D waving a bag of pot over their heads. So much for the back pain and migraines.

The vast majority of the customers appeared to be gangbangers, bikers and homeless people. We did not see one customer dress as if they were going to work after their "doctor's appointment."

They were parking up and down the street, while some took the liberty urinating between the buildings. One guy came by our office and asked for money because "he hadn't eaten in two days." We told him to take a hike and he got back in line. I contacted

the Riverside Police Department, who investigated, and the dispensary was shut down a few days later. A few weeks later they re-opened two blocks away in a boarded-up house. This location lasted about three months before being closed down. If you want to quickly destroy a community, a pot house will do it. It draws low-life people like a magnet.

If the city of Riverside really wants to make marijuana available for medical reasons, pass a measure that requires a doctor to write a prescription, then have it filled at a real pharmacy rather than a pot dispensary. If the residents of Riverside pass this so-called medical pot measure, it will slowly destroy the communities.

Larry Van Der Kolk
Corona

Efficiency of split sentencing

By SAL RODRIGUEZ
STAFF COLUMNIST

Riverside County leads the state in the use of split sentencing, with thousands of individuals convicted of nonviolent, nonserious offenses either given a split sentence through plea bargains or handed down by a judge.

Split sentencing is a straightforward practice.

"If you're going to lock people up for a number of years and expect to release them and just say 'good luck,' without any supervision, without any direction, without any access to programs ... that's ludicrous," said Paul Zellerbach, former Riverside County district attorney.

In addition to the benefits of supervision, Zellerbach, a former Superior Court judge, believes split sentencing gives prosecutors and judges greater latitude in pursuing more suitable sentences. "I think the more flexibility you have, the better you can tailor a sentence that is most appropriate," Zellerbach said.

Rather than simply having the option of short, medium or maximum terms of incarceration, split sentencing represents a positive shift away from dependence on imprisonment.

The practice has been helpful in Riverside County due to the jail system's persistent crowding problem. The jail system has had problems with overpopulation going back decades, leading to a court-order to limit the inmate population.

Chronic overcrowding has meant thousands of offenders being released from jail early. Last year, the county was forced to release over 10,000 offenders.

If someone with a split sentence is released, the supervised portion of their sentence begins. If people sentenced to straight jail time are released early, they will have no supervision.

"We have to select the best of the worst," said Jerry Gutierrez, undersheriff of corrections, who explained that those released early are often those without a split sentence.

Riverside County Sheriff Stan Sniff has consistently voiced his support for the practice, in large part because of a lack of jail space.

"We've all embraced split sentencing," says Mr. Sniff. "Until the jail situation gets a lot better than it is now, split sentencing is a powerful tool. It allows us to have strings attached and proper supervision."

Despite the benefits of split sentencing, the practice was heavily criticized during last year's race for district attorney by Mike Hestrin, who won and replaced Mr. Zellerbach.

Mr. Hestrin's criticisms revolved around misleading claims that the practice allows offenders out of jail early, thereby endangering public safety. A self-described "tough on crime guy," he argued that split sentences often mean that individuals sentenced to years in jail won't actually spend much time behind bars.

However, the jail system must release people early to comply with court orders, and, at this point in time, not everyone will serve their full sentence because of a lack of jail space.

The county is currently planning to spend hundreds of millions of dollars in the coming years on jail construction. Even with the additional space, however, it wouldn't make sense to underutilize the tool of split sentencing.

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