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IT'S A GRAY AREA: Government belongs to us

By **JAMES P. GRAY**

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No matter how you approach the issue, when all is said and done, it's our government, and if it is not working, it is our own fault. In today's large and complicated world, that is a difficult mantra to accept — but we are "the People" mentioned in our Constitution, and there is no alternative than to accept this as our ultimate responsibility in our democratic republic. Fortunately, the good news is that if we persist, we will often be successful in achieving results.

In that regard, let me tell you a story. As some of you may recall, on Oct. 14, 2007, this column addressed the fact that when a person donated a minimum of \$5,000 to the California Highway Patrol's 11-99 Foundation, the donor was given both a license plate frame and an identification card about his or her membership — that (coincidentally) could be placed next to that person's driver's license.

Of course, the strong implication by being sent these items was that the donor would receive favorable treatment from the CHP out on the state's highways. And I cited in the column some occasions in which that favorable treatment had actually been given.

After the column was published, I sent a copy of it to Commissioner Mike Brown of the CHP, along with a handwritten letter requesting him to investigate the situation, and hopefully cause the 11-99 Foundation to discontinue this practice. The reason for that request, of course, was that our system of justice in traffic court and everywhere else should be entirely free from even the appearance of any favoritism whatsoever.

I received no response to my letter. So a few months later in another column I reported to you that I had not received a response from Brown, and then sent him a second letter, this time accompanied by a copy of both of the columns. Again my letter was met only by silence.

But about four months thereafter I learned that the CHP had a new commissioner named Joe Farrow, so I sent a letter to him, along with an explanation of my request and a copy of both prior columns. Within three weeks, I received a telephone call from his secretary inviting me to have lunch with the new commissioner.

We had that lunch Oct. 21, and at that time Farrow told me he had personally investigated the matter, and concluded that there could indeed be the perception of favoritism in this area. So he had taken action in two ways.

First, he had issued a strong statement to all of his troops that they were not to be influenced by 11-99 Foundation membership in exercising their sound discretion about whether to issue traffic citations or anything else.

Second, he had met with the officials of the 11-99 Foundation and was successful in obtaining their promise to cease the distribution of the license plate frames and identification cards by this coming January. In addition, he had also instigated a movement to recall the license plate frames and ID cards that have already been issued.

This is government at its best, and that was the laudatory message I gave to Farrow. Responsive, responsible, professional and based upon integrity.

I also passed along to the commissioner that in my opinion the CHP was the most professional law enforcement agency in the state, and that I had initiated my request for change so that this deserved stellar reputation would not in any way be tarnished.

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In addition, I told him that I felt so strongly about the goals of the 11-99 Foundation, which is to provide support for the widows and orphans of fallen CHP officers, that I wanted to make a donation to it on the spot. And I did, and was proud to do so.

Why am I writing about this experience? Because it demonstrates the fact that we can and do have an influence in our government — at all levels. In fact, if we are persistent, there is little that we cannot accomplish, at least in the long run.

Why? Because in government, like many other situations in life, familiarity does not breed contempt; it breeds access. Another way of saying this is that government is a “contact sport.” So all of us should make advocacy a regular part of our everyday lives. Our form of government depends upon it.

And in that regard, and as we have seen, persistence frequently pays off. Many elected officials have told me that when they receive individually written letters, they attach great significance and weight to them. In fact, they actually have a formula that for every personalized letter they receive, they feel that at least 35 other people in their district probably have the same views. So don't be bashful about writing those letters.

Of course, your letters will have a great deal more chance of influencing elected officials if you actually can vote for those same officials. This means that a letter you send to your own member of Congress will be much more likely to have influence than a letter you might send to another member outside of your district. In sending that letter you will probably be wasting both your time and postage stamp.

But to take this a step further, if you can get together a group of 10 to 15 voters or more in your elected official's district who are united and vocal about a certain issue, that would probably be so influential that the odds are overwhelming that the elected officials not only would respond to you, but they would even actually meet with you on the subject at a place of your choosing.

So that is the way we can obtain government at its best. Relationships are power and, whatever your issues are, you can and should turn your passions into that power. Why? Because if we do not have government at its best, we only have ourselves to blame.



JAMES P. GRAY is a judge of the Orange County Superior Court, the author of “Wearing the Robe – the Art and Responsibilities of Judging in Today's Courts” (Square One Press, 2008), and can be contacted at JimPGray@sbcglobal.net or at his website at www.JudgeJimGray.com.

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