

SOCIAL TOOLS
NEWSLETTER

JUNE 23, 2012

The following is from an unpublished manuscript titled "Social Tools" by Franklin H. Ernst Jr., M.D.

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SOCIAL TOOLS -
CONSTITUTION ROBBERS (CCRC)Dysfunctional Government
Structure or
Dysfunctional Personality
Structure ?

It was to this aspect of governmental problems that this writer (FHE Jr.) addressed his written report of 3/7/96: Dysfunctional Government Structure or Dysfunctional Personality Structure ? This report was sent to the members of the California Legislature.

Question Were the members of the Legislative Branch of California government adhering to their oath of office?

Hand delivered to their offices, the report identified the "dysfunctional personality structures" in government as the problem needing overhaul.

What about the members of the legislature (and staffs) sticking to their oath of office (or not), the oath that each legislator took before assuming the right to vote on legislative matters? They took an oath swearing to, promising to uphold the constitution.

This report shows, contradict the claims by liberals and radicals that working within a

"dysfunctional government structure" is the basis for the legislature to pass legislation bringing about State Constitutional changes. The liberals and radicals want a centralized Sacramento dictatorship on matters of public education and **control of** land use within California state boundaries.

The goals of the steering committee of (CCRC) the California Constitution Revision Commission included removal of authority of local elected governing bodies (cities and counties) from being the ones that controlled what individuals did with their private property, and the removal of authority of

SPECIAL POINTS
OF INTEREST:

There are four types of social tools.

- Management of Self
- Dealing With Others
- Tickets, Talents, Hellos, Education, Trades, Techniques
- Money

Letters& - A Newsletter of Letters and Writings

ADDRESSO'SET PUBLICATIONS
Volume 1, Issue 4
December 8, 2011

Ref: California Constitution Revision Commission

Franklin H. Ernst Jr., M.D. attended many of the meetings of the California Constitution Revision Commission. He wrote a "synopsis of observations" and many letters regarding the commission activities. Several thousand copies of these observations and letters were mailed to all elected officials in California. Copies were also sent to many government bureaucrats and taxpayers: March, 1996.

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March 28, 1996 (Revised)

ref: California Constitution Revision Commission

Constitution Revision Commission has been meeting for two years, but representation that this Commission has approved any revisions in written form is a **fraudulent misrepresentation**. **NO MEETING MINUTES ADOPTED BY COMMISSION.** To date, Commission, itself as a body, has not seen in written form any of what it supposedly has been "adopting" the past three months. Whatever the Office or Officers of the Constitution Commission may be reporting to the public, to legislators is unilateral, is not reflected in any adopted Commission meeting minute records.

Any Constitutional governance is in the wording of that document. In fact, no meeting minute records of Commission meetings have been released by Chair for corrections, approval for almost a year.

Goal of its unofficial (Commission?) "steering committee": Get a Revised Constitution passed by 2/3rds of each house of legislature before 6/27/96 in order to get it on the 11/3/96 ballot. Then it would only take 50% +1 of the voters to pass it. Problem? The very extensive county administrative government level vote fraud. See below.

Such a Revised Constitution does not have its own bill number (yet) even though deadline for all 1996 bills was 2/23/96. Several Constitution Amendment bills being heard in legislature now. Maybe the silent intent is to combine some into a Revised Constitution within another bill ("spot bill" procedure).

Several times this past year a Commission officer on the steering committee has asserted "We need a hammer. We need force (to get cities, counties, districts to "consolidate", change, eg boundaries)." That "hammer"? A mandatory, appointed "Charter Home Rule Commission" with its own autonomy in each County. Another layer of government planning over County and City affairs and boundaries, redefining of state, regional, local responsibilities for programs and services, which districts to abolish - consolidate eg schools, judicial, etc. They say "Voters would be allowed a vote on these changes but voter jurisdictions would be changed for the changes to be voted on." Future of Charter Cities? Looks up for grabs still!

Special points of interest:

- Several times this past year a Commission officer on the steering committee has asserted "We need a hammer. We need force (to get cities, counties, districts to "consolidate", change, eg boundaries)." That "hammer"? A mandatory, appointed "Charter Home Rule Commission" with its own autonomy in each County.

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To see this letter go to
<http://www.ListeningActivity.com>

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local elected school boards and elected county Superintendents of Education, and the transfer of the authority of decision making of those matters to Sacramento.

The California Constitution Revision Commission (CCRC), 1994 –1996, was charged with making recommendations to the legislature in the form of their report.

By the end of the first year (of its two year life) it was found that the agendas of commission meetings were controlled by an **unofficial "steering committee."** This unofficial steering committee included non-Commission members who advocated a "strong," "centralized" state government. The unofficial steering committee met at unannounced times with Commission Chairman Bill Houck. They determined, set the agenda for the Commission. From this pre-determined agenda the Chairman was permitted to pick the agenda of the Commission.

One of these "steering committee" members, Donald Benninghoven, was also then the Executive Director of The League of California Cities.

During the second year of the Commission meetings, hearings, Benninghoven was heard saying "We need a hammer, we need force." He

said this for all present in these official hearings on four separate meetings of the California Constitutional Revision Commission: **"We need a hammer. We need force."**

This naked show of brute force intent, with fangs bared in: "We need a hammer. We need force" was intended, among other things, to push some incorporated cities into being consolidated with other neighboring cities. [Pushing regional government]

Also attending the second year of Commission meetings was a non-commission member. He was the newly appointed SCAC Executive Director. Mr. Stephen Szalan was previously City Manager of Oakland.

Those Legislative members on the Commission apparently supporting these major centralization of power features included Senator Lucy Killea from the San Diego area and Assemblyman Fred Isenberg of Sacramento.

[Editor's note: These were very powerful people, already wielding a lot of "hammer power," and wanting more.]

SCAC means State of California Association of Counties.

ATTENDING MEETINGS OF THE CCRC

Author (FHE Jr.), as a member of the public-at-large, attended the Commission meetings. The meetings were open to the public, [as required by California Law].

The author (FHE Jr) later wrote to the legislators about Commission Chairman's unethical, fraudulent activities:

- * withholding of meeting minutes from Commission members. Meeting minutes were held up for periods lasting up to a year,
- * the Commission Chairman routinely spoke to TV media audiences, as if representing Commission views without authority from Commission,
- * about the call of the Commission Vice-Chairman to incorporate the use of "a

This unofficial steering committee included non-Commission members who advocated a strong, centralized state government. This unofficial steering committee met at unannounced times with Commission Chairman Bill Houck to set the agenda about the matters Chairman would permit to be considered by the Commission.



In the case of the **"Situational Personality"** the **personal PARENT has been replaced** by the **"Situational-Committee" PARENT** and its **"Situational" ethics, values & instructions.** (& "peer review")

In the background, extensive "committee work" has gone into preparation of the unit, (**deactivating personal value after personal value**) and a regular testing program implemented to make sure those personality elements are not coming back to life.

DIAGNOSTIC of the situational personality:
No Personal Parent. Self-rekidding is active.
 Independent decisions are impossible.

hammer”, the use of “force” against local governing bodies and jurisdictions into the California Constitution, * about Commission activities being controlled by an unofficial steering committee.

The author had learned how to protect himself from most behind the scenes political recrimination prior to attending CCRC meetings. He had learned from the results of his previously outspoken and written assertions at those open public (local) meetings. This also included his experiences from most discrediting public attacks within his own professional organizations.

In preparing for the CCRC meetings, the author organized his thinking ahead of time, what to be prepared for, what to expect.

On one particularly drizzly, rainy day the commission members had to figure out the new meeting place. [There were a lot of new meeting places.] First the “arrangements committee” of the California Constitution Revision Commission had followed through again for its 4/7/95 meeting with its routine that each successive meeting location was to be at a different location. For the out-of-towner Commissioners the challenge of hunting up the “new” location was a big deal. It became their first order of business [a priority] for the Commission meeting.

This single factor had the effect of intimidating the Commissioners who came from out of town. [and most of the Commission members were from out of town: San Diego, Los Angeles, San Francisco bay area, Central Valley, north state, even the “locals.] The first visit to the “new” particular location, forcing them be concerned more for their own physical safety: driving, parking, the neighborhood, and walking into new, unfamiliar territory. This forces people to start the day being heavily concentrated on safely finding the meeting place instead of thinking about the upcoming agenda subject material. A “new” location with its attendant characteristics and unknowns for members is very distracting from the business for which they had been summoned, to listen and deliberate on.

Fully two thirds, 2/3rds of Commission members came from out of town. An inordinate number of these CCRC meetings were held right on the edge of, if not 100 to 200 yards inside the asphalt jungle of Sacramento’s downtown [‘K’ Street hobos, winos, homeless, destitute, mentally ill, “criminal”, those looking for handouts, other.]

Being prepared and management of oneself at strange “new” locations gave the author readier access to his social tools for handling

others. [Because of the organizers choice of many “new” locations physical safety was a priority for individuals, who were basically on their own. The element of double blind, thinking about unknowns is time consuming. It was clear throughout these CCRC meetings that the central power broker, organizers of the CCRC DID NOT want non-controllable views to be formed by non-government persons.

Psychological Warfare

The CCRC meetings, starting with the first one in May 1994, were conducted in a manner (the strategy was), and tactics of psychological warfare. Grind down the opposition. Wear down the resistance. Make it easier to push radical and major changes proposed to the California Constitution.

Tactics ? Routines

Institute a strategy and tactics for grinding down the resistant members of the Commission, who were less than keen for many of the proposed changes.

For example, one routine, tactic was to not record, not make note of opposition to the Chairman’s point of view, in the official meeting minutes.

A second routine, tactic during the first year of meetings was to not send previous meeting minutes ahead of time to Commissioners. There was no way to verify what had happened before. Agenda

“He has called together legislative bodies at places unusual, uncomfortable and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.”

King George III

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packets were sent on time, but ... Episodically, many sets of meeting minutes would be un-expectantly presented at the start of a meeting; and then the members of the Commission were "asked" to approve them without review.

[Editor's note: this was more like being "jammed", forced into going along with it. Mind you these were legal proceedings with legal, constitutional implications for millions of California residents, businesses, guests, others.]

The third observable routine, tactic was to change the location of every meeting, from the previous. This routine, tactic was carried out for the full two years of the Commission meetings.

It was rare to have a map provided. And those few faxes so provided looked liked 5th or 10th generation photocopies: i.e. borderline legibility. Intentional ?]

Maps were not provided to attending members of the public, unless they demonstrated a willingness to "scream" about the maps being withheld.

Changing a "new" meeting location to a new "new" meeting location on short notice.

The location of one meeting was abruptly changed, the day before. It was moved

to the brand new Sacramento City Convention Center. The center was not finished. Permanent signage was not in place. Directional maps, marquis had not been installed. And that place was huge, really big. It was "gigantic" and nobody knew nothing about the place. It was a "complex of conference rooms and more rooms."

Commission staff had arranged [left in various places] some 4 inch by 6 inch cards with cryptic 12 point type written directions to the particular room of the meeting. [Intentionally intimidating, mysterious ?]

Note: meeting rooms in the "new" Convention Center had minimal directing signage and that was less than obvious to one looking for the identifying room names or numbers which might be visible to one searching [for clues as to] even the building name and/or street number.

When entering the facility, another person also entered thru one of a dozen doors. He was intending to get to a / the meeting, too. As it turned out he was a lobbyist and very familiar with downtown Sacramento. He had attended a meeting in the Convention Center a week or two before, but he didn't know where to go either, once inside the cavernous facility with the maze of halls, rooms, doors, dead ends.

We both got on an escalator hoping we were going in the right direction. There were no other people around. Coincidence? Eventually we found our respective destinations.

Sure enough! The Board of Directors of The California State Association of Counties (CSAC) was holding a meeting next door to the California Constitution Revision Commission, in another similarly sized (giant) room for maybe what appeared to be a handful of people in each room with seating capacity of 500 people - in each).

[Editor's note. I wondered then who paid the rental fees and electricity bills?]

Another Meeting Day

On another meeting day, April 7, 1995, it was raining in downtown Sacramento. Author arrived at one of the doors of the building (selected for that meeting) just behind a woman, Commissioner, Anne. Her gait and carriage, walking in the rain, showed her uncertainty both about being alone and also hoping she wasn't lost in that part of Sacramento.

The meeting was obviously being held in another "new" place, another strange building in one of Sacramento's asphalt jungles.

The location of one meeting was abruptly changed, the day before. It was moved to the brand new Sacramento City Convention Center. The center was not finished.

Permanent signage was not in place. Directional maps, marquis had not been installed.

That place was huge, really big. It was "gigantic" and nobody knew nothing about the place. It was a "complex of conference rooms and more rooms."

Turning before entering the wrong door, she recognized writer with relief as somebody she knew, a friendly, somebody she had talked with at earlier meetings. The author (FHE Jr.) said hello to her with her name, and then said: "This place is new to me too, but I think we go in the building around the corner here" (pointing)."

She was obviously relieved to see an acquaintance whose tones and attitude were reassuring in this territory foreign to both of us.

Summary: Approaching the place with a level head, author then had the chance to successfully deal with the other people there in a manner that fulfilled an objective of being indirectly influential with the Commissioners.

POTENCY

After the lunch break of 4/7/95 meeting, writer asked Commission Chairman for permission to put his tape recorder on the table where the speakers were "circled." The point of this was to identify to Commissioners that there really were members of the public attending, listening to and recording what Commission was doing.

When the time for comments from the public came up, Chairman was ready to ride over author's written request to speak,

even though the request had been made verbally and in writing before.

Author stood. Executive Director then reminded Chairman about the written request. The "Executive Director" shoved the written request in front of the "Chairman's" face.

Writer's unsmiling opener was to thank Executive Director for taking care the Chairman did not forget to call on him. This opener counted.

Afterward, the author (FHE Jr.) went up to the front of the room to talk with the guest speaker (who spoke about California Local Government). In the vicinity of the guest speaker were Mr. Detweiler (an acquaintance of several years), and the Commission Chairman Mr. Houck. The Chairman was red-faced.

Author's presentation just before the end of the meeting was gauged to identify to the Commissioners there had been NO MINUTES of Commission actions released to the public for three months. Author asked: "Could I ask some Commissioner to loan me his copy of the unofficial minutes for the past three months so I could copy it?"

The Chairman's reason for withholding minutes from the public for the first three months of 1995 was: "some Commissioners had just made corrections to the min-

utes for March" at the 4/7/95 meeting (today's meeting). Chairman's reasoning on 4/7/95 was that the January, February and March meeting minutes would not be released to public "until the month after approval of corrections at next month's meeting in May;" that is, until June, and then only if there were no corrections to them at that May meeting.

This led Chairman to being clearer to those assembled there that even those going out on the scheduled "Public Hearings" circuit up and down the State of California in April **would not be getting any copies of the proposed program at which they were to speak**, at best, until about five days before they would be speaking at one of the 20 or so League of Women Voters sponsored "public community forums" to be held up and down the state during the coming month. Those who did speak at the statewide meetings were the Executive Director of the League of Women Voters who coincidentally was also a rather **regular attendee** at the non-noticed, non-agendized meetings **of the unofficial steering committee of the CCRC**. Author asked her if she went to those meetings. She said yes she did.

Before that afternoon meeting started Detweiler's greeting on seeing this writer (FHE Jr.) was one of defiant respect: "You're better behaved, today." His smiling

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greeting was within the parameters of our mutual regard. I withheld disapproval at his semi-ridicule and answered with a smile and his first name that it was good to see him, too.

Detweiler's legislative office in the Capitol Building (down the street) was just off the hall of the offices of the Senate Committee on Constitution Amendments, also in the State Capitol Building. The writer periodically visited those offices. Their activities were in conjunction with both the California Constitution Revision Commission and the just concluded defeat of the bill calling for California to participate in a "Conference of States." The goal of the "The Conference of States" was to set up an unconstitutional US Constitutional Convention; to amend the Constitution of the United States of America.

Writer had usually stopped by Detweiler's office on those visits to say hello to whoever was in: April Manatt, Sandra Kenyon, or Detweiler himself.

When Mr. Detweiler made his "better behaved" remark to writer on 4/7/95, it became clear the writer's counter claim at another public meeting also counted. Author (FHE Jr.) responded, both written and spoken, to the Detweiler reference

about the need for "streamlining government because of **government gridlock**" (his phrase). Author said that the government does work in fact, because the **"checks and balances of the Constitution do work, that these continue to protect the people from tyranny by government."**

It was evident that decoding the phrase "government grid-lock" for what it really was. "Checks and balances of the Constitution" had reached him (Detweiler). It counted to him.

STATE "GOVERNMENT GRID LOCK", aka "CHECKS and BALANCES of CONSTITUTIONAL GOVERNMENT."

This is to say there is potency in the written and spoken reports to legislators, especially from members of the public-at-large; at meetings of the legislators and Commissions.

Recognizing the hints about the behind-the-scenes activities of the "steering committee" and that he was no match for them on their turf, author held his mud. He decided on another program and carried it out with rather good success.

Steering committee psychological warfare on Commissioners and audience members:

The CCRC staff and steering committee kept the Commission's meetings moving from one place to another, every meeting. As much as anything to keep the "outsider" Commissioners off balance. These "outsider" Commissioners instead would first have had to spend their initial hours in Sacramento, after flying in on the meeting day, focused on LOCATING THE PLACE OF THE MEETING. This would obviously prevent them from meeting and greeting other fellow Commissioners; and from focusing their thinking ahead on the matters to be deliberated about the California Constitution that day.

The "steering committee" of the Commission regularly knew ahead what was going to happen at the meetings and what needed to be "prepared," for the "outsider" Commissioners consumption.

As a rule, the Chairman of such a Commission would require (request) its members to sign the report finalized by staff at the end of the Commission meetings. That was also true of the report finalized in 1994 issued by San Francisco Bay Delta Fed-

Their activities were in conjunction with the California Constitution Revision Commission and a legislative bill calling for a "Conference of States."

The goal of the "The Conference of States" was to set up an unconstitutional US Constitutional Convention; to amend the Constitution of the United States of America.

eral Commission titled San Francisco Bay Delta Management Report, with its 56 Commissioners.

Writer and another local taxpayer established, however, that shortly before final report of CCRC was to be issued a visible flurry of activity was taking place at the offices of FPPC (Fair Political Practices Commission) in Sacramento. [The FPPC monitors, investigates all financial disclosure statements of commission members. FPPC investigators can set a lot of things in motion with their telephone and written enquiries, make people nervous.]

On a hunch, the two taxpayers stumbled into the offices of the FPPC one afternoon to get the address of one of the CCRC Commissioners. Staff response then was "It may take us a few minutes. We have the 'Conflict of Interest' Forms (with their addresses) for that Commission all over the floor here" pointing to the obvious array of forms on office floor. The floor behind the office counter was filled with stacked files. Why would that be? To coerce a member if reluctant to sign such a "Final Report" ?

We learned later that the Executive Director of CCRC, Fred Silva, knew some of the staff personnel in the State FPPC office. Silva had in the past, before retirement, worked in various legislative

committee offices, and also knew Detweiler from before.

Many of the Commissioners had serious misgivings about a lot of what went on during Commission meetings. For example, such as Executive Director's own report of (hand raised) votes at meetings rarely corresponded with vote counts made by attending members of public-at-large or vote counts of one or more Commissioner who also counted hands.

It did not sit well with many Commissioners that the distribution, review opportunities of meeting minutes were disrupted, delayed. CCRC Commission members were aware that what was written into the minutes was reversed from what they said. The minutes were being altered to correspond with Chairman's view. And, when the members were given the opportunity to make changes, corrections to the Commission minutes and approved by the Commission, those corrections, changes were often not reflected in the final record. The incorrect versions of minutes and vote counts continued to stay "as originated," contrary to the vote of **Commissioners**.

The priorities of the author (FHE Jr.) while attending the CCRC meetings were:

- 1) the accumulation of information about the events and activities as they took place, and**
- 2) identification of the players who would determine the content of final CCRC report to be written.**

By the 22nd month of Commission meetings writer had determined it necessary to personally write 120 legislators of California. A preliminary report was composed of some of his observations of the activities California Constitution Revision Commission.

It is known that a first report on a subject matter would have a major effect on how the matter would be received. Writer knew that the phrase: "We need a hammer. We need force to ..." repeated five times in the Commission meetings by the same Commission member would be an eye opener for many legislative offices. It, the phrase, could stigmatize the entire findings of the Commission report.

In addition the Commission supposedly also advocated the removal of six elected state offices, as well as the illumination of Superintendents of County Departments of Education, and the removal of local control over land use matters.

It became imperative to be the one to set the tone for the legislators.

It did not sit well with many Commissioners that the distribution, review opportunities of meeting minutes were disrupted, delayed.



Mastery of the Universe is Proportional to the Symbols Man Has by Which to Represent His Universe.

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"Reach for the stars."

Writer's first letter also mentioned the absence of any Commission meeting minutes being available for a year, ie since Commission became fully staffed. This report was circulated both to the Sacramento offices of the legislators themselves and to most of the state legislative committee staffs.

It was important to get it talked about within the legislative buildings.

That March 1996 report by writer stimulated a lot of talk up and down the state. [Editor's note: the Superintendent of Education of San Bernardino County personally called me by telephone. We talked at length. Many written letters were received here as well.]

A few weeks later a conservative legislator from Southern California who was also a member of the Commission, notified the legislature membership, in a

formal letter on his official State stationery that the Commission Chairman was making arbitrary public statements about Commission matters without Commission approval nor voted on, let alone even considered. In the formal letter, the Legislator requested that the Commission Chairman present his personal views at the Commission meetings before going public with them, as if being the views of the Commission.

In May 1996, before any vote of the Commission, both Commission member Senator Lucy Killea and Commission member Assemblyman Fred Isenberg each submitted a bill to their respective legislatures advocating sweeping changes to the California Constitution. The proposed legislation reflected views discussed at Commission meetings and were favored by the Chairman, his steering committee, and a handful of the Commission members. These bills were submitted to the Legislature two months before the Commission concluded its hearings.

By the time some legislative Committees had begun their public hearings on these matters the name of the CCRC Commission had become so stigmatized that it was difficult to get legislative

members to come to those hearings, let alone get a favorable vote on either bill. His was true from their earliest hearings. Both bills "died in Committee."

REFERENCES

Declaration of Independence, paragraph nine, reference to King George III: **"He has called together legislative bodies at places unusual, uncomfortable and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures."**

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