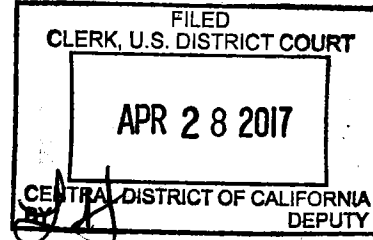


Ronald L Adams
 NAME
P65157
 PRISON IDENTIFICATION/BOOKING NO.
CAL. Men's COLONY EAST PO Box 8101
 ADDRESS OR PLACE OF CONFINEMENT
San Luis Obispo, CA 93409-8101

Note: It is your responsibility to notify the Clerk of Court in writing of any change of address. If represented by an attorney, provide his name, address, telephone and facsimile numbers, and e-mail address.

Fee Due

Related DDT



**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

Ronald Adams
 FULL NAME (Include name under which you were convicted)

Petitioner,

v.

WARDEN - J. GASTELO, (C/MC) - EAST
 NAME OF WARDEN, SUPERINTENDENT, JAILOR OR AUTHORIZED
 PERSON HAVING CUSTODY OF PETITIONER

Respondent.

CASE NUMBER:

CV 17-03218 R (FFM)

To be supplied by the Clerk of the United States District Court

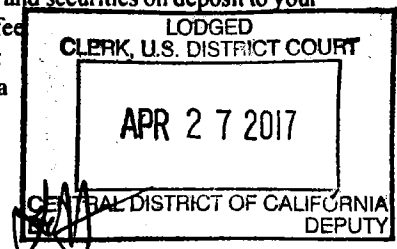
AMENDED

**PETITION FOR WRIT OF HABEAS CORPUS
 BY A PERSON IN STATE CUSTODY
 28 U.S.C. § 2254**

PLACE/COUNTY OF CONVICTION COUNTY OF LOS ANGELES
 PREVIOUSLY FILED, RELATED CASES IN THIS DISTRICT COURT
 (List by case number)
 CV CV 14-3624 R (FFM)
 CV _____

INSTRUCTIONS - PLEASE READ CAREFULLY

- To use this form, you must be a person who either is currently serving a sentence under a judgment against you in a California state court, or will be serving a sentence in the future under a judgment against you in a California state court. You are asking for relief from the conviction and/or the sentence. This form is your petition for relief.
- In this petition, you may challenge the judgment entered by only one California state court. If you want to challenge the judgment entered by a different California state court, you must file a separate petition.
- Make sure the form is typed or neatly handwritten. You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
- Answer all the questions. You do not need to cite case law, but you do need to state the federal legal theory and operative facts in support of each ground. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit a legal brief or arguments, you may attach a separate memorandum.
- You must include in this petition all the grounds for relief from the conviction and/or sentence that you challenge. And you must state the facts that support each ground. If you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.
- You must pay a fee of \$5.00. If the fee is paid, your petition will be filed. If you cannot afford the fee, you may ask to proceed *in forma pauperis* (as a poor person). To do that, you must fill out and sign the declaration of the last two pages of the form. Also, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account at the institution. If your prison account exceeds \$25.00, you must pay the filing fee.
- When you have completed the form, send the original and two copies to the following address:
 Clerk of the United States District Court for the Central District of California
 United States Courthouse
 ATTN: Intake/Docket Section
 312 North Spring Street
 Los Angeles, California 90012



PLEASE COMPLETE THE FOLLOWING: (Check appropriate number)

This petition concerns:

- 1. a conviction and/or sentence.
- 2. prison discipline.
- 3. a parole problem.
- 4. other.

PETITION

1. Venue

- a. Place of detention CALIFORNIA MEN'S COLONY EAST
- b. Place of conviction and sentence SUPERIOR COURT CITY OF COMPTON

2. Conviction on which the petition is based (a separate petition must be filed for each conviction being attacked).

- a. Nature of offenses involved (include all counts): ORAL COPULATION WITH A MINOR PC 288A(C)
3 COUNTS
- b. Penal or other code section or sections: PENAL CODE SECTION 288A(C)
- c. Case number: A620066
- d. Date of conviction: NOV. 1981
- e. Date of sentence: 11-23-1981
- f. Length of sentence on each count: 1 1/2 YEAR 3 1/4 8 YEAR EACH 5 YEAR 6 1/2 YEAR 8- SIX YEAR
AND 9-10-8 YEARS EACH.
- g. Plea (check one):
 - Not guilty
 - Guilty
 - Nolo contendere
- h. Kind of trial (check one):
 - Jury
 - Judge only

3. Did you appeal to the California Court of Appeal from the judgment of conviction? Yes No

If so, give the following information for your appeal (and attach a copy of the Court of Appeal decision if available):

- a. Case number: UNKNOWN
- b. Grounds raised (list each):
 - (1) NO ONE COUNSEL FILE A WENDE BRIEF

- (2) _____
- (3) _____
- (4) _____
- (5) _____
- (6) _____

c. Date of decision: _____

d. Result _____

4. If you did appeal, did you also file a Petition for Review with the California Supreme Court of the Court of Appeal decision? Yes No

If so give the following information (and attach copies of the Petition for Review and the Supreme Court ruling if available):

a. Case number: _____

b. Grounds raised (list each):

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____
- (6) _____

c. Date of decision: _____

d. Result _____

5. If you did not appeal:

a. State your reasons _____

b. Did you seek permission to file a late appeal? Yes No

6. Have you previously filed any habeas petitions in any state court with respect to this judgment of conviction?

Yes No

If so, give the following information for each such petition (use additional pages if necessary, and attach copies of the petitions and the rulings on the petitions if available):

- a. (1) Name of court: SUPERIOR COURT of CAL. COUNTY of LOS ANGELES
 (2) Case number: A620066
 (3) Date filed (or if mailed, the date the petition was turned over to the prison authorities for mailing): FEBRUARY 28 2003.
 (4) Grounds raised (list each):
 (a) INSUFFICIENT EVIDENCE of Penal Code Section 288A(C)
 (b) TRIAL COUNSEL WAS INEFFECTIVE ASSISTANCE.
 (c) APPELLATE COUNSEL WAS INEFFECTIVE.
 (d) _____
 (e) _____
 (f) _____
 (5) Date of decision: FEBRUARY 28 2003 ATTACH HERE TO. AS EXHIBIT (A).
 (6) Result THE COURT FOUND ADEM'S PETITION TO HAVE MERITS WHEN IT FILE
PETITIONER IS CORRECT THE STATE COMPLAINT DID ALLEGE THE WRONG CODE
 (7) Was an evidentiary hearing held? Yes No

- b. (1) Name of court: SUPERIOR COURT of CAL. COUNTY of LOS ANGELES
 (2) Case number: A620066
 (3) Date filed (or if mailed, the date the petition was turned over to the prison authorities for mailing): APRIL 15, 2013
 (4) Grounds raised (list each):
 (a) A WRONGFULLY CONVICTION BASE ON PENAL CODE SEC 288A(C)
 (b) INEFFECTIVE ASSISTANCE of TRIAL and APPELLATE COUNSEL
 (c) PETITIONER WAS DENIED DUE PROCESS of the 5th AMEND.
 (d) _____
 (e) _____
 (f) _____
 (5) Date of decision: THE COURT ERRONEOUSLY DENIED THE PETITION. 4-25-13
 (6) Result THE COURT ERRONEOUSLY DENIED THE PETITION
 (7) Was an evidentiary hearing held? Yes No

- c. (1) Name of court: COURT of APPEALS / PETITION for REVIEW
 (2) Case number: B 252445
 (3) Date filed (or if mailed, the date the petition was turned over to the prison authorities for mailing): _____
 (4) Grounds raised (list each):
 (a) THE ABSTRACT of JUDGMENT MUST be CORRECTED.
 (b) THE NEWLY DISCOVER EVIDENCE of 2003 INSUFFICIENT EVIDENCE of
PC 288A(C) SHOW PETITIONER WAS WRONGFULLY CONVICTED.

CONTINUE FOR PAGE 4 of 10

D. (1) NAME of COURT United States District Court Central District of CAL.

(2) CASE NUMBER: CV 14-3624-R-FFM.

(3) Date filed MAY 12, 2014

(4) Grounds raised

(a) The State wrongfully charge the Petitioner with the wrong P.C.
The Abstract of Judgment show the wrongfull conviction

(5) Date of decision Unknown

(6) Result The District Court was not sure if this petition was a second or
successive and referred the petitioner to post the question to the 9th Cir?

(7) Was an Evidentiary held? Yes NO

E. (1) NAME of COURT United States Court of Appeals for the
Ninth Circuit

(2) CASE NUMBER 14-72413

(3) Date filed _____

(4) Grounds raised

(a) INSUFFICIENT EVIDENCE that Petitioner violated Penal code
Section 288 A (c)

(b) TRIAL COUNSEL was Ineffective assistance for
failure to discover that the State / THE PEOPLE charge
the Petitioner with the wrongs Penal code

(c) Ineffective assistance of appellate counsel for
filing a wrong Brief

(d) INSUFFICIENT EVIDENCE of ASSAULT WITH a DEADLY
WEAPON.

(5) Date of decision 2016

(6) RESULT Petition deemed second file petition

- (c) _____
- (d) _____
- (e) _____
- (f) _____

(5) Date of decision: UNKNOWN

(6) Result denied.

(7) Was an evidentiary hearing held? Yes No

For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than five grounds. Summarize briefly the facts supporting each ground. For example, if you are claiming ineffective assistance of counsel, you must state facts specifically setting forth what your attorney did or failed to do.

CAUTION: *Exhaustion Requirement:* In order to proceed in federal court, you must ordinarily first exhaust your state court remedies with respect to each ground on which you are requesting relief from the federal court. This means that, prior to seeking relief from the federal court, you first must present all of your grounds to the California Supreme Court.

a. Ground one: Due Process violation under the United States Constitution - Charge with and convicted of the wrong Penal Code Section 288 A(C) ORAL COP ON A MINOR

(1) Supporting FACTS: ON and about Feb 1981 the People For the State of California file in an Information and felony complaint that Petitioner violated Penal Code 288 A(C) defined as ORAL COPULATION ON a child. ON AND ABOUT 11 1981 Petitioner was convicted of the file charge of Penal Code Section 288 A(C) ORAL COPULATION ON

- (2) Did you raise this claim on direct appeal to the California Court of Appeal? Yes No
- (3) Did you raise this claim in a Petition for Review to the California Supreme Court? Yes No
- (4) Did you raise this claim in a habeas petition to the California Supreme Court? Yes No

b. Ground two: CRUEL and UNUSUAL PUNISHMENT a violation of the 8th Amend of the U.S.

(1) Supporting FACTS: ON and about February 28, 2003 A Superior Court in Los Angeles held a HABEAS CORPUS Petition Hearing. Petitioner Adams seek to set aside three 1981 conviction of Penal Code Section 288 A(C) ORAL COPULATION ON A MINOR.

- (2) Did you raise this claim on direct appeal to the California Court of Appeal? Yes No
- (3) Did you raise this claim in a Petition for Review to the California Supreme Court? Yes No

CONTINUE FROM PAGE 5 OF 10.

a. Ground one:

1. SUPPORTING FACTS: — ON A MINOR, DURING MY PRELIM HEARINGS IN 1981 THERE WERE NO WORDS OR ANY LANGUAGE IN THE RECORD THAT SPECIFY FACTS THE THE VICTIMS WERE UNDER THE AGE OF 14 OR WERE MINORS. ONLY THE CHARGE PENAL CODE SECTION 288(A)(1) WAS SPOKE OF.

DURING MY JUDGE TRIAL THE JUDGE FOUND ME GUILTY OF CALIFORNIA PENAL CODE 288 SECTION (A)(1) WHICH IS DEFINED AS ORAL COPULATION OF A CHILD OR MINOR UNDER THE AGE OF 14. DO TO TRIAL COUNSEL BEING INEFFECTIVE BY FAILING TO INVESTIGATE THE CHARGE OF P.C. 288(A)(1) WENT TO PRISON NEVER KNOWING THE TRUE CHARGE HE WAS CONVICTED OF, WHICH IS THE CHILD MOLESTER LABEL.

22 YEARS LATER

A LOWER COURT LATER RULE THAT PETITIONER HAD BEEN CONVICTED OF THE WRONG PENAL CODE SECTION BUT FAIL TO CORRECT THE RECORD OR COURT TRANSCRIPT OR THE ABSTRACT OF JUDGMENT.

THERE ARE TWO UNITED STATES CONSTITUTION VIOLATIONS HERE. 1. DUE PROCESS OF THE 5TH AMENDMENT ADAMS WAS NEVER INFORMED THAT HE COMMITTED A CRIME UPON A MINOR, AND 2. AFTER THE LOW COURT EVIDENCE HEARINGS SHOWS THAT PETITIONER WAS CORRECT AND HE HAD BEEN CONVICTED OF THE WRONG PENAL CODE SECTION, BUT FAIL TO CORRECT THE COURT RECORD AND ABSTRACT OF JUDGMENT ALLOWS THE DEPARTMENT OF CORRECTIONS AND REHABILITATION TO USE THE INCORRECT ABSTRACT OF JUDGMENT AGAINST ADAMS BECAUSE P.C. 288(A)(1) DEFINE ADAMS AS A CHILD MOLESTER. ALSO A VIOLATION OF AMENDMENT 8TH CRUEL AND UNUSUAL PUNISHMENT.

CONTINUE FROM PAGE 5 of 10.

a. Ground ONE:

i. SUPPORTING FACTS ON A MINOR. DURING THE PTC-LIAM THE WORDS OR ANY LANGUAGE WAS NEVER SPECIFY THAT THE VICTIMS WERE UNDER THE AGE OF 14 OR WAS MINORS. ONLY THE PENAL CODE SECTION WAS SPOKE OF.

dURING A JUDGE TRIAL THE JUDGE FOUND THE PETITIONER GUILTY OF PENAL CODE 288A SECTION (C). THE PENAL CODE DEFINE PC 288A(C) AS ORAL COPULATION ON A CHILD / MINOR UNDER THE AGE OF 14. PETITIONER WHEN TO PRISON NEVER KNOWING THAT HE HAD BEEN CONVICTED OF ORAL COPULATION ON A MINOR LABEL AS A CHILD MOLESTER. 22 YEAR LATER THE LOW COURT RULE THAT PETITIONER HAD BEEN CONVICTED OF THE WRONG PENAL CODE SECTION BUT FAIL TO CORRECT THE RECORD OF THE COURT TRANSCRIPTS AND THE ABSTRACT OF JUDGMENT ALLOWING THE STATE TO USE THE WRONGFULL CONVICTION AGAINST HIM AS NEW LAW ARE PASS FOR PEOPLE WHO HAVE COMMITTE SEX CRIMES AGAINST MINORS UNDER P.C. 288A(C).

THERE ARE TWO UNITED STATES CONSTITUTION HERE. THE FIRST BEING CONVICTED OF THE WRONG PENAL CODE SECTION WHICH IS A CRIME HE DID NOT COMMITTE AND SECOND. FAILURE TO CORRECT THE RECORDS AND COURT FILES AND ABSTRACT OF JUDGMENT A DUE PROCESS VIOLATION.

Next page is a continue of
Ground two (b.).

b. Ground two: CONTINUE Here.

(1) SUPPORTING FACTS:- ONCE the LOWER COURT FILE ITS decision of the EVIDENCE hearings of the PETITIONER 1981 CONVICTION base on Penal code Statute 288 A Section (c) it was determine that the Penal Code Statute of 288 A(c) Required Evidence that the victim were under the age of 14 AT the time of the Commission of the offense. The victims here were ADULTS.

Quoting The HONORABLE STEVEN SUZUKAWA JUDGE See Exhibit (A) "While Petitioner is correct in that the complaint alleged the wrongs code section, He CANNOT ESTABLISH A SHRED OF PREJUDICE." "his COUNSEL WAS PUT ON NOTICE THE PETITIONER WAS CHARGED WITH ORAL COPULATION.

This credible evidence by the LOW COURT SHOWS PETITIONER WAS CONVICTED OF THE WRONGS PENAL CODE SECTION WHICH IS THE WRONGS CRIME. THIS CONCLUSIVE EVIDENCE IS PROOF THAT TRIAL COUNSEL AND APPELLATE COUNSEL BOTH WERE INCOMPETENT, BUT THE LOW COURT JUDGE SUZUKAWA ABUSE THE COURT DISCRETION BY NOT GRANTING RELIEF ALLOWING THE COURT FILE'S / RECORDS / ABSTRACT OF JUDGMENT TO CONTAIN THE WRONGS INFORMATION, ALLOWING THIS WRONGFULLY CONVICTION TO BE USE AGAINST THE PETITIONER, AND THAT'S HAS MADE THE PETITIONER TO BE SUBJECTED TO CRUEL AND UNUSUAL PUNISHMENT. A VIOLATION OF THE 8TH AND 14TH AMENDMENTS.

(4) Did you raise this claim in a habeas petition to the California Supreme Court? Yes No
See Attach DECLARATION

c. Ground three: _____

(1) Supporting FACTS: _____

(2) Did you raise this claim on direct appeal to the California Court of Appeal? Yes No

(3) Did you raise this claim in a Petition for Review to the California Supreme Court? Yes No

(4) Did you raise this claim in a habeas petition to the California Supreme Court? Yes No

d. Ground four: _____

(1) Supporting FACTS: _____

(2) Did you raise this claim on direct appeal to the California Court of Appeal? Yes No

(3) Did you raise this claim in a Petition for Review to the California Supreme Court? Yes No

(4) Did you raise this claim in a habeas petition to the California Supreme Court? Yes No

e. Ground five: _____

(1) Supporting FACTS: _____

(2) Did you raise this claim on direct appeal to the California Court of Appeal? Yes No

(3) Did you raise this claim in a Petition for Review to the California Supreme Court? Yes No

(4) Did you raise this claim in a habeas petition to the California Supreme Court? Yes No

8. If any of the grounds listed in paragraph 7 were not previously presented to the California Supreme Court, state briefly which grounds were not presented, and give your reasons: _____

9. Have you previously filed any habeas petitions in any federal court with respect to this judgment of conviction?
 Yes No

If so, give the following information for each such petition (use additional pages if necessary, and attach copies of the petitions and the rulings on the petitions if available):

a. (1) Name of court: _____

(2) Case number: _____

(3) Date filed (or if mailed, the date the petition was turned over to the prison authorities for mailing): _____

(4) Grounds raised (list each):

(a) _____

(b) _____

(c) _____

(d) _____

(e) _____

(f) _____

(5) Date of decision: _____

(6) Result _____

(7) Was an evidentiary hearing held? Yes No

b. (1) Name of court: _____

(2) Case number: _____

(3) Date filed (or if mailed, the date the petition was turned over to the prison authorities for mailing): _____

(4) Grounds raised (list each):

(a) _____

(b) _____

(c) _____

(d) _____

(e) _____

(f) _____

(5) Date of decision: _____

(6) Result _____

(7) Was an evidentiary hearing held? Yes No

10. Do you have any petitions now pending (i.e., filed but not yet decided) in any state or federal court with respect to this judgment of conviction? Yes No

If so, give the following information (and attach a copy of the petition if available):

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date filed (or if mailed, the date the petition was turned over to the prison authorities for mailing): _____
- (4) Grounds raised (list each):
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - (e) _____
 - (f) _____

11. Are you presently represented by counsel? Yes No

If so, provide name, address and telephone number: _____

WHEREFORE, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding,
AN EVIDENTIARY HEARING.

EW pro per. Paul M...

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on 4-5-17 *Ronald L Adams*
Date Signature of Petitioner

Ronald Adams PG5157
CALIFORNIA AMEW'S COLONY EAST
PO. Box 8101
San Luis Obispo, CA. 93409-8101

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Declaration

BY

RONALD L. ADAMS.

Petitioner Adams come to this U.S. District Court with the request for this court to take notice of the ENCLOSE DOCUMENTS.

Attach is a Petition for Writ of HABEAS CORPUS DENIAL NOTICE. FOR COURT CASE AB20066. AS THIS COURT WILL SEE THIS DOCUMENT TITLE ORDER RE PETITION FOR WRIT OF HABEAS CORPUS. THE WRIT WAS FILE NOVEMBER 29, 2016. IT WAS DENIED ON DEC 06 2016.

Petitioner SKIP THE APPEAL COURT AND FILE A PETITION FOR REVIEW TO STATE SUPREME COURT OF CALIFORNIA.

See this Petition ENCLOSE High Listed ORIGINAL WRIT WITH SIGNATURE. Petitioner MAIL this Petition.

THE SUPREME COURT CLERK RETURN THE WRIT CITING there NO WRIT ON FILE CASE WAS CLOSE ON NOVEMBER 20, 2013. AND IF HE WANT TO FILE A WRIT SENT A NEW FORM.

Petitioner ADAMS resubmitted the Petition with a Letter EXPLAINS if He or she Look A WRIT WAS FILE

①

A Denial WAS File and that Petitioner has a Right to Request for Review.

Petitioner Explain that this issue WAS before the Court before as well as this court and as well as the 9th CIR.

See Exhibit B Attach here too. When this issue WAS at the 9th CIR. and during Mediation it was determine that Adams claim / grounds should be brought up in the SUPERIOR COURT. because the 9th CIRCUIT CANNOT AMEND THE ABSTRACT of Judgment and the Attorney General Case as well. So Petitioner Adams File back in the LOW COURT. this is the NOW Petition.

THE STATE SUPREME COURT sent Petitioner Adams his Petition BACK UNFILE CITING THE COURT of APPEAL docket shows that a denial order WAS Filed on NOVEMBER 20, 2013.

BECAUSE THE CLAIM IS ABOUT THE INTERPRETATION of THE PENAL CODE SECTION 288(A)(1).

THE STATE SUPREME COURT has a CONSTITUTIONAL to FILE and Have a Petition ONCE IT WAS ANSWER WITHIN IT WAS SUPERIOR OR APPEAL COURT.

Petitioner is Request to this this COURT File this Petition. I Declare under PENALTY of PERJURY that the Foregoing is true and correct.

Ronald A. .



EARL WARREN BUILDING
350 McALLISTER STREET
SAN FRANCISCO, CA 94102
(415) 865-7000

APRIL BOELK
AUTOMATIC APPEALS SUPERVISOR

Supreme Court of California

JORGE E. NAVARRETE
COURT ADMINISTRATOR AND
CLERK OF THE SUPREME COURT

February 6, 2017

Ronald Adams, P-65157
California Men's Colony State Prison
P.O. Box 8101
San Luis Obispo, California 93409-8101

Re: B252445/A620066 – In Ronald Lee Adams on Habeas Corpus

Dear Mr. Adams:

Returned unfiled is your petition for review received February 6, 2017. A check of the Court of Appeal docket shows that a denial order was filed on November 20, 2013. This court lost jurisdiction to act on any petition for review on January 19, 2014. *(See Cal. Rules of Court, rule 8.500(e).) Without this jurisdiction, this court is unable to consider your request for legal relief.*

In the event there is a desire to file a petition for writ of habeas corpus, a copy of the form is enclosed. Please complete the form as fully as possible and sign it on page six (we must have an original signature). You may attach any documents to the completed form.

Very truly yours,

JORGE E. NAVARRETE
Court Administrator and
Clerk of the Supreme Court

A handwritten signature in black ink, appearing to read "C. Wong", written over a circular stamp or mark.

By: C. Wong, Deputy Clerk

Enclosure:

cc: Rec.

Appellate Courts Case Information

CALIFORNIA COURTS
THE JUDICIAL BRANCH OF CALIFORNIA

2nd Appellate District

Change court

Court data last updated: 03/01/2017 12:42 PM

Docket (Register of Actions)

In re RONALD LEE ADAMS on Habeas Corpus

Division 7

Case Number B252445

Date	Description	Notes
11/14/2013	Petition for a writ of habeas corpus filed.	
11/20/2013	Order denying petition filed.	The petition for writ of habeas corpus filed herein November 14, 2013 has been read and considered. The petition is denied.
09/11/2013	Case complete.	
09/11/2014	Returned document for non-conformance.	Petitioner Adam's requesting copy of petition filed in case B232338 People v. Vargas. Notice sent to petitioner re court's copy policy.

Click here to request automatic e-mail notifications about this case.

OK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

FILED

Superior Court of California
County of Los Angeles

DEC 06 2016

Sherril R. Carter, Executive Officer/Clerk

Case No.: A620066

By Melanie Pleasant Deputy

RONALD LEE ADAMS)
)
Petitioner,)
)
v.)
)
STATE OF CALIFORNIA)
)
Respondent)

ORDER RE: PETITION FOR
WRIT OF HABEUS CORPUS

IN CHAMBERS

Petition for Writ of Habeas Corpus by Ronald Lee Adams, Pro se ("Petitioner"). No appearance by a Respondent. DENIED.

The Court has read and considered the Petition for Writ of Habeas Corpus filed by Petitioner on or about November 29, 2016, and finds that the following apply:

1. Petitioner has failed to show a prima facie case for relief. *People v. Duvall* (1995) 9 Cal. 4th 464, 474-75.
2. Petitioner has failed to explain and justify the significant delay in seeking habeas relief. *In re Clark* (1993) 5 Cal 4th 750, 765; *In re Swain* (1949) 34 Cal. 2nd 300, 302.
3. The petition presents claims raised and rejected in a prior habeas petition and Petitioner has not alleged facts establishing an exception to the rule barring reconsideration of claims previously rejected. Such successive claims constitute an abuse of the writ of habeas corpus. *In re Reno* (2012) 55 Cal. 4th 428, 455; *In*

ORDER

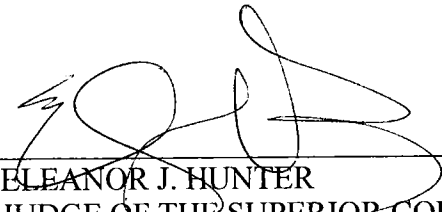
1 *re Martinez* (2009) 46 Cal. 4th 945, 956; *In re Clark* (1993) 5 Cal. 4th 750, 767-
2 68; *In re Miller* (1941) 17 Cal. 2nd 734, 735.

3 For all of the foregoing indicated reasons, the petition is DENIED.

4 The clerk is to give notice and send a copy of the order to the District Attorney (Habeas
5 Corpus Litigation Team), 320 West Temple Street, Room 540, Los Angeles, CA 90012, and
6 petitioner as follows:

7 Ronald Lee Adams
8 CDC #P65157
9 California Mens Colony East
10 P.O. Box 8101
11 San Luis Obispo, CA 93409

12 December 6, 2016

13 
14 ELEANOR J. HUNTER
15 JUDGE OF THE SUPERIOR COURT

MC-275

Name: Ronald Lee Adams
Address: P.O. Box 8101 CALIFORNIA
Men's Colony East Prison
San Luis Obispo CA 934098101
CDC or ID Number: P65157

*ORIGINAL WRIT
with SIGNATURE
At END of this
document. LAST PAGE.*

Supreme Court of
California.
(Court)

Ronald Adams
Petitioner
vs.
STATE of CALIFORNIA
Respondent

PETITION FOR WRIT OF HABEAS CORPUS
Petition For Review

No. _____
(To be supplied by the Clerk of the Court)

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal and you are an attorney, file the original and 4 copies of the petition and, if separately bound, 1 set of any supporting documents (unless the court orders otherwise by local rule or in a specific case). If you are filing this petition in the Court of Appeal and you are *not* represented by an attorney, file the original and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

RECEIVED

FEB 02 2017

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court (as amended effective January 1, 2007). Subsequent amendments to rule 8.380 may change the number of copies to be filed to the Supreme Court and Court of Appeal.

CLERK SUPREME COURT

This petition concerns:

- A conviction Parole
- A sentence Credits
- Jail or prison conditions Prison discipline
- Other (specify): Abstract of Judgment

1. Your name: Ronald Adams
2. Where are you incarcerated? California State Prison California Men's Colony
3. Why are you in custody? Criminal conviction Civil commitment

Answer items a through i to the best of your ability.

a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

b. Penal or other code sections: _____

c. Name and location of sentencing or committing court: _____

d. Case number: _____

e. Date convicted or committed: _____

f. Date sentenced: _____

g. Length of sentence: _____

h. When do you expect to be released? _____

i. Were you represented by counsel in the trial court? Yes No If yes, state the attorney's name and address:

*See Attached
petition writ*

4. What was the LAST plea you entered? (Check one):

- Not guilty Guilty Nolo contendere Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

- Jury Judge without a jury Submitted on transcript Awaiting trial

6. GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "The trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page 4. For additional grounds, make copies of page 4 and number the additional grounds in order.)

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.)

This Review issue Involve Incorrect Information in the
Abstract of Judgment and Court Records
See Attach Petition for Review
see Attach Petition for writ.

b. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

CALIFORNIA SUPREME COURT.

INTRODUCTION FOR PETITION FOR REVIEW

PETITIONER IN RE RONALD LEE ADAMS IS PETITIONING THIS COURT FOR REVIEW FOR THE PENDING PETITION FOR WRIT OF HABEAS CORPUS.

THIS IS A REVISITED CLAIM BASED ON NINTH CIRCUIT COURT OF APPEALS AND THE STATE ATTORNEY GENERAL OFFICE AGREEING THAT THIS CLAIM SHOULD BE BROUGHT IN THE SUPERIOR COURT. SEE ATTACH EXHIBIT (B) ATTACH TO THE PETITION FOR WRIT OF HABEAS CORPUS TO SUPERIOR COURT ON PAGE 2 AT ABSTRACT OF JUDGMENT.

THE PRESENTED CLAIM IS THAT FOR 36 YEAR THE COURT RECORDS AND FILES AS WELL AS THE ABSTRACT OF JUDGMENT CONTAIN THE WRONG CONVICTION PENAL CODE SECTION, THAT BEING 288 A (C). AS TO COUNT 3, 4, AND 5.

SEE EXHIBIT (C) ATTACH TO THE ATTACH SUPERIOR COURT PETITION FOR WRIT.

IN THE FIRST PETITION FOR WRIT, PETITIONER CLAIM 1. WAS THAT THERE WAS INSUFFICIENT EVIDENCE TO SUPPORT A CONVICTION OF CALIFORNIA PENAL CODE SECTION 288 A (C).

In this State form Petition M.C. -275 on Page 6 of 6. it asked the Petitioner to explain ANY delay in the discovery of the claimed OR grounds for relief.

Petitioner Explain his delay in claim 2 and Claim 3.

Petitioner claim that due to the ineffective assistance of trial counsel who fail to understand the charge against the Petitioner P.C. 288 A (C).

Petitioner also claim that his appellate counsel was ineffective assistance on the grounds that the appellate counsel fail to discover that the conviction of P.C. 288 A (C) that this charge is ORAL COPULATION WITH A MINOR but there was NO EVIDENCE that the victims were minor, so appellate counsel file a Wende Brief to the second appellate court citing there was NO ARGUABLE ISSUE.

This was presented to the low court.

The reason to raise the issue to correct the abstract of judgment.

The Petitioner was doing time on a new conviction, that began in 1999.

In the year 2003. The California Department of Corrections and Rehabilitation (CDCR) began to enforce visitation restrictions on the Petitioner when CDCR inform Petitioner that he could not have ANY visitation rights with ANY child under the

AGE of 14 years old. Why this was done? The CDCR IN form the Petitioner that because his 1981 Abstract of Judgment contains a conviction of Penal Code 288A Section (C). It ONLY reads as counts 3, 4, and 5. Penal Code Section NUMBER 288A(C) Crime of Oral Copulation.

Definition of the Statutory Language of P.C. 288A(C) is very clear. P.C. 288a [ORAL COPULATION.] When you add sub-section (C) the crime is now "ANY PERSON WHO PARTICIPATES IN AN ACT OF ORAL COPULATION WITH ANOTHER PERSON WHO IS UNDER 14 YEARS OF AGE AND MORE THAN 10 YEARS YOUNGER."

Why was CDCR to enforce this kind of visitation restrictions: The California Legislature's Pass New Legislation to Place New Restrictions on ANY Person who has been convicted of Penal Code Section 288(a) or 288a(c) that involve minors.

Petitioner Adams was positively denied visitation rights with nephew's and niece.

The first Petition file IN 2003

Petitioner Adams file the first claim as insufficient evidence to support a conviction of counts 3, 4, and 5. Petitioner was under the impression that this is AN CLERICAL ERROR.

IN 2003. A new CONSTITUTION issue was brought to light. It was discover that the ERROR went beyond the Abstract of Judgment, it WAS

discover that the County had Error in its filings of the Information and on the face of the felony Complaint. See Exhibit (E) Attach to the File Petition This is the Information. As this Court will read and see clearly Petitioner was charge with P.C. Violation of 288 a (c). The Problem and Constitutional Violation occur found the Petitioner of a child upon a minor base on P.C. 288 a (c).

Another Constitutional Violation occur on Feb 2003 when Judge Steven SUZUKAWA in his factual findings for insufficient of Evidence to have support a P.C. Section Violation of 288 A (c) declares ~~the~~ Petitioner correct that He had been found guilty of the WROGS Penal Code Section because the statute requires Evidence the Victim was under the Age of 14 at the Time of The Commission of the Offense.

"The Victim Here were Adults."

Under the California Law this render the Abstract of Judgment In correct.

Under California Law Petitioner was conviction is base on the WROGS crime.

Abuse of discretion by Judge Steven SUZUKAWA

In the first Petition Judge SUZUKAWA After his decision and factual findings that Petitioner did not commit a crime on a minor therefore not violating P.C. 288 A (c) He fail to correct the record.

Judge SUZUKAWA Abuse his discretion by FAILING to declare that trial counsel was ineffective

ASSISTANCE FOR FAILURE TO DISCOVER THAT THE COUNTY AND STATE HAD CHARGE THE PETITIONER WITH THE WYOMING PENAL CODE SECTION CITING.

JUDGE SUZUKAWA ABUSE HIS DISCRETION WHEN HE RULE THAT NO PREJUDICE HAD BEEN ESTABLISHED.

1. BEING CONVICTED OF THE WYOMING CHARGE IS PREJUDICE
2. ALLOW THE COUNTY AND STATE TO USE THE WYOMING FULL CONVICTION AS TRUE IS PREJUDICE. SEE EXHIBIT (B) ON PAGE 2 AT LINE 25. THE STATE CALL THE PETITIONER A CHILD MOLESTER WHEN IT WAS CITED THAT PETITIONER HAD BEEN CONVICTED OF ORAL COPULATION WITH A MINOR.

THE FIRST FILE PETITION WAS SENT TO THIS STATE SUPREME COURT OF CALIFORNIA WHO THEN ERRONEOUSLY DENIED PETITIONER REQUEST TO REVIEW LOW COURT DECISION.

PETITIONER FILE TO UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA.

THE DISTRICT COURT INFORM PETITIONER THAT IT WAS NOT SURE IF HIS PETITION WAS A SECOND PETITION AND THAT ADMIS NEEDED TO SET AUTHORIZATION FROM UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT.

PETITIONER FILE A MOTION TO THE NINTH (9TH) CIRCUIT COURT OF APPEALS.

ON APRIL 29, 2015 THE 9TH CIRCUIT COURT OF APPEALS ASSIGN PETITIONER CASE FOR PROBAND ASSIGNMENT FOR MEDIATION. TO THE LAW OFFICE OF KASHFIAN & KASHFIAN.

SEE EXHIBIT (B) ATTACH TO THE PETITION ENCLOSE A LETTER TO PETITIONER FROM THE LAW OFFICE OF

KASHFIAN E KASI ^{FINN} Dated September 24, 2015.

During Mediation with the State of California Attorney General Office. (See Page 2 of Exhibit (B) At Abstract Judgment.)

Here It was discuss that the Circuit Court ^{9th} APPARENTLY COULD NOT AMEND THE ABSTRACT THE ATTORNEY WROTE TO THE PETITIONER, BUT THE STATE ATTORNEY GENERAL OFFICE SAID THE SAME THINGS.

It was ALSO discuss that if the Abstract is INCORRECT A CLAIM SHOULD BE BROUGHT TO THE LOW SUPERIOR COURT. THIS IS THE SECOND OF SUCH PETITION.

ON NOV 21, 2016 PETITIONER FILE THIS PETITION TO SUPERIOR COURT.

THE SUPERIOR COURT ERRONEOUSLY DENIED THE PETITION.

ON DECEMBER 23, 2016 NEW SEX OFFENDER WENT INTO EFFECT BY CDCR THAT PLACE NEW RESTRICTIONS ON ANY PERSON CONVICTED OF ANY SEX OFFENDER WHERE THE VICTIMS ARE MINORS OR UNDER THE AGE OF 14. WHOS BEEN CONVICTED OF CHILD MOLESTATION WHICH IS CODIFY UNDER PENAL CODE SECTION 288 A(1).

See Attach here to as Exhibit (1) Dated 12-23-16

See INITIAL STATEMENT OF REASONS:

See Sub-Title Sex Offender Residence Restrictions

Base on this court discuss CALIFORNIA SUPREME COURT UNDER DOCKET S206143 2015 IN RE TAYLOR

THE CALIFORNIA SUPREME COURT RULED THAT CDCR'S BLANKET ENFORCEMENT OF THE RESIDENCE RESTRICTIONS WITHIN P.C. SECTION 3003.5(b)

KNOWN AS "JESSICA'S LAW".

These residence restriction is based on PC 288A(c).

1. New sub-section 257 (b) ANY residence restriction will prohibit a parolee from residing within ANY distance of a Park where children regularly gather.

See Exhibit (L) AT INITIAL STATEMENT OF REASON

at SEX OFFENDER RESIDENCE RESTRICTIONS

It is stated here that Under Law for some sex offenders a 2,000 feet distance restriction from a school or park may be justified;

however for other sex offenders no distance may be justified. FOR EXAMPLE, A DISTANCE MAY NOT BE JUSTIFIED IF A SEX OFFENDER'S VICTIM WAS AN ADULT.

Residence restrictions may also be imposed on the basis of other people in a residence where a parolee plans to reside. FOR EXAMPLE A SEX OFFENDER WHO WAS CONVICTED OF CHILD MOLESTATION PENAL CODE SECTION 288(a)

This court must now understand IN 1981 Penal Code 288(a) is define as [ORAL COPULATION].

AN ACT OF COPULATING THE MOUTH OF ONE PERSON WITH THE SEXUAL ORGAN OF ANOTHER PERSON.

Now when Subsection (c) is Add Penal Code Section 288(a) ORAL COPULATION is NOW AN ACT OF ORAL COPULATION WITH ANOTHER PERSON WHO'S UNDER 14 YEARS OF AGE.

Known as Child Molestation.

Petitioner ARGUMENT

Petitioner ABSTRACT of Judgment and COURT Records Shows a 1981 CONVICTION of PENAL CODE SECTION 288 a (1). Petitioner ARGUMENT here is a WRONGFUL CONVICTION of the WRONGS CRIME Because on fact there WAS NO ~~ANY~~ MICKERS IN that 1981 CONVICTION.

Therefore the ABSTRACT of Judgment is INCORRECT and MUST be CORRECTED. by LAW.

IN 2003. When JUDGE SUZUKAWA FACTUAL FINDINGS WAS that Petitioner ARGUMENT held WATER because P.C. STATUTE REQUIRES EVIDENCE that the VICTIMS WAS UNDER THE AGE of 14. See EXHIBIT (A)

NOW it WAS discovered that AN CONSTITUTIONAL ERROR OCCUR A due PROCESS VIOLATION of the FIFTH AMENDMENT as well as due PROCESS of LAW of CALIFORNIA ARTICLE 1, SECTION 7.

DUE PROCESS CLAUSE of the FIFTH AMENDMENT REQUIRES that the GOVERNMENT PROVE beyond a reasonable doubt every element of the CRIME with which a defendant is CHARGED.

IN RE WINSHIP 397 US 358-369 (1970)

This court must grant Review.

This court must stop the due process violation of continuous filings of second and successive petition because the courts continue to violate the law.

This court must grant an Evidentiary hearing.

This court must grant an attorney for the petitioner.

This court must reverse the law court denial as abuse of discretion and order the abstract of judgment to reflect the correct P.C. violation.

101

Name: RONALD LEE ADAMS

Address: PO BOX 8101

CALIFORNIA MEN'S COLONY EAST

SAN LUIS OBISPO CA 93409 8101

CDC or ID Number: P65157

M/CUP

File 11-21-2006
(A05)

SUPERIOR COURT of CALIFORNIA

COUNTY of LOS ANGELES

(Court)

TPRE RONALD L. ADAMS

Petitioner

vs.

State of California

Respondent

PETITION FOR WRIT OF HABEAS CORPUS
DEMAND FOR EVIDENTIARY HEARING

No. AG20066

(To be supplied by the Clerk of the Court)

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal and you are an attorney, file the original and 4 copies of the petition and, separately bound, 1 set of any supporting documents (unless the court orders otherwise by local rule or in a specific case). If you are filing this petition in the Court of Appeal and you are *not* represented by an attorney, file the original and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court (as amended effective January 1, 2007). Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

- A conviction Parole
- A sentence Credits
- Jail or prison conditions Prison discipline

Other (specify): INCORRECT ABSTRACT OF JUDGMENT

1. Your name: Rowald L. Adams
2. Where are you incarcerated? CALIFORNIA STATE PRISON CMC EAST MEN COLONY
3. Why are you in custody? Criminal conviction Civil commitment

Answer items a through i to the best of your ability.

a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

b. Penal or other code sections: _____

c. Name and location of sentencing or committing court: _____

d. Case number: _____

See Attach

e. Date convicted or committed: _____

f. Date sentenced: _____

SUPPORTING FACTS

g. Length of sentence: _____

h. When do you expect to be released? _____

i. Were you represented by counsel in the trial court? Yes No if yes, state the attorney's name and address:

4. What was the LAST plea you entered? (Check one):

- Not guilty Guilty No/contendere Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

- Jury Judge without a jury Submitted on transcript Awaiting trial

6. GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "The trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page 4. For additional grounds, make copies of page 4 and number the additional grounds in order.)

The court Records / File CONTAIN THE WRONG INFORMATION ON THE Abstract of Judgment must be corrected.

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.)

1. PETITIONER ASK THIS COURT TO TAKE JUDICIAL NOTICE THAT THIS IS A REVISIT ISSUE FOR THIS COURT TO CORRECT IT RECORDS AND FILES TO CONTAIN THE CORRECT INFORMATION IN THE ABSTRACT OF JUDGMENT AS WELL AS THE RECORD OF THE DEPARTMENT OF CORRECTIONS.

2. THIS COURT IN FEBRUARY OF 2003 HAD AN OPPORTUNITY AND CONSTITUTIONAL DUTY TO FOLLOW THE LAW A STATE COURT DECISION IS CONTRARY TO ESTABLISHED FEDERAL LAW IF THE COURT ARRIVES AT A CONCLUSION OPPOSITE TO THAT REACHED BY THIS COURT ON A QUESTION OF LAW.

3. THE PETITIONER FEBRUARY 28 2003 PETITION FILE TO THIS COURT UNDER CASE # AG20066 WAS DENIED. THIS WAS AN ABUSE OF DISCRETION TO CORRECT THE COURT FILE'S WHEN THE COURT KNOWS

b. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

7. Ground 2 or Ground _____ (if applicable):

a. Supporting facts:

It contains a wrong Penal Code Section conviction. See Exhibit (A) The February 28, 2003 Court decision. Petitioner Appeal this court decision to the 9th Circuit Court Appeals. See Exhibit (B). This document shows that the 9th Circuit of Appeals Assist Petitioner case Pro Bono for Mediation. In this document during Mediation with the States Attorney General office, Petitioner claims was base The February 2003 Petition for writ of Habeas Corpus. that there was Insufficient Evidence that Adams Violated the Penal Code statute of 288 (c) de fine as the Child Molester Law oral copulation on a minor or child under the age of 14 years old. In Exhibit (B) as this Court reads this Letter from 9th Circuit court of Appeals Pro Bono Attorney's on page 2 of 3. At Abstract Judgment it was stated "Even if the Abstract is incorrect it appears that your claim should be brought in the Superior Court. The 9th Circuit apparently cannot Amend the Abstract which is what the Attorney General is saying as well."

b. Supporting cases, rules, or other authority:

a. SUPPORTING FACTS

this Exhibit (B) was also requesting that count # 3, 4, and 5 be corrected as to any classification errors. within the abstract of Judgment.

5. The 1981 abstract Judgment base on the 1981 conviction shows Penal code 288 A(c) was violated by Petitioner. This court understand that Petitioner was convicted of Penal code Statute 288 A(c). The definition of Penal code Statute 288 A(c) is ORAL COPULATION WITH A MINOR UNDER THE AGE OF 14. See Exhibit (C) The Abstract of Judgment (A O J).

6. See Exhibit (D) this is a true 1981 copy of the Penal code Section. it shows 288 statute. P.C. 288 A is Title [ORAL COPULATION.] it define 288 a (a) as ORAL COPULATION IS THE ACT OF COPULATING THE MOUTH OF ONE PERSON WITH THE SEXUAL ORGAN OF ANOTHER PERSON.

(NOW THIS CODE SECTION DOES NOT EXPLAIN IF THE VICTIM IS AN ADULT OR A MINOR).

7. Exhibit (D) EXPLAIN that Penal code 288 a. ORAL COPULATION (2) states Except as provided in Section 288 ANY PERSON OVER THE AGE OF 21 YEARS WHO PARTICIPATES IN AN ACT OF ORAL COPULATION WITH ANOTHER PERSON WHO IS UNDER 16 YEARS OF AGE SHALL BE GUILTY OF A FELONY.

Penal code 288 (c) is define as ANY PERSON WHO PARTICIPATES IN AN ACT OF ORAL COPULATION WITH ANOTHER PERSON WHO IS UNDER 14 YEARS OF AGE AND MORE THAN 10 YEARS YOUNGER THAN HE OR WHEN THE ACT IS ACCOMPLISHED AGAINST THE VICTIM'S WILL BY MEANS OF FORCE VIOLENCE DURESS AMENACE OR FEAR OF IMMEDIATE AND UNLAWFUL BODILY INJURY ON THE VICTIM OR ANOTHER PERSON SHALL BE PUNISHED BY IMPRISONMENT IN THE STATE PRISON FOR THREE SIX OR EIGHT YEARS.

a. SUPPORTING FACTS:

8. Exhibit (D) Explains that Penal Code Section 288A IS ORAL COPULATION, ON ANOTHER.

EXHIBIT (D) EXPLAINS THAT WHEN THE SECTION (C) IS ADDED TO PENAL CODE SECTION 288A (C) DEFINE THE CRIME AS ORAL COPULATION ON A PERSON UNDER THE AGE OF 14.

THE QUESTION OF LAW HERE WAS IT AN ERROR BY THE COURT CLERK WHO TYPE THE ABSTRACT OF JUDGMENT THE ANSWER IS NO.

9. See Exhibit (E) This document is call "the Information." This Shows that the State the People of California Charge this Petitioner with Penal Code Section 288A(C), Which is Define as ORAL COPULATION WITH A PERSON UNDER THE AGE OF 14. A MINOR.

10. Exhibit (A) is documentary Evidence that this court Should have Granted relief to this Petitioner In 2003 of february why? the court File that Petitioner ARGUE the Statute of P.C. 288A(C) REQUIRES EVIDENCE the VICTIM WAS UNDER THE AGE OF 14 AT THE TIME OF THE COMMISSION OF THE OFFENSE. THE VICTIMS HERE WERE ADULTS.

While Petitioner is correct In that the complaint ALLEGED the Crows code Section.

11. THE LAW DUE PROCESS CLAUSE OF THE FIFTH Amendment requires that the GOVERNMENT MUST PROVE beyond a reasonable doubt every ELEMENT of the crime with which a defendant is Charged. INVEWINSHIP 297 U.S. 358 364 (1970)

12. The MISSING ELEMENT OF P.C. SEC 288A(C) IS A VICTIM UNDER THE AGE OF 14.

a Supporting facts

13. In determining what facts must be proved beyond a reasonable doubt the state Legislature's definition of the elements of the offense is usually dispositive. See *McMillan v. PA*, 477 U.S. 29, 55 (1986).

If the government fails to sustain its burden of proof on any element of the charge the defendant must be acquitted. *In re Winship*.

14. Court Abstract of Judgment

The court's 1981 Abstract of Judgment, a court legal document, reads as to count 3, 4, 5: committed crime of ORAL COPULATION UNDER CALIFORNIA PENAL CODE 288(a) SECTION (c).

Penal code 288(a) is defined as ORAL COPULATION ON A PERSON. Section is defined as ORAL COPULATION ON A CHILD OR MINOR UNDER THE AGE OF 14.

Question of Law: Was all the element of Penal code 288(a)(c) provide as proof of the charge.

Exhibit (A) attached hereto a document written and filed by this court on February 28, 2003 before The Honorable: Steven Suzukawa Judge.

Here Judge SUZUKAWA File Petitioner RONALD ADAMS argues that P-C 288(a)(c) statute requires evidence that the victim was under the age of 14 at the time of the commission of the offense.

a. SUPPORTING FACTS:

14. Judge SUZUKAWA Rule that the victims of
AT the time of the commission of the offense
were ADULTS. See Exhibit(A).

15. Judge SUZUKAWA continue on by FILING that
that Petitioner ADAMS was CORRECT that the People/
State of CALIFORNIA Altered the WROWS Code Section.
By the Law of CALIFORNIA if the Abstract of
Judgment contain AN ERROR it must be corrected.
being convicted of the WROWS Penal Code Section
is being convicted of the WROWS crime.
being sentence under the WROWS PC is an
ILLEGAL sentence. AND CANNOT STAND. WHICH CAN BE
CORRECTED AT ANY TIME.

16. The Abstract of Judgment Here was sent to
the CALIFORNIA Department of Corrections and
Rehabilitation, this document is SUPPOSE to reflect
THE TRUE FACTS.

17. UNDER PEOPLE V. HILL 185 CAL. APP 3d 831
When The Department of Corrections and
Rehabilitation has knowledge that there is an
error in the Abstract of Judgment therefore
Department of Corrections Rehabilitation (CDCR)
is to inform the court of the error and request
that it be correct.

a. SUPPORTING facts

18. The following Exhibit mark as (F) is what is call AN INMATE APPEAL USED BY INMATE base ON ANY GRIEVANCE AGAINST THE DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR).

19. Exhibit (F) is Dated 4-25-16. this PRISON APPEAL is Address TO CALIFORNIA MEN'S COLONY EAST. LOS AN GELES CMC-E. 16-01026. this APPEAL WAS base ON A FORM CALL A 22 FORM. ATTACH TO THE APPEAL IS A COPY OF THE 22 FORM.

This form was Dated by PETITIONER ON 11-3-15 Address TO PETITIONER PRISON CORRECTIONAL COUNSELOR MS. L. TAFT.

The Question ask WAS PETITIONER WAS IN FORM THAT VISITATION RESTRICTION HAD BEEN PLACE ON HIM UNDER PENAL CODE SECTION VIOLATION IN HIS 1981 ABSTRACT OF JUDGMENT base ON A CONVICTION OF P.C. 288 A (C). DEFINE AS ORAL COPULATION ON A CHILD / MINOR UNDER THE AGE OF 14. THE 128 G. DOCUMENT IS ATTACH BEHINE THIS DOCUMENT.

THE 128 G. DOCUMENT AT C-FILE READ SEX CONVICTION FOR P.C. 288 A. ORAL COPULATION PERSON WAS 14. THIS IS WRONG. THE PRISON COUNSELOR FAIL TO ANSWER THIS QUESTION. THIS IS WHY THE INMATE APPEAL WAS FAIL. DATED 4-25-16.

20. See ATTACH TO EXHIBIT (F) A SECOND CDCR 22 FORM.

THIS DOCUMENT DATED 1-3-16. I POSE THE SAME QUESTION WAS MY VISITING RIGHTS RESTRICTION OF MINOR base ON MY 1981 CONVICTION OF P.C. 288 A (C) base ON THE ABSTRACT OF JUDGMENT.

a. SUPPORTING facts

AMY COUNSELOR ANSWER See Document Dated 1-3-16 ON 1-6-16. L. TAFT Wrote "yes I believe THE OCC dated 5-19-07 went off the Abstract of Judgment base ON MY conviction dated 3-2-82.

21. Petitioner requested for a SUPERVISOR review ON the issue of the Crowsfull PC Section NUMBER written IN THE Abstract of Judgment. The Question WAS "IF THE Abstract of Judgment is wrong OR IN ERROR WHO is RESPONSIBLE THE Department of CORRECTIONS and Rehabilitation OR THE COURTS?"

A. T. LAWSON ANSWER this Question WAS This would be AN issue for the COUNTY COURT.

22. Petitioner file another form 22 Seeking to have the Abstract of Judgment corrected. Petitioner. Petitioner file to PRISON CASE RECORD'S A L. FRENCH Inform Case Records that UNDER STATE LAW PEOPLE V. HILL 185 CAL STATES that when CDCR HAS KNOWLEDGE OF ANY ERROR IN THE Abstract of Judgment

L. FRENCH Inform THE Petitioner that He or She ATTACH A COPY OF THE 1981 PENAL CODE.

Petitioner Requested A SUPERVISOR review. ON 6-21-16

A T MONTGOMERY wrote PLEASE See Attachment for RESPONSE.

See this document Attach here to behind the 22 Form. T. MONTGOMERY wrote Section D: SUPERVISOR'S REVIEW It WAS Filed that UNDER CASE # AG20066 Petitioner the COURT found you guilty of COMMITTING PENAL CODE

a. SUPPORTING FACTS

(PC) Section 288a(c). P.C. 288a(c) states "ANY Person who Participates in an Act of ORAL COUPULATION With Another Person who is Under 14 years of Age".

23. This document Shows the PreJUDICE of the Abstract of Judgment CONTAINING THE WRONG PENAL CODE SECTION of 288A(C).

This COURT KNOWS this is true base on EXHIBIT(A).

24 EXHIBIT "B" Shows that the 9th CIRCUIT of APPEALS and the ATTORNEY GENERAL has Stated they CANNOT AMEND THE ABSTRACT because this is AN ISSUE FOR THE LOW COURT.

State Law

25. PEOPLE V. HILL 185 CAL. APP 3d 831 States when The Department of Corrections has Knowledge that there is an error in the Abstract of Judgment the Department of Corrections is to inform the COURT of the Error and request that it be corrected.

IN EXHIBIT (F) the document call Form 22 Dated 2-8-16 with the Attach response by T. MONTGOMERY. See Hish Lishtak, it was Stated "I HAVE CONTACTED the COURT to request ANY CERTIFIED COPIES of ANY MINUTE ORDER'S dated on OR AFTER February 28, 2013.

This is EVIDENCE Shows that Prison Record's

C. SUPPORTING FACTS

CASE OFFICE HAS CONCERN ABOUT THE ABSTRACT OF JUDGMENT WHICH DOES NOT REFLECT THE TRUE FACTS.

26. PEOPLE V. MITCHELL (2004) 97 CAL. RPT. 2D 794. [7][8] AN ABSTRACT OF JUDGMENT IS NOT A JUDGMENT OF CONVICTION (6 WITKIN AND EPSTEIN CALIFORNIA CRIMINAL LAW (2DED 1989) JUDGMENT AND ATTACK IN TRIAL COURT 3115 P. 3844.) IT IS NOT AN ORDER OF THE COURT. RATHER IT IS A FORM PREPARED AND SIGNED BY THE CLERK OF THE COURT. ITS PURPOSE IS TO SHERIFF ON RECEIPT OF THE ABSTRACT DELIVER THE DEFENDANT AND THE ABSTRACT TO THE WARDEN (6 WITKIN AND EPSTEIN SURFA 3115 P. 3844. [11][12] THE PROPER REMEDY IS TO ASK THE TRIAL COURT CLERK TO CORRECT THE ERROR FOLLOW IF NECESSARY BY A MOTION IN THE TRIAL COURT. THE TRIAL COURT HAS INHERENT POWER TO CORRECT CLERICAL ERROR IN ITS RECORDS AT ANY TIME SO AS TO MAKE THEM REFLECT THE TRUE FACTS.

27. QUESTION FOR THIS COURT DOES THE ABSTRACT OF JUDGMENT CONTAIN AN CLERICAL ERROR BY THE CLERK. "NO" ITS A PROCEDURAL ERROR BY THE STATE WHEN THE DISTRICT ATTORNEY FILE THE WRONG PENAL CODE STATUTE IN ITS INFORMATION AND FELONY COMPLAINT THAT PETITIONER VIOLATED P.C. 288 A (C). SEE EXHIBIT (E) THE FILE INFORMATION.

THE QUESTION HERE IS WAS THERE INSUFFICIENT EVIDENCE THAT PETITIONER VIOLATED P.C. SECTION 288 A (C).

THIS COURT ANSWER THAT QUESTION ON FEBRUARY 28, 2003 SEE EXHIBIT (A) THE COURT FILE THE 288 A(C) STATUTE

a. SUPPORTING facts

REQUIRES EVIDENCE THE VICTIM WAS UNDER THE AGE OF 14 AT THE TIME OF THE COMMISSION OF THE OFFENSE.

"THE VICTIMS HERE WERE ADULTS."

While Petitioner is correct in that the COMPLAINT ALLEGED THE CALIFORNIA CODE SECTION

28. THIS COURT ABUSE IT DISCRETION IN FEB 28, 2003 BY FAILING TO CORRECT THE COURT FILES / RECORDS.

The Law.

29. DUE PROCESS CLAUSE OF CALIFORNIA LAW AND OF THE UNITED STATES CONSTITUTION FIFTH (5TH) AMENDMENT REQUIRES THAT THE GOVERNMENT MUST PROVE BEYOND A REASONABLE DOUBT EVERY ELEMENT OF THE CRIME WITH WHICH A DEFENDANT IS CHARGED. *IN RE WINSHIP* 397 U.S. 358 364 1970.

30. IN DETERMINING WHAT FACTS MUST BE PROVED BEYOND A REASONABLE DOUBT THE STATE LEGISLATURE DEFINITION OF THE ELEMENTS OF THE OFFENSE IS USUALLY DISPOSITIVE SEE *MCMILLAN V. PA* 477 US 79 85 1986.

31. THE MISSING ELEMENT IN THE PETITIONER CONVICTION OF PENAL CODE SECTION 288 A (C) STATUTE, REQUIRES EVIDENCE THAT THE VICTIM WERE UNDER THE AGE OF 14 AT THE TIME OF THE COMMISSION OF THE OFFENSE. THIS COURT HAS STATED AND FILED ON RECORDS THE VICTIMS HERE WERE ADULTS. SEE

C. SUPPORTING facts

Exhibit (A).

32. AS LONG AS the INFORMATION adequately alleges offense the evidence adduced at the Preliminary Hearings will adequately inform the theory regarding the manner of the offense.
PEOPLE v. Lucas (1997) 55 CA. 4th 721-737 PEOPLE v. THOMAS (1987) 43 C3d 818-829 FWS.

If the government fails to sustain its burden of proof on ANY element of the charge the defendant must be acquitted see IN RE WINSHIP SUPR.

33. The State file information of 1981, Feb 28.

See Exhibit (E) For CASE # NO. A-620066 it shows a filing for the crime of Penal Code Section of 288a(c). See Count III its file as 288(a)(c). NO Question of facts of what was file.

34. This Evidence shows Petitioner was deprived of his Constitution Rights of an competent Attorney. Petitioner Trial Counsel was ineffective for failure to understand the file charges of Penal Code Section 288a(c).

35. Trial Counsel fail to INVESTIGATE the file charge of P.C. 288a(c) in order to see if the victims lie about there ASE to the District Attorney office.

36. And did the District Attorney office had Evidence that showed the victims lie about there ASE?

a. SUPPORTING FACTS

37. Evidence shows that Petitioner was deny his constitution rights of an competent Appellate Counsel. Appellate Counsel file a Wende Brief citing there was "NO" ARGUABLE ISSUE in that case. This COURT KNOWS this to be NOT true base on Exhibit (A) COURT RULING of 2003. When the COURT cited that Petitioner Argument held water by saying Petitioner was right that he had been CONVICTED of the WYOMING Penal Code Section. § 288 A(C). A Violation of the 6th and the 14th Amendment Rights to the U.S. CONST.

38. GOVERNOR BROWN APPROVED SENATE BILL No. 1134.

SB. 1134. Habeas CORPUS: New evidence:

Motion to VACATE Judgment:

EXISTING LAW ALLOWS every PERSON who is UNLAWFULLY IMPRISONED OR RESTRAINED of his OR her LIBERTY to PROSECUTE a writ of habeas CORPUS to inquire into the cause of his OR her imprisonment OR restraint.

39. The Petitioner is NOT INCARCERATED ON the 1981 CONVICTION.

BUT the 1981 CONVICTION is STILL BEING USE TO PUNISH THE Petitioner as a CHILD MOLESTER.

A SUPPORTING FACTS

There are New Existing Laws that has been Pass within the Pass 15 years base on ANY PERSON CONVICTED PASS OR PRESENT FOR SEXUAL CRIMES of P.C. SECTION 288 (a) c.

40. Petitioner is Presently Incarcerated Under the Three Strike Law. during what was call a Strike hearing. the District Attorney file what is call PEOPLE'S OPPOSITION TO THE DISMISSAL of ANY of Defendant's PRIORS.

41. See EXHIBIT (G) ON PAGE 2 AT (2) DEFENDANT'S CRIMINAL HISTORY. See LINE 25-26. The District Attorney work to the COURT Petitioner WAS FINALLY SENT to STATE PRISON for a 25 YEAR term IN 1981 as TO "three counts of UNLAWFUL ORAL COPULATION with a MINOR." It has been Proven TO be NOT true. and it Very PREJUDICE

42. See EXHIBIT (H) This document is call SENTENCING MEMORANDUM Dated NOV 12, 1999 Here The District Attorney Inform The COURT That the Petitioner Should be Sentenced by LAW TO A TERM of 25 YEAR'S TO LIFE UNDER PENAL CODE SECTION 1170.12(a)(3) AND 1170.12(b)(1) FOR ORAL COPULATION with a child between 10 AND 14 Year's old. See Page 1. Line 28 AND PAGE 2 Line 1. and 2. Petitioner WAS Sentence UNDER "FALSE evidence".

a. SUPPORTING FACTS

43. did the district attorney provide false evidence to the court, the district attorney depend on the Abstract of Judgment to have the correct and true facts as well as this court.
44. In exhibit (B) The Letter from the Ninth Circuit Court of Appeal's Pro Bono Attorney agree with the State Attorney General office that this issue is a superior court issue. This court is setting a second bit at the Apple on this issue without the 9th circuit court of appeal filing an order to do so.
45. In Exhibit (A) The Honorable Steven Suzuki on February 28, 2003 file that Petitioner Adams could not establish a shred of prejudice.
1. Prejudice exist, when evidence was discover in the February 28 2003 findings that Petitioner was convicted of the Wrows Penal code Section 288A(c).
 2. Prejudice exist, when when Petitioner Adams was sentence on the Wrows Penal code Section 288A(c) an illegal sentence.
 3. Prejudice exist when the court file and records such as the Abstract of Judgment.
 4. did this prejudice allow the state to continue to use the false evidence as true facts? Yes.

EXHIBIT (Q) SHOWS THAT IN 1999 THE STATE ATTORNEY WAS ABLE TO ARGUE THAT PETITIONER WAS A CHILD MOLESTER ON PAGE (Q) LINE 25-26 CITING PETITIONER WAS CONVICTED OF ORAL COPULATION WITH A MINOR.

EXHIBIT (H) SHOW PREJUDICE SEE PAGE (Q) LINE 1-2. A SENTENCING MEMORANDUM DATED 1999. AGAIN THE STATE ATTORNEY WAS ABLE TO ARGUE UNDER THE THREE STRIKE LAW THAT PETITIONER PASS CONVICTION FOR CASE # A620066 INCLUDE ORAL COPULATION WITH A CHILD BETWEEN 10 AND 14 YEARS OF AGE A PREJUDICE STATEMENT TO COURT A PREJUDICE DOCUMENT AS TRUE FILE TO THE COURT.

SEE EXHIBIT (I) THIS A DOCUMENT PAGE FROM A 1999 THREE STRIKE HEARING. AND THE COURT FOUND AS TRUE THAT THE PETITIONER HAD BEEN FOUND GUILTY IN 1981 UNDER CASE NO. A620066 OF THREE COUNTS OF PENAL CODE SECTION 288 (A) (C). WHICH THIS COURT KNOWS IS NOT TRUE. THIS IS HIGHLY PREJUDICE.

SEE EXHIBIT (J). THIS DOCUMENT IS CALL PROBATION OFFICER REPORT. ON PAGE 000330 AT LINE 22. THE COURT FILE IN IT DATA BASE SHOWS THAT ON 2-8-1981 THE COMPTON POLICE DEPARTMENT HAD ARRESTED PETITIONER FOR P.C. VIOLATION OF 288 A(C) AND THAT HE WAS CONVICTED OF P.C. SEC 288 A (C) ORAL COPULATION WITH A MINOR OF 14. THIS IS AN PREJUDICE DOCUMENT.

PREJUDICE HAS BEEN SHOWN BY THE COURT DOCUMENT CONTINUANCE DISPLAY OF THE ABSTRACT OF JUDGMENT TO BE WRONGS. BY SHOWING THAT COUNT 3, 4, 5) A P.C.

Violation of 288 A(C).

Relief To be Granted.

1. Petitioner Demands an 402 Hearing on the Evidence.
2. Petitioner Demands this Court to Reverse the 1981 conviction of Count 3, 4, 5, of PC 288 A(C).
3. Petitioner is Demanding a JURY trial on Count 3, 4, 5. on CASE NO A620066
4. Petitioner is Requesting that this Court dismiss COURT CASE NO. A620066. base on INSUFFICIENT Evidence that victims were under the age of 14 during the time of the commission of the offense See EXHIBIT (A) THIS COURT ALREADY RULE THE VICTIMS WERE ADULTS. therefore THE HOLD COURT CASE IS TAINTED.
5. That this Court DECLARE that trial COUNSEL WAS INEFFECTIVE ASSISTANCE. FOR FAILURE to discover that THE STATE had charge the Petitioner with THE WRONG PENAL CODE SECTION.

Ronald Adam

EXHIBIT LIST

- EXHIBIT (A) FEBRUARY 28, 2003 COURT DECISION
- EXHIBIT (B) SEPTEMBER 24 2015 LETTER FROM COURT APPOINTED ATTORNEY'S FROM 9TH CIRCUIT.
- EXHIBIT (C) THE ABSTRACT OF JUDGMENT.
- EXHIBIT (D) COPY OF 1981 PENAL CODE SECTION.
- EXHIBIT (E) THE 1981 INFORMATION.
- EXHIBIT (F) THE PRISON APPEAL DATED 4-25-16. WITH IT OWN EXHIBIT'S
- EXHIBIT (G) THE 1999. STATE ATTORNEY OPPOSITION.
- EXHIBIT (H) THE 1999 SENTENCING MEMORANDUM
- EXHIBIT (I) COURT DOCUMENT FROM TRIAL.
- EXHIBIT (J) THE PROBATION OFFICER'S REPORT

- EXHIBIT (1) DEC 23, 2016 NOTICE OF CHANGE TO PRISON REGULATION FOR PRISON SEX OFFENDER UNDER PC 288(A)

EXHIBIT A

EU

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date: February 28, 2003
HONORABLE: STEVEN SUZUKAWA
JUDGE

F. JEFFERSON CLERK
NONE REPORTER

A620066

(Parties and counsel checked if present)

People of the State of California
vs
RONALD LEE ADAMS

Counsel for the People:
Deputy District Attorney: NO APPEARANCES

Counsel for Defendant: NO APPEARANCES

NATURE OF PROCEEDINGS: CASE CALLED FOR HABEAS CORPUS PETITION

PETITIONER, RONALD ADAMS, SEEKS TO SET ASIDE TWO 1981 CONVICTIONS FOR ORAL COPULATION. HE ERRONEOUSLY FILED A WRIT OF HABEAS CORPUS, BUT THE COURT WILL NONETHELESS DEAL WITH THE ISSUES RAISE. IN ESSENCE, PETITIONER COMPLAINS HE WAS IMPROPERLY CONVICTED OF A VIOLATION OF PENAL CODE SECTION 288A(C). HE ARGUES THE STATUTE REQUIRES EVIDENCE THE VICTIM WAS UNDER THE AGE OF 14 AT THE TIME OF THE COMMISSION OF THE OFFENSE. THE VICTIMS HERE WERE ADULTS.

WHILE PETITIONER IS CORRECT IN THAT THE COMPLAINT ALLEGED THE WRONG CODE SECTION, HE CANNOT ESTABLISH A SHRED OF PREJUDICE. HIS COUNSEL WAS PUT ON NOTICE THE PETITIONER WAS CHARGED WITH ORAL COPULATION. THE TRIAL COURT, AFTER A BENCH TRIAL, CONVICTED PETITIONER UNDER THE APPROPRIATE SECTION.

PETITIONER'S ALLEGATION HIS APPELLATE COUNSEL WAS INCOMPETENT FOR NOT RAISING THE SAME ISSUE IS EQUALLY WITHOUT MERIT. COUNSEL COULD NOT POSSIBLY ESTABLISH PETITIONER WAS DENIED ANY LEGAL RIGHT.

PETITIONER'S REQUEST FOR RELIEF IS DENIED.

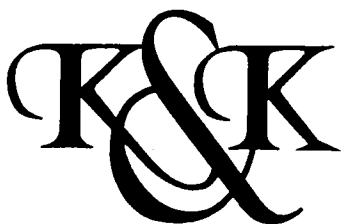
A COPY OF THIS MINUTE ORDER IS SENT TO PETITIONER VIA U.S. MAIL AT HIS LAST KNOWN ADDRESS;

MR. RONALD ADAMS, CDC #P-65157
P.O. BOX 7599/B-4-206
PELICAN BAY STATE PRISON
CRESCENT CITY, CA. 95531



22

EXHIBIT B



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MATTHEW W. KRUPKE *

† ADMITTED TO PRACTICE IN CALIFORNIA
AND DISTRICT OF COLUMBIA

* REGISTERED PATENT ATTORNEY,
UNITED STATES PATENT & TRADEMARK OFFICE

‡ ADMITTED TO PRACTICE IN CALIFORNIA
AND ARIZONA

Thursday, September 24, 2015

For Immediate Delivery via U.S. First Class Mail

MR. RONALD ADAMS
#P-65157
CMCE - CALIFORNIA MEN'S COLONY EAST
P.O. Box 8101
San Luis Obispo, CA 93409

ATTORNEY CLIENT
PRIVILEGED
COMMUNICATION
CONFIDENTIAL

Re: 9th Circuit Appellate Case | Follow Up Regarding Matter

NINTH CIRCUIT COURT OF APPEALS PRO BONO ASSIGNMENT - MEDIATION

CA Case No.: 14-72413

Case Name.: ADAMS v. VALENZUELA

Dear Mr. Adams:

I hope this letter finds you well. We have had more than a couple of conversations with the mediator and the Attorney General's Office. You had stated in your previous letter that your goals are as follows: (1) to have counts # 3, 4, and 5 of your 1981 conviction overturned, and (2) to correct any classification error with the CDCR regarding your abstract judgment. Additionally, you expressed some issues regarding the visitation rights of your nephews and nieces.

Based on the research we have done, the conversations that we had with opposing side, we hope this letter can help answer a few of the questions or confusions in your previous letter and what will happen moving forward.



KASHFIAN & KASHFIAN
Attorneys and Counselors at Law LLP

MR. RONALD ADAMS (#P-65157)
CMCE - CALIFORNIA MEN'S COLONY EAST
P.O. Box 8101, San Luis Obispo, CA 93409

September 24, 2015

Mediation Follow Up | 9th Circuit Appellate Case
ADAMS v. VALENZUELA – Case No. 14-72413

Page 2 of 3

1981 Conviction

Our records indicate that you are currently being held on your most recent conviction relating to the incident you had with the repossession of your car in March of 1999 and not your 1981 conviction. You are serving your sentence pursuant to a crime of carjacking, or taking another's vehicle without their consent. Therefore, with respect to counts # 3, 4, and 5 of your 1981 conviction, which you are not being incarcerated for, we must take into account whether you can get any relief in that regard.

I understood from your previous letter that you believe that counts # 3, 4, and 5 against you pursuant to Penal Code 288a(c) are incorrect. You have said that court records show that the victim stated she that was married at the time, therefore she could not be a minor, and that you had ineffective counsel representing you. With all of this in consideration, please keep in mind that although the law has changed since the time of your arrest and conviction, the courts cannot apply a new law to an old conviction. This means that whatever crime you were convicted of, only the older (original) rule of law can apply to it. We cannot apply the newer laws to your case.

Abstract Judgment

Nonetheless, we sought to look deeper into the 1981 statute. Attached is a copy of the actual statute at the time. It appears that the Abstract is not technically incorrect – which is what the Attorney General's office is saying. Even if the Abstract is incorrect, it appears that your claim should be brought in the Superior Court. The 9th Circuit apparently cannot amend the Abstract – which is what the Attorney General is saying as well. The Attorney General's office has also said that they feel like there is not much that they can do in relation to your goals. As such, after reviewing your case, the Attorney General's office believes that there is no issue for them to resolve.

Visitation Rights

You stated in your most recent letter that it is still your goal to get visitation rights with your nieces and nephews. I understand that, due to your criminal status as an alleged sex offender, you were restricted from being visited by minors. However, in your recent letter, you have stated that some of your nieces and nephews have either: (1) moved out of states or (2) are now above age

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September 24, 2015

Mediation Follow Up | 9th Circuit Appellate Case
ADAMS v. VALENZUELA – Case No. 14-72413

Page 3 of 3

or older than 18. Moreover, we have investigated and found that on or about May 8, 2015 there is no restriction currently. Please advise if this is incorrect.

Nonetheless, if any person or family member that you have is older than the age of 18, then they are allowed to visit you regardless of your criminal status with the CDCR. I just want to clarify if this is still a problem for you? Do you have any nieces or nephews that are minors, under the age of 18, and who you would like to be able to visit you at your current location? If that is still the goal, please let me know, and we will work on a solution to correct that problem.

In light of the foregoing, there is not much we can do with respect to the 1981 conviction and it appears the minors issue is resolved. Taking those into account, please advise what you would like me to do and how to proceed.

We have another phone conference scheduled for October 20, 2015. I just want to make sure that if there is anything we can do or add in light of the foregoing, it can be exhausted.

Thank you and I look forward to hearing from you.

Very Truly Yours,

KASHFIAN & KASHFIAN LLP

Robert A. Kashfian, Esq.

RAK:AY_2015_09-24_[3]208001_LETTERFOLLOWUP_092415

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105

EXHIBIT C

I certify that this form is a true copy per my certification on this form.
Name Linda Hyler Date 12-14-82

Danny & R. Bordon

ABSTRACT OF JUDGMENT - COMMITMENT

FORM DSL 290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
BRANCH SOUTH CENTRAL

PEOPLE OF THE STATE OF CALIFORNIA
DEFENDANT: OJ ADAMS RONALD LEE PRESENT NOT PRESENT
CASE NUMBER(S): A 620066

AKA:
COMMITMENT TO STATE PRISON
ABSTRACT OF JUDGMENT AMENDED ABSTRACT

FILED (M/D/Y) 11/23/81 COURT NO. SC B JUDGE ROOSEBELT KIM F DORN CLERK C KERANISHI

RECEIVED BY C YOUNG COURSE FOR PEOPLE H SELIGMAN COURSE FOR DEPARTMENT M CONCHA PROBATION NO. OR PROBATION OFFICER X 890303

DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES:

COUNT	CODE	SECTION NUMBER	CRIME	DATE OF CONVICTION			CONVICTION BY		SENTENCE RELATION							PRINCIPAL OR CONSECUTIVE TIME IMPOSED		
				MO	DAY	YEAR	JUDICIAL	PROBATION	CONSECUTIVE	CONSECUTIVE	CONSECUTIVE	CONSECUTIVE	CONSECUTIVE	CONSECUTIVE	CONSECUTIVE			
1	PC	207	KIDNAPPING	81	10	22	81	X	H									
2	PC	207	KIDNAPPING	81	10	22	81	X	H									
3	PC	288a(c)	ORAL COPULATION	81	10	22	81	X	H									
4	PC	288a(c)	ORAL COPULATION	81	10	22	81	X	H									
5	PC	288a(c)	ORAL COPULATION	81	10	22	81	X	H									

2. ENHANCEMENTS (CHARGED AND FOUND, STRICKEN, TIME IMPOSED):

COUNT	1102(a)			1102(b)			1102(c)	1102(d)			1102(e)			1102(f)		
	C/P	S	L	C/P	S	L		C/P	S	L	C/P	S	L	C/P	S	L
1																
2																
3																
4																
5																

3. A. NUMBER OF PRIOR PRISON TERMS: 0
B. NUMBER OF PRIOR FELONY CONVICTIONS: 0

4. TOTAL TIME IMPOSED ON ALL ATTACHMENT PAGES (FORM DSL 290-A): 0
5. TIME STATED 1102.1(a) [5-YEAR LIMIT] AND/OR 1102.1(f) [DOUBLE BASE LIMIT]: 0

6. TOTAL TERM IMPOSED: 0

7. EXECUTION OF SENTENCE IMPOSED: 25

8. AT RESENTENCING PURSUANT TO DECISION ON APPEAL: AT RESENTENCING PURSUANT TO RECALL OF COMMITMENT [Section (d)]:

9. DEFENDANT IS REFERRED TO THE CUSTODY OF THE SHERIFF TO BE DELIVERED: CALIF. INSTITUTION FOR MEN - FORTYNA CALIF. INSTITUTION FOR MEN - CHICO OTHER (SPECIFY):

10. I hereby certify the foregoing to be a correct abstract of the judgment made in this action. Abdally DATE DEC 07 1981

11. This form is provided pursuant to Penal Code 11113 to satisfy the requirements of Penal Code 11113 (Abstract of Judgment and Commitment) for determinate sentences under Penal Code 11110. A copy of probation report shall accompany the Department of Corrections copy of this form pursuant to Penal Code 11105. A copy of the sentencing proceedings and any implementing probation report shall be transmitted to the Department of Corrections pursuant to Penal Code 11105.01. Attachments may be used but must be incorporated by reference.

Form Adopted by the Judicial Council of California Effective July 1, 1981

ABSTRACT OF JUDGMENT - COMMITMENT FORM DSL 290

DISTRIBUTION: FIVE COPY - COURTS, FIVE COPY - DEPARTMENT OF CORRECTIONS, FIVE COPY - ADMINISTRATIVE OFFICE OF THE COURTS. Per C 12135

I certify that this image is a true copy per the certification on this form.
 Name Virida Hyden Date 12-14-82

Danny & Bordelon

ABSTRACT OF JUDGMENT - COMMITMENT ATTACHMENT PAGE

FORM DSL 290 A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
 COUNTY: LOS ANGELES BRANCH: SOUTH CENTRAL

190013
 PEOPLE OF THE STATE OF CALIFORNIA
 DEFENDANT ADAMS RONALD LEE V/SUS PRESENT NOT PRESENT
 AKA:

COMMITMENT TO STATE PRISON AMENDED ABSTRACT CASE NUMBER LA620066

ABSTRACT OF JUDGMENT
 DATE OF HEARING: 11-23-81 DEPT. NO. SC B JUDGE: ROOSEVELT F DORN CLERK: C TERAMISE
 REPORTER: C YOUNG COUNSEL FOR PEOPLE: H SELIGMAN COUNSEL FOR DEFENDANT: M CONCHA PROBATION NO. OR PROBATION OFFICER: X 908303

1. DEFENDANT WAS CONVICTED OF THE CRIMES OF THE FOLLOWING ELEMENTS:
 ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT 290

COUNT	CODE	SECTION NUMBER	CRIME	JURY TRIAL	DATE OF CONVICTION	CONVICTION BY		SENTENCE RELATION							PRINCIPAL OR CONSECUTIVE THE IMPROSED			
						TYPE	PLZ	TERMINAL	CONFINEMENT	CONFINEMENT	CONFINEMENT	CONFINEMENT	CONFINEMENT	CONFINEMENT		CONFINEMENT	CONFINEMENT	CONFINEMENT
6	PC	245(a)	ADW/GBI	81	10-28-81	X	H											
7	PC	245(a)	ADW/GBI	81	10-22-81	X	H											
8	PC	261.2/3	FORCE RAPE	81	10-22-81	X	H											6
9	PC	261.2/3	FORCE RAPE	81	10-22-81	X	H	X										(8)
10	PC	261.2/3	FORCE RAPE	81	10-22-81	X	H	X										(8)
TOTAL																6		

2. SENTENCEMENTS CHANGED AND/or STROKEN TIME IMPROSED:

COUNT	U022 A			U022 B			U022 C			U022 D			U022 E			U022 F			U022 G			U022 H			
	C	F	S	C	F	S	C	F	S	C	F	S	C	F	S	C	F	S	C	F	S	C	F	S	
6							X	X																	
7							X	X																	
8				X	X																				
9				X	X																				
10				X	X																				
TOTAL																									

3. TOTAL TIME IMPROSED ON THIS ATTACHMENT PAGE: TOTAL

Form Adopted by the Judicial Council of California Effective July 1, 1981

ABSTRACT OF JUDGMENT - COMMITMENT ATTACHMENT FORM DSL 290 A

DISTRIBUTION: ORIGINAL - CLERK OF COURT; YELLOW COPY - DEPARTMENT OF CORRECTIONS; WHITE COPY - ADMINISTRATIVE OFFICE OF THE COURTS

Page C 12135

EXHIBIT - D

- 7.5. Obscene Matter. §§ 311–312.5.
- 7.6. Harmful Matter. §§ 313–313.5.
- 8. Indecent Exposure, Obscene Exhibitions, and Bawdy and Other Disorderly House §§ 314–318.6.
- 9. Lotteries. §§ 319–328.
- 10. Gaming. §§ 330–337s.
- 10.5. Horse Racing. §§ 337.1–337.9.
- 11. Pawnbrokers, Gold Buyers and Junk Dealers. §§ 343, 344.
- 12. Other Injuries to Persons. §§ 346–367.

CHAPTER 1

Rape, Abduction, Carnal Abuse of Children, and Seduction

- § 261. Rape defined.
- § 261.5. Unlawful sexual intercourse.
- § 262. Rape of spouse defined: Time to report violation.
- § 263. What constitutes essential guilt of rape: Sufficiency of penetration.
- § 264. Punishment for rape: Recommendation by jury: Discretion of court.
- § 264.1. Aiding and abetting another in rape: Punishment.
- § 265. Abduction of women for marriage or defilement: Punishment.
- § 266. Seduction for purposes of prostitution: Aiding and abetting: Procuring illicit sexual intercourse by false pretenses: Punishment.
- § 266a. Taking person for prostitution without consent or by false representation: Punishment.
- § 266b. Taking person by force, to live in illicit relation: Punishment.
- § 266d. Receipt of money for placing person in custody for the purpose of cohabitation.
- § 266e. Payment for purpose of prostitution or placing in immoral house.
- § 266f. Selling person for immoral purposes.
- § 266g. Placing or permitting placing of one's wife in house of prostitution: Punishment: Wife competent witness.
- § 266h. Definition of pimping: Penalty: Competent witness.
- § 266i. Pandering defined: Penalty: Competent witness.
- § 267. Abduction for prostitution: Punishment.
- § 268. Seduction under promise of marriage: Penalty.
- § 269. Intermarriage, when a bar to prosecution.

§ 261. [Rape defined.] Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, through lunacy or other unsoundness of mind, whether temporary or permanent, of giving legal consent.
2. Where it is accomplished against a person's will by means of force or fear of immediate and unlawful bodily injury on the person or another.
3. Where a person is prevented from resisting by any intoxicating, narcotic, or anaesthetic substance, administered by or with the privity of the accused.
4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused.

5. Where a person submits under the belief that the person committing the act is the victim's spouse, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce such belief. [1872; 1889 ch 191 § 1; 1897 ch 139 § 1; 1913 ch 122 § 1; 1970 ch 1301 § 1; 1979 ch 994 § 1; 1980 ch 587 § 1.] *Cal Jur 3d Abortion and Birth Control* § 8, *Appellate Review* §§ 157, 158, 360 et seq., *Criminal Law* §§ 32, 36, 209, 210, 2067, 2068, 2071, 2078–2085, 2104, 2123, 2126, 2826; *Witkin Crimes* pp 204, 263, 264, 265, 266, 267, 268, 270, 475, 626, 919.

§ 261.5. [Unlawful sexual intercourse.] Unlawful sexual intercourse is an act of sexual intercourse accomplished with a female not the wife of the perpetrator, where the female is under the age of 18 years.

§§ 21, 28, 266, 2329, 2331, 3071, 3157; *Witkin Crimes* pp 27, 494, 519, 998; *Evidence* p 1035.

§ 286.5. [Sexually assaulting animal.] Any person who sexually assaults any animal protected by Section 597f for the purpose of arousing or gratifying the sexual desire of the person is guilty of a misdemeanor. [1975 ch 71 § 8.5.] *21 Cal Jur 3d Criminal Law* § 3335.

§ 287. [Same]: Penetration sufficient to complete the crime.] Any sexual penetration, however slight, is sufficient to complete the crime of sodomy. [1872; 1975 ch 71 § 9.] *21 Cal Jur 3d Criminal Law* § 2331; *Witkin Crimes* pp 494, 496.

§ 288. [Crimes against children: Lewd or lascivious acts: Punishment.] (a) Any person who shall willfully and lewdly commit any lewd or lascivious act including any of the acts constituting other crimes provided for in Part 1 of this code upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person or of such child, shall be guilty of a felony and shall be imprisoned in the state prison for a term of three, five, or seven years.

(b) Any person who commits an act described in subdivision (a) by use of force, violence, duress, menace, or threat of great bodily harm, and against the will of the victim shall be guilty of a felony and shall be imprisoned in the state prison for a term of three, five or seven years. [1901 ch 204 § 1; 1933 ch 405 § 1; 1937 ch 545 § 1; 1976 ch 1139 § 177, operative July 1, 1977; 1978 ch 579 § 17; 1979 ch 944 § 6.5.] *Cal Jur 3d Appellate Review* §§ 475, 484, 485, 491-495, 528-551, 556, *Criminal Law* §§ 1013, 1261, 1616, 1624, 1630, 1634, 1636, 1641, 2250, 2262, 2271-2275, 2277-2281, 2284-2287, 2290, 2292, 2296-2298, 2301, 2302, 2304-2307, 2826, 3068, 3224; *Witkin Crimes* pp 44, 122, 204, 283, 289, 324, 497, 500, 505, 535, 567, 914, 919, 955, 998, 1010, 1029; *Criminal Procedure* pp 67, 172, 173, 203, 557; *Evidence* pp 293, 377, 515, 622, 779, 1107, 1125; *Summary* (8th ed) p 5546.

§ 288.1. [Same: Suspension of sentence.] Any person convicted of committing any lewd or lascivious act including any of the acts constituting other crimes provided for in Part 1 of this code upon or with the body, or any part or member thereof, of a

child under the age of 14 years shall not have his sentence suspended until the court obtains a report from a reputable psychiatrist as to the mental condition of such person. [1941 ch 1201 § 1; 1965 ch 1815 § 1.] *Witkin Crimes* pp 497, 1001, 1029.

§ 288a. [Oral copulation.] (a) Oral copulation is the act of copulating the mouth of one person with the sexual organ of another person.

(b)(1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(2) Except as provided in Section 288, any person over the age of 21 years who participates in an act of oral copulation with another person who is under 16 years of age shall be guilty of a felony.

(c) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he, or when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six or eight years.

(d) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting such other person, commits an act of oral copulation when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for five, seven, or nine years.

(e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. [1915 ch 586 § 1; 1921 ch 848 §§ 1, 2; 1st Ex Sess 1950 ch 56 § 1; 1st Ex Sess 1952 ch 23 § 3; 1955 ch 274 § 1; 1975 chs 71 § 10, 877 § 2; 1976 ch 1139 § 178, operative July 1, 1977; 1977 ch 490

EXHIBIT - E

~~EXHIBIT~~ **EXHIBIT A**
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

The People of the State of California,
Plaintiff,
v.
RONALD LEE ADAMS,
Defendant.

No. A-620066

INFORMATION

Vio. Sec. 207 P.C. (CTS. I and II)
Vio. Sec. 288a(c) P.C. (CT. III,
IV and V)
Vio. Sec. 245(a) P.C. (CT. VI, VII)
Vio. Sec. 261(2)/261(3) P.C.
(CTS. VIII, IX and X)

COUNT I

The said RONALD LEE ADAMS

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of violation of Section 207 of the Penal Code

a felony, committed as follows: That the said RONALD LEE ADAMS

on or about the 8th day of February, 1981, at and in the County of Los Angeles, State of California, did willfully, ~~and~~ unlawfully, and forcibly, steal, take, and arrest Audrey Rice in the County of Los Angeles, State of California and did take the said Audrey Rice into another country, state, county, and another part of the said Los Angeles County.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.5.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 1203.06(a)(1).

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATED:

JOHN J. CORCORAN, Clerk

By _____ Deputy

JOHN K. VAN DE KAMP, District Attorney
for the County of Los Angeles, State of California
By XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Deputy

COUNT II

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of 207 OF THE PENAL CODE

a felony, was committed by

Ronald Lee Adams

who did willfully and unlawfully, and forceably, steal, take, and arrest Jerrrie Zahariades in the County of Los Angeles, State of California and did take the said Jerrrie Zahariades into another country, state, county, and another part of the said Los Agneles County.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, Ronald Lee Adams, personally used a firearm, within the meaning of Penal Code Sections 12022.5 & 1203.06(a)(1).

XXXXXXXXXX

XXXXXXXXXXXXXX

Subscribed and sworn to before me on

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Judge of the above entitled Court

XXXXXXXXXXXXXX
Bail Recommended

Deputy

\$

WITNESSES

CII No. (or other)

COUNT III

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of 288(a)(c) OF THE PENAL CODE

↑
a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully, participate in an act of oral copulation with Audrey Rice, and did compel the participation of said person in said act by force, violence, duress, menace, and threat of great bodily harm.

It is further alleged that in the commission and attempted commission of the above offense, the defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.5.

XXXXXXXXXX

XXXXXXXXXX

XXXXXXXXXX

Subscribed and sworn to before me on

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Deputy

WITNESSES

Judge of the above entitled Court

Bail Recommended

\$

Clk No. (or other)

COUNT IV

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of 288(a)(c) OF THE PENAL CODE

a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully, participate in an act of oral copulation with Jennie Zahariades, and did compel the participation of said person in said act by force, violence, duress, menace, and threat of great bodily harm.

It is further alleged that the commission and attempted commission of the above offense the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.3.

XXXXXXXXXX

XXXXXXXXX

Subscribed and sworn to before me on

Judge of the above entitled Court

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Bail Recommended

XXXXXXXXXX

Deputy

\$

WITNESSES

Clk No. (or other)

COUNT V

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of 288(a)(c) OF THE PENAL CODE

a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully, participate in an act of oral copulation with Audrey Rice, and did compel the participation of said person in said act by force, violence, duress, menace, and threat of great bodily harm.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Sections 12022.5 & 1203.06(a)(1).

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

Subscribed and sworn to before me on

~~XXXXXXXXXXXXXXXXXX~~

Judge of the above entitled Court

Issued by JOHN K. VAN DE KAMP, District Attorney

Bail Recommended

By

Deputy

\$

WITNESSES

CII No. (or other)

COUNT VI

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of **ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY AND WITH DEADLY WEAPON**, in violation of Section 245(a), Penal Code of California, a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully commit an assault upon Jerrie Zahariades

revolver

with a deadly weapon, to wit, and by means of force likely to produce great bodily injury.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.5.

Subscribed and sworn to before me on

XXXXXX

Judge of the above entitled Court

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Bail Recommended

Deputy

\$

WITNESSES

XXXXXXXX

CII No. (or other)

XXXXXXXXXX

COUNT VII

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of **ASSAULT BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY AND WITH DEADLY WEAPON**, in violation of Section 245(a), Penal Code of California, a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully commit an assault upon Audrey Rice

revolver

with a deadly weapon, to wit, and by means of force likely to produce great bodily injury.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.5.

Subscribed and sworn to before me on

Judge of the above entitled Court

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Bail Recommended

XXXXXX

Deputy

\$

WITNESSES

CII No. (or other)

XXXXXXXX

XXXXXXXXXX

COUNT VIII

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of RAPE, in violation of Section 261(2)/261(3), Penal Code of California, a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully have and accomplish an act of sexual intercourse with a female person, to wit, Audrey Rice, not his wife, where she resisted but her resistance was overcome by force and violence, and where she was prevented from resisting by threats of great and immediate bodily harm accompanied by apparent power of execution.

It is further alleged that in the commission and attempted commission of the above offense, the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver within the meaning of penal Code Section 12022.3 & 1203.06(a)(1).
Subscribed and sworn to before me on

Judge of the above entitled Court

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Bail Recommended

Deputy

XXXXXX

\$

WITNESSES

CII No. (or other)

XXXXXX

X

XXXXXXX

COUNT VIII

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of RAPE, in violation of Section 261(2)/261(3), Penal Code of California, a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully have and accomplish an act of sexual intercourse with a female person, to wit, Audrey Rice, not his wife, where she resisted but her resistance was overcome by force and violence, and where she was prevented from resisting by threats of great and immediate bodily harm accompanied by apparent power of execution.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Sections 1203.06(a)(1) & 12022.3.

Subscribed and sworn to before me on

XXXXX

Judge of the above entitled Court

Issued by JOHN K. VAN DE KAMP, District Attorney
By

Bail Recommended

Deputy XXXXX

\$

WITNESSES

CII No. (or other)

XXXXXXXXXX

COUNT X

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in hereof, complainant further complains and says:

That on or about the 8th day of February 1981, at and in the County of Los Angeles, State of California, the crime of RAPE, in violation of Section 261(2)/261(3), Penal Code of California, a felony, was committed by Ronald Lee Adams

who did willfully and unlawfully have and accomplish an act of sexual intercourse with a female person, to wit, Audrey Rice, not his wife, where she resisted but her resistance was overcome by force and violence, and where she was prevented from resisting by threats of great and immediate bodily harm accompanied by apparent power of execution.

It is further alleged that in the commission and attempted commission of the above offense, the said defendant, Ronald Lee Adams, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Sections 1203.06(a)(1) & 12022.5, Los Angeles, State of California.

Subscribed and sworn to before me on

[Signature] #163 Deputy

Judge of the above entitled Court

February 11, 1981

Issued by JOHN K. VAN DE KAMP, District Attorney

Bail Recommended

By *[Signature]*
Donald P. Tremblay, glt Deputy

\$ 20,000

WITNESSES

CII No. (or other)

Compton Branch Office In custody cii# unk bkg# 6022 605

Compton PD File# 81-1267

CAUSE CALLED, HUGO E. HILL, JUDGE, PRESIDING.

FEB 11 1981

COUNSEL AND DEFENDANT WAIVE READING OF COMPLAINT AND STATEMENT OF RIGHTS

[Signature]

Preliminary hearing set *[Signature]* Dept *[Signature]*
at *[Signature]* Public Defender requested/ordered
Bail *[Signature]*

[Signature]

EXHIBIT - F

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
 CDCR 602 (REV. 08/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY

Institution/Parole Region: **CMC-E** Log #: **16-01023** Category: **6**

FOR STAFF USE ONLY

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations, Title 15, (CCR) Section 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that lead to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): Adams Rowland	CDC Number: P65157	Unit/Cell Number: C-Fac 6356	Assignment: Main 1st
---	------------------------------	--	--------------------------------

State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):

Failure to Retrow 22 Form Along with Another Attach 22 with Exhibits

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A): **GW 1-3-16. I File AN CDCR 22 Form To my CCI based on visiting rights restriction based on AN 1981 conviction. The first 22 was answered ON 1-6-16 by CCI staff. I was inform that the visiting office Retrow the 22 Form Along with All Attachments and Exhibits and answered.**

B. Action requested (If you need more space, use Section B of the CDCR 602-A): **That Records Office Retrow the 22 Form Along with All Attachments and Exhibits and answered.**

APR 25 2016
 CMC APPEALS OFFICE
 MAY 06 2016
 CMC APPEALS OFFICE
 MAY 27 2016
 CMC APPEALS OFFICE

Supporting Documents: Refer to CCR 3084.3.

Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

See copy of 22 Form Dated 2-8-16.

No, I have not attached any supporting documents. Reason:

Inmate/Parolee Signature: **[Signature]** Date Submitted: **4-25-16**

By placing my initials in this box, I waive my right to receive an interview.

C. First Level - Staff Use Only

This appeal has been:

Staff - Check One: Is CDCR 602-A Attached? Yes No

Bypassed at the First Level of Review. Go to Section **APR 28 2016** Date: **MAY 20 2016** Date:

Rejected (See attached letter for instruction) Date: **APR 28 2016** Date: **MAY 20 2016** Date:

Cancelled (See attached letter) Date: _____ Date: _____

Accepted at the First Level of Review.

Assigned to: **P. Denny** Title: **AWWF** Date Assigned: **6/16/16** Date Due: **7/12/16**

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: **N/A** Interview Location: **N/A**

Your appeal issue is: Granted Granted in Part Denied Other:

See attached letter. If dissatisfied with First Level response, complete Section D.

Responder: **D. Moranville** Title: **CCRA** Signature: **[Signature]** Date completed: **6/22/16**

Reviewer: **P. DENNY** Title: **AW** Signature: **[Signature]**

Date received by AC: **JUN 23 2016**

AC Use Only Date mailed/delivered to: **JUN 24 2016**

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
CDCR 602 (REV. 08/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 2

D. If you are dissatisfied with the First Level response, explain the reason below, attach supporting documents and submit to the Appeals Coordinator for processing within 30 calendar days of receipt of response. If you need more space, use Section D of the CDCR 602-A.

Inmate/Parolee Signature: _____ Date Submitted: _____

E. Second Level - Staff Use Only

Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:

- By-passed at Second Level of Review. Go to Section G.
- Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____
- Cancelled (See attached letter)
- Accepted at the Second Level of Review

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

Second Level Responder: Complete a Second Level response. If an interview at the Second Level is necessary, include interviewer's name and title, interview date and location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: Granted Granted in Part Denied Other: _____

See attached letter. If dissatisfied with Second Level response, complete Section F below.

Interviewer: _____ Title: _____ Signature: _____ Date completed: _____
(Print Name)

Reviewer: _____ Title: _____ Signature: _____
(Print Name)

Date received by AC: _____

AC Use Only
Date mailed/delivered to appellant ____ / ____ / ____

F. If you are dissatisfied with the Second Level response, explain reason below; attach supporting documents and submit by mail for Third Level Review. It must be received within 30 calendar days of receipt of prior response. Mail to: Chief, Inmate Appeals Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001. If you need more space, use Section F of the CDCR 602-A.

Inmate/Parolee Signature: _____ Date Submitted: _____

G. Third Level - Staff Use Only

This appeal has been:

- Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____ Date: _____
- Cancelled (See attached letter) Date: _____
- Accepted at the Third Level of Review. Your appeal issue is Granted Granted in Part Denied Other: _____

See attached Third Level response.

Third Level Use Only
Date mailed/delivered to appellant ____ / ____ / ____

H. Request to Withdraw Appeal: I request that this appeal be withdrawn from further review because; State reason. (If withdrawal is conditional, list conditions.)

Print Staff Name: _____ Title: _____ Signature: _____ Date: _____
Inmate/Parolee Signature: _____ Date: _____

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY	Institution/Parole Region: CMC-E	Log #: 16-01023	Category: <i>b</i>
FOR STAFF USE ONLY			

Attach this form to the CDCR 602, only if more space is needed. Only one CDCR 602-A may be used.

Appeal is subject to rejection if one row of text per line is exceeded. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): Adams Ronald	CDC Number: P65157	Unit/Cell Number: 6356	Assignment: new kt
--	------------------------------	----------------------------------	------------------------------

A. Continuation of CDCR 602, Section A only (Explain your issue): Restriction went off the Abstract of Judgment which is in error. I send the 22 form to CCI supervisor for review ASKO who is responsible is it to correct the Abstract of Judgment was it CDCR or the courts I was inform it was the courts. So on 2-8-16 I mailed to Case Records L French the 22 form along with court documents A copy of the Abstract of Judgment shows the record is in error. By law when records understand an error in the Abstract of Judgment they must notify the court. so on the 2nd 22 form date 2-8-16 it was explain that record shall inform the courts of this error well the 22 form is missing as well as the court documents and other exhibits

MAY 06 2016
CMC APPEALS OFFICE
ONLY
MAY 27 2016
CMC APPEALS OFFICE

STAFF USE ONLY

Inmate/Parolee Signature: *[Signature]* Date Submitted: 4-25-16

B. Continuation of CDCR 602, Section B only (Action requested):

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

Inmate/Parolee Signature: _____ Date Submitted: _____

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

D. Continuation of CDCR 602, Section D only (Dissatisfied with First Level response):

Inmate/Parolee Signature: _____ Date Submitted: _____

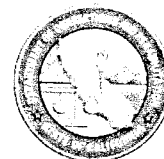
F. Continuation of CDCR 602, Section F only (Dissatisfied with Second Level response):

Inmate/Parolee Signature: _____ Date Submitted: _____

State of California

Department of Corrections and Rehabilitation

Memorandum



Date : June 22, 2016

To : ADAMS, RONALD
P65157/Facility C-6356L
California Men's Colony

Subject : **FIRST LEVEL REVIEW**
CMC APPEAL LOG # CMC-E-16-01023

A review of your appeal has been completed. Your complaint, including requested remedial action, has received careful consideration.

APPEAL ISSUE:

1. In your appeal you contend that on January 3, 2016, you submitted a California Department of Corrections (CDCR) Form 22 Inmate/Parolee Request for Interview, Item or Service to your Correctional Counselor I (CCI) regarding a Visiting Restriction due to a prior conviction from 1981. The CDCR Form 22 was returned to you by your CCI with the response that the Visiting Restriction was determined by the offense shown on your Abstract of Judgment for Case A620066. You disagreed with the response by your CCI and re-submitted the CDCR Form 22 to the CCI Supervisor for review. The CCI Supervisor informed you that the Abstract of Judgment was a court document, and any issues with said document need to be addressed with the court. Subsequently, you sent a new CDCR Form 22 dated February 8, 2016 to Case Records in which you state that the Abstract of Judgment for Case A620066 is in error, and by law, Case Records is to notify the court of said error.
2. In your appeal you also contend that the CDCR Form 22 dated February 8, 2016 is missing along with the court documents and exhibits that were attached to it at the time of submission.

ACTION REQUESTED:

1. In your appeal you request that the Case Records office return CDCR Form 22 along with all attachments and exhibits and that it be answered.

DETERMINATION:

- Your appeal was reviewed and assigned pursuant to California Code of Regulations (CCR), Title 15, Section 3084.5.

INTERVIEWS:

An interview was not completed in accordance with CCR Section 3084.9(d) (1) & (2).

APPLICABLE DOCUMENTATION / EVIDENCE ASSOCIATED WITH APPEAL:

- CDCR Form 22 Inmate/Parolee Request for Interview, Item, or Service dated November 3, 2015, January 3, 2016, and February 8, 2016
- CDCR Form 695 Appeal Screening Forms dated May 20, 2016, April 28, 2016, December 30, 2015, December 18, 2015
- CDCR Form 602 Inmate/Parolee Appeal Log# CMC-E-15-02804
- Page 1 of the Legal Status Summary (LSS) dated December 20, 1995
- Abstract of Judgment case number A620066
- Minute Order dated February 28, 2003 case number A620066
- October 20, 2015 Mediation Conference Letter
- Felony Complaint case number A620066 reflecting Counts 3-5 and 8-9

CMC Appeal Log # CMC-E-16-01023
First Level Review
Page 2 of 2

- CDC 128B1 Notice of Classification Hearing dated May 10, 2007
- CDC 128-G Classification Chrono dated May 17, 2007
- CDC 128B General Chrono's dated May 19, 2007 and March 3, 2011
- 1981 Penal Code Sections PC 288a(c) and 261.2
- PC 1202.05
- Department of Operations Manual (DOM) Section 54020.10.1

RESPONSE TO ISSUES:

1. A review of your file has been conducted and it has been found that no legal errors have been found on the Abstract of Judgment for discharged case number A620066. Your case and all counts have been recorded correctly according to the legal documents contained in your central file.
2. Through further review it has been found that the CDCR Form 22 dated February 8, 2016 was answered by a Correctional Case Records Analyst (CCRA) on February 12, 2016 and returned to you with all documents attached, along with the Penal Code definition for PC288a(c). Additionally, the same CDCR Form 22 was resubmitted, by you, for a Supervisor's Review; however no date for the second submission was notated on the CDCR Form 22. The Correctional Case Records Supervisor received the CDCR Form 22, with all submitted documents, and responded to the issues. On June 21, 2016 these forms were returned via institutional mail. Please see attached CDCR Form 22 originally dated February 8, 2016.

RESPONSE TO ACTION REQUESTED:

1. Your request has been GRANTED. The CDCR Form 22 dated February 8, 2016, along with the attachments and exhibits have been responded to and returned to you via institutional mail on June 21, 2016.

CONCLUSION:

Based on the aforementioned, your appeal is Granted at the First Level of Review.

APPEAL GRANTED



P. DENNY
Associate Warden, West Facility
California Men's Colony

INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
12 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME) Adams (FIRST NAME) Ronald		CDC NUMBER: 065157	SIGNATURE: <i>Ronald Adams</i>
HOUSING/BED NUMBER: 5346	ASSIGNMENT: Work Kit	HOURS FROM: 3:00 PM TO: 10:00 PM	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): APPEAL INMATE

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:

To Correctional Counselor L. Taft C-FAC look EWCs inform that I have visiting restriction with minors per CCR 3077. True? And this was base on prior conviction of Penal Code Section constant on the 1981 Abstract of Judgment of P.C. 288 A(1) in the Archive file for C43417. Is this true? because P.C. 288 A(1) is define as oral copulation with a minor 14 is this true? why doesn't the new 128 reflect this or CCR 50MS TCC 162 reflect this. I need A new CCR 128 classification change to reflect this.

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) ****NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED****

SENT THROUGH MAIL. ADDRESSED TO: **CCJ Taft** DATE MAILED: **11-13-15**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
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IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL
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SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME: <i>L. Taft</i>	DATE: 11/6/15	SIGNATURE: <i>L. Taft</i>	DATE RETURNED: 11/6/15
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See attached 128 - C dtd 5/17/07

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

Yes I know that the visiting restriction is base on CCR 3077. My question is was this decision base on the 1981 Abstract of Judgment? Yes or no?

SIGNATURE: <i>Ronald Adams</i>	DATE SUBMITTED: 11-9-15
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SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
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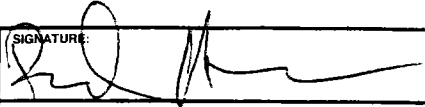
2ND

INTERVIEW, ITEM OR SERVICE

DEPARTMENT OF CORRECTIONS AND REHABILITATION

STATE OF CALIFORNIA
 INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
 CDCR 22 (10/09)

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME) Adams	(FIRST NAME) Ronald	CDC NUMBER: P65157	SIGNATURE: 
HOUSING/BED NUMBER: 5346	ASSIGNMENT: Mucin Kit	HOURS FROM 4:15 AM TO 11: PM	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): visiting restriction-

PLEASE STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:


TO COUNSELOR IF FOR C-FAC. YARD. See Attach Letter From SSA (A) K. Martini
I was instructed to send a 2nd 22 form. The issue is I have visiting rights
restriction of minor's in my file. My question for you to answer is?
"is the restriction base on my 1981 conviction of Penal code 288 A (c) which is in
my Archive correct." and under CCR 3177. I can not have visits with minor's
base on the Abstract of Judgment which only show's the Penal code section of
the conviction is that correct.

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) ****NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED ****

SENT THROUGH MAIL. ADDRESSED TO: **C-FAC COUNSELOR L. Taff.** DATE MAILED: **1/3/16**
 DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL	

SECTION B: STAFF RESPONSE

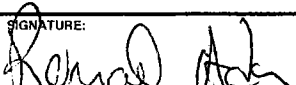
RESPONDING STAFF NAME: Ltaft	DATE: 1/5/16	SIGNATURE: 	DATE RETURNED: 1/6/16
--	------------------------	--	---------------------------------

yes, I believe the ucc dated 5/19/07 went off
the Abstract of Judgment based on your conviction
dated 3/2/82. I dont see any other convictions that
would be reviewed.

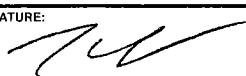
SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

OK. If the Abstract of Judgment is wrong or in error whos responsibility is it to
correct The Abstract of Judgment if its wrong The Department of corrections and
Rehabilitation OR The courts.?

SIGNATURE: 	DATE SUBMITTED: 1-7-16
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SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME): T. LANSFORD	DATE: 1/12/16	SIGNATURE: 	DATE RETURNED: 1/13/16
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THE ABSTRACT OF JUDGMENT IS A COURT DOCUMENT. IT WOULD
BE AN ISSUE YOU WOULD ADDRESS WITH THE COUNTY COURT,

STATE OF CALIFORNIA
 INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
 CDCR 22 (10/09)

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME) Adams (FIRST NAME) Rowald		CDC NUMBER: P65157	SIGNATURE: <i>[Signature]</i>
HOUSING/BED NUMBER: 6394 C-Fac	ASSIGNMENT: main kit	HOURS FROM 4pm TO 11pm	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): ERR of the Abstract of Judgment

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:
TO CASE RECORDS L. French. Please See Attach Inmate appeal. The appeal asks about an error in the Archive file under C-413-117. From 1981. The problem is the court ERred by putting the wrong code section which is PC 288 A(C) which is define as a child/molester OR crime on a minor in which by law has more restriction as to visits. Based on the Abstract of Judgment. Now the CDCR knows that a correction by the court should be made. Now this Record Office is aware that an ER is part of CDCR Record by law the record office is suppose to separate a memo to the court request to correct the error. People v Hill 185 Cal. when CDCR has knowledge CDCR must inform the court and request to be correct.

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) ****NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED****

SENT THROUGH MAIL: ADDRESSED TO: **CASE RECORDS L. French.** DATE MAILED: **2/8/16**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL	

SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME: French, C.R.A.	DATE: 2-12-16	SIGNATURE: <i>[Signature]</i>	DATE RETURNED: 2-12-16
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Records ~~do~~ does not handle visiting restrictions. I have attached the 1981 penal code for your offense.

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

LOOK I understand that the 1981 penal code section of the offense. But case records have fail to understand the Abstract of Judgment that this office go by is wrong incorrect. COURT document attach here to Dated 2-28-03. P.C. 288 A(C) Statute require evidence that the victims were minors? 288 A(C). The Court File All victims were ADULTS. The Abstract of Judgment need to be corrected People v Hill, People v. Mitchell. You need to send a letter to the court.

SIGNATURE:	DATE SUBMITTED:
------------	-----------------

SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME): T. Montgomery	DATE: 6-21-16	SIGNATURE: T. Montgomery	DATE RETURNED: 6-21-16
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Please see attachment for response.

Inmate/Parolee Request for Interview, Item or Service

CDCR 22

P65157 Adams, Ronald Lee

Section D: Supervisor's Review

I have reviewed the legal documents contained in your central file under discharged California Department of Corrections (CDCR) number C43417 and active CDCR number P65157. It was determined that on October 22, 1981 you were convicted of ten counts from the Los Angeles County Superior Court for case number A620066 and has been correctly recorded and discharged in the Strategic Offender Management System (SOMS). The court found you guilty of committing Penal Code (PC) Section 288a(c) **Oral Copulation with Force** as to Counts 3-5. In addition, the court found you guilty of PC 261.2/3 **Rape/Resist Force/Violence** as to Counts 8-10. The Probation Officer's Report and Legal Documents do not reflect any documentation that the victims of your crimes were minors. PC 288a(c) states, "Any person who participates in an act of oral copulation with another person who is under 14 years of age... **or** when the act is accomplished against the victim's will by means of force..." There are no errors in the crime description or offense codes listed on your Abstract of Judgment (AOJ). Therefore, the case will remain recorded as reflected on your legal documents and no letter will be sent to the court for correction. I have contacted the court to request any certified copies of any Minute Orders dated on or after February 28, 2003 from the Los Angeles County Superior Court for case number A620066. If there are any corrections to your case you will be notified via a Legal Status Summary.

Since you were incarcerated prior to January 1, 1993 for case number A620066 the counseling staff would have had to complete a review of your central file to determine if you met the visiting restriction criteria under PC Section 1202.05. It was counseling staff's responsibility to notify you by way of a CDC Form 128b, General Chrono, which required your signature verifying notification. After effective notice was provided to you, the CCI was to notify the Correctional Case Records Manager (CCRM) that the inmate is within the restrictive criteria of PC Section 1202.05. At this point, the Correctional Case Records Analyst (CCRA) was responsible for notifying the sentencing court, obtaining a court order to restrict visiting with the child victim, and informing counseling staff. Then counseling staff is responsible notifying the visiting staff. Once the court order was received by the facility, the inmate was to be notified on a CDCR 128b1, Notice of Classification Hearing, which a Classification action will occur. We have not received any amended legal documents which the court ordered PC 1202.05 Visiting restrictions. On May 17, 2007 a Classification Committee Action conducted at Folsom State Prison determined that you were prohibited from visiting with minors per California Code of Regulations (CCR) Title 15 Section 3177. Case Records has not made any entries in SOMS that reflects a PC 1202.05 Legal Mandate is required. If you disagree with the decision of a classification committee, you may file an inmate grievance via the CDCR Form 602 appeal process as outlined in sections 3084 through 3084.9 per CCR Title 15 Section 3173.1(g) Visiting Restrictions with Minors.

T. Montgomery, CCRS
T. Montgomery, CCRS June 21, 2016

California
CDCR Form 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the FIRST Level

Wednesday, December 30, 2015

ADAMS, P65157
C 005 3346001L

VISITING, , 12/30/2015
Log Number: CMC-E-15-02804

(Note: Log numbers are assigned to all appeals for tracking purposes. Your appeal is subject to cancellation for failure to correct noted deficiencies.)

The enclosed documents are being returned to you for the following reasons:

Your appeal has been rejected pursuant to the California Code of Regulations, Title 15, Section (CCR) 3084.6(b)(7). Your appeal is missing necessary supporting documents as established in CCR 3084.3. All documents must be legible (If necessary, you may obtain copy(ies) of requested documents by sending a request with a signed trust withdrawal form to your assigned counselor). Your appeal is missing:

As previously informed, you must complete another CDCR 22 form and submit to the staff member/area involved in this incident. If you are not satisfied with the staff response on the CDCR 22 form, you need to send it to the supervisor for review. Once you have completed the CDCR 22 process through the supervisor's level, you may submit an appeal at that time.

- K. Martin, SSA (A)
 - M. Mandella, OT
 - R. Ochoa, CCII
 - G. Luz, OT
 - H. Cervantez, CC-II
- Appeals Coordinator
CMC

NOTE: If you are required to respond/explain to this CDCR Form 695, use only the lines provided below.

Be advised that you cannot appeal a rejected appeal, but should take the corrective action necessary and resubmit the appeal within the timeframes specified in CCR 3084.6(a) and CCR 3084.8(b). Pursuant to CCR 3084.6(e), once an appeal has been cancelled, that appeal may not be resubmitted. However, a separate appeal can be filed on the cancellation decision. The original appeal may only be resubmitted if the appeal on the cancellation is granted.

NOTE THIS CDCR 695 IS A PERMANENT APPEAL ATTACHMENT AND IS NOT TO BE REMOVED

California
CDCR 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the FIRST Level

Friday, December 18, 2015

ADAMS, P65157

C 005 3346001L

VISITING, , 12/18/2015

Log Number: CMC-E-15-02804

(Note: Log numbers are assigned to all appeals for tracking purposes. Your appeal is subject to cancellation for failure to correct noted deficiencies.)

The enclosed documents are being returned to you for the following reasons:

Your appeal has been rejected pursuant to the California Code of Regulations, Title 15, Section (CCR) 3084.6(b)(7). Your appeal is missing necessary supporting documents as established in CCR 3084.3. All documents must be legible (If necessary, you may obtain copy(ies) of requested documents by sending a request with a signed trust withdrawal form to your assigned counselor). Your appeal is missing:

- Completed CDCR 22 through the Supervisors Level

Complete another CDCR 22 form and submit to the staff member/area involved in this incident. If you are not satisfied with the staff response on the CDCR 22 form, you need to send it to the supervisor for review. Once you have completed the CDCR 22 process through the supervisor's level, you may submit an appeal at that time.

- K. Martin, SSA (A)
 - M. Mandella, OT
 - R. Ochoa, CCII
 - J. Javaux, AGPA
 - G. Luz, OT
 - H. Cervantez, CC-II
- Appeals Coordinator
CMC

See Attach Letter at the END

NOTE: If you are required to respond/explain to this CDCR Form 695, use only the lines provided below.

See Attach Letter From my Lawyer And the conversation that took place with the mediator and the Attorney General office on this visitation issue. Now my 22 form was rejected because is my visitation restriction on the Abstract of Judgment.

This was a simple question. Do I need to sent this 22 form to the court to show your not trial to help

Be advised that you cannot appeal a rejected appeal, but should take the corrective action necessary and resubmit the appeal within the timeframes specified in CCR 3084.6(a) and CCR 3084.8(b). Pursuant to CCR 3084.6(e), once an appeal has been cancelled, that appeal may not be resubmitted. However, a separate appeal can be filed on the cancellation decision. The original appeal may only be resubmitted if the appeal on the cancellation is granted.

Best side me the Rev. Arnold?

NOTE THIS CDCR 695 IS A PERMANENT APPEAL ATTACHMENT AND IS NOT TO BE REMOVED

PAROLE APPEAL
FORM 602 (REV. 08/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY

Institution/Parole Region Log # Category

CMC-E 15 - 02804 4

FOR STAFF USE ONLY

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed method of departmental review/remedy available. See California Code of Regulations, Title 15, (CCR) Section 3084.1. You must send this appeal and any supporting documents to the Appeals Coordinator (AC) within 30 calendar days of the event that lead to the filing of this appeal. If additional space is needed, only one CDCR Form 602-A will be accepted. Refer to CCR 3084 for further guidance with the appeal process. No reprisals will be taken for using the appeal process.

Appeal is subject to rejection if one row of text per line is exceeded.

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First):

CDC Number:

Unit/Cell Number:

Assignment:

Adams Ronald

P65157

S346

Answer Kit

State briefly the subject of your appeal (Example: damaged TV, job removal, etc.):

VISITING RIGHTS RESTRICTION OF MINOR'S BASED ON 1981 ARCHIVE FILE

A. Explain your issue (If you need more space, use Section A of the CDCR 602-A): TO CORRECTONAL COUNSELOR II of C-fac. See Attach CDCR 22 A mail 11-9-15 to CCF L. FAFT SUPERVISOR who is the CCT and he or she did to REPLY. YES I UNDERSTAND THAT THE RESTRICTION IS BASED ON THE

B. Action requested (If you need more space, use Section B of the CDCR 602-A): I AM REQUESTING A face to face INTERVIEW WITH THE CCT II and the SUPERVISOR of RECORDS to discuss the right format for a RESOLUTION.

Supporting Documents: Refer to CCR 3084.3.

Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

COURT DOCUMENT

No, I have not attached any supporting documents. Reason:

Inmate/Parolee Signature: Ronald Adams

Date Submitted: 12-9-15

By placing my initials in this box, I waive my right to receive an interview.

C. First Level - Staff Use Only

Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:

Bypassed at the First Level of Review. Go to Section E.

Rejected (See attached letter for instruction) Date: DEC 30 2015

Cancelled (See attached letter) Date:

Accepted at the First Level of Review.

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: Granted Granted in Part Denied Other: _____

See attached letter. If dissatisfied with First Level response, complete Section D.

Interviewer: _____ (Print Name) Title: _____ Signature: _____ Date completed: _____

Reviewer: _____ (Print Name) Title: _____ Signature: _____

Date received by AC: _____

AC Use Only

STAFF USE ONLY

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
CDCR 602 (REV. 08/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 2

D. If you are dissatisfied with the First Level response, explain the reason below, attach supporting documents and submit to the Appeals Coordinator for processing within 30 calendar days of receipt of response. If you need more space, use Section D of the CDCR 602-A.

Inmate/Parolee Signature: _____ Date Submitted : _____

E. Second Level - Staff Use Only Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:

By-passed at Second Level of Review. Go to Section G.

Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____

Cancelled (See attached letter)

Accepted at the Second Level of Review

Assigned to: _____ Title: _____ Date Assigned: _____ Date Due: _____

Second Level Responder: Complete a Second Level response. If an interview at the Second Level is necessary, include interviewer's name and title, interview date and location, and complete the section below.

Date of Interview: _____ Interview Location: _____

Your appeal issue is: Granted Granted in Part Denied Other: _____

See attached letter. If dissatisfied with Second Level response, complete Section F below.

Interviewer: _____ Title: _____ Signature: _____ Date completed : _____
(Print Name)

Reviewer: _____ Title: _____ Signature: _____
(Print Name)

Date received by AC: _____

AC Use Only
Date mailed/delivered to appellant ____/____/____

F. If you are dissatisfied with the Second Level response, explain reason below; attach supporting documents and submit by mail for Third Level Review. It must be received within 30 calendar days of receipt of prior response. Mail to: Chief, Inmate Appeals Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001. If you need more space, use Section F of the CDCR 602-A.

Inmate/Parolee Signature: _____ Date Submitted: _____

G. Third Level - Staff Use Only

This appeal has been:

Rejected (See attached letter for instruction) Date: _____ Date: _____ Date: _____ Date: _____ Date: _____

Cancelled (See attached letter) Date: _____

Accepted at the Third Level of Review. Your appeal issue is Granted Granted in Part Denied Other: _____

See attached Third Level response.

Third Level Use Only
Date mailed/delivered to appellant ____/____/____

H. Request to Withdraw Appeal: I request that this appeal be withdrawn from further review because; State reason. (If withdrawal is conditional, list conditions.)

_____ Inmate/Parolee Signature: _____ Date: _____
_____ Title: _____ Signature: _____ Date: _____

CALIFORNIA
PAROLEE APPEAL FORM ATTACHMENT
602-A (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY

Institution: Region: Job: Category:

SNC-E15-02804

FOR STAFF USE ONLY

Attach this form to the CDCR 602, only if more space is needed. Only one CDCR 602-A may be used.

Appeal is subject to rejection if one row of text per line is exceeded. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First):

Adams Ronald

CDC Number:

PG5157

Unit/Cell Number:

5346

Assignment:

Main Kit

A. Continuation of CDCR 602, Section A only (Explain your issue):
Archive file base on
CCR 3122. Here's the problem. There is nothing in the
Archive file that mention ANY LANGUAGE/words that state's
my conviction was on a minor or a minor was involve
in that ~~the~~ CASE. Now in the Abstract of Judgment the
Penal Code Section reflects a conviction for PC 288 A (C).
Does this Penal code Section 288 A(C) defines the
conviction was with a minor and if so is this
the reason for the visiting Restriction? See Attach
here to a court document. it state there were no minor
in my case so why has it this been up dated?

STAFF USE ONLY

Inmate/Parolee Signature:

Ronald Adams

Date Submitted:

4-9-15

B. Continuation of CDCR 602, Section B only (Action requested):

Inmate/Parolee Signature:

Date Submitted:

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 2

D. Continuation of CDCR 602, Section D only (Dissatisfied with First Level response): _____

Lined area for handwritten response to Section D.

Inmate/Parolee Signature: _____ Date Submitted: _____

F. Continuation of CDCR 602, Section F only (Dissatisfied with Second Level response): _____

Lined area for handwritten response to Section F.

CDCR

Signature: _____ Date Submitted: _____

UC78

"I certify that the image copied here is a true copy of the original per master certification on this file"

[Signature] Name *[Signature]* Date 12-13-91

LEGAL STATUS SUMMARY TYPE- M CHC 12/20/95 21153

CDC NUMBER NAME ETHNIC BIRTHDATE
 P43417 ADAMS, RONALD, LEE BLA 12/27/1956

TERM/STARTS MAX REL DATE MAX ADJ REL DT CURRENT REL DT
 03/02/1982 10/07/2005 10/07/2005 12/29/1995

BASE TERM 0/00 ENHANCEMENTS 17/00 = TOTAL TERM 25/00 PAROLE PERIOD 3 YRS

PRE-PRISON + POST SENTENCE CREDITS
 CASE P2900-5 P1203-3 P2900-1 CRC-CRED MH-CRED P4019 P2931 POST-SENT TOT
 A620066 161 01 98 340

REGISTRATION REQUIRED PER P290
 NOTIFICATION REQUIRED PER PC290.2
 NOTIFICATION REQUIRED PER PC3050.6

RCV DT/ COUNTY/ CASE/ SENTENCE DATE/ OFFENSE DATE
 CNT OFF-CODE DESCRIPTION

CONTROLLING PRINCIPAL & CONSECUTIVE (INCLUDES ENHANCEMENTS/OFFENSES)

-- CONTROLLING CASE --

DATE	CASE	DESCRIPTION	SENTENCE DATE	OFFENSE DATE
3/03/1982	LA A620066	ORAL COP W/FO	11/23/1981	
03	P200A(C)	(H)UPN		02/00/1981
		12022.7 OBI		
04	P200A(C)	ORAL COP W/FO		02/00/1981
		(H)UPN		
08	P261(2)	RAPE/REGIST F/V		02/00/1981
		(H)UPN		
NON-CONTROLLING OFFENSES				
3/03/1982	LA A620066	RAPE/REGIST F/V	11/23/1981	
09	P261(2)	(H)UPN		02/00/1981
10	P261(2)	RAPE/REGIST F/V		02/00/1981
		(H)UPN		
3/03/1982	LA A619509	RBP	11/24/1981	
00	P496.1			11/03/1980

INTP VALUER DATE BEGINNING BALANCE CREDIT APPLIED TOTAL LOST TOTAL RESTORED NET TOTAL
 01/01/1983 3420 3042 753 401 3570

CREDITS MANUALLY VESTED PER PC-2434 171

TRAN RULE VIOL

***** CONTINUED *****

I certify that this form is a true copy per auditor certification on this sheet
Name Lynda Hyler Date 12-14-82

Sammy & R. Sordeloni

ABSTRACT OF JUDGMENT - COMMITMENT

FORM DSL 290

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
BRANCH SOUTH CENTRAL

PEOPLE OF THE STATE OF CALIFORNIA
DEFENDANT: OL ADAMS RONALD LEE VERIFIED PRESENT A 620066
AKA: NOT PRESENT

COMMITMENT TO STATE PRISON
ABSTRACT OF JUDGMENT AMENDED ABSTRACT

FILE NO. 11 23 81 VERT. NO. SC B JUDGE ROOSEBELT ELL F DORN CLERK G KERAMISHI

COUNSEL FOR DEFENDANT: H SELIGMAN COUNSEL FOR GOVERNMENT: M GONCHA PROBATION NO. OR PROBATION OFFICER: X 890303

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING PRIORITIES:

ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT 890-A

COUNT	COUNT	SECTION NUMBER	CRIME	DEAN OR JUDGE	DATE OF CONVICTION	CONVICTION BY		SENTENCE RELATION							PRINCIPAL OR CONSECUTIVE	TIME IMPROVED	
						LOCAL COUNTY	STATE	PRISON	PROBATION	CONFINEMENT	FINES	RESTRICTIONS	RECESSION	REPEAL			REVISION
1	PC	207	KIDNAPPING		81 10 22 81	X	H										
2	PC	207	KIDNAPPING		81 10 22 81	X	H										
3	PC	288a(c)	ORAL COPULATION		81 10 22 81	X	H										
4	PC	288a(c)	ORAL COPULATION		81 10 22 81	X	H										
5	PC	288a(c)	ORAL COPULATION		81 10 22 81	X	H										

2. ENHANCEMENTS (CHARGED AND FOUND, STRICKEN, TIME IMPOSED):

COUNT	12022(a)			12022(b)			12022.5(a)			12022.5(b)			12022.6			12022.8(a)			12022.8(b)			12022.9			
	C/P	S	I	C/P	S	I	C/P	S	I	C/P	S	I	C/P	S	I	C/P	S	I	C/P	S	I	C/P	S	I	
1																									
2																									
3																									
4																									
5																									

3. A. NUMBER OF PRIOR PRISON TERMS:

§	C/P	E
§ 242		
§ 161		

B. NUMBER OF PRIOR FELONY CONVICTIONS:

§	C/P	E
0		
0		

4. TOTAL TIME IMPROVED ON ALL ATTACHMENT PAGES (FORM DSL 290-A):

5. TOTAL TERM IMPOSED:

6. EXECUTION OF SENTENCE IMPOSED:

AT THE END OF THE HEARING
 AT REHEARING PURSUANT TO DECISION ON APPEAL
 AFTER REVOCATION OF PROBATION
 AT REHEARING PURSUANT TO RECALL OF COMMITMENT [PENAL (d)]

7. TIME STATED IN PENAL CODE § 1170.1(a) (1-YEAR LIMIT) AND/OR § 1170.1(f) (DOUBLE BARRI LIMIT):

8. CREDIT FOR TIME SPENT IN CUSTODY: 242 LOCAL COUNTY CREDIT: 161 STATE INSTITUTIONS: 81

9. DEFENDANT IS REFERRED TO THE CUSTODY OF THE SHERIFF, TO BE DELIVERED TO:

COUNTY JAIL
 CALIF. INSTITUTION FOR WOMEN - PRONTERRA
 CALIF. MEDICAL FACILITY - VACAVILLE
 CALIF. INSTITUTION FOR MEN - CHICO

10. I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

CLERK OF SUPERIOR COURT

Abdullah DATE DEC 07 1981

This form is prepared pursuant to Penal Code § 1213.3 to satisfy the requirements of Penal Code § 1213 (Abstract of Judgment and Commitment) for determining sentence under Penal Code § 1170. A copy of probation report shall accompany the Department of Corrections' copy of this form pursuant to Penal Code § 1203. A copy of its sentencing proceedings and any supplementary probation report shall be transmitted to the Department of Corrections pursuant to Penal Code § 1203.01. Attachments may be used but must be incorporated by reference.

Form Adopted by the Judicial Council of California Effective July 1, 1981

ABSTRACT OF JUDGMENT - COMMITMENT

DISTRIBUTION: FIRM COPY - COURTHOUSE, FIRM COPY - DEPARTMENT OF CORRECTIONS, FIRM COPY - ADMINISTRATIVE OFFICE OF THE COURTS.

Pen C: 1213.5

I certify that this image is a true copy of the original certification on this form.
 Name Linda Heyden Date 12-14-82

Danny J. Bordon

ABSTRACT OF JUDGMENT - COMMITMENT
 ATTACHMENT PAGE

FORM DSL 200 A

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES
 COURTID: _____ BRANCH SOUTH CENTRAL

190013
 PEOPLE OF THE STATE OF CALIFORNIA
 DEFENDANT ADAMS RONALD LEE V. STATE OF CALIFORNIA
 AKA: _____ PRESENT NOT PRESENT

COMMITMENT TO STATE PRISON AMENDED ABSTRACT CASE NUMBER JA620066

ABSTRACT OF JUDGMENT
 DATE OF HEARING: 11 23 81 DEPT. NO. SC B JUDGE ROOSEVELT F DORN CLERK C TERANISE

REPORTER C YOUNG COUNSEL FOR PEOPLE H SELIGMAN COUNSEL FOR DEFENDANT M CONCHA PROBATION NO. OR PROBATION OFFICER I 908303

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES:

A. ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT 290

COUNT	SECTION NUMBER	CRIME	DATE OF CONVICTION			CONVICTION BY		SENTENCE RELATION											PRINCIPAL OR CONSECUTIVE TIME IMPOSED						
			MO	DAY	YEAR	JURY	PLEA	TERMINAL	CONFINEMENT	CONSECUTIVE	PROBATION	CONVICTED	PREVIOUS	RECEIVED	RECEIVED	RECEIVED	RECEIVED	RECEIVED		RECEIVED	RECEIVED				
6	PC 245(a)	ADW/GBI	81	10	28	81	X	H																	
7	PC 245(a)	ADW/GBI	81	10	22	81	X	H																	
8	PC 261.2/3	FORCE RAPE	81	10	22	81	X	H																	6
9	PC 261.2/3	FORCE RAPE	81	10	22	81	X	H	X																(8)
10	PC 261.2/3	FORCE RAPE	81	10	22	81	X	H	X																(8)
TOTAL																							6		

2. ENHANCEMENTS CHARGED AND ONLY IS STROKEN TIME IMPOSED

COUNT	L0022 W		L0022 M		L0022 J W		L0022 J M		L0022 P		L0022 S W		L0022 S M		L0022 T		L0022 B		
	C/F	S	C/F	S	C/F	S	C/F	S	C/F	S	C/F	S	C/F	S	C/F	S	C/F	S	
6									X	X									
7									X	X									
8			X	X															
9			X	X															
10			X	X															
TOTAL																			

3. TOTAL TIME IMPOSED ON THIS ATTACHMENT PAGE

Form Adopted by the Judicial Council of California Effective July 1, 1981

ABSTRACT OF JUDGMENT - COMMITMENT ATTACHMENT FORM DSL 200 A

Form C. 12135

DISTRIBUTION: BLUE COPY - COURT FILE, YELLOW COPY - DEPARTMENT OF CORRECTIONS, WHITE COPY - ADMINISTRATIVE OFFICE OF THE COURTS

EU

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Date: February 28, 2003
HONORABLE: STEVEN SUZUKAWA
JUDGE

F. JEFFERSON
NONE

CLERK
REPORTER

A620066

(Parties and counsel checked if present)

People of the State of California
vs
RONALD LEE ADAMS

Counsel for the People:
Deputy District Attorney: NO APPEARANCES

Counsel for Defendant: NO APPEARANCES

NATURE OF PROCEEDINGS: CASE CALLED FOR HABEAS CORPUS PETITION

PETITIONER, RONALD ADAMS, SEEKS TO SET ASIDE TWO 1981 CONVICTIONS FOR ORAL COPULATION. HE ERRONEOUSLY FILED A WRIT OF HABEAS CORPUS, BUT THE COURT WILL NONETHELESS DEAL WITH THE ISSUES RAISE. IN ESSENCE, PETITIONER COMPLAINS HE WAS IMPROPERLY CONVICTED OF A VIOLATION OF PENAL CODE SECTION 288A(C). HE ARGUES THE STATUTE REQUIRES EVIDENCE THE VICTIM WAS UNDER THE AGE OF 14 AT THE TIME OF THE COMMISSION OF THE OFFENSE. THE VICTIMS HERE WERE ADULTS.

WHILE PETITIONER IS CORRECT IN THAT THE COMPLAINT ALLEGED THE WRONG CODE SECTION, HE CANNOT ESTABLISH A SHRED OF PREJUDICE. HIS COUNSEL WAS PUT ON NOTICE THE PETITIONER WAS CHARGED WITH ORAL COPULATION. THE TRIAL COURT, AFTER A BENCH TRIAL, CONVICTED PETITIONER UNDER THE APPROPRIATE SECTION.

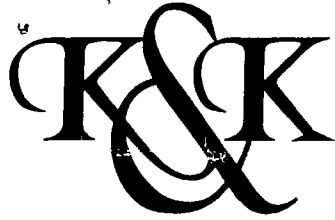
PETITIONER'S ALLEGATION HIS APPELLATE COUNSEL WAS INCOMPETENT FOR NOT RAISING THE SAME ISSUE IS EQUALLY WITHOUT MERIT. COUNSEL COULD NOT POSSIBLY ESTABLISH PETITIONER WAS DENIED ANY LEGAL RIGHT.

PETITIONER'S REQUEST FOR RELIEF IS DENIED.

A COPY OF THIS MINUTE ORDER IS SENT TO PETITIONER VIA U.S. MAIL AT HIS LAST KNOWN ADDRESS;

MR. RONALD ADAMS, CDC #P-65157
P.O. BOX 7599/B-4-206
PELICAN BAY STATE PRISON
CRESCENT CITY, CA. 95531





KASHFIAN & KASHFIAN
LLP
Attorneys and Counselors at Law

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ROBERT A. KASHFIAN †
RYAN D. KASHFIAN *
GEORGE E. AKWO
OLGA Y. NOVAK
GOHAR O. FAYYAZ *
MATTHEW W. KRUPKE †

† ADMITTED TO PRACTICE IN CALIFORNIA
AND DISTRICT OF COLUMBIA
* REGISTERED PATENT ATTORNEY,
UNITED STATES PATENT & TRADEMARK OFFICE
† ADMITTED TO PRACTICE IN CALIFORNIA
AND ARIZONA

Tuesday, October 20, 2015

For Immediate Delivery via U. S. First Class Mail

MR. RONALD ADAMS
#P-65157
CMCE – CALIFORNIA MEN’S COLONY EAST
P.O. BOX 8101
San Luis Obispo, CA 93409

Re: 9th Circuit Appellate Case – Follow Up From October 20, 2015 Mediation Conference

NINTH CIRCUIT COURT OF APPEALS PRO BONO ASSIGNMENT - MEDIATION

CA Case No.: 14-72413
Case Name: ADAMS v. VALENZUELA

Dear Mr. Adams,

I hope this letter finds you well. Today, I had a forty-five (45) minute conversation with the mediator and the Attorney General’s office. We were able to ascertain that you had a visitation restriction for two (2) years between May 2013 and May 2015. However, we don’t know the reason for this restriction. In fact, based on my conversations with the mediator, neither the other side nor the mediator knows the reason for this restriction. We have no documentation as to the restriction; therefore, are unaware the reasons for it.

The purpose of the mediation and from the mediator and the Attorney General’s side in this action was to attempt to find some practical solutions to the visitation rights only. It seems that this was the reason why your matter was referred to the mediation panel originally, according to the mediator.

Currently, based on the abstract/sentencing documents for the 1999 conviction, it does not appear that you were sentenced with regard to being a “child sex offender”. There is no evidence that you are in fact, classified as a “child sex offender.” This is according to representations



KASHFIAN & KASHFIAN
Attorneys and Counselors at Law LLP

MR. RONALD ADAMS (#P-65157)
CMCE – CALIFORNIA MEN’S COLONY EAST
P.O. BOX 8101, San Luis Obispo, CA 93409

October 20, 2015

Mediation Follow Up – 9th Circuit Appellate Case
ADAMS v. VALENZUELA – Case No. 14-72413

Page 2 of 3

made by the Attorney General. From the reading of the abstract, the fact that your abstract contains “Penal Code 667(A)” is seemingly not indicative of anything related to your claim that you are labeled as a “child sex offender.” Nonetheless, we were searching to find some kind of resolution with the Attorney General to assist you in this forum.

However, since there is no current restriction and the sentencing documents do not refer to any “child sex offender” status, there it appears that nothing further that can be done with respect to mediation, according to the Attorney General and the mediator. Meaning, they were willing to assist in your visitation rights. However, the practical solution of visitation was achieved with respect to your classification and visitation rights. There is currently documentation as to any **restriction** that prevents you from being visited by minors such as your nieces, nephews, and girlfriend’s children. Naturally, the prior restriction was lifted not through your petition, but rather by elapsing of time.

Currently, the mediator wants to know whether or not the panel should know about what happened in mediation. Traditionally all information is kept away from the 9th Circuit Panel. However, it is your decision whether you want to release this information.

As you know, our representation was limited to mediation. Since there is no resolution at mediation, the scope of our representation has been completed and concluded. Unfortunately, based on the limits that the Attorney General was able to assist with, and the state of any restrictions, it seems our hands are tied with respect to achieving any practical result with mediation other than visitation rights.

If you have any information regarding the 2013 restriction such details as to why the restriction was first placed or a sentencing memo that specifically states a code section that accuses you of being a “child sex offender,” we can let the Attorney General and the mediator know, and perhaps they may be willing to consider it.

However, at this time, there is not much we are able to do given the posture of mediation, the mediator, and the Attorney General.

It was a pleasure working for you. We tried out best in this forum. With respect to the State matters, we are not able to assist in State proceedings as we only do pro bono work on the federal panel.

CALIFORNIA

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DISTRICT OF COLUMBIA

WASHINGTON OFFICE

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KASHFIAN & KASHFIAN
Attorneys and Counselors at Law **LLP**

MR. RONALD ADAMS (#P-65157)
CMCE – CALIFORNIA MEN’S COLONY EAST
P.O. BOX 8101, San Luis Obispo, CA 93409

October 20, 2015

Mediation Follow Up – 9th Circuit Appellate Case
ADAMS v. VALENZUELA – Case No. 14-72413

Page 3 of 3

Lastly, the Attorney General denies your request that they recommend this go to the Superior Court. They have stated that this is the District Attorney’s discretion and scope. It is not something within the powers of the Attorney General.

We wish you the best of luck.

Very Truly Yours,

KASHFIAN & KASHFIAN LLP



Robert A. Kashfian, Esq.

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Name Alinda Ayder Date 12-14-82

Dannett Bordon

COUNT III

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in Counts I and II

the said RONALD LEE ADAMS hereof,

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of violation of Section 288a(c) of the Penal Code

a felony committed as follows: That the said RONALD LEE ADAMS

on or about the 8th day of February, 1981 at and in the County of Los Angeles, State of California, did willfully and unlawfully participate in an act of oral copulation with [redacted] and did compel the participation of said person in said act by force, violence, duress, menace, and threat of great bodily harm.

It is further alleged that in the commission and attempted commission of the above offense, the defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.3.

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATED:

[Signature]
JOHN J. CORCORAN, Clerk

By _____

Deputy

JOHN K. VAN DE KAMP, District Attorney
for the County of Los Angeles, State of California

By [Signature]

Deputy

I certify that this image is a true copy per master certification on this line

Name Linda Hyler Date 12-14-82

Nancy L. Jordan

COUNT IV

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding Counts

the said RONALD LEE ADAMS hercof;

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of violation of Section 288a(c) of the Penal Code,

a felony, committed as follows: That the said RONALD LEE ADAMS

on or about the 8th day of February, 1981 at and in the County of Los Angeles, State of California, did willfully and unlawfully participate in an act of oral copulation with [redacted], and did compel the participation of said person in said act by force, violence, duress, menace, and threat of great bodily harm.

It is further alleged that the commission and attempted commission of the above offense the said defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.3.

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATE:

JOHN J. CORCORAN, Clerk

By _____

Deputy

JOHN K. VAN DE KAMP, District Attorney for the County of Los Angeles, State of California

By XXXXXXXXXXXXXXXXXXXX

Deputy

I certify that this image is a true copy per master certification on this file.
Name Hinda Hyder Date 12-14-82

Nancy L. Gordon

COUNT V

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding Counts

the said **RONALD LEE ADAMS**

hereof,

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of violation of Section 288a(c) of the Penal Code

a felony, committed as follows: That the said **RONALD LEE ADAMS**

on or about the 8th day of February, 1981 at and in the County of Los Angeles, State of California, did willfully and unlawfully, participate in an act of oral copulation with [redacted], and did compel the participation of said person in said act by force, violence, duress, menace, and threat of great bodily harm.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, **RONALD LEE ADAMS**, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Sections 12022.3 and 1203.06(a)(1).

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.
DATED: _____
JOHN J. CORCORAN, Clerk
By: _____
Deputy

JOHN K. VAN DE KAMP, District Attorney
for the County of Los Angeles, State of California

By: XXXXXXXXXXXXXXXXXXXXXX
Deputy

I certify that this image is a true copy per master certification on this date.
Name: Linda Hyder Date: 12-14-82

Janny L. Bordon

COUNT VIII

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding Counts

hercof,

the said RONALD LEE ADAMS

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of RAPE, in violation of Section 261, Subdivision 2, Penal Code of California, a felony, committed as follows: That the said RONALD LEE ADAMS

on or about the 8th day of February, 1981 at and in the County of Los Angeles, State of California, did willfully, unlawfully, feloniously, and with force and violence, have and accomplish an act of sexual intercourse with and upon [REDACTED]

a female person, who was not then and there the wife of said RONALD LEE ADAMS without the consent and against the will of the said [REDACTED] and she, the said [REDACTED]

then and there resisted the accomplishment of said act of sexual intercourse but her resistance was then and there overcome by force and violence used upon and against the said [REDACTED]

by said defendant.

It is further alleged that in the commission and attempted commission of the above offense, the said defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Section 12022.3 and 1203.06(a)(1).

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATED:

WILLIAM G. SHARP, Clerk

By: _____ Deputy

JOSEPH P. BUSCH, District Attorney for the County of Los Angeles, State of California

By: XXXXXXXX XXXXXXXXXXXX Deputy

I certify that this image is a true copy per master certification on this scene
Name Kinda Hyder Date 12-14-82

Samuel J. Bordon

COUNT IX

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding Counts

hereof,

the said RONALD LEE ADAMS

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of RAPE, in violation of Section 261, Subdivision 2, Penal Code of California, a felony, committed as follows: That the said RONALD LEE ADAMS

on or about the 8th day of February, 1981, at and in the County of Los Angeles, State of California, did wilfully, unlawfully, feloniously, and with force and violence, have and accomplish an act of sexual intercourse with and upon

a female person, who was not then and there the wife of said RONALD LEE ADAMS

without the consent and against the will of the said

and she, the said

then and there resisted the accomplishment of said act of sexual intercourse but her resistance was

then and there overcome by force and violence used upon and against the said

by said defendant.

It is further alleged that in the commission and attempted commission of the above offense the said defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Sections 1203.06(a)(1) and 12022.3.

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATED:

WILLIAM G. SHARP, Clerk

By

JOSEPH R. BIRCH, District Attorney for the County of Los Angeles, State of California

By XXXXXXXXXXXXXXXXXXXX

Deputy

Deputy

I certify that this image is a true copy per master certification on this scene.
Name: Linda Hyder Date: 12-14-82

Danny Dardelon

COUNT X

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding Counts

hereof,

the said RONALD LEE ADAMS

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of RAPE, in violation of Section 261, Subdivision 2, Penal Code of California, a felony, committed as follows: That the said RONALD LEE ADAMS

on or about the 3th day of February, 1981, at and in the County of Los Angeles, State of California, did willfully, unlawfully, feloniously, and with force and violence, have and accomplish an act of sexual intercourse with and upon [REDACTED]

a female person, who was not then and there the wife of said RONALD LEE ADAMS without the consent and against the will of the said [REDACTED] and she, the said [REDACTED]

then and there resisted the accomplishment of said act of sexual intercourse but her resistance was then and there overcome by force and violence used upon and against the said [REDACTED]

by said defendant.

It is further alleged that in the commission and attempted commission of the above offense, the said defendant, RONALD LEE ADAMS, personally used a firearm, to wit, a revolver, within the meaning of Penal Code Sections 1203.06(a)(1) and 12022.3.

PROBATE DEPARTMENT FILED
15
2/18/81

7th Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.
DATE: 2/18/81
JOHN J. CONCORAN, Clerk
By: [Signature] Deputy

JOSEPH P. BUSCH, District Attorney
for the County of Los Angeles, State of California
By: [Signature] Deputy
CHARLES B. SHELLON

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS AND REHABILITATION
CDC-128-B1 (3-88)

NOTICE OF CLASSIFICATION HEARING

INMATE NAME ADAMS	NUMBER P65157	DATE 5/10/07
-----------------------------	-------------------------	------------------------

YOU WILL APPEAR BEFORE CLASSIFICATION COMMITTEE ON 5/16/07 FOR CONSIDERATION OF A MAJOR PROGRAM CHANGE AS FOLLOWS:

17 min

- TRANSFER
- REMOVAL FROM PROGRAM
- INCREASE IN CUSTODY
- OTHER
- ASSIGNMENT TO SECURITY HOUSING

Initial Classification Committee

REASON:
Initial.

STAFF NAME M. MICHAUD, CCI	TITLE CCI	INSTITUTION FSP
--------------------------------------	---------------------	---------------------------

ROUTING INSTRUCTIONS: ORIGINAL CLASSIFICATION COMMITTEE COPY TO INMATE

INITIAL REVIEW

NO: P65157 **NAME:** ADAMS **MEPD:** 8-25-2033 **PS:** 49 **NR:** 3-08 **CDC-128-G (Rev. 8/00)**
Custody: CLOBR **WG:** A2 **PG:** B **eff:** 4-06-06 **Assignment:** U/A

COMMITTEE ACTION: → **INITIAL REVIEW:** Release: FSP-III-GP; Set custody at CLOBR; Place on SS W/L(s) effective 5-17-07; WG/PG: A2/B; effective 4-06-06; Double Cell; Gate Pass; Clearance: DENY (CLOB).

S appeared before the Initial Classification Committee this date. S received advanced written notice of this hearing as documented on the 128B1 dated 5-10-07. He is a 50 year old BLACK, 2nd-termer, received into CDC on 1-04-2000 from LA County, subsequent to a conviction for PC215 CARJACKING with enhancements for Repeat Offender. NON-CONTROLLING of VC 10851(A), Vehicle Theft. He received a sentence of 36 years to Life. He was received at FSP from CSP-SAC for Level III placement on 5-04-07 as a result of non-adverse transfer with a CSR endorsement for FSP-III.

C-file reflects: **H/W/D:** NONE; **SEX:** Conviction for PC288A, Oral Copulation -14 w/ Force and PC261.2, Rape with Force, Violence and Threat with Use of Weapon. Arrest date of 2-08-81 and received by CDC on 3-02-82 for 25 year sentence. S is prohibited from visiting with minors per CCR 3177; **ESC:** NONE; **ARSON:** None; **PC 296 Complete;** **REQ TO REG:** PC 290; **SVP:** If S is a PC 290 registrant and is within nine months of release, is a SVP screening form in file? N/A; **ENEMIES:** Refer to CDC 812 for current locations; **GANGS:** NONE; **CONF INFO:** Present and audited by committee.; **DISC HX:** 12-28-05, Willfully Obstructing a Peace Officer. 5-23-05, Willfully Resisting a Peace Officer Resulting in the Use of Force. 5-23-05, Willfully Resisting a Peace Officer Resulting in the Use of Force. 10-07-04, Disrespect to Staff. 11-10-03, Grooming Standards. 7-16-03, Disruptive Behavior Which Threatened Staff Safety. 7-08-03, Manipulation of Staff. 6-15-03, Refusing to Obey Direct orders. 3-12-03, Disruptive Behavior. 10-26-00, Willfully Delaying a Peace Officer; **COMP. RESTRICT:** N/A; **PC 1202.05:** N/A; **MED:** Meets criteria for FD/FH per CDC 128C dated 1-06-2000; **CCCMS:** 128C dated 3-28-07; **DPP:** N/A; **DDP:** NCF per CDC 128C dated 2-09-2000; **MDO:** S does not meet offense criteria.; **PC 3058.6/3058.9:** Applies; **PC 3058.8:** N/A; **DVO:** If S is under PC 3058.6 or 3058.9 will this classification action be within 120 days of his release date? No.; If yes, will S's release date change? N/A; **TB CODE:** 22 dated 3-13-07; **Dent Class:** 2; **Restitution:** NO; **Current Balance:** None; **TABE:** 7.8 RGPL per DVI CDC 128B dated 1-21-03.


Case was reviewed for eligibility for the following programs: **CCF/MCCF:** Not eligible based on time to serve.; **FIRE CAMP:** Not eligible based on time to serve.; **MSF:** Not eligible based on time to serve.; **SAP:** Not eligible based on time to serve.; **REST. CTR:** Not eligible based on length of term.

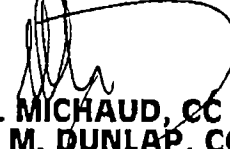
DOUBLE/SINGLE CELL REVIEW: A review of the central file, including disciplinary history revealed no prior in cell violence, predatory behavior toward other inmates or staff, nor any case factors indicating S is not compatible with double cell housing. Committee notes that S has been double cell housed since reception in CDC.

INMATE'S PARTICIPATION: During committee, S stated that he did not want to be at FSP. S specifically requested to be considered for nothing when asked where he would like to work. S states that he foresees no problems adjusting to the FSP-III-GP.

COMMENTS: S has prior CDC number C43417 that was archive reviewed per CDC 128B dated 8-06-01. Committee acts to Release FSP-III, Set custody at CLOBR, P/O SS W/L effective 5-17-07. The inmate stated that he did not agree with the committee action. S was advised of his right to appeal this committee action. **Next Reclass:** 3-08. **Next BPT Hearing:** 8-2011 for Doc #1. **S meets life term criteria for Level II housing per CCR #3375.2(a)(7).**

CONCUR:


B. MAYFIELD, F. C. (Chairperson)


M. MICHAUD, CC I (Recorder)
K. M. DUNLAP, CC II
C. CLEVINGER, Education

cc: Inmate
DATE 5-17-07

Classification UCC-V

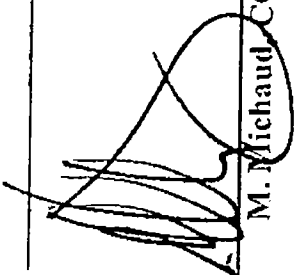
Inst.: FSP

NAME and NUMBER ADAMS P65157 CDC-128-B Rev. 7/74

The above inmate has been restricted from visiting with minor children based on CCR 3173.1. This decision was made during

FILED
On 5/19/07
Date Of Committee Action

INITIAL UCC _____
Type of Committee (Initial / UCC / ICC)


M. Michaud, CCI, FSP

cc: Central File (original)
Inmate
Visiting Sergeant

DATE 5/19/07 **VISITING RESTRICTION** GENERAL CHRONO

CDC 128-B (Rev. 4/74)

NAME and NUMBER ADAMS POSIS7

The above inmate is restricted from visiting with the following minor child(ren) per CCR 3173.1(a):

INITIAL UCC ON 5/19/07
A.M.

ALL OTHER MINOR CHILDREN SHALL BE NON-CONTACT VISITS ONLY PER CCR 3173.1

Visiting Staff notified by telephone on 3/3/11

B. Moore

Printed Name and title of staff member completing chrono

B. Moore

Signature of staff member completing chrono

cc: Central File (original)

Inmate

Visiting Lieutenant

Institution CSP-SAC

DATE: 3/3/11

VISITING RESTRICTION W/MINORS

GENERAL CHRONO



PENAL CODE - PEN

PART 2. OF CRIMINAL PROCEDURE [681 - 1620] (Part 2 enacted 1872.)

TITLE 8. OF JUDGMENT AND EXECUTION [1191 - 1234.5] (Title 8 enacted 1872.)

CHAPTER 1. The Judgment [1191 - 1210.5] (Chapter 1 enacted 1872.)

1202.05. (a) Whenever a person is sentenced to the state prison on or after January 1, 1993, for violating Section 261, 264.1, 266c, 285, 286, 288, 288a, 288.5, or 289, and the victim of one or more of those offenses is a child under the age of 18 years, the court shall prohibit all visitation between the defendant and the child victim.

The court's order shall be transmitted to the Department of Corrections, to the parents, adoptive parents, or guardians, or a combination thereof, of the child victim, and to the child victim. If any parent, adoptive parent, or legal guardian of the child victim, or the child victim objects to the court's order, he or she may request a hearing on the matter. Any request for a hearing on the matter filed with the sentencing court shall be referred to the appropriate juvenile court pursuant to Section 362.6 of the Welfare and Institutions Code.

(b) The Department of Corrections is authorized to notify the sentencing court of persons who were sentenced to the state prison prior to January 1, 1993, for violating Section 261, 264.1, 266c, 285, 286, 288, 288a, 288.5, or 289, when the victim of one or more of those offenses was a child under the age of 18 years.

Upon notification by the department pursuant to this subdivision, the sentencing court shall prohibit all visitation between the defendant and the child victim, according to the procedures specified in subdivision (a).

(Added by Stats. 1992, Ch. 1008, Sec. 2. Effective January 1, 1993.)

286

1981 Penal Code

§§ 21, 28, 206, 2329, 2331, 3071, 3157; Witkin, Crimes pp 27, 494, 519, 998; Evidence p 1035.

§ 286.5. [Sexually assaulting animal.] Any person who sexually assaults any animal protected by Section 597f for the purpose of arousing or gratifying the sexual desire of the person is guilty of a misdemeanor. [1975 ch 71 § 8.5.] 21 Cal Jur 3d Criminal Law § 3335.

§ 287. [Same]: Penetration sufficient to complete the crime.] Any sexual penetration, however slight, is sufficient to complete the crime of sodomy. [1872: 1975 ch 71 § 9.] 21 Cal Jur 3d Criminal Law § 2331; Witkin Crimes pp 494, 496.

§ 288. [Crimes against children: Lewd or lascivious acts: Punishment.] (a) Any person who shall willfully and lewdly commit any lewd or lascivious act including any of the acts constituting other crimes provided for in Part 1 of this code upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person or of such child, shall be guilty of a felony and shall be imprisoned in the state prison for a term of three, five, or seven years.

(b) Any person who commits an act described in subdivision (a) by use of force, violence, duress, menace, or threat of great bodily harm, and against the will of the victim shall be guilty of a felony and shall be imprisoned in the state prison for a term of three, five or seven years. [1901 ch 204 § 1; 1933 ch 405 § 1; 1937 ch 545 § 1; 1976 ch 579 § 17; 1979 ch 944 § 6.5.] Cal Jur 3d Appellate Review §§ 475, 484, 485, 491-495, 528-551, 556, Criminal Law §§ 1013, 1261, 1616, 1624, 1630, 1634, 1636, 1641, 2250, 2262, 2271-2275, 2277-2281, 2284-2287, 2290, 2292, 2296-2298, 2301, 2302, 2304-2307, 2826, 3068, 3224; Witkin Crimes pp 44, 122, 204, 283, 289, 324, 497, 500, 505, 535, 567, 914, 919, 955, 998, 1010, 1029; Criminal Procedure pp 67, 172, 173, 203, 557; Evidence pp 293, 377, 515, 622, 779, 1107, 1125; Summary (8th ed) p 5546.

§ 288.1. [Same: Suspension of sentence.] Any person convicted of committing any lewd or lascivious act including any of the acts constituting other crimes provided for in Part 1 of this code upon or with the body, or any part or member thereof, of a

child under the age of 14 years shall not have his sentence suspended until the court obtains a report from a reputable psychiatrist as to the mental condition of such person. [1941 ch 1201 § 1; 1965 ch 1815 § 1.] Witkin Crimes pp 497, 1001, 1029.

§ 288a. [Oral copulation.] (a) Oral copulation is the act of copulating the mouth of one person with the sexual organ of another person.

(b)(1) Except as provided in Section 288, any person who participates in an act of oral copulation with another person who is under 18 years of age shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(2) Except as provided in Section 288, any person over the age of 21 years who participates in an act of oral copulation with another person who is under 16 years of age shall be guilty of a felony.

(c) Any person who participates in an act of oral copulation with another person who is under 14 years of age and more than 10 years younger than he or when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six or eight years.

(d) Any person who, while voluntarily acting in concert with another person, either personally or by aiding and abetting such other person, commits an act of oral copulation when the act is accomplished against the victim's will by means of force or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for five, seven, or nine years.

(e) Any person who participates in an act of oral copulation while confined in any state prison, as defined in Section 4504 or in any local detention facility as defined in Section 6031.4, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year.

(f) Any person who commits an act of oral copulation, and the victim is at the time unconscious of the nature of the act and this is known to the person committing the act, shall be punished by imprisonment in the state prison, or in a county jail for a period of not more than one year. [1915 ch 586 § 1; 1921 ch 848 §§ 1, 2; 1st Ex Sess 1950 ch 56 § 1; 1st Ex Sess 1952 ch 23 § 3; 1955 ch 274 § 1; 1975 chs 71 § 10, 877 § 2; 1976 ch 1139 § 178, operative July 1, 1977; 1977 ch 490

Any Abstract of Judgment is Incorrect. Penal Code 288 A (C) ONLY APPLIES TO MINORS. This is why I have visited restrictions with minors.

This Section applies to you. Minor & adult

§ 261

DEERING'S PENAL

- 7.5. Obscene Matter. §§ 311-312.5.
- 7.6. Harmful Matter. §§ 313-313.5.
- 8. Indecent Exposure, Obscene Exhibitions, and Bawdy and Other Disorderly Houses. §§ 314-318.6.
- 9. Lotteries. §§ 319-328.
- 10. Gaming. §§ 330-337s.
- 10.5. Horse Racing. §§ 337.1-337.9.
- 11. Pawnbrokers, Gold Buyers and Junk Dealers. §§ 343, 344.
- 12. Other Injuries to Persons. §§ 346-367.

CHAPTER I

Rape, Abduction, Carnal Abuse of Children, and Seduction

- § 261. Rape defined.
- § 261.5. Unlawful sexual intercourse.
- § 262. Rape of spouse defined: Time to report violation.
- § 263. What constitutes essential guilt of rape: Sufficiency of penetration.
- § 264. Punishment for rape: Recommendation by jury: Discretion of court.
- § 264.1. Aiding and abetting another in rape: Punishment.
- § 265. Abduction of women for marriage or defilement: Punishment.
- § 266. Seduction for purposes of prostitution: Aiding and abetting: Procuring illicit sexual intercourse by false pretenses: Punishment.
- § 266a. Taking person for prostitution without consent or by false representation: Punishment.
- § 266b. Taking person by force, to live in illicit relation: Punishment.
- § 266d. Receipt of money for placing person in custody for the purpose of cohabitation.
- § 266e. Payment for purpose of prostitution or placing in immoral house.
- § 266f. Selling person for immoral purposes.
- § 266g. Placing or permitting placing of one's wife in house of prostitution: Punishment: Wife competent witness.
- § 266h. Definition of pimping: Penalty: Competent witness.
- § 266i. Pandering defined: Penalty: Competent witness.
- § 267. Abduction for prostitution: Punishment.
- § 268. Seduction under promise of marriage: Penalty.
- § 269. Intermarriage, when a bar to prosecution.

§ 261. [Rape defined.] Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

1. Where a person is incapable, through lunacy or other unsoundness of mind, whether temporary or permanent, of giving legal consent.
2. Where it is accomplished against a person's will by means of force or fear of immediate and unlawful bodily injury on the person or another.
3. Where a person is prevented from resisting by any intoxicating, narcotic, or anesthetic substance, administered by or with the privity of the accused.
4. Where a person is at the time unconscious of the nature of the act, and this is known to the accused.

5. Where a person submits under the belief that the person committing the act is the victim's spouse, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce such belief. [1872; 1889 ch 191 § 1; 1897 ch 139 § 1; 1913 ch 122 § 1; 1970 ch 1301 § 1; 1979 ch 994 § 1; 1980 ch 587 § 1.] *Cal Jur 3d Abortion and Birth Control § 8, Appellate Review §§ 157, 158, 360 et seq., Criminal Law §§ 32, 36, 209, 210, 2067, 2068, 2071, 2078-2085, 2104, 2123, 2126, 2826; Witkin Crimes pp 204, 263, 264, 265, 266, 267, 268, 270, 475, 626, 919.*

§ 261.5. [Unlawful sexual intercourse.] Unlawful sexual intercourse is an act of sexual intercourse accomplished with a female not the wife of the perpetrator, where the female is under the age of 18 years.

proof that the requirements of 3172(a) have been met or there is explanation for the absence of a signature.

Acceptable explanations for the absence of a signature include, but are not limited to:

- A documented physical and/or mental condition or disability that may exclude the inmate from mailing and/or signing the questionnaire.
- Verification of inmate mailing has been established by other means, such as a date officially stamped by the institution or by a staff signature.
- In accordance with CCR Subsection 3172(e) the visitor has been directed to update a questionnaire on file by designated staff in conjunction with a periodic review or a change in name, address, telephone number, or arrest history.
- When the completed CDCR Form 106 is received and processed at the institution/facility, the inmate shall receive a SOMS Notice of Visitor Approval/Disapproval.
- Inmates shall be responsible for notifying visitor applicants of their approval to visit.
- Visitors may be required to contact the Department of Justice regarding their criminal or arrest history.

54020.8.1 Approval/Disapproval of Application to Visit

The authority to approve or disapprove a CDCR Form 106 shall not be delegated below the rank of correctional sergeant, parole agent II, or correctional counselor II. An application to visit may be disapproved in accordance with CCR Section 3172.1.

54020.8.2 Arrest History Inquiry

Revised April 3, 2014

Upon receipt of the CDCR Form 106 an arrest history inquiry shall be completed and a determination to approve or disapprove visiting should be made within 30 working days at a minimum, a Criminal Identification and Information (CI&I) report shall be obtained if the California Law Enforcement Telecommunication System lists a CI&I number for the applicant. Reasons for delay beyond 30 days may be provided to prospective visitors upon inquiry by the individual applicant.

Notification

If the visiting application is disapproved, the applicant and the inmate shall receive from visiting staff via SOMS Notice of Visitor Disapproval, written notification of the disapproval and the process to appeal the decision. The visitor shall be informed of the specific reason(s) for disapproval.

54020.8.3 Reconsideration of Disapproval

Revised April 3, 2014

Reconsideration of disapproval shall occur upon receipt of supporting documentation and information, and included on a new CDCR Form 106 subject to the provisions of CCR Section 3172.1.

54020.8.4 Revocation of Approval to Visit

Revised April 3, 2014

An individual's approval to visit may be revoked when:

- Information that would have resulted in visiting disapproval becomes known after visiting approval has been granted.
- Any activity or event occurs subsequent to an approval to visit that would have resulted in disapproval of the initial application.

54020.8.5 Violations of State Law on Institution/Facility Property

Visitor violations of State or federal law on institution/facility property may be referred to prosecuting authorities in accordance with CCR Section 3176.2. The visitor's visiting privileges shall be revoked pending investigation and/or court disposition. If the visitor is not prosecuted or not referred for prosecution, the visitor shall be subject to action in accordance with CCR Subsections 3176.2(a) and (b). If the visitor is found not guilty or a court dismisses the charges, visiting approval may be restored upon the written request of the visitor.

54020.9 Extenuating Circumstances for Visitor Approval

Revised September 25, 2007

Exceptions to approval requirements for visitors may be made when death, life-threatening illness, or injury occurs to an immediate family member, including registered domestic partner, of the inmate.

Family emergency exceptions shall be made only for an inmate's immediate family members as defined in Section 3000 of the Title 15 or clergy.

Each request to visit because of a family emergency shall require proof of the emergency and approval of the supervisor in charge of visiting.

Visitors must present acceptable picture identification and pass an arrest history inquiry in accordance with this Section.

The visit shall be conducted under the direct supervision of visiting or designated staff.

54020.10 Visiting Requirements for Minors

Revised April 3, 2014

Minors shall be accompanied by an adult who has been approved to visit the inmate.

Approval of an emancipated minor's visit requires a one-time submission of a certified copy of the court order of emancipation. Staff shall note that the original is certified, and verification of the order shall be noted in SOMS. The emancipated minor is subject to all the rules and regulations as set forth for adult visitors.

If the accompanying adult is not the parent, legal guardian, or spouse of the minor, a notarized written consent shall be required from the person with legal custody of the minor, or a certified copy of a court order authorizing the minor to visit while accompanied by a designated adult.

- The notarized written consent or court order shall state the duration of approval and must be presented each time the minor visits. The notarized written consent must be renewed annually.
- Staff shall note the notarized consent form is current and shall annotate it in SOMS.

54020.10.1 Visiting Restrictions for Minors

Revised May 10, 2010

Any inmate convicted of specified criminal acts against minors shall be prohibited from visiting with minors in accordance with provisions of CCR Section 3173.1.

- For inmates convicted of Penal Code (PC) Section(s) 261, 264.1, 266c, 285, 286, 288, 288a, 288.5, or 289 when the victim is a minor, visitation with the minor victim shall be prohibited, except as authorized by an order of the juvenile court pursuant to Welfare and Institutions Code Section 362.6. Visitation pursuant to such an order shall be limited to non-contact status.
- For inmates convicted of PC Section(s) 261, 264.1, 266c, 269, 285, 286, 288, 288a, 288.5, or 289 when the victim is a minor, visitation with any minor who is not the victim of the crime shall be limited to non-contact status except as authorized by the Institution Classification Committee.
- For inmates convicted of PC Section(s) 273a, or 273d, visitation with the minor victim shall be limited to non-contact status.
- For inmates convicted of violating PC Section(s) 187, 269, 273a, 273ab, or 273d, when the victim is a minor, visitation with any other minor shall be limited to non-contact status except as authorized by the Institution Classification Committee.
- When an inmate has been arrested, but not convicted of any crime involving a minor victim included in this Section, a classification committee shall determine whether all visitations with a minor(s) is to be limited to non-contact status.
- Unless otherwise prohibited, the inmate's visiting status shall be unrestricted until a classification committee has done the following:
 - Made a case-by-case determination whether the inmate poses a threat of harm to minor visitors in contact visitation.
 - Considered the circumstances of the misconduct involving a minor victim in determining whether the inmate poses a threat of harm to minor visitors in contact visitation. In making its determination, the classification committee shall consider, but is not limited to, arrest reports, probation officer reports, court transcripts, and parole revocation transcripts.
- If a classification committee determines that the inmate will pose a threat of harm to minor visitors in contact visitation, it will order all the inmate's visitation with minors be restricted to non-contact visiting status.
- If the inmate disagrees with the decision of a classification committee, the inmate may file an inmate grievance via the CDC Form 602 appeal process as outlined in CCR Sections 3084.1 through 3085.

54020.11 Processing Visitors

Revised April 3, 2014

Upon arrival at the visitor processing area, the visitor shall be issued a SOMS, Visitor Pass.

Visiting staff shall:

STATE OF CALIFORNIA
 INMATE/PAROLEE REQUEST FORM
 CDCR 22 (10/09)

SECTION A: INMATE/PAROLEE REQUEST

NAME (Print): (LAST NAME) <u>Alcorn</u> (FIRST NAME) <u>Rowen</u>		CDC NUMBER: <u>P631127</u>	SIGNATURE: <u>[Signature]</u>
HOUSING/BED NUMBER: <u>6374 C Fox</u>	ASSIGNMENT: <u>C Fox</u>	HOURS FROM <u>4:00</u> TO <u>1:00</u>	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): <u>[Topic]</u>

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:
[Handwritten text describing the request for an interview with a staff member regarding housing and assignment issues.]

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) ****NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED ****

SENT THROUGH MAIL: ADDRESSED TO: [Address] DATE MAILED: 3/5/16

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
--------------------------------	-------	------------	--

IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL
-------------------------	------------------------	--

SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME:	DATE:	SIGNATURE:	DATE RETURNED:
------------------------	-------	------------	----------------

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

[Blank lines for handwritten response]

SIGNATURE:	DATE SUBMITTED:
------------	-----------------

SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
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INMATE/PAROLEE REQUEST FOR INTERVIEW, ITEM OR SERVICE
CDCR 22 (10/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

SECTION A: INMATE/PAROLEE REQUEST

(cc made)

NAME (Print): (LAST NAME) Adams	(FIRST NAME) Rowald	CDC NUMBER: P65157	SIGNATURE: <i>[Signature]</i>
HOUSING/BED NUMBER: 6394 C-FAC	ASSIGNMENT: main kit	HOURS FROM 4am TO 11pm	TOPIC (I.E. MAIL, CONDITION OF CONFINEMENT/PAROLE, ETC.): Err of the Abstract of Judgment

CLEARLY STATE THE SERVICE OR ITEM REQUESTED OR REASON FOR INTERVIEW:

TO CASE RECORDS L French. Please See Attach Inmate appeal. The appeal was about an error in the Archive file under C-43417. From 1981. The problem is the court (Cited by PCC) the wrong code section which is PC 288 A (1) which is define as a child/molester or crime on a minor in which by law has place restrictions as to visits based on the Abstract of Judgment. Also the CDCR knows that a correction by the court should be made. now this Record Office is saying that an Err is part of CDCR Record by Law the Record Office's suppose to separate a memo to the Court Request to correct the Error. People v Hill 185 Cal when CDCR has knowledge CDCR must Inform the court and request to be correct.

METHOD OF DELIVERY (CHECK APPROPRIATE BOX) **NO RECEIPT WILL BE PROVIDED IF REQUEST IS MAILED**

SENT THROUGH MAIL: ADDRESSED TO: **CASE RECORDS L French.** DATE MAILED: **2/8/16**

DELIVERED TO STAFF (STAFF TO COMPLETE BOX BELOW AND GIVE GOLDENROD COPY TO INMATE/PAROLEE):

RECEIVED BY: PRINT STAFF NAME:	DATE:	SIGNATURE:	FORWARDED TO ANOTHER STAFF? (CIRCLE ONE) YES NO
--------------------------------	-------	------------	--

IF FORWARDED - TO WHOM:	DATE DELIVERED/MAILED:	METHOD OF DELIVERY: (CIRCLE ONE) IN PERSON BY US MAIL
-------------------------	------------------------	--

SECTION B: STAFF RESPONSE

RESPONDING STAFF NAME: French, CRTA	SIGNATURE: <i>[Signature]</i>	DATE RETURNED: 2-12-16
---	----------------------------------	----------------------------------

Records does not handle visiting restrictions. I have attached the 1981 penal code for your offense.

SECTION C: REQUEST FOR SUPERVISOR REVIEW

PROVIDE REASON WHY YOU DISAGREE WITH STAFF RESPONSE AND FORWARD TO RESPONDENT'S SUPERVISOR IN PERSON OR BY US MAIL. KEEP FINAL CANARY COPY.

LOOK I understand that the 1981 penal code section of the offense. But case Records have fail to understand The Abstract of Judgment that this office go buys is wrong incorrect. Court document Attach here to Dated 2-28-03. P.C. 288 A(1) Statute Require Evidence that the victims were minors 288 A(1). The Court File ALL victims were Adults. The Abstract of Judgment Need to be corrected People v Hill, People v Mitchell. You need to send a letter to the court.

SIGNATURE:	DATE SUBMITTED:
------------	-----------------

SECTION D: SUPERVISOR'S REVIEW

RECEIVED BY SUPERVISOR (NAME):	DATE:	SIGNATURE:	DATE RETURNED:
--------------------------------	-------	------------	----------------

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL
 CDCR 602 (REV. 08/09)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY	Institution/Parole Region: CMC-E Log #: 16-01023 Category: 6
FOR STAFF USE ONLY	

You may appeal any California Department of Corrections and Rehabilitation (CDCR) decision, action, condition, policy or regulation that has a material adverse effect upon your welfare and for which there is no other prescribed administrative review/remedy available. See California Code of Regulations, Title 15, (CCR) Section 3084.1. You must file your appeal within 30 calendar days of the event that lead to the filing of the appeal. For further guidance with the appeal process, refer to CDCR Form 602-A. Your appeal must be filed with the Appeals Coordinator (AC) within 30 calendar days of the event that lead to the filing of the appeal. For further guidance with the appeal process, refer to CCR 3084 for further guidance with the appeal process.

Appeal is subject to rejection if conditions are met.

Name (Last, First): Adams Row

State briefly the subject of your appeal:

Failure to Retrow.

A. Explain your issue (If you need more space, attach a separate sheet.)

AN CDCR 22 Form 1 - tion base on AN 19

ON 2-6-16 by CCF

B. Action requested (If you need more space, attach a separate sheet.)

Office Retrow the cond Exhibits cond

Copies made

WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Unit/Cell Number: Fac 6356 Assignment: Main 1st

Act 22 with Exhibits
3-16. I File
is Restrict
us were?
is iting
Records
inants

APR 25 2016
 CMC APPEALS OFFICE
 MAY 06 2016
 CMC APPEALS OFFICE
 MAY 27 2016
 CMC APPEALS OFFICE

Supporting Documents: Refer to CCR 3084.3.

Yes, I have attached supporting documents.

List supporting documents attached (e.g., CDC 1083, Inmate Property Inventory; CDC 128-G, Classification Chrono):

See copy of 22 Form
Dated 2-8-16.

No, I have not attached any supporting documents. Reason: _____

Inmate/Parolee Signature: [Signature]

Date Submitted: 4-25-16

By placing my initials in this box, I waive my right to receive an interview.

C. First Level - Staff Use Only

Staff - Check One: Is CDCR 602-A Attached? Yes No

This appeal has been:

Bypassed at the First Level of Review. Go to Section D.
 Rejected (See attached letter for instruction) Date: APR 28 2016 Date: MAY 20 2016
 Cancelled (See attached letter) Date: _____

Accepted at the First Level of Review.

Assigned to: P. Denny Title: AWWF Date Assigned: 6/16/16 Date Due: 7/12/16

First Level Responder: Complete a First Level response. Include Interviewer's name, title, interview date, location, and complete the section below.

Date of Interview: N/A Interview Location: N/A

Your appeal issue is: Granted Granted in Part Denied Other:

See attached letter. If dissatisfied with First Level response, complete Section D.
 Interviewer: D. Moranville Title: CCRA Signature: [Signature] Date completed: 6/23/16

Reviewer: P. DENNY Title: AW Signature: [Signature]

Date received by AC: _____

JUN 23 2016

AC Use Only

JUN 21 2016

STATE OF CALIFORNIA
INMATE/PAROLEE APPEAL FORM ATTACHMENT
CDCR 602-A (REV. 03/12)

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Side 1

IAB USE ONLY		Institution/Parole Region: CMC-E	Log #: 16-01023	Category: 1
FOR STAFF USE ONLY				

Attach this form to the CDCR 602, only if more space is needed. Only one CDCR 602-A may be used.

Appeal is subject to rejection if one row of text per line is exceeded. WRITE, PRINT, or TYPE CLEARLY in black or blue ink.

Name (Last, First): <u>Adams Ronald</u>	CDC Number: <u>P65157</u>	Unit/Cell Number: <u>6356</u>	Assignment: <u>new kt</u>
--	------------------------------	----------------------------------	------------------------------

A. Continuation of CDCR 602, Section A only (Explain your issue): Restriction went off the Abstract of Judgment which is in error. I send the 22 form to CCI supervisor for review ASKQ who is responsible is it to correct the Abstract & Judgment was it CDCR or the courts I was inform it was the courts. So on 2-8-16. I mail to CASE Records L French the 22 form along with court documents A copy of the Abstract of Judgment shows the record is in error. BY LAW when Records understand an error in the Abstract of Judgment they must notify the court. so on the 2nd 22 form Date 2-8-16. it was explain that Record shall inform the courts of this error. Well the 22 Form is missing as well as the court documents and other exhibits

MAY 06 2016
ONLY
MAY 27 2016
CMC APPEALS OFFICE
CMC APPEALS OFFICE
STAFF USE

Inmate/Parolee Signature: [Signature] Date Submitted: 4-25-16

B. Continuation of CDCR 602, Section B only (Action requested):

~~_____~~

~~_____~~

~~_____~~

~~_____~~

~~_____~~

Inmate/Parolee Signature: _____ Date Submitted: _____

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the FIRST Level

Friday, May 20, 2016

ADAMS, P65157
C 006 3356001L

CASE INFO./RECORDS, Policy & Procedures, 05/06/2016

Log Number: CMC-E-16-01023

(Note: Log numbers are assigned to all appeals for tracking purposes. Your appeal is subject to cancellation for failure to correct noted deficiencies.)

The enclosed documents are being returned to you for the following reasons:

Your appeal has been rejected pursuant to the California Code of Regulations, Title 15, Section (CCR) 3084.6(b)(8). Your appeal involves multiple issues that do not derive from a single event, or are not directly related and cannot be reasonably addressed in a single response due to this fact. You may resubmit the unrelated issues separately using separate appeals. Be advised that you are still subject to the submission of one non-emergency appeal every 14 calendar days.

After a review of your CDCR 602 and attached CDCR 22 forms, you have multiple issues.

If you're attempting to appeal an incorrect AOJ, you'll need to submit a new appeal solely regarding that issue.

If you're attempting to appeal visiting restrictions, you'll need to submit a new appeal solely regarding that issue.

- K. Cox, SSA (A)
 - R. Ochoa, CCII
 - J. Javaux, AGPA
 - G. Luz, OT
- Appeals Coordinator
CMC

NOTE: If you are required to respond/explain to this CDCR Form 695, use only the lines provided below.

Here's your problem. The ALREADY SUBMITTED MISSED APPEAL HAS COURT DOCUMENTS ATTACH TO IT AS WELL AS THE AOS. THIS WAS AN APPEAL FROM TWO OTHER TIMES TO WHERE THE RECORD OFFICE IS ATTEMPTING TO CORRECT WHICH HAS PUT MY LIFE IN DANGER AND THE APPEAL OFFICE IS ATTEMPTING TO COVER UP

Be advised that you cannot appeal a rejected appeal, but should take the corrective action necessary and resubmit the appeal within the timeframes specified in CCR 3084.6(a) and CCR 3084.8(b). Pursuant to CCR 3084.6(e), once an appeal has been cancelled, that appeal may not be resubmitted. However, a separate appeal can be filed on the cancellation decision. The original appeal may only be resubmitted if the appeal on the cancellation is granted. *the issue. Where is the original documents?*

NOTE THIS CDCR 695 IS A PERMANENT APPEAL ATTACHMENT AND IS NOT TO BE REMOVED

State of California
CDC FORM 695
Screening For:
CDC 602 Inmate/Parolee Appeals
CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the FIRST Level

Thursday, April 28, 2016

ADAMS, P65157
C 006 3356001L

CASE INFO./RECORDS, Policy & Procedures, 04/25/2016
Log Number: CMC-E-16-01023

(Note: Log numbers are assigned to all appeals for tracking purposes. Your appeal is subject to cancellation for failure to correct noted deficiencies.)

The enclosed documents are being returned to you for the following reasons:

Your appeal has been rejected pursuant to the California Code of Regulations, Title 15, Section (CCR) 3084.6(b)(7). Your appeal is missing necessary supporting documents as established in CCR 3084.3. All documents must be legible (If necessary, you may obtain copy(ies) of requested documents by sending a request with a signed trust withdrawal form to your assigned counselor). Your appeal is missing:

If you have not received the staff response on the CDCR 22 form, you need to send a new CDCR 22 form to the supervisor for review. Once you have completed the CDCR 22 process through the supervisor's level, you may submit an appeal at that time.

- R. Webster, OT
 - K. Cox, SSA (A)
 - R. Ochoa, CCII
 - J. Javaux, AGPA
- Appeals Coordinator
CMC



NOTE: If you are required to respond/explain to this CDCR Form 695, use only the lines provided below.

*See Attach 22 from CASE RECORDS - French ANSWER the LC
At Section B: I sent it to Supervisor for review on 2-13-16.
with court documents/records Attorney letters on this issue.
Where are my documents that was attach to the LC form.*

Be advised that you cannot appeal a rejected appeal, but should take the corrective action necessary and resubmit the appeal within the timeframes specified in CCR 3084.6(a) and CCR 3084.8(b). Pursuant to CCR 3084.6(e), once an appeal has been cancelled, that appeal may not be resubmitted. However, a separate appeal can be filed on the cancellation decision. The original appeal may only be resubmitted if the appeal on the cancellation is granted.

NOTE THIS CDCR 695 IS A PERMANENT APPEAL ATTACHMENT AND IS NOT TO BE REMOVED

EXHIBIT G

EXHIBIT 9

ORIGINAL FILED

NOV 16 1999

SUPERIOR COURT

1 GIL GARCETTI
District Attorney
2 By: HALIM DHANIDINA
Deputy District Attorney
3 200 W. Compton Blvd., 7th Floor
Compton, California 90220
4 (310) 603-8605
Attorney for Plaintiff
5

6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF LOS ANGELES

9 PEOPLE OF THE STATE OF CALIFORNIA,)
Plaintiff,)

CASE NO. TA100955
PEOPLE'S OPPOSITION TO
THE DISMISSAL OF ANY OF
DEFENDANT'S PRIORS,

11 v.

DATE: 11/17/99
DEPARTMENT: SC "J"

12 RONALD LEE ADAMS
13 Defendant(s).
14

15 TO THE HONORABLE JUDGE OF THE SUPERIOR COURT AND THE
16 DEFENDANT:

17 THE PEOPLE OF THE STATE OF CALIFORNIA present the following
18 Memorandum of Points and Authorities in support of its Opposition to the dismissal of any
19 of Defendant's priors in the cases A620066 and A611480.

20 A court does have discretion to dismiss a prior. People v. Romero (1996) Sup.
21 Ct. No.SCD103345 pages 18-19. However, that discretion is limited. Ibid.

22 A court abuses its discretion if its decision is not "in the furtherance of justice."
23 Ibid. The California Supreme Court defined "the furtherance of justice" as a court's decision
24 that must be guided by the defendant's present offense, criminal history, and other
25 individualized considerations such as the defendant's background, character, and prospects.
26 Ibid.; People v. Dent (1995) 38 Cal App. 4th 1726, 1731, and People v. Williams (1998) 17
27 Cal 4th 148, 161.
28

1 (1) Defendant's Present Offense

2 Defendant has been convicted of carjacking and the unlawful taking of a vehicle,
3 both felonies, carjacking being a serious felony under Penal Code section 1192.7. The jury
4 found that the defendant aggressively took a truck belonging to a repossession agent through
5 force or fear. There was also evidence to suggest that the defendant may have armed
6 himself with a garden hoe in order to further intimidate the victim and his companion who
7 were only trying to do a job in a safe, peaceful, and lawful way. Despite the victim's call to
8 the police and attempts to use pepper spray in self-defense, the defendant was undeterred in
9 his attempts to take the victim's truck until successful.

10 The present offense does not weigh in favor of the defendant when the interests of
11 justice are considered. The circumstances of the present offense emphasize that the
12 defendant lacks respect for the law and standards of civilized conduct.

13
14 (2) Defendant's Criminal History

15 The defendant's lack of respect for the law has persisted throughout his criminal
16 history. The defendant's criminal record as depicted in his rap sheet is extensive and
17 ongoing. In 1975, Defendant was convicted of misdemeanor trespass under a plea bargain
18 where burglary was initially charged. One year later in 1976, Defendant was convicted of
19 misdemeanor burglary. The following year in 1977, Defendant suffered his first felony
20 convictions for robbery and attempted robbery. Four years later in 1981, Defendant was
21 convicted of a misdemeanor for credit card fraud. Later that same year, Defendant was
22 convicted of felony receiving stolen property. The following year in 1982, Defendant was
23 convicted of misdemeanor tampering with a vehicle. One year later, Defendant was finally
24 sent to state prison for a 25-year term under the aforementioned receiving stolen property
25 case and a new case involving two counts of kidnapping, three counts of unlawful oral
26 copulation with a minor, two counts of assault with a deadly weapon inflicting great bodily
27 injury, and three counts of forcible rape. While in prison, Defendant lost time credit 13
28 times due to misconduct, according to his 969(b) packet. Eventually, Defendant was paroled

EXHIBIT - H

EXHIBIT B/P

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GIL GARCETTI
District Attorney
By: HALIM DHANIDINA
Deputy District Attorney
200 W. Compton Blvd., 7th Floor
Compton, California 90220
(310) 603-8605
Attorney for Plaintiff

ORIGINAL FILED

NOV 17, 1999

SUPERIOR COURT

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,
v.
RONALD LEE ADAMS
Defendant.

CASE NO. TA100955
SENTENCING MEMORANDUM
Date: November 17, 1999
Dept.: South Central J
Time: 8:30am

TO THE HONORABLE JUDGE OF THE SUPERIOR COURT AND THE
DEFENDANT:

I
INTRODUCTION

Following a jury trial in this matter, defendant Ronald Lee Adams was convicted of the crime of carjacking, a felony, and the unlawful taking of a vehicle, a felony. The defendant is also accused of having suffered 12 prior serious felony convictions. It is further alleged that the defendant did not remain free from prison custody for a period of five years before committing the present felonies. The truth of the priors is to be determined at a court trial prior to sentencing.

II

THE SENTENCE BY LAW IS AN INDETERMINATE TERM OF 25 YEARS TO LIFE
IN STATE PRISON PLUS A DETERMINATE TERM OF 11 YEARS STATE PRISON

Under Penal Code sections 1170.12(a)(3) and 1170.12(b)(1), robbery, attempted



1 robbery, kidnapping, assault with a deadly weapon inflicting great bodily injury, oral copulation
2 with a child between 10 and 14 years old, and forcible rape are all qualifying felony convictions.

3 Pursuant to Penal Code section 1170.12(c)(2)(A), if a defendant has two or more prior
4 felony convictions as defined in Penal Code section 1170.12(b)(1) that have been pled and
5 proved, the term for the current felony shall be the greater of the three sentences listed under
6 that section. Here, if the prior convictions are found to be true, the greater of the three
7 sentences would be 25 years to life in state prison for either count, not including the other
8 enhancements.

9 Pursuant to Penal Code section 667(a)(1), any person convicted of a serious felony
10 who has previously been convicted of a serious felony shall receive, in addition to the sentence
11 imposed by the court for the present offense, a five-year enhancement for each such prior
12 conviction on charges brought and tried separately. The terms of the present offense and each
13 enhancement shall run consecutively. Here, if the court finds the alleged prior convictions to
14 be true, there are a total of two five-year enhancements that shall be added to the defendant's
15 sentence since his serious prior felony convictions arise out of two cases brought and tried
16 separately. Under Penal Code section 1192.7 (27), carjacking is a serious felony. All of the
17 alleged prior convictions under case number A620066 and A611480 are also serious felonies
18 under Penal Code section 1192.7. Therefore, if the alleged prior convictions are found to be
19 true, the enhancement to the base term of 25 years to life would be an additional 10 years for
20 a total of 35 years to life.

21 Finally, under Penal Code section 667.5(b), the court shall impose a one-year term
22 for each prior separate term served for any felony without remaining free from prison for a five
23 year period. If the court finds the defendant's prior conviction under case number A619509 to
24 be true, one year should be added to the defendant's sentence for a grand total of 36 years to
25 life.

26 Thus, under Penal code sections 1170.12, 667(a)(1), and 667.5(b), the defendant's
27 sentence should be an indeterminate sentence of 25 years to life plus a determinate sentence of
28 11 years for a total of 36 years to life in state prison.

1 DATED: November 12, 1999

2 Respectfully submitted,
3 GIL GARCETTI
4 DISTRICT ATTORNEY

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6 HALIM DHANIDINA
7 Deputy District Attorney



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EXHIBIT I

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AND ALSO --

MR. DHANIDINA: AND THE ALLEGATION?

THE COURT: AS TO HIS ALLEGATIONS.

MR. DHANIDINA: IT IS ALSO ALLEGED UNDER THE SAME
CASE NUMBER THAT YOU HAVE SUFFERED THE FOLLOWING FELONY
CONVICTIONS. FIRST, IN CASE NO. A620066 CONVICTION OF
TWO COUNTS OF PENAL CODE 207; THREE COUNTS OF PENAL CODE
SECTION 288(A) (C); TWO COUNTS OF PENAL CODE SECTION 246;
THREE COUNTS OF PENAL CODE SECTION 261.2 AND 261.3.

IT IS ALSO ALLEGED YOU SUFFERED CONVICTIONS
IN CASE NO. A611480, VIOLATION OF PENAL CODE SECTION 211
AND VIOLATION OF 664/211.

THERE IS ALSO ALLEGED THAT YOU SUFFERED A
VIOLATION OF PENAL CODE SECTION 496 IN CASE
NO. A619509. THESE ALLEGATIONS ARE MADE UNDER PENAL
CODE SECTION 1170.12(A) THROUGH (D), 667(B) THROUGH (I)
AS WELL AS PENAL CODE SECTION 667(A) (1) AND PENAL CODE
667.5(B).

THE COURT: ALL RIGHT.

THE DEFENDANT: YOU KNOW WHAT, ALL YOU BURN IN
HELL. ALL OF YOU. ALL OF YOU.

THE COURT: NOW, HE HAS TO REMAIN.

ALL RIGHT.

JUST PICK HIM BACK UP AND PUT HIM IN THE
JAIL. HE HAS OBVIOUSLY FAINTED.

ALL RIGHT.

JUST PICK UP HIS HEAD ENOUGH THERE.

THE COURT HAS SEEN THESE DEMONSTRATIONS

copy

EXHIBIT - J

All Her

6

COURT COPY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

000324

PROBATION OFFICER'S REPORT

REPORT SEQUENCE NO. 1

DEFENDANT'S NAME(S) RONALD LEE ADAMS		
ADDRESS (PRESENT/RELEASE) 1209 WEST SPRUCE STREET COMPTON, CALIFORNIA 90220		
BIRTHDATE 12-27-56 (43)	GENDER M	RACE B
CITIZENSHIP STATUS B		DRIVER'S LICENSE/EXP. DATE N3425481
PROBATION NO. X - 1728700	CH NO. A05446204	MAIN NO.
DAYS IN JAIL THIS CASE <input checked="" type="checkbox"/> ESTIMATED <input type="checkbox"/> VERIFIED 123 DAYS		CUSTODY STATUS/RELEASE DATE REMANDED
BOOKING NO. 5984192		

COURT SC-D	JUDGE CHEROSKE	COURT CASE NO. TA100955
HEARING DATE 6-9-99	DEFENSE ATTY. P.D.	PROSECUTOR D.A.
DPO SWEARINGEN	AREA OFFICE SOUTH CENTRAL	PHONE NO. (310) 603-7866
TYPE REPORT		
<input type="checkbox"/> Probation and Sentence <input checked="" type="checkbox"/> Pre-Conviction (131.3 CCP) <input type="checkbox"/> Deferred Entry of Judgment <input type="checkbox"/> Post Sentence <input type="checkbox"/> Diversion (Specify)		

PRESENT OFFENSE: LEGAL HISTORY

CHARGED with the crimes of (INCLUDE PRIORS, ENHANCEMENT, OR SPECIAL CIRCUMSTANCES)

COUNT ONE - 215(A) PENAL CODE (CARJACKING);
 COUNT TWO: 10851(A) VEHICLE CODE (UNLAWFULLY DRIVING OR TAKING OF A VEHICLE);
 COUNT THREE: 245(A)(1) PENAL CODE (ASSAULT WITH DEADLY WEAPON);
 COUNT FOUR: 245(A)(1) PENAL CODE (ASSAULT WITH DEADLY WEAPON, BY MEANS LIKELY TO PRODUCE GREAT BODILY INJURY);
 (CONTINUED NEXT PAGE)

JUN 09 1999
DEPT. D

CONVICTED of the crimes of (INCLUDE PRIORS, ENHANCEMENTS OR SPECIAL CIRCUMSTANCES)

PRE-PLEA

CONVICTED BY NOT APPLICABLE	DATE OF REFERRAL APRIL 28, 1999	COUNT(S) CONTINUED TO P & S FOR DISPOSITION ALL
PROPOSED PLEA AGREEMENT NOT APPLICABLE	SOURCES OF INFORMATION NOT APPLICABLE	
DATE(S) OF OFFENSE MARCH 8, 1999	TIME(S) 0630	
DEFENDANT: <input checked="" type="checkbox"/> N/A (SEE PRIOR RECORD SECTION)	<input type="checkbox"/> SENTENCED TO STATE PRISON/COUNTY JAIL ON CASE <input type="checkbox"/> ON PROBATION <input type="checkbox"/> PENDING PROBATION VIOLATION <input type="checkbox"/> PENDING NEW CASE <input type="checkbox"/> ON PAROLE-REMAINING TIME	HOLD/WARRANTS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

RECOMMENDATION:

PROBATION
 DENIAL
 DIAGNOSTIC STUDY
 CYA
 OTHER
 COUNTY JAIL
 707.2 WIC
 STATE PRISON
 1203.03 PC

000325

1 PRESENT OFFENSE CONTINUED:

2 SPECIAL ALLEGATION 1170.12(A)-(D) AND 667(B)-(I) PENAL CODE: ON 11-24-81, CONVICTED OF
3 288(A) PENAL CODE, 261.2 PENAL CODE AND 261.3 PENAL CODE, NUMBER A620066;

4 ON 12-1-77, CONVICTED OF TWO COUNTS OF 211, NUMBER A611480 AND SPECIAL ALLEGATION
5 667.5(B) PENAL CODE: ON 11-24-81, CASE NUMBER A620066; ALSO 496 PENAL CODE, NUMBER
6 A619509.

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PRESENT OFFENSE:
(CONTINUED)

SOURCES OF INFORMATION (this page)
POLICE REPORT

ARREST DATE	TIME	BOOKED AS	OFFENSE	LOCATION OF ARREST	ARRESTING AGENCY
3-8-99	0630	SAME	215 PENAL CODE	1209 WEST SPRUCE	COMPTON POLICE DEPARTMENT

CO-DEFENDANT(S)	CASE NO.	DISPOSITION
NONE		

ELEMENTS AND RELEVANT CIRCUMSTANCES OF THE OFFENSE:

ON MARCH 8, 1999, THE DEFENDANT HAS BEEN CHARGED WITH CARJACKING, UNLAWFUL TAKING OF A VEHICLE AND TWO COUNTS OF ASSAULT WITH DEADLY WEAPON.

TWO VICTIMS ARRIVED AT THE DEFENDANT'S HOME TO REPOSSESS A VEHICLE. DEFENDANT CAME RUNNING OUT OF THE HOME YELLING FOR THE VICTIMS TO STOP. HE BECAME ANGRY AND AT ONE POINT THE DEFENDANT PICKED UP A GARDENING HOE AND ATTEMPTED TO HIT BOTH REPOSSESSORS. THERE WAS ALSO A PHYSICAL ALTERCATION WITH PUNCHING AND KICKING.

THE DEFENDANT THEN JUMPED IN THE TOW TRUCK AND DROVE OUT OF THE DRIVEWAY AT A HIGH RATE OF SPEED DROPPING THE REPOSSESSED CAR IN THE DRIVEWAY OF THE LOCATION.

OFFICERS RESPONDED TO 1209 WEST SPRUCE, DEFENDANT'S HOME. OFFICERS THEN GOT A CALL FROM 708 108TH STREET IN THE CITY OF LOS ANGELES REGARDING THE "CARJACKING." A FEMALE CALLER, NAMED SHERI, STATED THE DEFENDANT WAS AT HER RESIDENCE AND THAT THE TOW TRUCK WAS NEAR THE AREA OF 108TH AND WATTSWORTH. OFFICERS RESPONDED TO THE LOCATION AND RECOVERED THE TOW TRUCK.

000327

1 SHORTLY AFTERWARDS THEY SAW THE RED HYUNDAI THAT THE
2 DEFENDANT WAS DRIVING AFTER HE LEFT THE TOW TRUCK. THE DEFENDANT WAS ON SIGHT
3 AT 1209 WEST SPRUCE STREET.

4 THE DEFENDANT TOLD OFFICERS THAT HE HAD BEEN PEPPER SPRAYED
5 AND HAD BEEN KICKED BY BOTH MEN (VICTIMS) IN THE MOUTH. THE DEFENDANT ADMITTED
6 TO PUNCHING ONE OF THE VICTIMS IN THE HEAD WHILE JUMPING INTO THE TOW TRUCK. THAT
7 HE THEN TOOK OFF TO HIS FRIEND'S HOME WHERE HIS FRIEND THEN CALLED THE POLICE
8 DEPARTMENT.

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VICTIM:

SOURCES OF INFORMATION (this page)

NAME BOB FORRESTER JOSEPH REYES		COUNT(S) COUNT ONE, TWO, THREE AND FOUR.	
INJURY: PROPERTY LOSS (TYPE / COST / ETC.) NONE			
INSURANCE COVERAGE NO			
LOSS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	ESTIMATED LOSS NO	RESTITUTION ALREADY MADE NO	APPLIED FOR VICTIM RESTITUTION FUND <input type="checkbox"/> UNK <input type="checkbox"/> YES <input type="checkbox"/> NO

VICTIM STATEMENT:

PROBATION OFFICER CALLED MR. FORRESTER WHO STATED THERE WAS NO
DAMAGE TO THE VEHICLE AND NO INJURIES TO EITHER OF THE VICTIMS.

RESTITUTION	TOTAL NUMBER OF VICTIMS TWO	ESTIMATED LOSS TO ALL VICTIMS NONE	VICTIM(S) NOTIFIED OF P&S HEARING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
DOES DEFENDANT HAVE INSURANCE TO COVER RESTITUTION: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		INSURANCE COMPANY NAME/ADDRESS/TELEPHONE NO.	

VICTIM LIST CONTINUES NEXT PA

000329

1 PRIOR RECORD:

SOURCES OF INFORMATION (this page)
CII; TCIS; PROBATION; SUPERIOR COURT RECORDS.

2
3 AKA'S:

4 RONALD LEE ADAMS; POKEY LEE ADAMS; RONALD THOMAS; POKEY THOMAS; RONNIE L. THOMAS; RONNI
L. MOSES; RONALD LEE MOORE; RONNIE LEE ADAMS.

5 JUVENILE HISTORY:

6 11-23-73 LOS ANGELES SHERIFF'S DEPARTMENT - 602 WELFARE AND INSTITUTIONS
7 CODE; 487.2 PENAL CODE (GRAND THEFT PERSON). A PETITION WAS
SUSTAINED 2-28-84: HOME ON PROBATION.

8 (DEFENDANT WAS THE DRIVER OF THE VEHICLE. A JUVENILE PASSENGER GOT OUT AND
9 SNATCHED A WOMAN'S PURSE. THE DEFENDANT DID WELL ON PROBATION AND PAID HIS
RESTITUTION.)

10 2-21-75 ANAHEIM POLICE DEPARTMENT - 459 PENAL CODE (BURGLARY). ON
11 4-24-75, IN FULLERTON COURT NUMBER NM7501656, DEFENDANT CONVICTED
12 OF 602.5 PENAL CODE (ENTER/ETC. NONCOMMERCIAL DWELLING); SUMMARY
PROBATION, JAIL.

13 (THE DEFENDANT IN 1977, STATED THE OFFICERS OCCURRED AT THE DISNEYLAND PARKING
14 LOT WHEN SEVERAL AUTOMOBILES WERE BROKEN INTO. HE WAS WITH OTHER JUVENILES
BUT THAT THE JUVENILES WERE RESPONSIBLE AND NOT HIM.)

15 8-5-76 LOS ANGELES SHERIFF'S DEPARTMENT - 459 PENAL CODE (BURGLARY). ON
16 9-27-76, IN TORRANCE COURT NUMBER M168477 DEFENDANT CONVICTED:
TWO YEARS SUMMARY PROBATION, JAIL.

17 (THE OFFENSE INVOLVES TWO COUNTS OF 459 PENAL CODE. ON 8-5-76, IN COUNT ONE THE
18 DEFENDANT DROVE HIS 1968 CHEVROLET WITH CO-DEFENDANT RANDY SOWELL AS A
PASSENGER. THE CRIME SCENE WAS IN RANCHO PALOS VERDES. A 1975 DODGE VAN WAS
19 BROKEN INTO. A NEIGHBOR DROVE UP AND YELLED AT THE DEFENDANTS. THE
DEFENDANT AND HIS COMPANION DROVE AWAY. THE LICENSE NUMBER OF THE
20 DEFENDANT'S VEHICLE WAS NOTED.

21 (IN COUNT TWO, THE CRIME ALSO OCCURRED IN RANCHO PALOS VERDES. THE VICTIM'S
22 VEHICLE WAS BURGLARIZED ON AUGUST 4, 1976, IN EARLY A.M. SEVERAL ITEMS WERE
TAKEN FROM THE VEHICLE AND ENTRY WAS GAINED BY A PRIED WING WINDOW. THE
23 ITEMS TAKEN WAS SUBSEQUENTLY RECOVERED AND DEFENDANT'S CAR WAS STOPPED.

24 (THE DEFENDANT TOLD THE INVESTIGATING OFFICER THAT HIS CO-DEFENDANT HAD
25 ASKED HIM TO GIVE A RIDE TO THE PALOS VERDES AREA SO HE COULD GO STEALING. THE
26 DEFENDANT BLAMED THE CO-DEFENDANT AND DENIED BREAKING INTO ANY VEHICLES.)
27
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1 11-8-76 COMPTON POLICE DEPARTMENT - 664/211 PENAL CODE (ATTEMPTED
2 ROBBERY); 211 PENAL CODE (FIRST DEGREE ROBBERY). ON 12-1-77, IN
3 SUPERIOR COURT, NUMBER A611480 DEFENDANT CONVICTED: 36 MONTHS
4 FORMAL PROBATION, JAIL.

5 (THE PROBATION OFFICER RECEIVED THE PROBATION AND SENTENCE REPORT FROM
6 SUPERIOR COURT ARCHIVES. AT 8:00 P.M., OFFICERS ARRESTED THE DEFENDANT AND
7 CO-DEFENDANT STEVE WILSON. THE VICTIMS IN COUNT ONE RESIDED IN LYNWOOD.
8 THE COUPLE WERE IN THE MARKET BASKET PARKING LOT WHEN THE DEFENDANT'S
9 VEHICLE STOPPED NEAR THEM. THE CO-DEFENDANT ASKED DIRECTIONS AND THEN
10 PRODUCED A .32 CALIBER BLUE STEEL REVOLVER, POINTED AT THE VICTIMS. THE CO-
11 DEFENDANT DEMANDED MONEY. THE MALE VICTIM TURNED HIS POCKETS OUT
12 SHOWING THAT HE HAD NO MONEY. THE FEMALE VICTIM STATED SHE HAD NO MONEY.
13 THE DEFENDANT THEN WAS HEARD TO SAY, "LET'S GO, THESE PEOPLE DON'T HAVE ANY
14 MONEY." AS THE DEFENDANT DROVE AWAY PARTIAL LICENSE PLATE NUMBER WAS
15 RECORDED.

16 (THE VICTIM IN COUNT TWO WAS ROBBED IN THE PARKING LOT OF A SAFEWAY
17 GROCERY STORE AT ROSECRANS AND CENTRAL. THE DEFENDANT DROVE NEXT TO HER
18 AND SHOWED HER A MATCHBOX. HE ASKED HER DIRECTIONS TO THE ADDRESS ON THE
19 COVER. THE CO-DEFENDANT THEN BRANDISHED A WEAPON DEMANDING THE VICTIM'S
20 PURSE. FEARING FOR HER LIFE, THE VICTIM PLACED THE PURSE IN THE CAR AND
21 DEMANDED BY BOTH DEFENDANTS. THE DEFENDANTS WERE ARRESTED SHORTLY
22 AFTERWARDS. THE DEFENDANT STATED HE HAD BEEN FORCED BY THE CO-DEFENDANT
23 TO DRIVE HIS VEHICLE TO THE CRIME SCENES. THE CO-DEFENDANT TOLD OFFICERS
THAT IT HAD BEEN THE DEFENDANT WHO HAD THE IDEA TO COMMIT THE ROBBERIES.
AT ONE POINT THE DEFENDANT STATED THE CO-DEFENDANT HELD THE GUN ON HIM.
THE DEFENDANT WAS CONVICTED BY JURY AND FURTHER STATED THAT THE JURY
SHOULD HAVE BEEN PICKED MORE CAREFULLY. THE CO-DEFENDANT WAS SENT TO THE
CALIFORNIA YOUTH AUTHORITY.)

16 4-3-80 LOS ANGELES SHERIFF'S DEPARTMENT - 484(E)(1) PENAL CODE (ACQUIRE
17 CREDIT CARDS WITHOUT CONSENT). ON 2-17-81, IN CULVER CITY COURT
18 NUMBER N34012, DEFENDANT CONVICTED: JAIL.

18 11-3-80 LOS ANGELES SHERIFF'S DEPARTMENT - 496 PENAL CODE (RECEIVE/ETC.
19 KNOWN STOLEN PROPERTY). ON 11-24-81, IN SUPERIOR COURT, NUMBER
20 A619509, DEFENDANT CONVICTED: TWO YEARS STATE PRISON
21 CONCURRENT WITH A620066. RECEIVED AT CALIFORNIA DEPARTMENT OF
CORRECTIONS NUMBER C43417. RETURNED FOR VIOLATIONS.
DISCHARGED 5-21-98.

22 2-8-81 COMPTON POLICE DEPARTMENT - 288A(C) PENAL CODE (ORAL
23 COPULATION: MINOR IS 14/ETC. BY FORCE); 261.2/261.3 PENAL CODE (RAPE
WITH FORCE AND THREAT); 12022(B) PENAL CODE (WITH USE OF WEAPON).
DEFENDANT SENTENCED TO STATE PRISON NUMBER A620066
CONCURRENT WITH A619509. RECEIVED AT CALIFORNIA DEPARTMENT OF

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CORRECTIONS NUMBER C43417. RETURNED FOR VIOLATIONS.
DISCHARGED 5-21-98.

(THE PROBATION OFFICER REQUESTED CASE A620066 FROM DEPARTMENT OF
CORRECTIONS ARCHIVES. IT WAS NOT RECEIVED. CASE THEN REQUESTED FROM
SUPERIOR COURT RECORDS. IN ERROR, SUPERIOR COURT ARCHIVES SENT PROBATION
OFFICER INFORMATION ON CASE A611480. PROBATION OFFICER RE-REQUESTED CASE
BUT NOT RECEIVED AT TIME OF DICTATION.)

*Received & supplemental report
code A791*

9-20-82 SAN QUENTIN STATE PRISON - 4573.6 PENAL CODE (POSSESS
DRUG/ALCOHOL/ETC. IN PRISON) - DETENTION ONLY.

4-2-84 SAN QUENTIN STATE PRISON - 4573 PENAL CODE (BRING
NARCOTIC/ALCOHOL/ETC. PRISON) - DETENTION ONLY.

6-13-97 LOS ANGELES POLICE DEPARTMENT - 273.5(A) PENAL CODE (INFLECT
CORPORAL INJURY TO SPOUSE/COHABITANT). ON 7-17-97, SAN FERNANDO
NUMBER 7SF04051, CASE DISMISSED DUE TO DELAY.

(ON APRIL 6, 1998, DEFENDANT RETURNED TO CALIFORNIA DEPARTMENT OF
CORRECTIONS NUMBER C43417 FOR VIOLATION. DISCHARGED MAY 21, 1998.)

11-7-98 SAN BERNARDINO SHERIFF'S - 273.5(A) PENAL CODE (INFLECT CORPORAL
INJURY TO SPOUSE/COHABITANT). ON 1-20-99, IN FONTANA COURT
NUMBER MBA022961, DEFENDANT CONVICTED: 36 MONTHS SUMMARY
PROBATION, 30 DAYS JAIL.

(DEPUTY DISTRICT ATTORNEY, PATRICK COONEY, FAXED A COPY OF THE POLICE
REPORT. THE VICTIM WAS CRYSTAL DIANE HARRIS. OFFICERS ARRIVED AT 14520
VILLAGE DRIVE, UNIT 1706. OFFICERS OBSERVED THE VICTIM DRESSED ONLY IN A TORN
SWEATSHIRT AND PANTIES. THE VICTIM WAS SCREAMING, "HELP, HELP, ARREST THE
MOTHER FUCKER!" THE DEFENDANT THEN EXITED THE APARTMENT AND WALKED
DOWN THE STEPS. THE DEFENDANT CASUALLY TRIED TO WALK AWAY FROM THE AREA,
HOWEVER, WAS ARRESTED.

(THE VICTIM WAS OBSERVED TO HAVE RED MARKS ABOUT HER NECK AND SHOULDER
AREA ALONG WITH SIX-INCH LONG RED MARK. VICTIM STATED SHE RECEIVED AFTER
BEING THROWN ACROSS THE CARPETING. THE VICTIM STATED THAT SHE AND THE
DEFENDANT HAD BEEN COHABITATING FOR THE PAST FOUR YEARS WITH NO CHILDREN.
THE VICTIM HAD ARRIVED AT 3:00 A.M. (VICTIM WORKS AT ONTARIO AIRPORT). THERE
WAS A VERBAL DISAGREEMENT AND THE ASSAULT BEGAN. PARAMEDICS ARRIVED
HOWEVER THE VICTIM DECLINED TO GO TO THE HOSPITAL. OFFICERS STATED THAT
THERE WERE RUG BURNS AND SCRATCHES ON THE NECK AND BLOOD OF THE VICTIM'S
MOUTH.)

000332

1 PERSONAL HISTORY:

SOURCES OF INFORMATION (this page)
PROBATION REPORT IN CASE A611480

3 SUBSTANCE ABUSE:

4 _____ No record, indication, or admission of alcohol or controlled substance abuse.

5 _____ Occasional social or experimental use of _____ acknowledged.

6 X See below: Indication / admission of significant substance abuse problem.

7 Referred to Narcotic Evaluator Yes No _____ Narcotic Evaluator's report attached.

8 Additional Information

9 DEFENDANT BEGAN SMOKING MARIJUANA IN 1977. ADMITTED NO OTHER
10 DRUG USE.

20 PHYSICAL / MENTAL / EMOTIONAL HEALTH:

21 _____ No indication or claim of significant physical / mental / emotional health problem.

22 _____ See below: Indication / claim of significant physical / mental / emotional health problem.

23 Additional Information

24 MILD ASTHMA.

EXHIBIT 1



Department of Corrections and Rehabilitation

NOTICE OF CHANGE TO REGULATIONS

Section(s): 3560, 3561, 3562, 3563, 3564, 3565, 3570, 3571, 3572, 3573, 3580, 3581, 3582, 3590, 3590.1, 3590.2, and 3590.3

Number:

16-14

Publication Date:

December 23, 2016

Effective Date:

To Be Announced

INSTITUTION POSTING AND CERTIFICATION REQUIRED

This Notice announces the proposed amendments to Section(s) 3560, 3561, 3562, 3563, 3564, 3565, 3571, 3581, 3582, 3590, 3590.1, 3590.2, and 3590.3 and the adoption of Sections 3570, 3572, 3573, and 3580 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, to incorporate into the CCR, provisions concerning Supervision of Parolees.

IMPLEMENTATION: To be announced.

PUBLIC COMMENT PERIOD

Any person may submit written comments about the proposed regulations to the California Department of Corrections and Rehabilitation, Regulation and Policy Management Branch (RPMB), P.O. Box 942883, Sacramento, CA 94283-0001, by fax to (916) 324-6075, or by e-mail to RPMB@cdcr.ca.gov. All written comments must be received by the close of the public comment period **February 13, 2017**, at 5:00pm.

PUBLIC HEARING INFORMATION

A public hearing regarding these proposed regulations will be held **February 13, 2017 from 10:00am – 11:00am in the Kern/Colorado Room, located at 1515 S Street, Sacramento, CA 95811.** The purpose of the hearing is to receive oral comments about this action. It is not a forum to debate the proposed regulations. No decision regarding the permanent adoption of these regulations will be rendered at this hearing. Written or facsimile comments submitted during the prescribed comment period are given the same significance and weight as oral comments presented at the hearing. This hearing site is accessible to the mobility impaired.

POSTING

This Notice shall be posted immediately upon receipt at locations accessible to inmates, parolees, and employees in each Department facility and field office not later than five calendar days after receipt. Also, facilities shall make this Notice available for review by inmates in segregated housing who do not have access to the posted copies, and shall distribute it to inmate law libraries and advisory councils. CDCR Form 621-A (Rev. 09/14), Certification of Posting, shall be returned to the RPMB electronically, by fax, or by mail. See Department Operations Manual Sections 12010.12.1 and 12010.12.2 for posting and certification of posting procedures.

CONTACT PERSON

Inquiries regarding this Notice should be directed to Timothy M. Lockwood, Chief, RPMB, California Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001, by telephone (916) 445-2269 or e-mail RPMB@cdcr.ca.gov. Inquiries regarding the subject matter of these regulations may be directed to Troy Todd, Parole Agent III, Division of Adult Parole Operations, (916) 327-1136.

Original signed by:

RALPH M. DIAZ
Undersecretary, Operations
California Department of Corrections and Rehabilitation

Attachments

NOTICE OF PROPOSED REGULATIONS

**California Code of Regulations
Title 15, Crime Prevention and Corrections
Department of Corrections and Rehabilitation**

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Sections 5058 and 5058.3, in order to implement, interpret, and make specific PC Section 5054, proposes to amend Sections 3560, 3561, 3562, 3563, 3564, 3565, 3571, 3581, 3582, 3590, 3590.1, 3590.2, and 3590.3, and adopt new Sections 3570, 3572, 3573, and 3580 of the California Code of Regulations (CCR), Title 15, Division 3 concerning the supervision of parolees.

PUBLIC HEARING:

Date and Time: **February 13, 2017 - 10:00 a.m. to 11:00 a.m.**

Place: Department of Corrections and Rehabilitation
Kern/Colorado Room
1515 S Street – North Building
Sacramento, CA 95811

Purpose: To receive comments about this action.

PUBLIC COMMENT PERIOD:

The public comment period will close **February 13, 2017 at 5:00 p.m.** Any person may submit public comments in writing (by mail, by fax, or by email) regarding the proposed changes. To be considered by the Department, comments must be submitted by mail to CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001, by fax at (916) 324-6075, or by email at RPMB@cdcr.ca.gov before the close of the comment period.

CONTACT PERSON:

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Chief
Regulation and Policy Management Branch
Department of Corrections and Rehabilitation
P.O. Box 942883, Sacramento, CA 94283-0001
Telephone (916) 445-2269**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**S. Pollock
Regulation and Policy Management Branch
Telephone (916) 445-2308**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Troy Todd
Division of Adult Parole Operations
(916) 327-1136**

AUTHORITY AND REFERENCE:

PC Section 5000 provides that commencing on July 1, 2005, any reference to the Department of Corrections in this or any code refers to CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing on July 1, 2005, any reference to the Director of Corrections in this or any other code refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections was abolished.

PC Section 5054 provides that commencing on July 1, 2005, the supervision, management, and control of the State prisons and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

PC Section 5058.3 provides that an Emergency adoption, amendment, or repeal of a regulation by the Director shall be conducted pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW:

Current regulations provide for across-the-board enforcement of residency restrictions for specified sex offender parolees as per PC Section 3003.5(b). In addition, current regulations: provide for the majority of parole violations to be filed with the Board of Parole Hearings (BPH); do not specify the State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) for adult males - the Static-99R; do not include the Female Sex Offender Risk Assessment (FSORA) for females; and do not make specific PC Section 3010.10 which mandates the Division of Adult Parole Operations (DAPO) to file revocation petitions in superior court if a sex offender on parole removes, disables, or tampers with their Global Positioning System (GPS) monitor.

The proposed regulations will provide compliance with the court decision *In re Taylor*, which requires that residence restrictions on sex offender parolees must relate to the crime committed, have a direct relation to the crime, and be made upon a case-by-case basis. Additionally, the proposed regulations will do the following: update the proper jurisdiction regarding the majority of parole violations, which was moved from BPH to the county superior courts as a result of the 2011 Public Safety Realignment Act; implement and make specific PC Sections 290.03 and 290.04, which require DAPO to use evidence-based risk assessments and supplemental risk assessments to determine the likelihood of sex offenders to commit a new sex crime, and specifically requires CDCR to use the Static-99 risk assessment tool for adult males; incorporates by reference into the CCR the Static-99R and the supplemental tools LS/CMI to measure risk of future violence and the STABLE-2007/ACUTE-2007 to measure dynamic risk factors; incorporates the Department's risk assessment tool for females, the Female Sex Offender Risk Assessment (FSORA); and in compliance with PC Section 3010.10, allows for DAPO to file revocation petitions in superior court if a sex offender on parole removes, disables, or tampers with their Global Positioning System (GPS) monitor.

The broad objective of the proposed regulations is to update DAPO's processes and to comply with the court decision regarding *In re Taylor*.

This action provides the following:

- Removes language which is no longer applicable regarding BPH.
- Renames Section 3570 to "Definition of a Sex Offender" and adopts new language to provide this definition.
- Revises Section 3571, "Sex Offender Residence Restrictions," to require these restrictions on a case-by-case basis, and removes language that referred to an across-the-board 2,000 feet restriction for specified sex offenders.
- Adopts new Section 3572 "Violation of Parole for Disabling or Tampering with the Global Positioning System Monitor."
- Adopts new Section 3573 "Sex Offender Risk Assessment," and incorporates the Static-99R risk assessment for adult males and the FSORA for adult females into the CCR by reference. Also incorporates by reference into the CCR, the supplemental risk assessments LS/CMI (for both males and females) and the STABLE-2007/ACUTE-2007 (for just males).
- Provides a new definition for a "High Risk Sex Offender" in Section 3580.
- Revises Section 3582, "High Risk Sex Offender Residence Restrictions," to remove language that referred to an across-the-board 2,000 feet restriction for specified sex offenders and provides new language that a

residence restriction shall not be imposed unless it is supported by circumstances found in the parolee's criminal history as described in Section 3571.

- Removes unnecessary and duplicative language and renumbers subsections within Section 3582.

This Notice of Proposed Regulations includes revised text from the originally approved and adopted emergency text regulations. The changes in these Proposed Text of Regulations were necessary to comply with SARATSO Review Committee recommendations for supplemental risk assessments, and to provide correct terminology regarding new risk category labels for the Static-99R. These changes were not initially included in the emergency text regulations due to an oversight. The revisions to the emergency text language, which is now included in these Text of Proposed Regulations, is as follows:

- In Section 3570, to provide more clarity, the language "*Chapter 5.5*" was added after "*Sex Offender Registration Act.*"
- In Section 3573, the word "*adult*" was added in front of the words "*male sex offender*" for consistency and clarity purposes; and, in order to provide consistency and comply with new SARATSO Review Committee approved risk category labels for the Static-99R, the language "*a score of four (4) or higher*" was replaced with "*an above average risk or higher to commit a new sex offense*" regarding designating as a High Risk Sex Offender. In addition to this section's language changes, a revised Static-99R replaces the initially adopted Static-99R, to include the use of the new nomenclature language for the risk category labels. The revised Static 99R is incorporated by reference into the CCR, and included in this Notice of Change to Regulations.
- In order to comply with PC 290.04(b)(2) which specifies use of supplemental risk assessments to the Static-99R, existing subsection 3573(b) was relocated and renumbered as 3573(c) to accommodate for new subsection 3573(b) which adds new text language to incorporate the supplemental assessments to the Static-99R, the LS/CMI for risk of future violence, and the STABLE-2007/ACUTE-2007 for dynamic risk factors. These supplemental assessments are incorporated by reference into the CCR, and included in this Notice of Change to Regulations.
- In new subsection 3573(c) (formerly 3573(b)) the word "*adult*" was added in front of the words "*female sex offender/s*" for consistency and clarity purposes.
- Existing subsection 3573(c) was relocated and renumbered as 3573(e) due to renumbering within the section.
- Existing subsection 3573(d) was relocated and renumbered as 3573(f) due to renumbering within the section. Additionally, language which referenced "*pursuant to section 3573(b) and (c)*" was corrected to "*pursuant to section 3573(a) and (c).*"
- New subsection 3573(d) was added to incorporate the supplemental risk assessment LS/CMI for use with the FSORA.
- Section 3580 added the language "*pursuant to the Sex Offender Registration Act, including*" in front "*PC sections 290(c), ...*" for clarity and consistency purposes. Additionally, language which referenced "*pursuant to sections 3573(b) and (c)*" was corrected to "*pursuant to sections 3573(a) and (c).*"

DOCUMENTS INCORPORATED BY REFERENCE

The Static-99R (Revised 11/2/16), FSORA (11/19/15), LS/CMI (10/28/16), and STABLE-2007/ACUTE-2007 (10/28/16) risk assessments, as well as the CDCR Form 1650-D (Rev. 06/12), Record of Supervision, and CDCR Form 602 (Rev. 08/09), Inmate/Parolee Appeal, are incorporated by reference into these regulations and will be made available to the public along with the Notice of Proposed Regulations, Text of Proposed Regulations, and Initial Statement of Reasons.

BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS:

The proposed regulations will benefit California parolees by promoting fairness and preventing discrimination against sex offender parolees by removing blanket enforcement of PC Section 3003.5(b) on specified sex

offenders. The protection of public safety will be enhanced by the use of the Static-99R and FSORA risk assessment tools, along with the supplemental risk assessment tools LS/CMI and STABLE-2007/ACUTE-2007 to determine a sex offender parolee's likelihood of committing a new sex crime and what risk level they pose to the community. Additionally, public safety is enhanced by DAPO's ability to file a parole revocation petition in superior court if a sex offender on parole removes, disables, or tampers with their GPS monitor.

EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING LAWS/REGULATIONS:

The Department has determined that these proposed regulations are consistent and compatible with existing state laws and regulations. The Department reached this conclusion by reviewing existing CCR, Title 15, Division 3, related to the supervision of parolees.

LOCAL MANDATES:

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500 - 17630.

FISCAL IMPACT STATEMENT:

- **Cost to any local agency or school district that is required to be reimbursed pursuant to 17500 et seq.:** *none*
- **Cost or savings to any State agency:** *none*
- **Other nondiscretionary cost or savings imposed on local agencies:** *none*
- **Cost or savings in federal funding to the State:** *none*

EFFECT ON HOUSING COSTS:

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES:

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT AFFECTING BUSINESSES:

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

EFFECT ON SMALL BUSINESSES:

The Department has determined that the proposed regulations will not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by the supervision of parolees.

RESULTS OF ECONOMIC IMPACT ASSESSMENT:

The Department has determined that the proposed regulations will have no impact on the creation of new or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California. The Department has determined that the proposed regulations will have no affect on worker safety or the state's environment because the proposed regulations relate strictly to the supervision of California parolees. The proposed regulations will benefit the health and welfare of California residents by

promoting safety within California communities. There are no benefits to worker safety or the state's environment other than those provided by the general enhancement of safety within California communities.

CONSIDERATION OF ALTERNATIVES:

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS:

The Department will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based, is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the Department's website <http://www.cdcr.ca.gov>.

AVAILABILITY OF CHANGES TO PROPOSED TEXT:

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS:

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

TEXT OF PROPOSED REGULATIONS

In the following text, ~~strikethrough~~ indicates deleted text; underline indicates added or amended text.

California Code of Regulations, Title 15, Division 3, Adult Institutions, Programs, and Parole

Subchapter 6. Adult Parole

Article 4. Global Positioning System Program

3560. Global Positioning System Program Establishment.

Section 3560 is amended to read:

Departmental use of Global Positioning System (GPS) technology is designed to monitor the whereabouts of persons on parole by use of continuous electronic monitoring. The GPS program is for parolees who are identified as requiring a high level of supervision, as described in section 3561. By placing a GPS ~~tracking~~ monitoring device on a parolee, a ~~P~~parole ~~A~~gent receives information about a parolee's whereabouts, verifies the parolee's compliance with parole conditions, and is able to investigate suspicious behavior patterns.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3004, 3010, 3010.1, 3010.2, 3010.3, 3010.4, 3010.5, 3010.6, 3010.7, 3010.8, 3010.9 and 5054, Penal Code.

3561. Global Positioning System Technology on Eligible Parolees Designated as High Risk.

Subsection 3561(a) is amended to read:

(a) The California Department of Corrections and Rehabilitation (~~the D~~department) shall evaluate all parolees' criminal history and identify those parolees who require a high level of supervision, due to the risk of victimizing the public by committing new crimes while on parole.

Subsection 3561(b) is amended to read:

(b) Parolees who are deemed to require a high level of supervision and subject to ~~Global Positioning System (GPS) supervision~~ monitoring include, but are not limited to:

Subsection 3561(b)(1) is unchanged.

Subsection 3561(b)(2) is amended to read:

(2) Any validated ~~STG~~ Security Threat Group member or associate as indicated on the CDCR Form 812 (Rev. 11/13), Notice of Critical Case Information-Safety of Persons (Non-confidential Enemies) or CDCR Form 128-B2, (Rev. 06/14) Security Threat Group Validation/Rejection Review, which is incorporated by reference.

Subsection 3561(b)(3) is deleted.

(3) ~~A high control offender as defined in section 3504.~~

Existing Subsection 3561(b)(4) is renumbered 3561(b)(3) and is otherwise unchanged.

~~(4)(3)~~ When any parolee's case factors include unavailability for supervision, history of absconding parole supervision, escalating parole violations, or other such factors that would indicate the parolee is likely to re-offend, and where prevention of reoffending and knowledge of the whereabouts of the parolee is a high priority for maintaining public safety.

Subsection 3561(b)(5) is deleted.

~~(5) Any parolee who received a return to custody assessment by the Board of Parole Hearings (BPH), with a BPH final recommendation that the duration of the return to custody assessment be served in the community, utilizing GPS monitoring.~~

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3000.08(f), 3004, 3010, 3010.1, 3010.2, 3010.3, 3010.4, 3010.5, 3010.6, 3010.7, 3010.8, 3010.9 and 5054, Penal Code.

3562. Global Positioning System Monitoring Device Placement Criteria.

Subsections 3562(a) through 3562(b) are unchanged.

Subsection 3562(c) is amended to read:

(c) The parolee shall be informed that non-compliance with the special condition of parole for GPS monitoring is a violation of parole and may result in ~~a referral to the Board of Parole Hearings for revocation consideration.~~ the parolee's arrest and filing of a revocation petition in the superior court.

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3000.08(f), 3004, 3010, 3010.1, 3010.2, 3010.3, 3010.4, 3010.5, 3010.6, 3010.7, 3010.8, 3010.9 and 5054, Penal Code.

3563. Global Positioning System-Payments of Certain Costs by Parolees.

Subsections 3563(a) through 3563(a)(1) are amended to read:

(a) Parolees who are required to participate in continuous electronic monitoring by ~~Global Positioning System (GPS)~~ pursuant to the law shall be required to pay for the costs associated with the GPS system. However, the ~~D~~department shall waive any or all of that payment upon a finding of an inability to pay. The ~~D~~department shall consider any remaining amounts the parolee has been ordered to pay in fines, assessments and restitution fines, fees, and orders, and shall give priority to the payment of those items before requiring ~~that the parolee to pay for the global positioning~~ GPS monitoring.

(1) Ability to pay means the overall capability of the ~~person~~ parolee to reimburse the actual costs or portion of the costs, of providing ~~global positioning system~~ GPS monitoring.

Subsection 3563(a)(2) is unchanged.

Subsection 3563(a)(3) is amended to read:

(3) The Ddepartment shall consider any remaining amounts a ~~person~~ parolee has been ordered to pay in fines, assessments and restitution fines, fees and orders, and shall give priority to the payment of those items before requiring ~~that the person~~ parolee to pay for the ~~global positioning system~~ GPS monitoring.

Subsection 3563(b) is amended to read:

(b) If the parolee disagrees with the Ddepartment's finding that the parolee has the ability to pay for the costs associated with ~~the global positioning system~~ GPS monitoring, the parolee may file an appeal by submitting a CDCR Form 602 (Rev. ~~12/87~~ 08/09), Inmate/Parolee Appeal form to the departmental appeals coordinator.

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3004, 3010, 3010.1, 3010.2, 3010.3, 3010.4, 3010.5, 3010.6, 3010.7, 3010.8, 3010.9 and 5054, Penal Code.

3564. Requirement for Lifetime Global Positioning System Monitoring.

Subsection 3564(a) is amended to read:

(a) Any parolee who has been convicted for a felony violation of a sex offense described in subdivision (c) of Penal Code (PC) section 290 or any attempt to commit any of those offenses, released from custody on or after November 8, 2006, shall be subject to lifetime ~~Global Positioning System~~ (GPS) monitoring. GPS monitoring shall commence within 48 hours of release from a State correctional facility, or during the first contact with a Pparole Agent, whichever is sooner.

Subsection 3564(b) is amended to read:

(b) The ~~California Department of Corrections and Rehabilitation~~ Department shall maintain GPS monitoring for the entire period of parole supervision. Responsibility for lifetime supervision on GPS monitoring will be transferred to another agency upon discharge from parole supervision and termination of departmental jurisdictional authority.

Subsection 3564(c) is unchanged.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3004 and 5054, Penal Code.

3565. Transitioning Sex Offenders from Global Positioning System Monitoring to Local Law Enforcement Monitoring.

Subsection 3565(a) is amended to read:

(a) An active parolee subject to lifetime ~~Global Positioning System~~ (GPS) monitoring upon release from custody shall be monitored by the Department ~~California Department of Corrections and Rehabilitation~~ until discharged from parole and departmental jurisdiction.

Subsections 3565(b) through 3565(b)(1) are amended to read:

(b) Between ~~90-60~~ 60-90 days prior to the parolee's Controlling Discharge Date (CDD), Department ~~Division of Adult Parole Operations~~ staff shall notify, in writing, the assuming agency of the pending discharge. ~~Divisional~~ Department staff shall:

(1) Make the parolee available to the assuming agency within five working days prior to the ~~controlling discharge date~~ CDD to transition the parolee from departmental GPS equipment to the assuming agency's equipment.

Subsection 3565(b)(2) is unchanged.

Subsection 3565(c) is amended to read:

(c) If no other agency assumes GPS monitoring prior to the parolee's discharge from departmental jurisdiction, the departmental GPS equipment ~~will~~ shall be removed and recovered from the parolee upon reaching the parolee's ~~Controlling Discharge Date~~ CDD.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3004 and 5054, Penal Code.

Article 5. Sex Offenders

Section 3570 title heading is amended to read:

3570. Assessments. ~~[Reserved]~~ Definition of a Sex Offender.

New Section 3570 is adopted to read:

For the purposes of Subchapter 6, sex offender means any person currently under the jurisdiction of the Department who has a current or prior conviction, or juvenile adjudication resulting in a commitment to a California Youth Authority or Division of Juvenile Justice facility, listed in PC sections 290(c), 290.001, 290.002, 290.003, 290.004, 290.005, 290.006, 290.007, or 290.008. A sex offender will be required to register upon release from custody in accordance with the Sex Offender Registration Act, Chapter 5.5, PC sections 290 through 294, inclusive.

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 290(c), 290.001, 290.002, 290.003, 290.004, 290.005, 290.006, 290.007, and 290.008, Penal Code.

3571. Sex Offender Residence Restrictions.

Section 3571 is amended to read:

Parolees who are required to register as sSex offenders pursuant to Penal Code (PC) sections 290 through 290.023, inclusive, are ~~are~~ may be subject to residence restrictions as specified in this section with the approval of the Unit Supervisor, on a case-by-case basis based on the particularized circumstances of each individual parolee.

Subsections 3571(a) through 3571(a)(5) are unchanged.

New Subsection 3571(a)(6) is adopted to read:

(6) Residence restriction means a condition of parole, or an instruction from the Parole Agent prohibiting a parolee from residing at a location based on criteria related to the residence and the parolee's specific individual circumstances pursuant to subsection 3571(b).

New Subsection 3571(b) is adopted to read:

(b) The Unit Supervisor must approve a residence restriction that was proposed by the Parole Agent before it is imposed on a sex offender. Any residence restriction that will prohibit a parolee from residing within any distance of a park where children regularly gather, public or private school serving any grades of kindergarten through 12, or other location decided upon by the Parole Agent shall be justified based on a connection between the parolee's commitment offense, criminal history, and/or future criminality, to be determined on a case-by-case basis.

Existing Subsection 3571(b) is renumbered 3571(c) and amended to read:

~~(b)(c) A sex offender person released on parole who is required to register pursuant to PC Sections 290 through 290.023, inclusive,~~ may not, during the period of parole, reside in any single family dwelling with any other person also required to register as a sex offender, unless those persons are legally related by blood, marriage, or adoption.

Existing Subsection 3571(b)(1) is renumbered 3571(c)(1) and is otherwise unchanged.

(1) A residential facility located within a single family dwelling which serves six or fewer persons shall be excluded from this restriction.

Existing Subsection 3571(c) is deleted.

~~(c) A person released on parole on or after November 8, 2006, who is required to register pursuant to PC sections 290 through 290.023, inclusive, shall not reside within 2,000 feet of any public or private school, kindergarten through 12th grade, or park where children regularly gather.~~

Subsection 3571(d) is amended to read:

(d) A sex offender person released on parole ~~on or before November 7, 2006, who is required to register pursuant to PC sections 290 through 290.023, inclusive,~~ shall not be subject to a residence restriction in addition to subsections 3571(b) and 3571(c) above, or required by section 3582, unless that residence restriction is supported by circumstances found in the parolee's criminal history.

Subsections 3571(e) through 3571(e)(1) are unchanged, but are shown for reference purposes.

(e) Residence Verification and Approval. The Division of Adult Parole Operations (DAPO) shall monitor compliance with the residence restrictions contained in this section.

(1) Parolees subject to residence restrictions are responsible for finding compliant housing.

Subsections 3571(e)(2) through 3571(e)(3)(B) are amended to read:

(2) During the initial interview between the parolee and the Parole Agent upon release from custody, and before any change of residence while under parole supervision, the parolee shall provide his or her Parole Agent with the address where he or she intends to reside upon verification and approval of the Parole Agent.

(3) The Parole Agent shall utilize available resources to identify any public or private schools, and parks where children regularly gather, ~~located approximately within 2,000 feet of the parolee's proposed residence to determine if any will fall within any residence restrictions imposed on the parolee.~~ Available resources that may be considered include, but are not limited to:

(A) The California Department of Education's website, which lists public, private, and charter (a category of public) schools.

(B) Internet Telephone directories and navigation system services, such as MapQuest and Google services, (white and yellow pages) which list public schools by district, including city and/or county public school directories.

Subsections 3571(e)(3)(C) through 3571(e)(3)(E) are unchanged, but are shown for reference purposes.

(C) Listings provided by city halls that include local schools and parks.

(D) Resources available on the internet, such as satellite maps.

(E) Observations from site visits or familiarity with the community.

Subsections 3571(e)(4) through 3571(e)(5) are amended to read:

(4) If any public or private schools, and/or parks where children regularly gather, ~~is~~ are identified to be approximately within 2,000 feet of the parolee's proposed the residence restriction, the pParole aAgent shall use a Global Positioning System (GPS) measuring handheld device to determine whether any boundary of the public or private school, or park where children regularly gather, is within 2,000 feet of the threshold of the primary entrance of the proposed residence "as the crow flies," as a direct point-to-point aerial transit path, not as a street or path route the distance from the residence to the school and/or park. The distance shall be measured from the primary entrance of the proposed residence to the nearest exterior property boundary of the school and/or park.

(5) Parolees shall be advised whether the proposed residence is compliant with the residence restriction. If the residence is noncompliant based on the GPS verification measurements taken by the Parole Agent, as described in subsection 3571(e)(4) above, the actual distance and name of the prohibited public or private school, or park where children regularly gather, and method of measurement shall be disclosed to the parolee upon his or her request.

Subsection 3571(f) is amended to read:

(f) ~~DAPD shall report to the Board of Parole Hearings any parolee who is reasonably believed to have violated a residence restriction contained in this section. A parolee who has a special condition of parole prohibiting contact with specified minors shall not be allowed to reside in any residence where a minor with whom the parolee is prohibited from having contact also resides.~~

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 290.04, 290.06, 3003.5, 3008(a), 3053(a) and 5054, Penal Code; Doe v. Schwarzenegger (2007) 476 F.Supp.2d 1178; In re E.J. (2010) 47 Cal.4th 1258; People v. Lent (1975) 15 Cal.3d 481; and People v. Dominguez (1967) 256 Cal.App.2d 623; United States v. Wolf Child (9th Cir. 2012), 699 F.3d 1082; and In re Taylor (2015) 60 Cal.4th 1019.

New Section 3572 title heading is adopted to read:

3572. Violation of Parole for Disabling or Tampering with the Global Positioning System Monitor.

New Subsection 3572(a) is adopted to read:

(a) A sex offender subject to GPS monitoring by CDCR as a condition of parole, shall not remove, disable, render inoperable, or knowingly circumvent the operation of, nor permit another person to

remove, disable, render inoperable, or knowingly circumvent the operation of, an electronic, GPS, or other monitoring device affixed to his or her person, when he or she knows that the device was affixed as a condition of parole.

New Subsection 3572(b) is adopted to read:

(b) This section shall not apply if the removal, disabling, rendering inoperable, or circumventing of, an electronic, GPS, or other monitoring device, is performed by a physician, emergency medical services technician, or by any other emergency response or medical personnel when doing so is necessary during the course of medical treatment of the person subject to monitoring.

New Subsection 3572(c) is adopted to read:

(c) This section shall not apply if the removal, disabling, rendering inoperable, or knowingly circumventing the operation of an electronic, GPS, or other monitoring device, is authorized or required by a court, or the law enforcement, probation, parole authority, or other entity responsible for placing the monitoring device on the person, or that has, at the time, the authority and responsibility to monitor the electronic, GPS, or other monitoring device.

New Subsection 3572(d) is adopted to read:

(d) When probable cause is discovered that a sex offender has removed, disabled, rendered inoperable, knowingly circumvented the operation of, or attempted to circumvent the operation of, or permitted another person to remove, disable, render inoperable, or knowingly circumvent the operation of the monitoring device, notwithstanding subsections 3572(b) and 3572(c) above, DAPO shall refer the violation to superior court.

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3000.08(c) and 3010.10, Penal Code.

New Section 3573 title heading is adopted to read:

3573. Sex Offender Risk Assessment.

New Subsection 3573(a) is adopted to read:

(a) The Department shall utilize the Static-99R (Revised 11/2/16) risk assessment, which is incorporated by reference, for adult male sex offenders. Any adult male sex offender who is assessed with an above average risk or higher to commit a new sex offense shall be designated as a High Risk Sex Offender (HRSO), as defined in Section 3580, for the purposes of residence restrictions and supervision while on parole.

New Subsection 3573(b) is adopted to read:

(b) The Department's contracted sex offender treatment providers shall utilize the Level of Service/Case Management Inventory (LS/CMI) (10/28/2016) and the STABLE-2007/ACUTE-2007 (10/28/2016), which are incorporated by reference, as supplemental assessments to the Static-99R for adult male sex offenders. The LS/CMI will measure risk of future violence of adult male sex offenders, and the STABLE-2007/ACUTE-2007 will measure dynamic (changing) risk factors of adult male sex offenders.

New Subsection 3573(c) is adopted to read:

(c) The Department shall utilize the Female Sex Offender Risk Assessment (FSORA) (11/19/2015), which is incorporated by reference, for adult female sex offenders. Any adult female sex offender who is assessed in the category of “Moderately High Risk” or higher shall be designated as a HRSO for the purposes of residence restrictions and supervision while on parole.

New Subsection 3573(d) is adopted to read:

(d) The Department’s contracted sex offender treatment providers shall utilize the LS/CMI (10/28/2016), which is incorporated by reference, as a supplemental assessment to the FSORA for adult female sex offenders. The LS/CMI will measure risk of future violence of adult female sex offenders.

New Subsection 3573(e) is adopted to read:

(e) The Department may conduct on-going risk assessments of sex offenders during their parole terms at the discretion of the Director of DAPO or their designee. These assessments shall be for the purpose of designing treatment programs and for the supervision of the sex offender.

New Subsection 3573(f) is adopted to read:

(f) Upon completion of the Static-99R risk assessment or FSORA pursuant to section 3573(a) and (c), if designated a HRSO, the sex offender shall remain under the jurisdiction of the Department for the length of the parole term, regardless of the result of future assessments.

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 290.04 and 3008, Penal Code.

Article 6. High Risk Sex Offenders

Section 3580 title heading is amended to read:

3580. Definitions of a High Risk Sex Offender. [Reserved]

New Section 3580 is adopted to read:

A High Risk Sex Offender (HRSO) is an inmate or parolee required to register pursuant to the Sex Offender Registration Act, including PC sections 290(c), 290.001, 290.002, 290.003, 290.004, 290.005, 290.006, 290.007, or 290.008, and who also has been assessed by the Department pursuant to sections 3573(a) and (c) and based on his or her score on the risk assessment, has been designated as a High Risk Sex Offender.

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 290, 290.001, 290.002, 290.003, 290.004, 290.005, 290.006, 290.007, 290.008, and 3000.08, Penal Code.

Section 3581 title heading is amended to read:

3581. ~~Assessments.~~ [Reserved]

3582. High Risk Sex Offender Residence Restrictions.

Section 3582 is amended to read:

Parolees who are required to register as sex offenders pursuant to ~~Penal Code (PC)~~ sections 290 through 290.023, inclusive, and who have been designated as ~~Hhigh-Rrisk-Ssex-Ooffenders~~ by the ~~California Department of Corrections and Rehabilitation (CDCR) Department~~, are subject to residence restrictions as specified in this section and as defined in section 3571.

Existing Subsection 3582(a) is deleted.

~~(a) Definition. High risk sex offender means a sex offender who, pursuant to PC section 290.04, has been assessed and deemed by the CDCR to pose a high risk to commit a new sex offense.~~

Existing Subsection 3582(b) is renumbered 3582(a) and amended to read:

~~(b)(a)~~ A ~~Hhigh-Rrisk-Ssex-Ooffender~~ released on parole who is required to register pursuant to PC sections 290 through 290.023, inclusive, may not, during the period of parole, reside in any single family dwelling with any other person also required to register as a sex offender, unless those persons are legally related by blood, marriage, or adoption. A residential facility located within a single family dwelling which serves six or fewer persons shall be excluded from this restriction.

Existing Subsection 3582(c) is renumbered 3582(b) and amended to read:

~~(c)(b)~~ ~~A high risk sex offender~~ A HRSO released on parole on or after November 8, 2006 who is required to register pursuant to PC sections 290 through 290.023, inclusive, and ~~who has a current or prior~~ whose current commitment to the Department is for a conviction for a violation of PC section 288, inclusive of any subsection, or PC section 288.5, may shall not reside within one-half mile of any public or private school, kindergarten through grade 12, inclusive, ~~and may not reside within 2,000 feet of a park where children regularly gather, as described in section 3571(e).~~

New Subsection 3582(c) is adopted to read:

(c) A HRSO who has a juvenile adjudication for PC section 288, inclusive of any subsection, or PC section 288.5, is not subject to the provisions of PC section 3003(g); however, may have a residence restriction imposed pursuant to section 3571.

Subsection 3582(d) is amended to read:

~~(d) A high risk sex offender~~ A HRSO released on parole on or after November 8, 2006 who is required to register pursuant to PC sections 290 through 290.023, inclusive, and who does not have a current or prior conviction for a violation of PC section 288, inclusive of any subsection, or PC section 288.5, ~~shall be subject to the residency restriction described in section 3571(e). Any restriction on this parolee's residence in addition to this subsection and subsection (b) above is allowed only if that residence restriction is supported by circumstances found in the parolee's criminal history.~~ may have a residence restriction imposed pursuant to section 3571. A residence restriction shall not be imposed unless it is supported by circumstances found in the parolee's criminal history as described in section 3571.

Existing Subsection 3582(e) is deleted.

~~(e) A high risk sex offender released on parole on or before November 7, 2006 who is required to register pursuant to PC sections 290 through 290.023, inclusive, and who has a current or prior conviction for a violation of PC section 288, inclusive of any subsection, or PC section 288.5, may not reside within one-half mile of any public or private school, kindergarten through grade 12, inclusive.~~

Existing Subsection 3582(f) is deleted.

~~(f) A high risk sex offender released on parole on or before November 7, 2006 who is required to register pursuant to PC sections 290 through 290.023, inclusive, and who does not have a current or prior conviction for a violation of PC section 288, inclusive of any subsection, or PC section 288.5, shall not be subject to a residence restriction in addition to subsection (b) above unless that residence restriction is supported by circumstances found in the parolee's criminal history.~~

Existing Subsection 3582(g) is renumbered 3582(e) and amended to read:

~~(g)(e)~~ Residence Verification and Approval. The ~~Division of Adult Parole Operations (DAPO)~~ shall monitor compliance with the residence restrictions contained in this section.

Existing Subsection 3582(g)(1) is renumbered 3582(e)(1) and is otherwise unchanged.

(1) Parolees subject to residence restrictions are responsible for finding compliant housing.

Existing Subsection 3582(g)(2) is renumbered 3582(e)(2) and amended to read:

(2) During the initial interview between the parolee and the ~~p~~Parole ~~a~~Agent upon release from custody, and before any change of residence while under parole supervision, the parolee shall provide his or her ~~P~~Parole ~~A~~Agent with the address where he or she intends to reside upon verification and approval of the ~~P~~Parole ~~A~~Agent.

Existing Subsection 3582(g)(3) is renumbered 3582(e)(3) and amended to read:

~~(3) In addition to the residence verification and approval process described in section 3571(e) to determine whether the parolee's proposed residence is located within 2,000 feet of a public or private school or park where children regularly gather, the The parole agent shall utilize available resources identified in subsections 3571(e)(3)(A) through 3571(e)(3)(E) to identify any public or private schools located approximately within one-half mile of the parolee's proposed residence. Available resources that may be considered include, but are not limited to:~~

Existing Subsections 3582(g)(3)(A) through 3582(g)(3)(E) are deleted.

~~(A) The California Department of Education's website which lists public, private and charter (a category of public) schools.~~

~~(B) Telephone directories (white and yellow pages) which list public schools by district, including city and/or county public school directories.~~

~~(C) Listings provided by city halls that include local schools.~~

~~(D) Resources available on the internet, such as satellite maps.~~

~~(E) Observations from site visits or familiarity with the community.~~

Existing Subsection 3582(g)(4) is renumbered 3582(e)(4) and amended to read:

~~(4) If any public or private schools and/or parks where children regularly gather is are identified to be approximately within one-half mile of the parolee's proposed the residence, restriction of a HRSO, the pParole aAgent shall use a Global Positioning System (GPS) measuring handheld device to determine whether any boundary of the public or private school is within one-half mile of the threshold of the primary entrance of the proposed residence "as the crow flies," as a direct point to point aerial transit path, not as a street or path route the distance from the residence to the school and/or park. The distance shall be measured from the primary entrance of the proposed residence to the nearest exterior property boundary of the school and/or park.~~

Existing Subsection 3582(g)(5) is renumbered 3582(e)(5) and amended to read:

(5) Parolees shall be advised whether the proposed residence is compliant. If the residence is noncompliant based on the ~~GPS verification measurements taken by the Parole Agent, as described in subsection 3582(e)(4) above,~~ the actual distance and name of the prohibited public or private school and method of measurement shall be disclosed to the parolee upon his or her request.

Existing Subsection 3582(h) is renumbered 3582(f) and amended to read:

~~(h)(f) DAPO shall report to the Board of Parole Hearings any parolee who is reasonably believed to have violated a residence restriction contained in this section. When probable cause is discovered that a HRSO parolee is in violation of a residence restriction, DAPO shall file a revocation petition in superior court.~~

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 290.04, 290.06, 3003(g), 3003.5, 3008(a), 3053(a) and 5054, Penal Code; *Doe v. Schwarzenegger* (2007) 476 F.Supp.2d. 1178; *In re E.J.* (2010) 47 Cal.4th 1258; ~~and~~ *People v. Lent* (1975) 15 Cal.3d 481; and *In re Taylor* (2015) 60 Cal.4th 1019.

Article 6.5. Transient Sex Offender Supervision

3590. Transient and Residence Determination.

Subsections 3590(a) through 3590(a)(4) are unchanged.

Subsection 3590(b) is amended to read:

(b) When determining whether a residence has been established, the Pparole Aagent shall utilize all available resources and information. If ~~the a~~ review of the complete set of circumstances indicates residency has been established, and a reasonable and prudent Pparole Aagent reviewing the same information would draw the same conclusion, then a residence has been established. After a transient sex offender establishes a residence, he or she is no longer recognized as transient, and:

Subsection 3590(b)(1) is unchanged, but is shown for reference.

(1) Continues to have a lifetime obligation to register as a sex offender, but is subject to the registration requirements as provided under PC section 290.010.

Subsection 3590(b)(2) is amended to read:

(2) May be subject to ~~one or more~~ residency restrictions as described in sections 3571 and 3582.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 290.010, 290.011(g), 3003(g), ~~3003.5(b)~~ and 5054, Penal Code.

3590.1. Approved Regular Entrance at an Address.

Section 3590.1 is unchanged, but is shown for reference.

Transient sex offenders are permitted the following repeated and regular entries at an address and such entries shall not be considered as establishing residency:

Subsection 3590.1(a) is amended to read:

(a) For the purpose of charging the Global Positioning System (GPS) device as directed in the sex offender's conditions of parole. ~~paroled sex offenders are required to wear as described in section 3561.~~

Subsection 3590.1(b) is amended to read:

(b) For the purpose of ~~approved~~ employment previously approved by the Parole Agent.

Subsection 3590.1(c) is unchanged.

Subsection 3590.1(d) is amended to read:

(d) For the purpose of obtaining care, treatment, or other services provided by licensed providers.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Section 5054, Penal Code.

3590.2. Transient Sex Offender Location Restrictions.

Subsection 3590.2(a) is unchanged, but is shown for reference purposes.

(a) Transient sex offenders staying at locations without street addresses, including but not limited to bridges, transient encampments, and bus stops, which may be near schools, parks, or areas where children regularly gather as described in section 3571(a), are not subject to residence restrictions established in statute, as these locations are not defined as residences that are located by a street address as provided in section 3590.

Subsection 3590.2(b) is amended to read:

(b) The locations described in subsection 3590.2(a) may not be acceptable for a parolee to reside at or to frequent based upon his or her existing special conditions of parole, and/or criminal history, ~~and/or local community ordinances.~~ Special conditions of parole may be imposed when warranted to address these circumstances.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Section 3003(g), ~~3003.5(b)~~, 3053(a) and 5054, Penal Code; and *People v. Lent* (1975) 15 Cal.3d 481.

3590.3. Supervision of Transient Sex Offenders.

Subsection 3590.3(a) is amended to read:

(a) Transient sex offenders are subject to parole supervision contact requirements as described in section 3504, except that: Instead of completing the required face-to-face residence contact, the Pparole Agent shall contact the parolee at either his or her place of employment (if employed) or “in the field,” within the community where the parolee is located. This may include a residence where the parolee appears to be residing. All contacts shall be documented by the Pparole Agent on a CDCR Form 1650-D (Rev. 07/1006/12), Record of Supervision, which is incorporated by reference.

Subsection 3590.3(b) is amended to read:

(b) Transient sex offenders shall be required to disclose the locations where they have slept, or intend to sleep at night, during any contact with the Pparole Agent.

Subsection 3590.3(c) is amended to read:

(c) During case reviews, the ~~parole u~~Unit sSupervisor shall ensure that the Pparole Agent is meeting current contact case supervision specifications as described in section 3504.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3003, 3003.5 and 5054, Penal Code.

INITIAL STATEMENT OF REASONS:

The California Department of Corrections and Rehabilitation (CDCR) proposes to amend sections 3560, 3561, 3562, 3563, 3564, 3565, 3571, 3581, 3582, 3590, 3590.1, 3590.2, and 3590.3, and adopt new sections 3570, 3572, 3573, and 3580 of the California Code of Regulations (CCR), Title 15, Division 3, Subchapter 6, Articles 4, 5, 6, and 6.5, concerning the supervision of parolees under the jurisdiction of the CDCR, Division of Adult Parole Operations (DAPO).

Adjudication of Parole Violations

As a result of the 2011 Public Safety Realignment Act, codified in Penal Code (PC) section 3000.08(f), the jurisdiction for adjudicating the majority of parole violations was moved from the Board of Parole Hearings (BPH) to county superior courts. Within CCR, Articles 4, 5, 6, and 6.5, there are references to BPH that require updating to reflect the jurisdictional change.

Sex Offender Residence Restrictions

Residence restrictions are a condition of parole, and there are different kinds of residence restrictions. However, a residence restriction must be justified pursuant to *People v. Lent (15 Cal.3d 431) (1975)*. *People v. Lent* determined that a probation condition is invalid if it: (1) is not related to the crime of which the offender was convicted, (2) relates to noncriminal conduct, and (3) requires or forbids conduct which is not reasonably related to future criminality. Under *Lent*, for some sex offenders a 2,000 foot distance restriction from a school or park may be justified; however, for other sex offenders *no* distance may be justified. For example, a distance may not be justified if a sex offender's victim was an adult. Distance may also not be justified if the proximity of the sex offender's residence to a school or park was not a factor in the sex offender's crime. Residence restrictions may also be imposed on the basis of other people in a residence where a parolee plans to reside. For example, a sex offender who was convicted of child molestation (PC section 288(a)) will have a condition of parole prohibiting contact with minors. This condition of parole meets the criteria of *Lent* because the condition is related to the criminal history, so this type of sex offender would not be allowed to reside in a place where a minor also resides.

In 2006, ballot initiative Proposition 83, as codified in PC section 3003.5(b), was passed. PC section 3003.5(b) prohibited all sex offenders from residing within 2000 feet of parks where children regularly gather and schools, and is currently reflected in regulations.

In 2015, in *In re Taylor (California Supreme Court docket S206143)*, the California Supreme Court ruled that CDCR's blanket enforcement of the residence restrictions within PC section 3003.5(b), known as "Jessica's Law," in San Diego county, violated the constitutional rights of sex offenders on parole. The courts ruled that enforcement of PC section 3003.5(b) on all sex offenders did not meet the requirements of *People v. Lent*, and that the residence restriction must relate to the crime committed, and have a direct relation to the crime.

As a result of *Taylor*, any distance imposed in a residence restriction must be justified based on the parolee's criminal history. These amendments will bring the affected CCR sections into compliance with the *Taylor* decision, update CDCR's policies for imposing residence restrictions on sex offenders under its jurisdiction, and comply with the court's decision on a statewide basis.

Global Positioning System/Electronic Monitoring of Sex Offenders

In 2014, the Legislature added PC section 3010.10 which created a mandate for DAPO to file revocation petitions in superior court if a sex offender on parole removes, disables, or tampers with their Global Positioning System (GPS) monitor. Newly proposed section 3572 implements and makes specific PC 3010.10 by adding language which specifies the conditions for a violation of parole, when disabling or tampering with a GPS monitor has occurred.

Sex Offender Risk Assessments

In 2012, the California Legislature amended PC sections 290.03 and 290.04 to require DAPO to use evidence-based risk assessments to determine the likelihood of sex offenders committing a new sex crime. Additionally, the Public Safety Realignment Act gave CDCR the jurisdiction to assess inmates convicted of sex crimes, to determine what risk level they pose to the community upon release, and to supervise High Risk Sex Offenders upon release. If a sex offender serves a prison term in CDCR for a violent or serious crime (as defined in PC sections 667.5(c) and 1192.7(c)), the sex offender will be supervised by DAPO. Based on PC section 3000.08, if a sex offender serves a prison term for a non-violent or non-serious crime, DAPO only has jurisdiction to supervise the sex offender if the offender is a High Risk Sex Offender. These regulations are necessary to comply with PC 3000.08 and define a High Risk Sex Offender.

Penal Code (PC) section 290.03 requires CDCR to use a risk assessment tool to determine the risk a sex offender poses of committing a new sex crime. Further, PC section 290.04 identifies a State Authorized Risk Assessment Tool for Sex Offenders (SARATSO) Review Committee comprised of representatives from CDCR, the Department of State Hospitals, and the Attorney General's office, whom shall be responsible for determining the SARATSO that shall be used for assessing sex offenders.

Additionally, PC 290.04 requires that a risk assessment instrument chosen by the SARATSO Review Committee must reflect(s) the most reliable, objective, and well-established protocols for predicting sex offender risk of recidivism, have been scientifically validated and cross-validated, and is, or is reasonably likely to be, widely accepted by the courts. The SARATSO Review Committee must consult with experts in the field of risk assessment in choosing the instruments mandated for use in California. PC 290.04(a)(1) also states that "If a SARATSO has *not* been selected for a given population pursuant to this section, no duty to administer the SARATSO elsewhere in this code shall apply with respect to that population."

Commencing January 1, 2007, PC section 290.04(b)(1) mandated CDCR to use the Static-99 risk assessment tool for adult male sex offenders. The Static-99 which is used prior to release from prison is based upon on several academic studies of sex offender populations in the United States and Canada that determined common demographic, social, and criminal history patterns of sex offenders with multiple sex crime convictions. The Static-99 tool quantifies those factors and gives each one a score. A variety of individual case factors are reviewed by the screener and added or subtracted to the score. After all of the factors are reviewed, the final numerical score is the sex offender's Static-99 score. An assessment score which translates to "above average" or "well above average" designates a sex offender as a High Risk Sex Offender for supervision purposes.

In 2009 the SARATSO Review Committee approved the Static-99R as the risk assessment tool for adult male sex offenders. The Static-99R is a revised version of the Static-99, and is identical to the Static-99 with the exception of an additional element "Age at the time of release" added to the assessment. The Static 99R improved on the Static 99 by adding the "Age at the time of release" element which accounts

for the particularly low recidivism rates among older offenders. The Static-99R is the most commonly used static assessment tool in the world to assess the recidivism risk posed by adult male sex offenders. The Static-99R is necessary to provide safety and security to the public and communities by appropriately assessing the risk of sexual re-offense of adult male sex offenders, and also to comply with PC section 290.04(b)(1) which mandates use of the Static-99. Recent studies on the Static-99R have determined the risk assessment tool to be a validated, accurate, and good predictive tool for determining risk of sexual re-offense.

PC section 290.04(b)(2) also specified: "The SARATSO Review Committee shall determine whether the Static-99 should be supplemented with an empirically derived instrument that measures dynamic risk factors or whether the Static-99 should be replaced as the SARATSO with a different risk assessment tool. The SARATSO Review Committee shall select an empirically derived instrument that measures dynamic risk factors and an empirically derived instrument that measures risk of future violence. The selected instruments shall be the SARATSO dynamic tool for adult males and the SARATSO future violence tool for adult males. If the committee unanimously agrees on changes to be made to a designated SARATSO, it shall advise the Governor and the Legislature of the changes and the Department of Corrections and Rehabilitation shall post the decision on its Internet Web site. Sixty days after the decision is posted, the selected tool shall become the SARATSO for adult males."

In 2011 the SARATSO Review Committee selected the supplemental tool, Level of Service/Case Management Inventory (LS/CMI) for use in California beginning in 2012. The LS/CMI is the adult male SARATSO future violence tool used for measuring risk of future violence. In 2013 the SARATSO Review Committee selected the supplemental tool, STABLE-2007/ACUTE-2007 for use in California beginning in 2014. The STABLE-2007/ACUTE-2007 is the adult male SARATSO dynamic tool used for measuring dynamic (changing) risk factors. The STABLE-2007/ACUTE-2007 is considered one assessment for assessment purposes, as they are used in conjunction with each other; however they are two separate tally sheets. Both the LS/CMI and the STABLE-2007/ACUTE-2007 are scored by contracted sex offender treatment providers during parole to guide decisions in treatment while the offender is on parole. The use of all three tools provides a better picture of the overall risk of re-offense presented by adult male sex offenders on supervision.

Additionally, PC section 290.04(c) specified: "On or before July 1, 2007, the SARATSO Review Committee shall research risk assessment tools for adult females required to register as sex offenders. If the committee unanimously agrees on an appropriate risk assessment tool to be used to assess this population, it shall advise the Governor and the Legislature of the selected tool, and the State Department of Mental Health shall post the decision on its Internet Web site." To date, the SARATSO Review Committee has not chosen an assessment tool for adult female sex offenders. Due to the small population of female sex offenders nationwide, the SARATSO Review Committee believes no academic study could produce plausible results to create an evidence based, validated risk assessment tool for adult female sex offenders. Although no validated risk assessment tool for adult females has been chosen by the SARATSO Review Committee, the Department created an internal risk assessment tool for adult female sex offenders called the Female Sex Offender Risk Assessment (FSORA). The Department determined that the FSORA is a helpful tool to determine whether a female sex offender should be released to county supervision or DAPO supervision. The FSORA was developed by departmental subject matter experts in the field of female sex offender risk assessment and recidivism, and was designed with questions similar to the Static-99 and other assessment tools used to address risk factors. The FSORA is based on elements of the sex crime, and relies on static or unchanging factors, such as prior sexual offenses, prior sentencing dates, and nature of victimization. Questions for the FSORA were chosen to assess and address prior criminal history and the elements of the sex crime. Generally, the more predatory and planned out the crime, the greater the risk of the female sex offender committing a new sex crime. In 2006 the California

High Risk Sex Offender (HRSO) Task Force reported that female sex offenders have 0 to 3% re-offense rates and can be identified as HRSOs by prior criminal history. A FSORA rating of Moderate-High is an initial indicator of Moderate to High risk of sexual re-offense. The Department determined that a Moderate-High rating supports applying an HRSO designation to convicted adult female sex offenders with the goal being to maximize public safety by reducing those risks of sexual re-offense through specialized and intensive parole supervision.

The supplemental future violence tool, LS/CMI has been approved by the SARATSO Review Committee for use on the adult female sex offender population to measure risk of future violence; however, the supplemental dynamic tool, STABLE-2007/ACUTE-2007 has not been approved for use on the female population because it could not be validated due to the small population of adult female sex offenders.

More information regarding the SARATSO Review Committee and sex offender risk assessment tools can be found on the SARATSO Review Committee's website: <http://www.saratso.org/index.cfm?pid=465>

Consideration of Alternatives:

The Department must determine that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which this action is proposed, would be as effective and less burdensome to affected private persons than the action proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Currently, no reasonable alternatives have been brought to the attention of the Department that would alter the Department's initial determination.

ECONOMIC IMPACT ASSESSMENT:

The Department believes there will not be any significant economic impact with these proposed regulations. The changes for the Department's Supervision of Parolees regulations only affect California parolees.

In accordance with Government Code section 11346.3(b), CDCR has made the following assessments regarding the proposed regulations:

Creation of New or the Elimination of Existing Jobs Within the State of California

The Department has determined that the proposed regulations will not have an impact on the creation of new or the elimination of existing jobs within California. The proposed regulations only affect California parolees, and will have no impact on the creation or elimination of existing jobs within the state of California.

Creation of New or the Elimination of Existing Business Within the State of California

The Department has determined that the proposed regulations will not have an impact on the creation of new or the elimination of existing business within California. The proposed regulations only affect California parolees, and will have no impact on the creation or elimination of new or existing businesses within the state of California.

Expansion of Businesses Currently Doing Business in the State of California

The Department has determined that the proposed regulations will not have an impact on the expansion of businesses currently doing business in California. The proposed regulations only affect California parolees, and will have no impact on the expansion of businesses currently doing business in the state of California.

Significant Adverse Economic Impact on Business

The Department has made an initial determination that this action will not have a significant adverse economic impact on business in the state of California because those businesses are not affected by requirements for California parolees.

Benefits of the Regulations

The regulations will provide consistency and compliance with the recent court ruling in *Taylor*, and benefit sex offender parolees by providing a more equitable justification for residence restrictions as they are applied to sex offender parolees.

The public safety of California residents will be enhanced with DAPO's filing a revocation petition in superior court, if a sex offender parolee removes, disables, or tampers with their GPS monitor.

The health and welfare of California residents will be enhanced by the Department's use of validated risk assessment tools that are used for predicting sex offender risk of recidivism.

The proposed regulations will not affect worker safety or the State's environment.

Materials Relied Upon

The Department, in proposing amendments to these regulations, has relied upon the court ruling in *In re Taylor (California Supreme Court docket S20613)*.

A copy of this document is available for review as part of the rulemaking file.

Specific Purpose and Rationale for each Section, per Government Code 11346.2(b)(1)

Subchapter 6. Adult Parole

Article 4. Global Positioning System Program

3560. Global Positioning System Program Establishment.

Section 3560 is amended to clarify language. This section is amended to specify GPS-enabled monitoring devices. The term "tracking" is replaced with "monitoring" for clarification, as the device is a monitoring device. DAPO staff and other law enforcement officers use data generated by the monitor to track sex offenders.

3561. Global Positioning System Technology on Eligible Parolees Designated as High Risk.

Subsection 3561(a) is amended to add clarifying language and make non-substantive changes to capitalization.

Subsection 3561(b) is amended to remove the words “Global Positioning System” as it is already established with an acronym in the previous section, and include the word “monitoring” for clarification.

Subsection 3561(b)(2) is amended to spell out “Security Threat Group” and remove the “STG” acronym since the acronym was not established previously in this section or a nearby section. This provides a clearer understanding without having to reference Definitions in Section 3000.

Subsection 3561(b)(3) is deleted as DAPO no longer uses the term “high control.” The referenced section 3504 will be revised to contain DAPO’s adoption of the California Parole Supervision and Reintegration Model, which uses an evidence based tool, the California Static Risk Assessment score, to determine a parolee’s risk level.

Existing Subsection 3561(b)(4) is renumbered to 3561(b)(3) due to the deletion of existing subsection 3561(b)(3).

Subsection 3561(b)(5) is deleted as BPH no longer has the authority to adjudicate parole violations or return parolees to custody, due to changes made by the 2011 Public Safety Realignment Act. The Act, codified in PC section 3000.08(f), changes the jurisdiction for adjudicating the majority of parole violations from the Board of Parole Hearings (BPH) to county superior courts.

3562. Global Positioning System Monitoring Device Placement Criteria.

Subsection 3562(c) is amended to remove language which allows for a referral to the Board of Parole Hearings for a revocation consideration. As a result of the 2011 Public Safety Realignment Act, BPH no longer has jurisdiction to revoke parole or change conditions of parole as a result of a revocation in most cases. New language specifies that non-compliance may result in the parolee’s arrest and filing of a revocation petition in superior court. This change brings the subsection into compliance with current processes.

3563. Global Positioning System-Payments of Certain Costs by Parolees.

Subsections 3563(a) is amended to remove the words “Global Positioning System” for proper grammar as the acronym was previously established in section 3560, make non-substantive changes to capitalization and grammar, and remove the words “global positioning” and replace with the “GPS” acronym for clarity and consistency.

Subsection 3563(a)(1) is amended to replace the term “person” to “parolee” for purposes of clarity and consistency.

Subsection 3563(a)(3) is amended to change the term “person” to “parolee” for purposes of clarity and consistency, and to make non-substantive changes to acronyms, grammar, and capitalization.

Subsection 3563(b) is amended to make non-substantive changes to capitalization and acronyms and provide a new revision date for the CDCR Form 602, Inmate/Parolee Appeal. The CDCR Form 602 is not being amended as part of this rulemaking action; this is a revision date correction only. The (08/09) version of the CDCR Form 602 has already been incorporated by reference in section 3084.1. A copy of

the previous (12/87) version as well as the new (08/09) version of the CDCR Form 602 is provided for reference.

3564. Requirement for Lifetime Global Positioning System Monitoring.

Subsection 3564(a) is amended to make non-substantive changes to acronyms, capitalization, and punctuation.

Subsection 3564(b) is amended to replace “California Department of Corrections and Rehabilitation” with “Department,” for simplicity and consistency purposes.

3565. Transitioning Sex Offenders from Global Positioning System Monitoring to Local Law Enforcement Monitoring.

Subsection 3565(a) is amended to make non-substantive changes to acronyms and replace “California Department of Corrections and Rehabilitation” with “Department,” for simplicity and consistency purposes.

Subsections 3565(b) through 3565(b)(1) are amended to make non-substantive changes to grammar, capitalization, and provide an acronym for “Controlling Discharge Date.” Although already established in existing regulations, for clarity and understanding purposes the Controlling Discharge Date is the date that a parolee’s parole term is scheduled to end. The word “Department” replaces the words “Division of Adult Parole Operations” and “Divisional” for simplicity and consistency purposes.

Subsection 3565(c) is amended to make non-substantive grammatical changes for consistency, replacing the word “will” with “shall,” and providing an acronym for “Controlling Discharge Date.”

Article 5. Sex Offenders.

3570. Definition of a Sex Offender. Section title heading is amended to remove “Assessments. [Reserved]” and replace with “Definition of a Sex Offender.”

New Section 3570 is adopted to describe the criteria used by CDCR for the term “Sex Offender.” A sex offender, for the purposes of Subchapter 6, is any person committed to CDCR who is required to register with local law enforcement pursuant to the Sex Offender Registration Act, codified in Chapter 5.5, PC sections 290 through 294. It is necessary to adopt this definition to clarify for regulatory purposes the types of convictions that CDCR will consider a sex offender.

3571. Sex Offender Residence Restrictions.

Section 3571 is amended to update and clarify residence restrictions, and to establish that sex offenders *may* be subject to residence restrictions during the term of parole, upon approval of the Unit Supervisor, and on a case-by-case basis based on the particularized circumstances of each individual parolee. Previously, regulations required that all registered sex offenders were subject to residence restrictions. The California Supreme Court, in *In re Taylor*, Supreme Court docket S206143, held that blanket enforcement of PC section 3003.5(b) was unconstitutional as applied to *all* registered sex offenders on parole in San Diego county. The trial court concluded that parole authorities retain the statutory authority to impose special conditions on sex offenders including residence restrictions, as long as they are based on the specific circumstances of each individual parolee. This section is amended to comply with case law.

New Subsection 3571(a)(6) is adopted to establish a definition for the term “residence restriction.” It is necessary to adopt this definition in order to make clear that a residence restriction is imposed based on the criteria related to the residence and the parolee’s specific individual circumstances, rather than the specified distance of 2000 feet listed in PC 3003.5(b), which is not justified in every case, as was determined in *Taylor*. An instruction from a Parole Agent has the effect of a condition of parole, and carries the same weight as a condition of parole, however it may not have been served to the parolee in writing yet; for example, a Parole Agent may contact a parolee that is on parole for molesting a female child, and the parolee is living with another adult, the other adult tells the Parole Agent that the other adult’s female child will be moving in with them tomorrow, the Parole Agent will instruct the parolee to move out, if the parolee does not move out before the child moves in, the parolee will be arrested. The criteria for determining conditions of parole are the factors in the sex offender’s criminal history that relate to the condition(s). For example, if the sex offender’s residence proximity to a school or park facilitated the sex crime, a residence restriction can be imposed. A residence restriction can also be imposed in the interests of public safety to prevent the likelihood of future sex crimes. For example, a sex offender with a history of harassing or soliciting children walking to school could be prohibited from residing close to a school.

New Subsection 3571(b) is adopted to establish that any residence restriction imposed on a sex offender by the Parole Agent must first be approved by the DAPO Unit Supervisor before it can be imposed. This is necessary to ensure accountability and to make sure the residence restriction meets the criteria described in this section. Additional language establishes that residence restrictions must be based on a connection between the parolee’s commitment offense, criminal history, and/or future criminality, on a case-by-case basis. For clarification purposes, some examples of an “other location decided upon by the Parole Agent” are: a location in which the offender is attempting to reside near the victim of the offender’s crime, or reside in a residence known for drug activity.

Existing Subsection 3571(b) is renumbered to 3571(c) and amended to replace language referring to “persons released on parole who are required to register pursuant to Penal Code...” with the term “sex offender.” This change is for clarity and consistency only.

Existing Subsection 3571(b)(1) is renumbered 3571(c)(1), but is otherwise unchanged.

Existing Subsection 3571(c) is deleted. Enforcing this provision on all sex offender parolees, rather than only those whose criminal history had a connection to the restriction, was held unconstitutional in *Taylor*.

Subsection 3571(d) is amended to replace “person” with “sex offender” for clarity and consistency. In addition, the language “on or before November 7, 2006, who is required to register pursuant to PC sections 290 through 290.023, inclusive” is removed as a result of the *Taylor* decision. Additionally, “3571” is added in front of “(b)” for clarity, and “and 3571(c)” is added to the references that a sex offender shall not be subject to a residence restriction in addition to, unless that residence restriction is supported by circumstances found in the parolee’s criminal history. The amendments in this section also justify restrictions that are not based on distance, but rather are imposed in the interests of public safety based on the parolee’s criminal history. For example, a parolee convicted of molesting a seven-year old girl would have a condition of parole prohibiting contact with female minors. The parolee would not be allowed to reside with a female minor.

Subsection 3571(e)(2) is amended to make non-substantive changes to capitalization.

Subsection 3571(e)(3) is amended to replace the “2000 feet restriction” language with appropriate language that coincides with the *Taylor* court decision, and to avoid uniform application of the “2000 feet” distance restriction. New language now aligns with “case-by-case” determinations for residence restrictions.

Subsections 3571(e)(3)(A) through 3571(e)(3)(B) are amended to make non-substantive punctuation changes, and replace telephone based directories with internet based resources and navigation system services. Internet and navigation system services include, for example: MapQuest, Google services, etc. These changes update these subsections with the current resources that are utilized.

Subsection 3571(e)(4) is amended to make minor revisions to punctuation and grammar, and remove the “2000 feet restriction” language which provides compliance with the *Taylor* decision, and “case-by-case” residence restrictions rather than a standard across-the-board “2000 feet restriction.” Additionally, Global Positioning System (GPS) “measuring” devices replaces GPS “handheld” devices which are to be used to determine the distance from the residence to the school and/or park. These changes clarify the law and enable the Department to use other GPS measuring devices beyond just a handheld device, and also allow the Department to advance with GPS technology. In addition, new language specifies that measurements are taken to “determine the distance from the residence to the school and/or park” and establishes the proper protocols for correct measuring to determine the distance from a residence to a school and/or park. This will prevent confusion and/or measurements taken incorrectly or from conflicting sources.

Subsection 3571(e)(5) is amended to add clarifying language by adding “with the residence restriction,” and replace language referring to “GPS verification” with “measurements taken by the Parole Agent, as described in subsection 3571(e)(4) above.” This will update the subsection with the proper language.

Subsection 3571(f) is amended to remove language which referred to DAPO reporting to the BPH any parolee who they reasonably believed to have violated a residence restriction contained in the section. This change is necessary due to the transfer of authority from BPH to the county superior courts, as a result of the 2011 Public Safety Realignment Act, and PC 3000.08(f). New language provides clarification to residence restrictions and conditions of parole that prohibit contact with minors. DAPO will still prohibit sex offenders who do not have a distance-based restriction from residing in a residence where a minor resides, if the sex offender has a special condition of parole that restricts the sex offender from having contact with a specified minor.

3572. Violation of Parole for Disabling or Tampering with the Global Positioning System Monitor. New Section title heading “Violation of Parole for Disabling or Tampering with the Global Positioning System Monitor.” is adopted.

New Subsection 3572(a) is adopted to make specific the requirements of PC 3010.10, which provide that a “sex offender subject to GPS monitoring...shall not remove, disable,...monitoring device affixed to his or her person, when he or she knows that the device was affixed as a condition of parole.”

New Subsection 3572(b) is adopted to make specific the requirements of PC 3010.10, which provide that the provisions of section 3572 “shall not apply if the removal, disabling,... of an electronic, GPS,...is performed by a physician, emergency medical services technician,...when doing so is necessary during the course of medical treatment of the person subject to monitoring.”

New Subsection 3572(c) is adopted to make specific the requirements of PC 3010.10, which provide that the provisions of section 3572 “shall not apply if the removal, disabling,...is authorized or required by a court, or the law enforcement, probation, parole authority, or other entity responsible for placing the

monitoring device on the person, or that has, at the time, the authority and responsibility to monitor the electronic, GPS, or other monitoring device.”

New Subsection 3572(d) is adopted to make specific the requirements of PC 3010.10, which provide that “when probable cause is discovered that a sex offender has removed, disabled, rendered inoperable, knowingly circumvented the operation of, or attempted to circumvent the operation of, or permitted another person to remove, disable, render inoperable, or knowingly circumvent the operation of the monitoring device, notwithstanding subsections 3572(b) and 3572(c), DAPO shall refer the violation to superior court.” The Department believes the language “attempting to circumvent the operation of” is necessary language that must be used in conjunction with this section in order to provide specificity and understanding as to when a violation has occurred. There may be instances when a sex offender has “attempted to circumvent” yet not succeeded in the circumvention before it is discovered by DAPO, this will be considered a violation. In the interests of implementing, interpreting, and making specific the Penal Code, this language is provided.

3573. Sex Offender Risk Assessment. New Section title heading “Sex Offender Risk Assessment.” is adopted.

New Subsection 3573(a) is adopted to specify that the Department shall utilize the Static-99R (Revised 11/2/2016) risk assessment, for adult male sex offenders. The Static-99R risk assessment is incorporated by reference, and a copy is provided with the Text of Proposed Regulations. This section also specifies the criteria from the risk assessment that will be used to classify a sex offender as a High Risk Sex Offender (HRSO) for the purposes of residence restrictions and supervision while on parole. The adoption of this new language will help to enhance public safety and reduce recidivism.

New Subsection 3573(b) is adopted to specify that the Department’s contracted sex offender treatment providers shall utilize the Level of Service/Case Management Inventory (LS/CMI) (10/28/16) and the STABLE-2007/ACUTE-2007 (10/28/16) as supplemental assessments to the Static-99R for adult male sex offenders. Both assessments are incorporated by reference, and copies are provided with the Text of Proposed Regulations. The LS/CMI measures risk of future violence, and the STABLE-2007/ACUTE-2007 measures dynamic (changing) risk factors. The use of both assessments when used in conjunction with the Static-99R provide incremental validity and give a better overall picture to predicting the risk of sexual and violent re-offense.

New Subsection 3573(c) is adopted to specify that the Department shall utilize the Female Sex Offender Risk Assessment (FSORA) (11/19/2015) for female sex offenders. The FSORA is incorporated by reference, and a copy is provided with the Text of Proposed Regulations. This section also specifies the scoring criteria from the risk assessment that will be used to classify a sex offender as a HRSO for the purposes of residence restrictions and supervision while on parole. The adoption of this new language will help to enhance public safety and reduce recidivism.

New Subsection 3573(d) is adopted to specify that the Department’s contracted sex offender treatment providers shall utilize the LS/CMI (10/28/15) assessment tool as a supplemental assessment to the FSORA for female sex offenders. The LS/CMI is incorporated by reference, and a copy is provided with the Text of Proposed Regulations. The LS/CMI measures the risk of violent re-offense, and when used in conjunction with the FSORA will provide a better overall picture of the risk of sexual and violent re-offense.

New Subsection 3573(e) is adopted to specify that the Department may conduct on-going risk assessments of sex offenders during their parole terms at the discretion of the Director of DAPO or their

designee; and also, that these assessments shall be for the purpose of designing treatment programs and for the supervision of the sex offender. The adoption of this new language will help to enhance public safety and reduce recidivism.

New Subsection 3573(f) is adopted to specify that upon completion of the risk assessment, if designated a HRSO, the sex offender shall remain under the jurisdiction of the Department for the length of the parole term, regardless of the result of future assessments. The adoption of this new language will help to enhance public safety and reduce recidivism.

Article 6. High Risk Sex Offenders.

3580. Definition of a High Risk Sex Offender. Section title heading is amended to change title from “Definitions” to “Definition of a High Risk Sex Offender” and remove “[Reserved].”

New Section 3580 is adopted to add the definition of a High Risk Sex Offender (HRSO). This definition will provide clarity regarding who is determined to be a HRSO.

3581. Section title heading is amended to remove “Assessments.” The section will remain “Reserved.” Sex Offender Assessments is located in section 3573 for proper organization, as this section applies to all sex offenders, and not just High Risk Sex Offenders.

3582. High Risk Sex Offender Residence Restrictions.

Section 3582 is amended to make non-substantive changes to acronyms, and to add language that clarifies that a HRSO is subject to residence restrictions as specified in this section and as defined in section 3571.

Subsection 3582(a) is deleted as the definition of a HRSO has been relocated to section 3580.

Existing Subsection 3582(b) is renumbered 3582(a) and amended to include non-substantive changes for capitalization and to provide for an acronym for consistency purposes.

Existing Subsection 3582(c) is renumbered 3582(b) and amended to clarify the residence restrictions still mandated by statute. PC section 3003(g) prohibits a sex offender on parole, who is on parole for a violation of PC sections 288 and 288.5, from residing within one-half mile of a school. The language in this section referencing PC section 3003.5(b) is removed as PC section 3003.5(b) is no longer enforceable as a result of the *Taylor* decision.

New Subsection 3582(c) is adopted to explain that a HRSO with a juvenile adjudication for PC section 288 or 288.5 is not subject to the provisions of PC section 3003(g). Existing case law has upheld that a juvenile adjudication, or sustained petition, is not the same as an adult criminal conviction. However, a residence restriction may be imposed pursuant to section 3571.

Subsection 3582(d) is amended to clarify that a HRSO on parole who does not have a current or prior conviction for PC section 288, inclusive of any subsection, or PC 288.5, may still have a residence restriction imposed pursuant to section 3571. Because subsections 3582(d) and 3582(f) are very similar, to avoid duplication of language and to streamline text, language is taken from subsection 3582(f) and combined with this subsection to specify that “a residence restriction shall not be imposed unless it is supported by circumstances found in the parolee’s criminal history as described in section 3571.” By

combining this language, subsection 3582(f) is unnecessary and therefore deleted. Language is now simplified, clarified, and makes specific the residence restriction requirements for a HRSO.

Existing Subsection 3582(e) is deleted to avoid duplication and unnecessary text. Intended proposed revisions to this subsection would have made the language in this section identical to subsection 3582(b), therefore to avoid duplication, this subsection is deleted.

Existing Subsection 3582(f) is deleted due to the combining of this section with 3582(d). This avoids duplication of language, and streamlines the text language for better organization and an easier understanding of these sections.

Existing Subsection 3582(g) is renumbered 3582(e) and amended to make non-substantive changes to provide an acronym for consistency.

Existing Subsection 3582(g)(1) is renumbered 3582(e)(1), but is otherwise unchanged.

Existing Subsection 3582(g)(2) is renumbered 3582(e)(2) and amended to make non-substantive changes to capitalization.

Existing Subsection 3582(g)(3) is renumbered 3582(e)(3) and amended to remove language referring to the “2000 feet requirement,” and to refer to subsections 3571(e)(3)(A) through 3571(e)(3)(E) for the method used to determine if any schools are located within one-half mile of the residence. Additionally, language which referenced “available resources that may be considered include...” is deleted, due to the deletion of the following subsections, which are no longer necessary due to the reference to subsections 3571(e)(3)(A) through 3571(e)(3)(E).

Existing Subsections 3582(g)(3)(A) through 3582(g)(3)(E) are deleted as the language for these subsections are replaced to refer to the methods used in subsections 3571(e)(3)(A) through 3571(e)(3)(E).

Existing Subsection 3582(g)(4) is renumbered 3582(e)(4) and amended to remove language which referred to a standard across-the-board “one-half mile” distance restriction. Language now requires staff to utilize GPS “measuring” devices to determine the distance from the residence to the school and/or park, when they are determined to be within the residence restriction of a HRSO. The change to GPS “measuring” devices enables the Department to advance with GPS technology and not be required to only use GPS devices that have to be held within the palm of a hand. In addition, new language establishes the proper protocols for correct measuring to determine the distance from a residence to a school and/or park. This will prevent confusion and/or measurements taken incorrectly or from conflicting sources.

Existing Subsection 3582(g)(5) is renumbered 3582(e)(5) and amended to match the measuring language, as reflected in section 3582(e)(4).

Existing Subsection 3582(h) is renumbered 3582(f) and amended to reflect that a violation of a residence restriction is adjudicated in superior court, not by the Board of Parole Hearings, as a result of the 2011 Public Safety Realignment Act.

Article 6.5. Transient Sex Offender Supervision

3590. Transient and Residence Determination.

Subsection 3590(b) is amended for non-substantive capitalization and grammatical corrections.

Subsection 3590(b)(2) is amended to remove the verbiage “one or more,” so that the language is more consistent with the *Taylor* changes.

3590.1. Approved Regular Entrance at an Address.

Subsection 3590.1(a) is amended for more appropriate and correct language. New language makes specific that transient sex offenders are permitted repeated/regular entry at an address for the purpose of charging the GPS device as directed in their condition of parole.

Subsection 3590.1(b) is amended for grammatical and clarity purposes.

Subsection 3590.1(d) is amended for a non-substantive punctuation correction.

3590.2. Transient Sex Offender Location Restrictions.

Subsection 3590.2(b) is amended to remove the enforcement of local ordinances. After the passage of Proposition 83 in 2006, which is enumerated in PC section 3003.5(b), several municipalities in California instituted residence restrictions on sex offenders in municipal ordinances. Many of these ordinances are more restrictive than PC section 3003.5(b). As agents of the State, Parole Agents are not able to enforce local ordinances. Additionally, because the *In re Taylor* Supreme Court decision prohibits CDCR from the blanket enforcement of PC section 3003.5(b) on sex offenders, CDCR will not be able to justify blanket enforcement of local ordinances impacting sex offenders residing in a specific municipality. The civil rights issues the Supreme Court used to prevent CDCR from blanket enforcement of PC section 3003.5(b) also exist for the enforcement of local ordinances. Other minor grammatical/punctuation changes are made to account for text changes.

3590.3. Supervision of Transient Sex Offenders.

Subsection 3590.3(a) is amended to make non-substantive changes to capitalization, and update the revision date of CDCR Form 1650-D, Record of Supervision, to reflect the most current version. The CDCR Form 1650-D is not being amended as part of this rulemaking action, this is a revision date correction only. The (06/12) version of the CDCR Form 602 has already been incorporated by reference in section 3620(b). A copy of the previous (07/10) version as well as the new (06/12) version of the CDCR Form 1650-D is provided for reference.

Subsection 3590.3(b) is amended to make non-substantive changes to capitalization for consistency purposes.

Subsection 3590.3(c) is amended to remove the word “parole” in front of “Unit Supervisor” and make non-substantive changes to capitalization for consistency purposes.

8. Did you appeal from the conviction, sentence, or commitment? Yes No *(If yes, give the following information:*

a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"): _____

b. Result: _____ c. Date of decision: _____

d. Case number or citation of opinion, if known: _____

e. Issues raised: (1) _____
(2) _____
(3) _____

f. Were you represented by counsel on appeal? Yes No *If yes, state the attorney's name and address, if known:* _____

9. Did you seek review in the California Supreme Court? Yes No *If yes, give the following information:*

a. Result: _____ b. Date of decision: _____

c. Case number or citation of opinion, if known: _____

d. Issues raised: (1) _____
(2) _____
(3) _____

10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal:

See The Petition
This is an reviset issue.

11. Administrative review:

a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Muszalski* (1975) 52 Cal.App.3d 500.) Explain what administrative review you sought or explain why you did not seek such review:

b. Did you seek the highest level of administrative review available? Yes No
Attach documents that show you have exhausted your administrative remedies.

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court? Yes If yes, continue with number 13. No If no, skip to number 15.

13. a. (1) Name of court: _____
 (2) Nature of proceeding (for example, "habeas corpus petition"): _____
 (3) Issues raised: (a) _____
 (b) _____
 (4) Result (attach order or explain why unavailable): _____
 (5) Date of decision: _____

b. (1) Name of court: _____
 (2) Nature of proceeding: _____
 (3) Issues raised: (a) _____
 (b) _____
 (4) Result (attach order or explain why unavailable): _____
 (5) Date of decision: _____

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

16. Are you presently represented by counsel? Yes No if yes, state the attorney's name and address, if known:

17. Do you have any petition, appeal, or other matter pending in any court? Yes No If yes, explain:

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: 11-15-16.

Ronald Ada
 (SIGNATURE OF PETITIONER)

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8. Did you appeal from the conviction, sentence, or commitment? Yes No If yes, give the following information:

a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"): _____

b. Result: _____ c. Date of decision: _____

d. Case number or citation of opinion, if known: _____

e. Issues raised: (1) _____
 (2) _____
 (3) _____

f. Were you represented by counsel on appeal? Yes No If yes, state the attorney's name and address, if known:

9. Did you seek review in the California Supreme Court? Yes No If yes, give the following information:

a. Result: _____ b. Date of decision: _____

c. Case number or citation of opinion, if known: _____

d. Issues raised: (1) _____
 (2) _____
 (3) _____

10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal:
This was explain in the First File Writ of 2003.

11. Administrative review:

a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Muszalski* (1975) 52 Cal.App.3d 500.) Explain what administrative review you sought or explain why you did not seek such review:

b. Did you seek the highest level of administrative review available? Yes No
 Attach documents that show you have exhausted your administrative remedies.

MC-275

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court? Yes If yes, continue with number 13. No If no, skip to number 15.

13. a. (1) Name of court: _____

(2) Nature of proceeding (for example, "habeas corpus petition"): _____

(3) Issues raised: (a) _____

(b) _____

(4) Result (attach order or explain why unavailable): _____

(5) Date of decision: _____

b. (1) Name of court: _____

(2) Nature of proceeding: _____

(3) Issues raised: (a) _____

(b) _____

(4) Result (attach order or explain why unavailable): _____

(5) Date of decision: _____

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

This was explain in the first file write

16. Are you presently represented by counsel? Yes No If yes, state the attorney's name and address, if known:

17. Do you have any petition, appeal, or other matter pending in any court? Yes No If yes, explain:

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: 12-23-2016

Ronald AL
(SIGNATURE OF PETITIONER)

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