

COMMISSION ON CALIFORNIA STATE GOVERNMENT ORGANIZATION AND ECONOMY

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March 25, 1983

The Honorable George Deukmejian
Governor of California

The Honorable David A. Roberti
President pro Tempore of the Senate
and the Members of the Senate

The Honorable Willie L. Brown, Jr.
Speaker of the Assembly
and the Members of the Assembly

Dear Governor and Members of the Legislature:

In response to a legislative request, the Commission on California State Government Organization and Economy has evaluated information on the feasibility and cost-benefits of the State purchasing Guadalupe College and converting it into a minimum security women's correctional institution. As part of our study, we also reviewed the Guadalupe College for other potential uses which could be beneficial to the State.

Based on an analysis of available data, it appears that the Guadalupe College, which is located in Santa Clara County, is in excellent condition and offers extensive facilities which are generally adaptable for State use as a minimum security women's correctional institution. If the Legislature and the Governor chose to authorize the purchase and conversion of the college into a minimum security correctional institution in lieu of a presently planned facility for women in Stockton, the State could save up to an estimated \$9.8 million in prison bond funds. Additionally, the State Department of Corrections could possibly convert and begin use of Guadalupe College as a correctional institution in a shorter time period than the Department will require to complete construction of the planned Stockton facility, thereby helping to ease the overcrowded condition in California prisons.

Although conversion of this facility into a minimum security women's correctional institution offers the State significant savings as well as other benefits, the majority of local residents oppose State use of the facility for this purpose. The Town of Los Gatos has stated that locating a correctional institution at Guadalupe College would (1) not comply with the Town's land use plan and would negatively affect the environment; (2) negatively affect the safety of its citizens; (3) result in a migration of undesirable individuals into the community; (4) place an additional burden on the local police and fire departments; and (5) significantly lower homeowner property values. Town

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officials also fear that the State at a later date would choose to upgrade the facility to a medium or maximum security institution. While conversion of the college into a correctional institution would not comply with the Town and County general plans, a complete environmental impact study would be required to determine the actual effects on the local environment. The Department of Corrections as a standard practice completes such a report on any facility after receiving legislative authorization. We were not able to identify any comparative data to support the community's other concerns.

The Guadalupe College facility also appears adaptable for other potential uses beneficial to the State of California. For example, the State could consider converting the facility into an instructional institution such as a training center or a satellite campus of a State college. This type of use is demonstrated by the University of Santa Clara's current interest in the property for use as a law school.

It is not the role of this Commission to decide what properties the State should purchase or where the State should locate correctional institutions. Only the Legislature and the Administration can make these decisions based upon many factors, including potential cost savings. Consequently, this report only provides information and analysis of questions regarding the potential purchase and conversion of Guadalupe College into a correctional facility. Conclusions and recommendations are intended only to provide direction should the Legislature choose to consider legislation authorizing purchase of Guadalupe College.

BACKGROUND

During the past few years, California has enacted several new laws which have increased the number of people sentenced to prison and extended the length of time they remain incarcerated. However, these changes in the State's sentencing laws have not been accompanied by an equal expansion of the number of State correctional institutions. As a result, California today faces a significant problem of overcrowding in our prisons. Recent Department of Corrections' reports indicate that our institutions are currently at about 130 percent of their capacity. Furthermore, the criminal population is continuing to grow at a net increase of 400-500 inmates per month.^{1/} The following table summarizes California's inmate population

TABLE 1

California State Inmate Population
December 1982

| <u>Type of Inmates</u> | <u>Total Inmates</u> | <u>Rated Capacity</u> | <u>Percent Occupied</u> |
|------------------------|----------------------|-----------------------|-------------------------|
| Men | 31,821 | 24,263 | 131.2 |
| Women | <u>1,545</u> | <u>1,330</u> | <u>116.2</u> |
| Total | 33,366 | 25,593 | 130.4 (Average) |

^{1/} This net increase reflects the number of criminals released on probation each month.

In response to this overcrowded condition in State prisons, the citizens of California approved Proposition I authorizing the sale of \$495 million in bonds for new prison facilities. In addition to planning for the construction of new facilities, the Department of Corrections periodically investigates opportunities for the State to purchase existing facilities which are adaptable for use as correctional institutions.

In February 1982, the Department of Corrections inspected Guadalupe College for potential use as a Northern California women's correctional institution. Based on the preliminary review conducted by the Program and Facilities Planning Section, the Department recommended that the State proceed in negotiations for the College. The Director of the Department requested that the Secretary of the Youth and Adult Correctional Agency obtain the necessary clearances from the Governor's office. In May 1982, the Agency Secretary recommended that the project be abandoned, "Since we [the State] would be confronted with significant bipartisan opposition from elected officials, both State and local, prior to the June and November 1982 elections..." Subsequently, the Legislature passed and the Governor signed legislation authorizing the construction of a Northern California Women's facility in Stockton. The Department of Corrections estimates that it will cost the State \$26 million to complete this facility. The Department has not yet begun detailed work on the Stockton facility.

Description of Guadalupe College

Guadalupe College is located in an unincorporated area of Santa Clara County near the Town of Los Gatos. The facility was constructed in 1964 for the Sisters of Charity of the Blessed Virgin Mary to use as a Catholic Novitiate. However, the Sisters used the college for this purpose for only a few years and in 1971 they listed the property for sale for \$6 million.

The facility sits atop a hillside on about 55 acres of land. The college consists of five interconnected buildings constructed of steel reinforced concrete. There are sufficient private rooms and dormitories to house up to 400 persons. The college has a fully equipped dining room, bakery, scullery, refrigerators, and freezers adequate to serve 500 persons. Also included are an administration wing, classrooms, library, recreational rooms, chapel, auditorium, and swimming pool. Finally, there is a three-story separate residence adjacent to the main buildings. The entire complex is equipped with furniture, beds, lockers, linens, dishes, and cleaning appliances all of which are included in the sales price.

The College's western perimeter borders a 400-acre land parcel owned by the Jesuits. The southern border of the college property is owned by the Santa Clara County Watershed. The northern and eastern sides of the college are bordered by property zoned for residential use. There are approximately 58 homes within a one-half mile radius of the college; there are no homes immediately adjacent to the college property. Currently, the college is accessible from only a single narrow road. However, the college does have an easement for construction of a new access road which would cross the property owned by the Jesuits.

Study Scope and Methodology

Our study was limited to reviewing only the Guadalupe College as a potential site for a minimum security women's correctional institution. We reviewed the reasonableness of the purchase price, the general condition of the facility, the cost of conversion, and potential disadvantages of the facility.

Our study is based primarily upon information prepared for us by the Department of Corrections and the Department of Transportation. The Department of Corrections conducted preliminary surveys of the facility to develop initial estimates of conversion cost. All cost estimates are conservative. Structural tests of the buildings were not conducted. The Department of Transportation evaluated the need for an interchange at Highway 17 and estimated the cost of its construction.

We also gathered data from the local community through meetings with officials and Town residents. Finally, we received information prepared by an independent engineering firm located in Santa Clara County.

This report is based upon data gathered through preliminary surveys serving as a basis for cost estimates. Certain items, such as modifications necessary to meet seismic standards, can only be determined accurately after a complete engineering survey and impact report are prepared. The Department of Corrections, as a standard practice, conducts such studies after receiving authorization.

FINDINGS

The Guadalupe College facility appears to be in excellent condition. Multiple inspections conducted by Department of Corrections' staff as well as members of this Commission determined that the facility is well maintained and suffers from no visual defects. Since the current owners of the College have only used the facility on a very limited basis over the past ten years, the buildings, physical plant, and all furnishings have received little use and, consequently, are in excellent condition. In fact, some supplies such as dishes and silverware have never even been unpacked.

Analysis of Acquisition and Conversion Costs

In conducting our review, we analyzed the reasonableness of the purchase price and the costs associated with converting the facility into a minimum security women's correctional institution.^{2/} The purchase price has an absolute maximum asking price of \$6 million. Considering the amount of land and total facilities, we believe this price is extremely reasonable. Moreover, the property conceivably could be purchased for less since it has been on the market for over ten years.

Our analysis of the cost of converting the college into a correctional institution considers all major factors which could materially affect the conversion cost. We have been advised that all estimates are conservative. Following is a description and the associated cost estimates of the specific factors which contribute to the total conversion cost.

^{2/} We did not evaluate operating costs. We could identify no information to indicate that operating costs would be significantly different than the proposed Stockton facility.

Facility Access Road

Guadalupe College is currently accessible by way of Foster Road, a narrow winding two-lane road through a neighborhood of homes. The Department of Corrections states that this road is unacceptable for their use. Consequently, the State would need to construct a new access road connecting the college to existing roads.

An independent engineering firm has developed several alternative routes for a new access road as part of environmental impact reports prepared for past prospective buyers of the property. Although each of these roads is feasible, the engineering firm believes the preferable alternative road would connect the college to Alma Bridge Road located southwest of the college. This road would use a 7000 foot long, 60 foot wide easement the college owns across property owned by the Jesuits.

According to the Department of Corrections, the facility would require a 24-foot wide road, with four-foot shoulders. The Department, as well as the engineering firm, estimate that the maximum cost of this road would be \$2 million for grading and paving.

State Route 17 Interchange

Construction of a new access road connecting with Alma Bridge Road would generate additional traffic onto State Route 17. The existing Route 17, south of Los Gatos in the vicinity of Lexington Reservoir, is a four-lane divided highway with intersections at Alma Bridge Road, Black Road, and Bear Creek Road. Existing traffic in this area has experienced left turn problems for many years. There are no signals at the above intersections due to the high speed traffic and steep grade of the highway.

Conversion of Guadalupe College into a correctional institution would probably generate less than six hundred vehicle trips per day. While this does not constitute a large volume when compared to the existing traffic on Route 17 (over 50,000 vehicles), the existing intersections already experience problems especially for left hand turns.

Consequently, the State Department of Transportation believes that construction of an interchange at Black Road would facilitate traffic movement between the Guadalupe College and Route 17. The Department of Transportation estimates that the cost of right-of-way acquisition and construction of this interchange would total \$3.5 million.

Although the Department of Transportation has developed plans for an interchange at this location in recent years, funding constraints have prevented the initiation of this project. However, recent Federal gasoline tax increases will provide California with additional money for Federal Aid Primary routes of which Route 17 is one. According to the Executive Director of the California Transportation Commission, this interchange project would be eligible for the new Federal gas tax money based on the criterion of statewide use since the interchange would serve a State facility of statewide significance. The current percentage of Federal financial participation on such a project is 86.22 percent. Therefore, if this interchange project was approved,

it would cost the State only \$482,300 based on the current cost estimates. These funds could not come from the prison bonds. Rather, these State matching monies would be funded by the State Highway Fund. Assuming that funding for this interchange was assured, the Department of Transportation states it would require about three years to complete.

Parking

The Guadalupe College has only 65 parking spaces available on the property. This limited number of spaces is inadequate to accommodate employee and visitor parking of a 400 bed women's correctional institution. According to the Department of Corrections, the facility would require an additional 75 parking spaces for a total of 140 spaces.

As previously mentioned, the college owns an easement across the Jesuit property. According to the independent engineers who developed the alternative access roads, the easement is sufficient to install an additional 200 parking spaces.

The engineers estimate that installation of parking spaces along the easement would cost no more than \$3000 per space. Consequently, the estimated cost of an additional 75 spaces is \$225,000.

Security and Safety Modifications

If converted into a correctional facility, Guadalupe College would require various modifications to meet all security and safety requirements. Specifically, the Department would have to install appropriate fencing and lighting, and modify the buildings to meet other security requirements.

Because Guadalupe College would house only minimum security females, the Department states it would install a single 12-foot chain link fence with razor wire at the top. This fence would surround only the building complex. The perimeter of the 55-acre facility would be surrounded by a four strand barbed wire fence about four feet high. The fence around the buildings would cost about \$36,400 installed while the smaller fence would cost about \$19,000. The total cost for fencing would be \$55,400.

The facility would also require installation of exterior lighting. All lights would be turned downward to prevent any direct glare, and fast growing plants would be installed to partially cover the lights on lower levels. However, light standards on the hill above the facility would not be invisible to the community. The Department of Corrections estimates that it will cost \$3500 for sodium light fixtures for eight of the existing standards. Sixteen lights on new standards would cost about \$21,600. Estimated total cost of the perimeter lighting is \$25,100.

The Department of Corrections states that several other modifications would be required. Four towers approximately 30 feet in height would be installed at a cost of \$140,000. Additionally, the Department would need to construct a building for visitors; install interior sallyports and locks; and complete other safety modifications. The Department estimates the total cost of these additional items would not exceed \$2,779,000. Therefore, total security and safety modifications are estimated to not exceed \$3 million.

Fire and Life Safety

If converted into a correctional facility, Guadalupe College would require modifications to ensure adequate fire and life safety to a confined inmate population. Department officials and a county Fire Marshall inspected the facility to determine what modifications were required. Their review identified a need for emergency lighting, new fire escapes, improvements in the corridors and stairways, and other necessary changes. The Department estimates that these changes would cost about \$175,000.

The Department's review did not conclude whether the facility would need to be equipped with a fire sprinkling system. If necessary, the Department states that the system would not cost more than \$300,000. Therefore, total fire and life safety modifications would not cost more than \$475,000.

Water

Guadalupe College was designed to use a ground well as its source for water. Department of Corrections officials state that the well and its accompanying water lines would be insufficient to meet the needs of a 400-bed correctional facility. In order to meet the anticipated needs, the Department would install new six-inch water lines and pumps. The Department estimates these modifications would cost approximately \$500,000.

Sewage

The sewage system currently serving Guadalupe College has a 40,000 gallon capacity running off of six-inch lines. According to the Department of Corrections, a 400-bed correctional facility of this type would require about 80,000 gallons of sewage capacity. Department officials indicate that the State would have to negotiate a new agreement with the regional waste water control district. This district states that there is about three million gallons of additional capacity available at this time. The Department estimates that the cost of the additional capacity would be about \$100,000.

Equipment

As previously discussed, the purchase of Guadalupe College would include all furnishings and equipment. While the facility has extensive equipment, beds, and appliances, the State would have to spend money on additional equipment such as beds and lockers. Additionally, the Department would further equip the facility with extensive instruction materials including computer terminals, fire fighting equipment, clothing for the inmates, and other necessary equipment such as machinery and trailers. The Department estimates that these various items would cost about \$900,000.

Modifications to Meet Seismic Standards

Guadalupe College was designed and constructed in the early 1960's prior to the Alquist-Priolo Seismic Safety Act. Although individuals familiar with the facility state that it was built beyond the requirements in effect at the time of construction, it probably does not meet current building codes. This may be a particularly important issue since the facility is located within close proximity to the San Andreas fault.

It is not clear as to whether or not the State would be required to modify the buildings to meet current seismic building code requirements. State structural engineers offer their opinion that it may not be necessary to alter the buildings structurally to meet codes. However, the Uniform Building Code states that buildings housing inmates must comply unless their future use is less hazardous than their current use.

A final determination can only be made after the State completes a detailed engineering study at which time structural engineers would conduct extensive tests on the soil, construction, and condition of the facility. The Department of Corrections does not currently have funds budgeted for hiring external consulting engineers to conduct such a study. However, the Department's initial review of the facility and its plans indicate that the Department could meet current structural codes by installing either corner buttresses or shear walls. Depending upon the method used, these modifications would cost between \$200,000 and \$2,000,000.

Other Costs

Undoubtedly, conversion of Guadalupe College into a minimum security women's correctional facility would require other minor modifications and administrative activities which would add to the total cost of acquisition and conversion. For example, new painting and landscaping may be required. Additionally, the preparation of an Environmental Impact report would cost about \$35,000. For purposes of this analysis, we have allocated an additional \$500,000 for all of these items.

Below is a table which summarizes the total estimated cost of purchasing and converting Guadalupe College into a correctional institution for women. All estimates are conservative.

TABLE 2

Summary of Acquisition and Conversion Costs

| Acquisition | Estimated State Cost |
|---------------------------------------|----------------------|
| Conversion | \$6,000,000 |
| - Access Road | \$2,000,000 |
| - Interchange | 482,300* |
| - Parking | 225,000 |
| - Security Modifications | 3,000,000 |
| - Fire and Life Safety | 475,000 |
| - Water | 500,000 |
| - Sewage | 100,000 |
| - Equipment | 900,000 |
| - Seismic | 2,000,000 |
| - Other Misc. Costs | <u>500,000</u> |
| Total Conversion Cost | <u>10,182,300</u> |
| Total Acquisition and Conversion Cost | <u>\$16,182,300</u> |

*Total Cost of the interchange is \$3.5 million. However only this amount of State Highway fund money would be necessary.

As previously discussed, the Legislature and the Governor in 1982 authorized the Department of Corrections to construct a minimum security women's facility in Stockton. The Department's 1983 Facilities Master Plan estimates the cost of the Stockton Facility at \$26 million. While this estimate excludes the cost of the land which is already owned by the State, it does include the cost of fully equipping the facility. The Department anticipates that the Stockton facility would be operational in May 1986.

Based on the available information, it appears that the State could save approximately \$9.8 million if it purchased and converted Guadalupe College into the Northern California minimum security women's correctional institution rather than construct the facility currently planned for Stockton. However, the State could save an additional \$1 million if certain seismic and fire safety modifications can be completed at the minimal cost.

Concerns Expressed by Local Community

Most communities are opposed to the government locating a correctional institution in their vicinity. Similarly, most residents of Santa Clara County and particularly the Town of Los Gatos are strongly opposed to the State purchasing Guadalupe College for use as a minimum security women's institution. During the course of our review, we met with local officials and conducted a town meeting to listen to community concerns. The major concerns expressed are discussed below.

Land Use and General Plan

The Los Gatos Town Council, Santa Clara County, and the Los Gatos Planning Commission each have stated that conversion of Guadalupe College into a minimum security correctional facility is inconsistent with their General Plan for land use in the area. Specifically, local government is concerned about how the modifications to the facility and its ongoing operation as a correctional institution would affect the flora and fauna of the surrounding hillside, the air quality, and the aesthetics which may be disrupted from increased noise and lights generated by the facility.

These types of questions arise when considering many locations for a correctional facility. Therefore, the Department of Corrections as a standard operating procedure conducts an environmental impact report (when a negative declaration is not possible) to evaluate exactly how a correctional facility would affect the environment. However, the Department conducts this environmental assessment only after it receives a legislative authorization for a facility. Similarly, if the Legislature and the Governor authorized the Department to purchase and convert Guadalupe College, the Department would prepare an environmental impact report before proceeding.

Change in Use of Facility

The residents of Los Gatos fear that the State at a future date might change the use of Guadalupe College from a correctional institution for minimum security women to a facility for medium or maximum security male inmates. Representatives of Los Gatos have referred to the State's decision to change Soledad Prison into a higher security facility as precedent for a similar change in the use of Guadalupe College.

Department of Corrections officials, however, state that Guadalupe College could never be used for anything except minimum security women. The facility is not properly equipped or constructed for upgrading into a medium or maximum security institution which would require completely different security measures.

Effect on Police and Fire Services

The Los Gatos Town Council has voiced concerns that locating a correctional facility in their community would place a significant burden and expense on the community for additional fire and police protection. However, according to Department of Corrections officials, correctional institutions have their own fire fighters and equipment. Consequently, the reliance on local fire departments is generally insignificant although there is usually a mutual aid agreement with the community in cases of emergency.

Occasionally, a correctional institution may request the local police to make an arrest on prison property. But this too is generally considered minimal. For example, the Environmental Impact Reports prepared for much larger men's facilities at Folsom and San Diego each describe the police service needed from the community as "insignificant."

Safety of Local Residents

Local residents of Santa Clara County believe conversion of Guadalupe College into a minimum security facility for women would significantly affect their personal safety. Specifically, residents believe local crime would increase due to escapes from the facility, release of inmates into the community at the time of parole, and the migration of the inmates' families into the community. However, the Department of Corrections states that these situations do not occur with the female inmate population.

There is no known instance in California Corrections of a woman prisoner escapee injuring or terrorizing people living nearby. An escapee's primary objective is almost always to get as far away as he/she can in the shortest amount of time. Furthermore, the escape rate for women prisoners is much lower than that for male inmates. The recent rate for 900 women inmates at the California Institution for Women is about 1.3 per year. In a facility of 400 women, escapes would probably be less than one per year according to Department officials.

Women inmates would also not be settling in the local community at the time of their probation. Because the State requires that inmates be paroled in the county in which they committed the crime, only those women who committed crimes in Santa Clara County could settle in that county after their release.

Finally, families of women inmates do not generally follow them. According to the Department of Corrections, less than three percent of the families typically follow women inmates. Generally, women receive only half as many visitors as male inmates. Furthermore, the Guadalupe facility is an easy commute from San Jose and the larger Bay Area where many of the families of the women who would be transferred there already live.

Effect on Local Property Values

The Town of Los Gatos and the surrounding area has private residences valued from \$200,000 to \$1 million. The local residents of Los Gatos believe strongly that converting Guadalupe College into a correctional facility of any type would result in a significant decline in local property values.

Little empirical data exist on the effects a correctional institution has on local property values. Although the Department of Corrections can identify housing developments with homes priced up to \$250,000 adjacent to Folsom Prison and others, no facility to date has been located in an existing community in California.

To further evaluate this issue, we conducted a literature search of six data bases attempting to find any studies of this issue. Our review identified only one such study. In 1979, the Utah Division of Corrections studied the impact on crime rates and property values in a community in which a correctional facility had been placed. In that study, the citizens feared that locating this facility in their community would increase the crime rate and depress property values. The study shows that crime actually declined while there was no measurable effect on property values.^{3/} Although this study does not support the local concern, there is no way to determine whether the conditions surrounding this study are at all similar to placing a facility in Los Gatos.

Alternative Uses of Guadalupe College

The Guadalupe College facility may also be adaptable for other potential uses which could be beneficial to the State of California. Although we did not attempt to assess the feasibility of these alternatives, they may justify further analysis by the Department of General Services.

The most obvious alternative use for the facility would be as a training center or satellite campus of a State College or University. Since the facility was originally designed as a college, it appears very adaptable. This type of use has been demonstrated by the University of Santa Clara's current interest in the property for use as a law school.

However, any consideration of this facility for instructional use would have to consider many of the same factors which add to the cost of converting the facility into a correctional institution. In fact, some of these items may cost more if the facility was converted for a use other than a correctional institution. For example, parking and vehicle access might cost significantly more for use as a college campus due to a much heavier traffic flow.

CONCLUSIONS

Based on data provided by the Departments of Corrections and Transportation, we estimate that the State could save approximately \$9.8 million if the Legislature and the Governor chose to authorize purchase and conversion of

^{3/} Crime Statistics and Property Values - Primary Impact Area - St. Marks Facility; Utah Division of Corrections Research and Statistics, Salt Lake City, Utah, 1979.

Guadalupe College into the Northern California women's correctional institution. However, the savings to the State could be greater if major structural and fire safety modifications can be accomplished at the lowest estimated cost.

If the State authorized use of Guadalupe College, it could possibly be available for partial or total use at an earlier date than the facility currently planned for construction in Stockton.

Most residents of Santa Clara County are opposed to locating a correctional institution at Guadalupe College due to its effects on the environment and safety.

RECOMMENDATIONS

If a member of the Legislature introduces a bill to authorize the Department of Corrections to purchase and convert Guadalupe College into a minimum security facility for women, we recommend the Legislature:

1. Include a provision prohibiting the Department of Corrections from upgrading the facility for use as a medium or maximum security facility.
2. Include a provision to withdraw the authorization for the Stockton facility once it is known that the Guadalupe College plan has had its Environmental Impact Report approved.
3. Conduct public hearings on the bill in Santa Clara County.

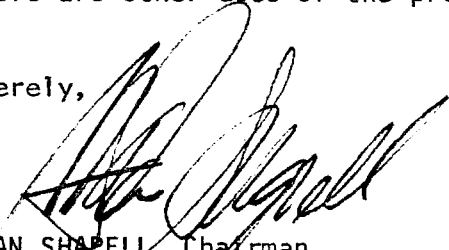
We also recommend the Legislature consider directing the Department of Corrections to prepare a report identifying all available facilities which are adaptable for conversion into correctional institutions at a cost savings to the State.

Finally, if the Legislature and the Governor choose not to authorize the purchase of this facility for use as a correctional institution, we recommend that the Legislature consider directing the Department of General Services to evaluate the facility to determine if there are other uses of the property which would be cost-beneficial to the State.

Sincerely,



ALBERT GERSTEN, Jr.
Subcommittee Chairman



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