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Introduction

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Introduction

On behalf of the staff of the *Pacific Law Journal*, I present the *Pacific Law Journal's* twenty-fifth *Review of Selected California Legislation*.

The 1994 legislative year was dominated by crime and criminal procedure bills produced during the special session on crime called by Governor Pete Wilson. In this issue, you will find reviews of many of these crime bills, in particular, the much publicized "Three Strikes" bill and the "One Strike Rape" bill. The bills analyzed in this year's issue were deemed to have the greatest impact on the largest number of people in California.

While preparing for this review of 1994 legislation, I attempted to define the purpose of the *Review* and to determine where the *Review* might find a niche in the myriad of legislative material currently available. There appeared to be a lack of material providing concise reasons for a bill's introduction, and it is in this area that our *Review* is focussed. Accordingly, the format of our analyses beginning this year will be structured to highlight the legislative background behind a bill.

As you read through this issue, you will notice that each analysis contains a comment of some type. For the majority of the bills, each writer has included an INTERPRETIVE COMMENT, attempting to explain in simple language the problem the bill seeks to address and the reasons behind the bill's enactment.

On a number of bills, you will instead find a COMMENT, which provides the reader with a detailed background on the bill and presents any legal issues that may have arisen as a result, particularly constitutional questions. While these COMMENTS do not attempt the formidable task of resolving such constitutional issues, they serve the useful purpose of identifying potential areas of controversy as well as providing references and sources of information in the particular area of law. In this issue, you will find COMMENTS addressing such questions as free speech, cruel and unusual punishment, search and seizure, and preemption.

As with each issue of the annual *Review*, the entire Legislative Staff owes a great deal of thanks to a number of people who have provided us with the support necessary to produce this issue. Without each of them, this *Review* would not be possible. We would like to first offer thanks to Ms. Sheri Shuteroff, the *Journal* secretary who continually pointed us in the right direction and kept us on track. We would also like to thank our Legislative Review Advisors, Mr. Owen Kuns, Chief Deputy Legislative Counsel, Retired, and Mr. Edward Purcell, Principal Deputy Legislative Counsel, Retired, for the insight they gave on our analyses.

As Legislation Editor, I would especially like to thank my Associate Legislation Editors, Spencer Beni, David Brown, and Alison Lee, as well as my Assistant Legislation Editor, Stacey McKee Knight, for their support and guidance in the process of putting this issue together. The Legislative Department formulated an idea of where we believed the *Review* should be focused, and it was only through the hard work of these four individuals that the writers were

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able steer their bill reviews in this direction. The effort and accomplishments of these four editors is especially impressive in light of the fact that the comments that accompanied each analysis in this issue are without precedent.

I hope that you will find our new approach useful. As always, we welcome your comments and suggestions for further areas of improvement. You may direct them the *Pacific Law Journal's* Legislative Review Department.

Anthony M. Perez
Legislation Editor