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Plaintiff's Name RICARDO H. ROBINSON
 Inmate No. C-47538
 Address P.O. BOX-8503/C4-118L
COALINGA, CA. 93210

APR 18 2007

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY [Signature]
 DEPUTY CLERK

APR 18 2007

CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY [Signature]
 DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF CALIFORNIA

RICARDO H. ROBINSON
 (Name of Plaintiff)

1:05-CV-01397-LJO-NEW-(DLB)
 (Case Number)

vs.

AMENDED COMPLAINT

Civil Rights Act, 42 U.S.C. § 1983

CONTRERAS, B.L., HURL, J.
GELLERSON, M., SHANNON, R.
HERRERA, C., HENDERSON, R.
BERKEY, J., CANO, C.,
TRUMBLY, H.

(Names of all Defendants)

I. Previous Lawsuits (list all other previous or pending lawsuits on back of this form):

A. Have you brought any other lawsuits while a prisoner? Yes ☒ No ☐

(PC) Robinson v. Contreras et al

Doc. 17 Att. 2

B. If your answer to A is yes, how many? ONE
 Describe previous or pending lawsuits in the space below.
 (If more than one, use back of paper to continue outlining all lawsuits.)

1. Parties to this previous lawsuit:

Plaintiff RICARDO H. ROBINSON

Defendants BOYD, ROY

2. Court (if Federal Court, give name of District; if State Court, give name of County)

FEDERAL DISTRICT COURT, EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO

3. Docket Number UNKNOWN

4. Assigned Judge G. BURRELL

5. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)

DIMISSED BY JURY

6. Filing date (approx.) 1988

7. Disposition date (approx.) 1995

II. Exhaustion of Administrative Remedies

A. Is there an inmate appeal or administrative remedy process available at your institution?

Yes x No

B. Have you filed an appeal or grievance concerning ALL of the facts contained in this complaint?

Yes x No

If your answer is no, explain why not _____

C. Is the process completed?

Yes If your answer is yes, briefly explain what happened at each level.

No x If your answer is no, explain why not.

SEE FOURTH, FIFTH AND NINTH CAUSE OF ACTION

NOTICE: Pursuant to the Prison Litigation Reform Act of 1995, "[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a). If there is an inmate appeal or administrative remedy process available at your institution, you may not file an action under Section 1983, or any other federal law, until you have first completed (exhausted) the process available at your institution. You are required to complete (exhaust) the inmate appeal or administrative remedy process before filing suit, regardless of the relief offered by the process. Booth v. Churner, 532 U.S. 731, 741 (2001); McKinney v. Carey, 311 F.3d 1198, 1999 (9th Cir. 2002). Even if you are seeking only money damages and the inmate appeal or administrative remedy process does not provide money, you must exhaust the process before filing suit. Booth, 532 U.S. at 734.

III. Defendants

(In Item A below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item B for the names, positions and places of employment of any additional defendants.)

A. Defendant B.L. CONTRERAS is employed as CORRECTIONAL LIEUTENANT
at PLEASANT VALLEY STATE PRISON

B. Additional defendants R. HENDERSON, Lieutenant (retired), C. Herrera, Lieutenant, R. Shannon, Correctional Counselor II, C. Cano, Correctional Counselor II, B.L. Contreras, Lieutenant, J. Hurl, Correctional Sergeant, M. Gellerson, Correctional Officer and H. Trumbly, Super ising Cook I

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra sheets if necessary.)

GENERAL ALLEGATIONS

Plaintiff Ricardo H. Robinson and approximately five other prisoners arrived at Pleasant Valley State Prison (PVSP) on March 11 2005, from Deuel Vocational Institute. While being processed into PVSP Defendant (Def.) M. Gellerson, property officer at PVSP announced that CDCR had recently made new revisions to inmate personal property items, by placing limitations and restrictions on an assortments of personal items, outling the items that were no longer authorize by PVSP or CDCR. Plaintiff now pleads, that not only were these items def. Gellerson claimed to be unauthorize were in fact authorize and that Gellerson and her peers racially discriminate against African American prisoners in the confiscation, distribution and destruction of said personal items. Plaintiff further pleads, that after being processed into PVSP he witnessed crimes being committed by prison officals, prisoners being victimize by Gang members, rampant violations of the Rules and

V. Relief.

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

SEE PAGE NINE

I declare under penalty of perjury that the foregoing is true and correct.

Date

4-12-07

Signature of Plaintiff

Ricardo H. Robinson

regulations by PVSP officials and in an attempt to expose what was taking place see (exhibit A), Plaintiff became the victim of retaliation by prison officials, in that he was denied his Civil Rights protected under Article I and the 14th Amendment of the U.S. Constitution.

FIRST CAUSE OF ACTION

1. Plaintiff pleads that an concerted effort between def. J. Hurl and Gellerson violated state law when both confiscated and/or destroyed plaintiff's personal property items after deeming them to be unauthorized and/or restricted when in fact the items in question were authorized by both CDCR and PVSP.
2. The confiscated items e.g., personal care/Hygiene items, clothing, electrical appliances, stationary items, eating/cooking utensils, ect... def. declared either had been restricted or unauthorized could in fact be purchased through PVSP Commissary and/or approved vendors of CDCR, yet def.'s Hurl and Gellerson deemed these items as being contraband.
3. Plaintiff pleads that the confiscation of these items were for the sole purpose of extorting the imposed financial restitution placed on prisoners and for the extra ten percent prisoners must pay to CDCR's general fund for any purchases of commissary items, see Cal. code reg. tit 15 3097.

SECOND CAUSE OF ACTION

4. Defendant Gellerson begun by summoning prisoners Laird CDC H-17907, Cordona' CDC E-73753, Albritton C-58683, and Powell C-48501, for accountability and inventory of their personal property. Each prisoner was assigned to a Correctional Officer et.al, it is then that the racist conduct began to emerge.
5. Gellerson, first summonsed prisoner Powell who is African American and begun inventorying his personal property. Mr. Powell, was reduced and restricted to the two (2) item limitation outline in the now defunct, CDCR Department Operational Manual (DOM) Artical 43 subsection 54030,17 (exh. B)
6. Gellerson then summonsed prisoner Laird, who is a White prisoner. Gellerson, permitted Laird to exceed the same two item limit that Powell was restricted too. Plaintiff witness this type of conduct and noticed that it was being applied right down racial lines, meaning depending on race the officer was and depending what race the prisoner was determined what items and how many property items those particular prisoners were allowed to retain, The White and Hispanic Officers would allow White and Hispanic prisoners to exceed the limit restricts placed on African American Prisoners and this was done so with such blatant disregard to the African American prisoners who were without representation.
7. Gellerson, then summonsed plaintiff and began to restrict and reduce plaintiff to the two item limitation, Mr. Robinson objected by informing Gellerson that her conduct and that of the other Officers was discriminatory. Gellerson, completely ignored plaintiff's assertions and as an result of such Robinson informed Gellerson that he would not take part in their discriminatory practices that they were in violation of his Civil and Constitutional rights. Gellerson, response was to ignor plaintiff, plaintiff walked away requesting to speak with the supervisor on duty.

THIRD CAUSE OF ACTION

8. After Plaintiff's refusal to take part in the inventoring of his property, Gellerson, summoned the supervisor on duty, def. B.L. Contreras, while being interviewed, Mr. Robinson, explained precisely what was taking place within the Receiving and Release (R&R) department, pointing out what officers were doing and in support of his claim Plaintiff requested that he (Contreras) compare the property items of Hispanic and White Prisoners to that of African Americans prisoners, Contreras took offense and deemed Plaintiff to be a Program failure and retaliated by filing a false/fabricated Administrative Segregation Order placing plaintiff in AD/Seg see (exh. C)

FOURTH CAUSE OF ACTION

9. While being confined in AD/Seg plaintiff attempted to appeal his placement in AD/Seg and the handling of his personal property. The first complaint filed was in March 2005, challenging his AD/Seg placement, accusing Contreras of retaliation and falsifying of documents. That grievance received no response at the informal level. A resubmission was sent to the department head then Correctional Captain (C/Cpt.) Brazzelton, again no response was provided. A Third filing was made to the institutional Appeal Coordinator def. R. Shannon, where he screened-out the complaint for failure to meet time constraints, Cal code Reg. tit 15 §3084.(c)(6), Barring this complaint from ever being raised at the administrative level see (exh. D).
10. The second complaint was also filed in March 2005, challenging the racist misconduct in the handling of plaintiff's personal property and once again Mr. Robinson's attempts to exhaust his administrative remedies were denied.
11. This complaint was filed directly to def. Hurl, for an informal level response Hurl, is the immediate supervisor for the R&R department, who supervises the day to day operations. Hurl, is responsible for addressing all complaints/grievances involving property issues within the R&R dept. However, Hurl, refused to give response at the informal level, violating Cal. Code Reg tit 15 §3084.2(b) and 3084.6 (b)(1)
12. Plaintiff sought review through the department head C/Capt. Brazzelton, Brazzelton, took note and instructed Hurl to give response and on July 12, 2005, five months after the fact Hurl gave response see (exh.E).
13. The grievance finally received an institutional appeal log number of PVSP-C-05-02403, and was returned back to plaintiff on July 14 2005. Plaintiff then responded at the formal level and forwarded it onto the first level for response, from def. Shannon, Shannon once again accepted the complaint and the complaint had not been seen nor have plaintiff received an response.
14. Nonetheless, in an last attempt to exhausts his administrative remedies, Plaintiff resubmitted the complaint to the Third level of review, the Director's level requesting assistance too instruct PVSP officials to adhere to Cal Code Reg. tit § 3084 and/or conduct an review of the issues before them.
15. The Director's level denied review and referred the matter back to the defendants and in doing so denied plaintiff his right to exhaust his administrative remedies see (exh.F)

FIFTH CAUSE OF ACTION

16. Plaintiff pleads his right to exhaust his administrative remedies have been denied to him. The denial came when defendants Gellerson, Hurl, Contreras and Shannon exploited the loophole within the administrative appeal procedure outlined in the Cal. Code. Reg. tit 15 § 3084, as stated prison officials at PVSP are not required to either track or record prisoners complaints/grievances filed at the informal level, thus lies the **Loophole**.
17. This loophole within the appeal process have fostered massive amounts of abuses by prison officials and by not requiring officials to respond at the informal level have efficaciously prevented crimes and violations from being exposed. This loophole removed all protective measures to prevent def. from delaying the return of complaints within the allotted time frame and from simply discarding the complaints.
18. This is precisely what happened in this matter, Mr. Robinson accused Gellerson, Hurl, Contreras and Shannon of committing crimes and of violating the Rules and Regulations and in order to avoid addressing these accusations each defendant abused the loophole by not giving an response at the informal, by simply discarding the complaint, denying plaintiff his right to exhaust his administrative remedies.
19. Nevertheless, Mr. Robinson continued to attempt to exhaust his administrative remedies by seeking an formal review through def, Shannon, Shannon stifled plaintiff's attempt by screening out the complaint for failure to meet time constraints see Cal. Code.Reg. tit 15 § 3084.3(c)(6).
20. Defendants Gellerson, Hurl, Contreras and Shannon exploited the loopholes to prevent plaintiff from exposing their racist misconduct, their retaliatory acts, the falsification of documents, the thief and destruction of plaintiff's personal property and prevented plaintiff from exposing defendants Shannon's concerted efforts of condoning and covering up their conduct.

SIXTH CAUSE OF ACTION

21. On December 2 2005, approximately ten months after plaintiff's first encounter with defendants Hurl and Gellerson plaintiff was summonsd back to the R&R department where he was threatened by Gellerson. Gellerson informed Mr. Robinson that if he did not succumb to her adjudication of his personal property that it would be deemed abandoned and disposed as she sees fit see (exh. G). Plaintiff informed Gellerson that an appeal and legal proceeding had begun, Gellerson responded by completely ignoring plaintiff.
22. Robinson succumb to the threats, this submission came under duress due to plaintiff having other unrelated legal matters pending in the Federal District Court, Central District of California and in the State Supreme Court and was essential that Mr. Robinson gain possession of his legal property.
23. On December 7 2005, plaintiff file another complaint challengin the disposition' of his personal property and the discriminating manner inwhich Gellerson conducted the disposition. However, this complaint was accompanied by a Rights and Responsibility Statement, per CCR § 3291 (d) and 3391 (d). This complaint was also discarded as well, denying Mr. Robinson his right to appeal and to exhaust his administrative remedies.

SEVENTH CAUSE OF ACTION

24. Mr. Robinson has been suffering from an degenerative disc disease to his cervical spine resulting in severe back spasm, as an result of this condition plaintiff have been under medication for the past fifhtteen years and receiving physical therapy for the past fourteen months preceeding his transfer to PVSP and due to his condition plaintiff have been placed on light restrictive work duties see exhibit H.
25. In April 2005, plaintiff was assigned an work assignment as an table wiper/toast maker, such assignment was in direct violation of his work restrictions. Upon reporting to his assignment Robinson informed Correctional Officer (C/O) K. Davis, of his medical condition/restrictions, Davis acted accordingly by temporarily unassigning plaintiff pending reassignment by removing plaintiff from the workers unlock list.
26. Mr. Robinson remained on that status until July 12 2005, when def. C. Herrera, chose to disregard his medical condition and placed plaintiff back on the workers unlock list. Plaintiff informed Herrera of his medical condition/restriction, which she ignored. Plaintiff then filed a complaint on July 12 2005, accusing Herrera of placing his health and safety at risk, Herrera, took offense and retaliated. The following day on July 13 2005, Plaintiff received an Rule Violation Report (RVR) for refusal to work (exh. I)
27. Plaintiff pleads that an concerted effort between Herrera and def. H. Trumbly took place where Trumbly falsified the RVR accusing Mr. Robinson of refusing to work. The first fabercation occurred when Trumbly stated that plaintiff informed him that plaintiff was refusing to work. Mr. Robinson, had not seen or spoken to def. Trumbly on July 13 2005. The Second fabercation occurred when Trumbly accused plaintiff of having a history of refusing to perform his duties. Such claims are also false, plaintiff had been removed from the workers unlock list pending reassignment per Officer K. Davis for the days stated within the RVR.

NINTH CAUSE OF ACTION

28. On July 23 2005, a hearing was conducted to determine plaintiff's culpability of the offense of refusing to work, plaintiff was found guilty. On appeal Mr. Robinson accused the Senior Hearing Officer (SHO) defendant R. Henderson, of making a complete mockery of the disciplinary process outlined in Article Five of the Cal. Code Reg., in that the SHO inserted false statements allegedly made by plaintiff, he allowed def. Herrera and C/O Ray to take part in the Process, he further denied Mr. Robisnon the fundamental rights afforded to all prisoners, the right to make an statement in ones own defense, the right to call witness, the right to introduce evidence in ones own defense, these rights were denied to Mr. Robinson by the ommittance of his statements from the record. Yet Henderson continued this facade of providing a fair hearing by making a prima facia showing of due process by allowing a partial statement made by plaintiff to appear on the record.
29. Upon the findings of guilt, plaintiff appealed in an attempt to exhaust his administrative remedies. The complaint was filed on July 29 2005, received by def. Shannon on August 2 2005, where an institutional log number was assigned PVSP-05-C-02476. The second level response was provided on September 8, 2005, and returned to plaintiff on September 19 2005, on October 1 2005, Mr. Robinson appealed to the Director's level.

30. The Chief of inmate appeals at the Director's level issued an memorandum on December 21 2005, instructing PVSP officials to complete the complaint at the second level and return it back to the Branch office by January 20 2006, see exhibit J. def. Shannon refused to adhere to these instructions.
31. On February 10 and on May 11 2005, plaintiff sought the status of his complaint (exh. K) and on May 21 2005, the director denied receiving appeal log number PVSP-C-05-02476, (exh. L). However, plaintiff resubmitted his status request in addition he supplied the december 21st memorandum as proof and on August 13 2005, the Director acknowledge receiving the complaint and again instructed def. Shannon to comply with the December 21st order and once again Shannon refused to comply this time he screened out the complaint see exhibit M, barring plaintiff from ever exhausting his administrative remedies.

TENTH CAUSE OF ACTION

32. On August 10 2005, Mr. Robinson appeared before the Unit Classification Committee (UCC) for confirmation of the adjudication of the RVR of July 13 2005. Defendant Cano and Berkey conducted the hearing. In response to their questioning Mr. Robinson informed them of his medical condition/restrictions further explaining that RVR filed against him was completely fabricated, accusing defs. Herrera, Trumbly of conspiracy, falsifying documents and of retaliation and further accused def. Henderson of making an mockery of the disciplinary process. In support of his accusations Plaintiff requested that the committee contact Officer Rocha, Rocha would have confirmed that plaintiff had spoken to him instead of Trumbly on the 13th of July, and to contact Officer K. Davis to confirm that plaintiff was removed from the unlocks list at her request. These request would have negated Trumbly's assertions, plaintiff further requested that the committee either contact the medical department or review plaintiff's medical file to confirm his medical condition/restrictions.
33. Defendant Cano denied all plaintiff's request and once again omitted these statements from the record see (exh. N). After denying plaintiff's request def. Berkey, requested that plaintiff receive additional punishment beyond **that** was recommended by def. Henderson, placing plaintiff in a non credit earning status which restricted all privileges from plaintiff.
34. Plaintiff pleads this act by defendants Cano and Berkey was done in retaliation for the accusations make against their peers accusing the defendants in this action of violating the laws of the State of California.

PRAYER FOR RELIEF

35. Plaintiff pleads that the actions of the defendants were vindictive, malicious, concerted and oppressive assault upon the rights and property of plaintiff.
36. Defendants acted knowingly with disregard and reckless detriment of plaintiff's rights as guaranteed by the Federal Constitution.

WHEREFORE, Plaintiff respectfully pray this court enter judgement granting Plaintiff:

1. A declaratory judgement that:

- a) Defendants acts, policies and practices described herein violates plaintiff's rights under the Federal Constitution and 42 U.S.C. subsection 1983.
- b) Defendants have violated plaintiff's rights by de facto denial of judicial review, inter alia administrative remedies, violating his Fourteenth admendment of the U.S. Constitution.
- c) Compensatory and Punitive damages be awarded on all defendants in the sum of 150, 000 dollors.
- d) Trial by Jury on all issues.
- e) Plaintiff's cost of this suit/attorney fees.
- f) Such other and further relief as this court my deem just, proper and equitable.

EXHIBIT A

AFFIDAVIT

I am a prisoner in the California Department of Corrections (CDC) incarcerated at Pleasant Valley State Prison (PVSP) located in Coalinga Ca., under the direct supervision and protection of Warden James A. Yates, states that on March 11 2005, I arrived at PVSP from Deuel Vocational Institution.

On this date I became a victim of discrimination and a victim of Grand Thief by the polices implemented by Warden Yates. Objecting to becoming a victim, Yates Administrators placed me in solitary confinement (the hole) and to substantiate such placement his administrators falsified official CDC documents,

On March 17 2005, I was released from confinement and rehoused on facility "C". During the past 80 days I became a victim of and personally witness rampant violations of the Rules and Regulations that governs their conduct and the total disregard for the laws of this state. Therefore I pray for an investigation by this office into the following facts:

EXTORTION AND BLACKMALE

Warden James A. Yates administration knowingly and willfully violated the Laws of the State of California. His administrative policies allows his administrators to Aid and Abet in the crimes of Extortion and Blackmale. The victims are the elderly and the disabled and the predators are Gang members.

The victims age, their disabilities and their commitment offenses which makes them prey for these crimes and the Yates administration has "Done Nothing" to stop these acts, in fact his administrative policies assist in committing these crimes. First, his policies permit the predators to function in the same facility as do the victims and this alone is a recipe for both Blackmale and Extortion. Secondly, Mr. Yates administrators aid and abet in these crimes by assisting those noted gang members in their quest to be housed within the same living quarters as the victims.

This author personally witness these crimes take place, personally witness Correctional Officers (C/O) witnessing these crimes take place and yet "Nothing was Done". Finally, this author reported these crimes to management and was told "We're aware of this problem but at this time there are more pressing matters"

Victims names and identification numbers are available upon request.

**THE CONDONING OF HATRED BY WARDEN
JAMES A. YATES AND HIS ADMINISTRATORS**

Inmates under the supervision and protection of Warden James A. Yates has been racially discriminated against by his "Do Nothing Policy" on racism. Not taking action against Correctional Officers who blatantly commit these acts of hatred and his "Do Nothing Policy" allows his administrators to condone these acts of hatred.

Such hatred is best explained in the following examples: C/O K. Davis, is assigned to "C" facility culinary Dept. Since Ms. Davis assignment she has placed more African American inmates in solitary confinement (hole) then all other races combined. Her acts of hatred are so blatant and to the point to where she can and continues too fabricate accusation of misconduct without being required to substantiate her accusation.

Ms. Davis has insulted, disrespected and degraded African American inmates by using the "N" word to spew her hatred. Many complaints have been filed but under the Yates policy of "Do Nothing" nothing has been done and Ms. Davis continues her hatred to this day. Her work force is approximately 95 percent of White inmates and the average length of employment for African American is less then three months.

Another example, during my placement in the "hole" I was housed with an elderly disabled inmate who is confined to a wheelchair due to a stroke that left the right side of his body paralyze, this inmate was attacked and beaten by C/O P. Lowery. Mr. Lowery entered this inmates living quarters and threw him to the ground and beat him and the justification for this act "The inmate refused to return the syringe". This inmate had dropped a syringe while attempting to inject himself with medication (insulin). This task is extremely difficult to achieve especially being paralyze. The inmate was unable to retrieve the dropped syringe due to his condition and words were exchanged between the two and Lowery seized the opportunity to assault this inmate, in the presence of Medical staff and in cases such as this protocol mandates that the inmate is to blame, especially when officers are in the wrong. The inmate sets in the (Hole) facing charges of battery on a peace officer.

The inmate names and number is available upon an investigation

THIEF OF INMATE PERSONAL PROPERTY

Warden Yates has implemented a policy that violates the laws of the State of California, the California Code of Regulations (CCR) and the Department of Corrections Operational Manual (DOM) Article 43, Titled Inmate Personal Property (exh.a) Yates policy authorizes the Receiving and Release Dept. (R&R) (which control the accountability of inmate property) to commit the crimes of Thief and possibly Extortion. This policy allows R&R to manipulate article 43 by misapplying it's interpretation and by applying it retroactively.

To achieve their goal R&R uses it's Dept. to single out it's victims, relying on sections 54030 and 54030.13 of article 43, claiming that their dept. is authorize to treat inmates differently from other inmates at PVSP. These sections are being misapplied. Article 43 was not written to discriminate against inmates nor did it's authors intend for it to apply double standards. In composing article 43, the authors failed to clarify or chose not clarify various sections which are contradicting, compare sections 54030.10 to 54030.17. It is these contradictions and others that allows Yates administrators to commit these crimes.

The crimes of Thief and Extortion are committed in two ways, first a. When inmates arrive at PVSP, R&R officials informs them of what property PVSP deems to be authorize not the property items cited in article 43. Example: An inmate arrived at PVSP, R&R informed him of PVSP property policy, it was determined that this particular inmates Television set was unauthorize. The inmate was informed that due to his television having a detachable cord it was therefore unauthorize. This is untrue, Television with or without detachable cords are in fact authorize by CDC. Furthermore, article 43 does not address such requirements, yet R&R ceased the inmates property. b. R&R then applies article 43 retroactively, taking authorize property that were classified differently prior to it's effective date, examples: The taking of appliances by including the items as part of the six cubic feet requirement i.e. battery operated walkman cassette players, battery operated radios, personal hygiene's, clothing item ect.. c. R&R then informs the inmates of two of the three ways of disposing the "Authorize" property (exh. b) for those inmates who are indigent their property immediately becomes the property of PVSP, for those inmates who have the funds but neither family or friends to mail said items home to, their property becomes PVSP property and for those inmates who have family and friends but no funds their property also becomes the property of PVSP.

The second way thief is committed, R&R gives prior approval for inmates to purchase various property items, once these items arrive, PVSP then declares these items to be unauthorized, then informs the inmates of options outlined in exhibit b. The manner in which these items are being confiscated constitute theft and possibly extortion. Deductive reasoning suggest that in addition to controlling the amount of property inmates may possess, large amounts of revenue are being made off of the inmates, their families, and their friends. Every inmate subject to restitution who receives financial assistance from family, friends or from any other source, the inmate must pay a percentage to CDC. Everytime a purchase is made through CDC vendors inmates must again pay a percentage to CDC. In sum CDC is making millions of dollars off of inmates by charging then both ways, coming and going.

The names and Identification numbers of these victims are available.

IV

ADDITIONAL ISSUES THAT MUST NEED ADDRESS

1. First and foremost, The medical care and treatment at PVSP is shameful to say the least. This author arrived at PVSP on March 11, 2005 and was placed on the doctors list and has yet to be seen by a physician. It takes at lease 8 to 12 weeks before inmates can be seen by a physician and if an inmate is in need of emergency medical care his illness must be a "Life threatening illness" before he can avoid the 8 to 12 week waiting list (per PVSP policy). inmates with broken bones are being turned away, inmates with chronic pains and disorders are being denied treatment and the issue of misdiagnosis of inmates is a growing at an alarming rate. Still Mr. Yates policy of "Do nothing" nothing has been to solve these issues.

2. The constant closure of the Law library are denying inmates their rights to have access to the courts. PVSP libraries are scheduled to be open five days aweek but this schedule is not being adhere to. since my arrival the law library has only been open once sometimes twice a week and as a result inmates with pending litigations are being denied their right pursue their cases, inmates who are challenging their confinement are being denied to do so, inmates who wish to challenge the policies of Mr. Yates are being denied the opportunity too and inmates who wish to use the library for recreational purposes are also being denied. The use of the law library

is a vital part of inmates wishing to serve their time productively and Yates is effecting that.

3. Mr. Yates policies are assigning inmates to the food service Dept. without first medically clearing them to do see (exh.c) CCR# 3053 (g). Inmates who are assigned are not being informed of the standards for sanitation, violating the Health and Safety codes CCR# 3052 (e) and inmates are being assigned who may contaminate the food supply see CCR# 3052 (h), a total disregard for the health and safety of inmates.

4. The practice of confining inmates to their living quarters for punitive measures only, violating CCR#3330

5. The condoning of searching inmates living quarters for punitive measures only, violating CCR#3278 (a)

6. Failing to provide cell inspection slips while conducting searches of inmates living quarters violating CCR# 3287 (a)(4)

7. The denial of inmates rights to appeal Departmental decisions actions, and policies. This right is denied when PVSP officials refuse to reply to inmates complaints.

I Ricardo H. Robinson declare under penalty of perjury under the laws of the state of California that the foregoing affidavit is true and correct and as to such facts averred upon information and belief, that I am so informed and believe the same to be true, and affix my signature hereto.

Dated this 13th day of MAY 2005

Ricardo H. Robinson

May 13, 2005



MAILING LIST

CALIFORNIA STATE SENATOR
GLORIA ROMERO
149 SOUTH MEDNIK AVE #202
LOS ANGELES CA. 90022

CALIFORNIA DEPT. CORRECTIONS.
P.O. BOX-942883
SAC. CA. 0001
Attn: Kathleen Keeshan, legal/
affairs

CALIFORNIA STATE SENATOR
JACKIE SPEIER
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SAN MATEO CA. 94404/
455 GOLDEN GATE AVE #14200
S.F. CA. 91402

OFFICE OF INSPECTOR GENERAL
P.O. BOX-348780
sac. 95834-8780

CALIFORNIA DEPT. OF JUSTICE
PUBLIC INQUIRY UNIT
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Attn: Criminal Law Div.

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NORTH HIGHLAND CA. 95660
Attn: James Ragan

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FRESNO CA. 93721

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STATE CAPITOL BLDG. FL.1
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Attn: Peter Siggins, Legal affairs

DISTRICT ATTORNEY OFFICE
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FRESNO CA. 93721
Attn: Ms. Elizaeth Egan

SHERIFF DEPT.
2200 FRESNO ST
FRESNO CA. 93721
Attn: Richard Pierce

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno } ss.

On May 13, 2005, before me, Veronica Ann Aguilar, Notary

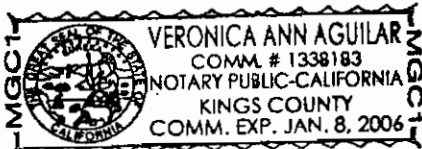
personally appeared Richard H. Robinson

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

Name(s) of Signer(s)

- ☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Statement of Facts

Document Date: May 13, 2005

Number of Pages: 7

Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer

Signer's Name: Richard H. Robinson

- ☒ Individual
☐ Corporate Officer — Title(s): Richard H. Robinson
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: Self

Signer Is Representing: Self

RIGHT THUMBPRINT
OF SIGNER
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EXHIBIT B

CHAPTER 5

ARTICLE 43 — INMATE PROPERTY

REVISED - MARCH 2, 2005

54030.1 Policy

Inmates shall be permitted to possess in their quarters/living areas, state-issued and authorized personal property as established in the Authorized Personal Property Schedule (APPS), located in Section 54030.19, and based upon criteria delineated in Section 54030.7. The APPS is the primary reference for allowable inmate property and identifies limitations to the number of items allowed, dimension restrictions if applicable, cost/value limitations, etc. The APPS standardizes allowable inmate property department-wide, based upon assigned Privilege Group and/or assigned security level, and/or institution mission, constitutional and legal mandates, and gender considerations. Any requests to add or delete items from the APPS must be forwarded to the Deputy Director, Institutions Division, for review and approval prior to implementation. Approved modifications shall be reflected in the institution's local Operational Procedure regarding Inmate Property. The possession of personal property is a privilege and is subject to conditions and restrictions established in California Code of Regulations (CCR) Sections 3044, 3314, and 3315.

Inmates may not exchange, borrow, loan, give away, or convey personal property to or from other inmates.

NOTE: As a result of the standardization of allowable inmate property, some items are no longer permissible based on the APPS. ~~Non-clear case appliances currently possessed by inmates shall be allowed to be retained until no longer operational. Inmates shall be allowed to retain other items of personal property that are no longer authorized until either transferred or for a period of up to one year after which time they will be considered disapproved property and disposed of per Section 54030.12.2, Processing Disapproved Property.~~

54030.2 Purpose

This Section establishes inmate personal property volume limits; describes the forms necessary for the processing of property; establishes liability and methods of acquisition of personal property; lists approval criteria, and describes the approval process for vendors; provides for acquisition of religious items, and the disposal of contraband; establishes protocols for the handling of inmate personal property during transfer, extradition, escape, discharge, and upon death in custody. This Section also establishes a standardized list of allowable personal property items in the form of the APPS, based upon privilege group, and/or assigned security level, and/or institution mission, and a method for institutions to obtain exemptions to the standardized list.

54030.3 Responsibility

The institution head shall administer this policy within their respective institutions/facilities.

Associate Warden Operations

The Associate Warden, operations, shall implement and monitor the operation of this procedure.

54030.4 Volume

The combined volume of state-issued and authorized personal property shall not exceed six cubic feet, except as specifically allowed in Section 54030.10.

54030.5 Required Forms

Departmental employees involved in the handling of an inmate's property shall document such involvement on the following CDC forms as appropriate:

CDC Form 104, Property and Cash Receipt-Arrival: A CDC Form 104 shall be completed by Reception Center staff upon receipt of new arrivals. The CDC Form 104 is used to document an inmate's cash, personal securities, and property and is used to document the proper disposition of unissued property and inmate funds.

CDC Form 143, Property Transfer Receipt: A CDC Form 143 shall be required to document the number of containers/boxes of personal property an inmate is transferring with and the progress of containers/boxes in transit. The CDC Form 143 may be used to identify multiple inmates with multiple boxes of property (Bill of Lading).

CDC Form 160-H, Inmate Property Control Card: A CDC Form 160-H, shall be required to record and maintain a record of all registerable property and its value. The CDC Form 160-H provides accountability to discourage theft and bartering of property of significant value or security interest (e.g. television, radio, handicraft tools, etc.).

CDC Forms 1083-M and 1083-F, Inmate Property Inventory: A CDC Form 1083-M or 1083-F (male or female) shall be completed when there is a need to inventory an inmate's property (e.g. Administrative Segregation Unit [ASU] placement, inter-institutional transfer, Out to Medical (OTM), Out to Court (OTC), extradition, property control, etc.), to ensure all property is accounted for and to provide a vehicle for the evaluation of inmate property claims. The CDC Forms 1083-M and 1083-F are the only acceptable documents for this purpose.

54030.6 Liability

In permitting inmates to possess items of personal property while they are incarcerated, the Department does not accept liability for the theft, loss, damage, or destruction of such property resulting from the intentional or careless act or activities, or riotous behavior of any inmate(s). The Department does not accept liability for the loss or destruction of personal property in the inmate's possession or control at the time of any willful act by the inmate, such as escape, which exposes such property to loss or theft before it can be recovered and controlled by staff.

Correctional staff shall assume responsibility for an inmate's property upon notice that an inmate is being retained elsewhere by taking control of that inmate's property. If the property cannot be secured, as in a double occupied cell or dormitory, the property shall be removed and stored in a secured area.

Normally upon notification of the inmate being retained elsewhere, but within 24 hours, the inmate's property shall be inventoried, packaged for transfer, and placed in a secure area. A copy of the CDC Form 1083-F or CDC Form 1083-M, signed by the person who inventoried the property, shall be furnished to the inmate.

The Department shall accept liability for the loss or destruction of inmate personal property when it is established that such loss or destruction results from employee action. Inmates shall utilize the inmate appeal process if unable to resolve a personal property claim with staff pursuant to Section 54100. If the issue involves a prescribed health care appliance belonging to an inmate with a documented disability, the inmate may utilize the CDC Form 1824, Reasonable Modification or Accommodation to attempt to resolve the issue. Upon acceptance of liability, staff shall provide similar items of equal or greater value to the inmate when such items are available via donated property items consistent with Section 54100.22. If donated items are not available, monetary compensation to the inmate for such loss shall not exceed either:

- The dollar value as documented on CDC Form 160-H, Inmate Property Card;
- The cost of the item for which they have a receipt;
- The replacement value of a similar item as determined by a custody supervisor. Staff recommendations to the Victim Compensation and Government Claims Board regarding monetary reimbursement will be made accordingly.

The Department shall not assume responsibility for property abandoned by an escapee. Staff shall inventory the property as specified in these regulations and provide secure storage. The final disposition of the escapee's property shall be processed in accordance with Penal Code (PC) Sections 5062 and 5063.

54030.7 Inmate Personal Property Acquisition

Inmate personal property shall not be accepted at the front entrance gate or visiting desks. Inmates may be allowed to acquire specific items of personal property through the following methods:

54030.7.1 Special Purchases

Facilities shall allow for inmates to purchase the below listed items utilizing funds in their inmate trust account. Special purchases of the below listed items shall not be counted as a personal property package. Special purchases must be from departmentally approved, special purchase vendors.

Facilities may submit for departmental approval, local special purchase vendors as required, to provide religious items, handicraft material, health care appliances, subscriptions to local newspapers, etc. The facility requesting departmental approval of a special purchase vendor must submit the approval request to the office of the Deputy Director, Institutions Division, along with rationale for approval and a statement that the vendor meets the local facility's security and business requirements.

NOTE: The approval criteria for Personal Property Package vendors established in Section 54030.9 does not apply to special purchase vendors.

The amount charged an inmate for ordering entertainment appliances, a musical instrument, handicraft material, periodicals, or fiction books, as a special purchase shall include a ten percent service charge. Service charges shall be deposited in the inmate welfare fund.

Special purchases of health care appliances, correspondence courses, nonfiction books, and legal materials are not subject to service charges.

Facilities will make available to all inmates, procedures for special purchases. Purchases of health care appliances, correspondence courses, religious items, and handicraft material require an inmate to obtain prior approval. Submission of special purchase requests shall be based on established local procedures.

Health Care Appliances, prescribed by health care staff and subject to approval by designated custody staff. Health care appliances may be purchased by third parties. All health care appliances are to be received by designated health care staff from an approved vendor and inspected by designated custody staff prior to issuance. Health care appliances are not subject to the six cubic foot property limitation or count towards the two appliance limit as described in Section 54030.7 (DOM 54030.11).

Correspondence Courses, and materials subject to approval by designated custody and educational staff. Correspondence courses shall be received by designated education staff and inspected by designated custody staff prior to issuance (DOM 54030.9.3).

Legal Material, such as legal reference materials and books, legal pads, and pencils not available in the institution canteen. Legal material purchases are to be received by Receiving and Release (R&R) staff and inspected prior to issuance (DOM 54030.10.2).

Religious Items, subject to approval by designated custody staff and institutional chaplain. Religious items shall be received by the institutional chaplain and inspected by designated custody staff prior to issuance (DOM 54030.10.9).

Entertainment Appliances/Musical Instruments, as described in the APPS are to be shipped directly from a departmentally approved vendor in factory sealed packages, received by R&R staff and inspected prior to issuance. Packages that are damaged or opened shall be refused (DOM 54030.10.6).

Books and Periodicals, purchases and subscriptions shall be submitted according to local procedures and may be purchased for an inmate by a third party.

Handicraft Material, restricted to inmates approved to participate in the handicraft program. Handicraft items shall be received by the handicraft manager and inspected by designated custody staff prior to issuance (DOM 54030.10.4).

54030.7.2 Personal Property Packages

Inmates may receive personal property based upon assigned privilege group as specified in Section 54030.16. Items of authorized property shall be limited to the items/categories listed in the APPS contained in Section 54030.19. Personal property packages shall be ordered by inmates or third parties, via a departmentally approved vendor. A departmentally approved vendor may be chosen by an inmate or third party to provide items for inclusion into a personal property package. While no more than one vendor may be used per package, inmates and their correspondents will be able to choose a different vendor for subsequent personal property package purchases. Personal property packages are limited to a 30 pound maximum weight limit and maximum dimensions of 24" x 24" x 24".

Wardens are authorized to utilize non-departmentally approved vendors for purchases of personal property packages to meet specific religious dietary needs of inmates (kosher, halal, etc.). All religious specialty foods must be consistent with the criteria and categories established in the APPS in Section 54030.19. Approval of religious specialty vendors shall be at the discretion of the Warden or Warden's designee (level of Associate Warden or above).

A request for a personal property package purchased from a locally approved religious specialty vendor is subject to approval by designated custody staff and the institutional chaplain. The receipt of a personal property package from a religious specialty vendor shall be counted as a regular personal property package.

Individual purchases of entertainment appliances and musical instruments by inmates using funds in their trust account or by third party shall not be counted as a personal property package, unless additional items of personal property are also included.

Quarterly personal property packages may be received by inmates at any time during a quarterly period. Upon arrival of a package at an institution, designated staff shall verify the eligibility of the inmate to receive the package before issuance. Prior approval is not necessary as the arrival date of a package at an institution shall be the basis for the eligibility determination.

Facilities will make available to all inmates, procedures for the receipt of packages from approved vendors in accordance

with limits set for their assigned privilege group. Facilities are responsible for ensuring that current vendor catalogs and order forms are available in the inmate library and visiting room.

When a package is received at a facility with an address insufficient to locate the inmate, staff shall exhaust all avenues of information in locating the inmate before returning the package to the sender, including but not limited to, determining whether the inmate is OTC, OTM, transferred to another institution/jurisdiction, or parole.

Issuance of inmate packages shall be as soon as possible, but not later than 15 calendar days from delivery to the institution, except during the holiday season and emergency lockdowns. For purposes of this article, the holiday season is designated as beginning on November 15 and ending on January 15.

Institutions may temporarily suspend delivery of inmate packages to all portions of the institution during emergency lockdowns.

Upon resumption of normal operations, inmates that are released from lockdown status, housed in an institution/facility experiencing a partial lockdown, shall continue to receive packages within 15 calendar days.

Issuance of packages to inmates affected by lockdown status may be temporarily suspended for up to 90 calendar days (one quarter). After 90 days, issuance of previously stored packages is mandatory. A lockdown shall not result in the loss of a quarterly package.

Packages received for inmates that are on lockdown status may be temporarily stored in appropriate locations designated by the institution/facility. The institution/facility is responsible for identifying and designating adequate storage space, including emergency overflow storage as required, until such time as staff are able to issue packages.

~~Inmates previously affected by lockdown shall receive unissued inmate packages within 15 days after their release from lockdown status.~~

Institutions shall not instruct vendors to stop shipment of packages unless authorized by the Deputy Director, Institutions Division. Upon receiving authorization from the Deputy Director, Institutions Division, the institution shall be responsible for notification of the inmate population. The inmates shall be responsible for notification of family or other correspondents.

Packages shall not be returned based solely on the existence of a lockdown.

54030.7.3 Service Charge

The amount charged an inmate for a self-purchased personal property package order shall include normal taxes and a ten percent service charge. Service charges shall be deposited in the inmate welfare fund. This service charge is exclusive of such costs as state sales tax, freight, and handling. Personal property packages sent from third parties via approved vendor shall not be subject to any service charge.

54030.8 Personal Property Package Criteria

Items of personal property may be purchased from approved vendors by third parties of the inmate or purchased directly by the inmate. Authorized items, appliances, or food may be acquired by utilization of this package procedure, consistent with the APPS in Section 54030.19. The determining factor in the number of packages an inmate may receive per year is the privilege group in which the inmate is placed in accordance with the work/training program.

Inmates may obtain approved appliances and/or musical instruments from approved vendors by having them ordered by correspondents or using the funds in their inmate trust account. A limit of two appliances applies to all inmates based upon the following definition, with the exception of female hair care appliances as described in Section 54030.10.6.

NOTE: For purposes of this article, an appliance is defined as:

- 1) Any electrical appliance, (excluding prescribed medical appliances and battery rechargers) that relies on institution/facility power resources to operate (all electrical appliances are subject to the two appliance limit).
- 2) Any audio/visual entertainment appliances such as radios, televisions, cassette/disk players, etc. (All audio/visual appliances are subject to the two-appliance limit, regardless of electric or battery operated power source).
- 3) Battery operated, non-entertainment appliances that do not rely on institution/facility power resources (Battery operated, non-entertainment appliances are not subject to the two-appliance limit).

Items shall be shipped to the inmate's respective institution/facility by the approved vendor in a factory sealed container.

It is the responsibility of the inmate and/or the third party to ~~ensure that packages are ordered in advance to ensure~~ adequate delivery time.

The year shall begin January 1 and end on December 31. The quarters are:

- 1st - January 1 through March 31.
- 2nd - April 1 through June 30.
- 3rd - July 1 through September 30.
- 4th - October 1 through December 31.

Privilege Group A/ Privilege Group B

Inmates in Privilege Group A & B shall be allowed four packages per year (one per quarter) not to exceed 30 pounds each.

Privilege Group C

Inmates in Privilege Group C shall not be allowed a Personal Property Package. Inmates prohibited from receiving a package resulting from recent placement into Privilege Group C, shall not be allowed to retain a package, which was ordered prior to Privilege Group C placement. Disallowed packages shall be disposed of pursuant to Section 54030.12.2.

Privilege Group D

Inmates in Privilege Group D, including those inmates housed in ASU/Security Housing Unit (SHU) and Psychiatric Services Unit (PSU), shall be permitted to acquire one personal property package per year not to exceed 30 pounds each. Eligibility to acquire a personal property package commences one year after the date of Privilege Group D assignment.

Inmates in SHU/PSU may also purchase an entertainment appliance via the Special Purchase Process. Eligibility to acquire an entertainment appliance commences one year after the date of Privilege Group D assignment.

Inmates prohibited from receiving a package as a result of ASU placement shall be allowed to retain the package in their stored personal property if the package was ordered prior to ASU placement and the inmate was otherwise qualified to receive it.

Privilege Group U

Inmates in Privilege Group U shall not be allowed a Personal Property Package.

Note: The local Inter-Disciplinary Treatment Team (IDTT) may further restrict or allow additional authorized personal property on a case-by-case basis, above that allowed by the inmate's assigned Privilege Group.

54030.9 Personal Property Package Vendor Approval

Vendors for Personal Property Packages, except those vendors approved locally for special religious foods as provided for in Section 54030.6.2, must receive Department approval prior to providing services to institutions/facilities.

The Deputy Director, Institutions Division, has the authority to establish vendor approval guidelines for Personal Property Packages, and to add or remove vendors from the approved list.

Vendors must submit a completed vendor application package to the Deputy Director, Institutions Division. Requests for approval must include all additional materials and catalogs of items provided with prices. The vendor name and contact information will be provided to the institutions/facilities upon approval.

It is the intent of the Department to ensure Inmate Package Program catalog items are priced competitively with common retailers in major markets.

CDC reserves the right to withdraw any vendor approval subject to 30 calendar days written notice to the vendor. However, any agreement can be immediately terminated for cause. The term "for cause" shall mean that the vendor fails to meet the terms, conditions, and/or responsibilities of an agreement. In this instance, the agreement termination shall be effective as of the date indicated on the State's notification to the vendor.

54030.9.1 Personal Property Package Vendor Criteria

Vendors submitting requests for Department approval shall meet the following minimum requirements:

1. All merchandise offered for sale by the vendor is subject to price comparison. Price comparison shall be conducted by CDC during initial vendor approval and throughout the length of any agreement or contract based upon advertised catalog prices.

Vendor prices will be compared with non-sale prices on an identical product for product basis at major retailers in the following major California markets:

- Fresno
- Los Angeles
- Sacramento
- San Diego

A resulting median price for the specific product will be identified. The vendor's advertised catalog price shall not exceed the median price by more than ten percent.

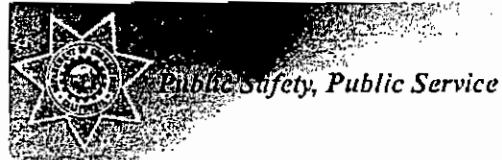
If identical items are not located during the initial price, comparison in the major California markets identified above, CDC may extend the price comparison to include other states, if necessary.

If identical items are not located during an extended price comparison, similar items may be relied on as determined by CDC. The basis for any price comparison shall be the sole discretion of CDC.

The vendor will be notified if the prices of merchandise are in excess of the ten percent limit. If prices are determined by CDC to be excessive, the vendor will be requested to reduce prices within the acceptable price range as determined by CDC or remove the item from inmate availability. Inability or unwillingness of or by the vendor to comply with a CDC price reduction/removal request within 30 calendar days of notification shall be cause for termination of any agreement or contract and shall result in disapproval of the vendor to provide services.

2. Vendor shall maintain insurance with Commercial General Liability with Warehouse Legal Liability for a minimum of \$1,000,000 per occurrence.
3. Vendor shall possess a valid California city or county business license (if applicable) or, if a corporation located within the State of California, incorporation documents or letter from the Secretary of State or, if not a California business, an affidavit that business is in good standing with the state, province, or country in which business is headquartered.
4. Vendor must provide a self-certified Inventory Report showing a minimum of \$250,000 worth (advertised retail value) of merchandise on premises (subject to physical verification by CDC).
5. All merchandise purchased by a single order must be packaged in one single container. Multiple boxes are not permitted.

6. Must provide copies of CDC approved catalogs and order forms, free of charge, to institutions/facilities. Catalog must indicate prices for all items and expiration dates of prices. Prices advertised in catalogs must have a guaranteed minimum term of 12 months.
7. Upon vendor approval, all catalogs, order forms, and web sites must prominently display the following disclaimer:



The California Department of Corrections (CDC) has approved this independent vendor to sell merchandise to inmates and the public. CDC's brief review and approval of this vendor was strictly limited to minimum security requirements and general business intent. CDC is not affiliated with this vendor and does not guarantee that the vendor will fulfill any obligations, perform as expected, nor permanently remain in business, nor does CDC guarantee the vendor's products in any way. Any purchases from this vendor are at the buyer's sole risk. CDC assumes no liability whatsoever for such purchases, nor any aspect thereof. Any issues or disputes regarding the vendor's products are the sole responsibility of the buyer and/or the vendor, and CDC is not obligated to mediate or resolve any such disputes.

8. CDC approved catalog must only present items authorized for purchase by CDC inmates based upon Privilege Group (PG).
9. Catalog must identify items allowable by PG as identified in Section 54030.19.
10. Vendor must require customer to select a Privilege Group prior to completion of a purchase. The selection of a Privilege Group shall act to restrict the purchase of merchandise not allowed by the selected Privilege Group. Refer to the APPS located in Section 54030.19 for more information.
11. Items listed in catalogs must regularly be in stock. Catalogs and order forms shall clearly indicate that back orders or substitutions shall not be permitted. In the event that an item is out of stock, a refund will be issued to the purchaser.
12. Two copies of the purchase receipt or shipping invoice shall be included in each package and a copy shall be forwarded to the purchaser if purchased by a non-inmate. (E-mail confirmation is acceptable for orders placed over the Internet).
13. Maximum allowable package weight is 30 pounds. This weight limit includes merchandise, packing material, and packaging (tare weight). Packages in excess of 30 pounds shall not be accepted and returned at the vendor's expense.
14. The catalogs and web sites must include the shipping weight of each individual item and a method of calculating the total gross weight of the inmate package, as customers are limited to a gross weight of 30 pounds or less.

15. Maximum allowable package dimensions are 24" x 24" x 24".
16. All catalogs and web sites must clearly inform customer of the 30 pound weight limit.
17. All packages must be labeled either PG A/B or PG D based upon the contents of the package. PG D packages may only contain items authorized for PG D..
18. The vendor's return policy must be clearly stated in catalogs and on web sites. CDC shall not be a party in any dispute between the vendor or the purchaser.
19. The vendor is responsible to correct any errors in package contents. When an incorrect item is received in a vendor package, CDC staff shall verify and may contact the vendor to request a United Parcel Service call tag in order to ship the incorrect item back to the vendor. This does not preclude individual facilities from alternative methods of resolution.
20. Must restrict knowledge of identities of both package recipients and purchasers from staff responsible for assembling packages.
21. Vendor staff responsible for receiving orders, assigning purchase order numbers, and/or secure numerical identifiers shall not be allowed to assemble packages.
22. Vendors must conduct pre-employment urinalysis testing on all employees and provide evidence of such on demand.
23. Vendors must provide names and identification information of all staff on demand. Current state driver's licenses are accepted as valid identification.
24. Vendors employing staff possessing felony convictions less than 10 years old shall be disqualified. Vendors employing staff possessing drug-related arrests or ~~convictions less than 5 years old shall be disqualified.~~
25. Vendors must be willing to submit to, and cooperate with, frequent CDC inspections without notice.
26. Vendors' receiving, packaging and shipping areas must be monitored by a Closed Circuit Television System (CCTV). Video tapes or other medium providing a record of activities in packaging and shipping areas must be maintained for a minimum of 30 days. All videos must provide a date and time stamp and the ability to identify vendor staff.
27. Vendors must employ the security measures described in Section 54030.8.2.
28. Packages must be sealed with tamper resistant tape.
29. Approval and use of vendors must result in no expense to CDC.
30. Vendors must be capable of supplying packages within no more than 10 days after purchase. Occasional delays in shipments are understood and will not be reason for disapproval of a vendor.
31. Institution personnel shall maintain a verified copy of the shipping invoice in order to assist in the resolution of any

disputes between the vendor and the purchaser. However, all order disputes are solely between the purchaser and the vendor and must be settled without additional involvement of CDC.

54030.9.2 Shipping Security

Prior to each shipment of packages, the vendor shall provide the receiving institution a shipping manifest containing inmate names, CDC numbers, and a list of secure numerical identifiers (confidential purchase order numbers) that corresponds to each package shipped. The shipping manifest shall be sent to the institution via e-mail or facsimile (FAX) as determined by the institution. Under no circumstances shall the shipping manifest accompany the shipment of packages.

Packages shall display only the secure numerical identifier. Neither the inmate's name, CDC number, shipping manifest containing secure numerical identifiers, nor any other inmate identifying information may be shipped with a package. Standard shipping labels may be used, but shall only provide the vendors return address, the institution's address, and the secure numeric identifier. The numeric identifier and inmate's Privilege Group shall be clearly displayed on each package to facilitate comparison with the shipping manifest.

54030.10 Property Classifications/Restrictions

The following subsection gives direction on the control, possession, recording, and disposition of inmate property.

54030.10.1 ~~✕~~ Food and Hygiene

Inmates may possess food and personal care/hygiene items in their quarters/living area, consistent with their privilege group unless otherwise prohibited by departmental policy as outlined in CCR Section 3190(a). The maximum amount of food and personal care/hygiene items an inmate may possess shall not exceed the amount which can be purchased through the canteen by the inmate in one month, as required by CCR Section 3094 and as described in CCR Section 3190(e).

~~Inmates shall be required to maintain their purchase receipt to~~ verify purchases until such items are expended. Possession of canteen items (personal hygiene, and other miscellaneous items), except for consumable food items, shall be consistent with the six cubic foot limitation.

Inmates shall be permitted to temporarily exceed the six cubic foot volume limit by the amount of the current month's purchase of consumable food items, verifiable by the current month's canteen receipt. By the following month's canteen draw, the inmate is expected to be within established volume limits.

In the event the inmate does not comply with these provisions for consumable food items (canteen in excess of the one month standard as described in CCR Section 3094, or exceeds the temporary excess allowed for consumable food items, or is not able to produce a receipt for items) as described above, the inmate will be required to dispose of property of his/her choice pursuant to Section 54030.12.2, to become compliant with the volume limitation policy.

54030.10.2 Legal Materials

Inmates may possess legal materials/documents and/or books in their quarters/living area consistent with the six cubic foot

limitations except as otherwise set forth in this Section. In addition to the six cubic feet limitation of authorized property as set forth in this article, inmates may possess up to one cubic foot of legal materials/documents related to their active cases in their assigned quarters/living area. Inmates may request that the institution/facility securely store excess legal materials/documents related to their active case(s) when such materials/documents exceed this one cubic foot additional allowance. Only that material in excess of the additional one cubic foot shall be stored. *Note:* an active case may be defined as any legal action, cause, suit, writ, etc. that an inmate is currently involved in writing or responding to.

A suitable area as designated by the Warden shall be reserved for the storage of excess legal material. A log record of material(s) stored showing inmate's name, number, date of storage, and the materials receipt and removal shall be required.

The material shall be placed in a box and sealed at the time of storage with the initials of the inmate and staff member involved. When the material is removed, the inmate shall acknowledge its removal by signing the log record.

Upon an inmate's request, staff shall schedule appointments for the inmates to have access to their stored materials. Inmates shall have access to their stored legal material one time per week, if they have an active case.

Inmates assigned to ASU/SHU/PSU shall provide the necessary identifying information for staff to access stored legal material. The inmate is responsible for organizing stored legal material in a manner that allows staff to identify a specific box for exchange.

Legal books shall not be stored by the institution/facility. Inmates who require access to the excess active case legal materials/documents from secured storage may exchange such documents for active case materials/documents in their quarters/living area upon written request to the property coordinator or designee, on a box-for-box basis while adhering to the limitations set forth in this section. Legal materials/documents and books that do not pertain to the inmate's active case(s) and are in excess of the allowable property limitation shall be disposed of pursuant to Section 54030.12.2.

54030.10.3 Correspondence Course Materials

Inmates may possess correspondence course materials, including textbooks in their quarters/living area as approved by the Supervisor of Correctional Education Programs (SCEP) or designee, and designated custody staff consistent within the six cubic feet limitation. Correspondence courses requiring tools, construction kits, or other materials that may pose a threat to the institution's security or the safety of persons shall not be allowed. The SCEP or designee shall provide the inmate with a CDC Form 128B, General-Chrono indicating approval of the course and materials supplied. The inmate must display this chrono conspicuously in their quarters/living area.

54030.10.4 Inmate Handicraft

Inmates who participate in handicraft programs may possess in their quarters/living area, handicraft articles, and written

and artistic material produced or created by that inmate, consistent with departmental regulations and within the six cubic feet limitation. Facilities may designate additional storage for handicraft articles and materials based upon availability of space. Excess handicraft items, articles, or materials in an inmate's possession shall be confiscated and disposed of in accordance with Section 54030.12.2

Inmate donation of handicraft items, articles, tools, and materials to the institution is subject to provisions of Section 53080.14. Such articles shall be controlled by the handicraft manager, become the property of the State, and shall be utilized in the same manner as other State owned tools and materials.

54030.10.5 Education Materials

In addition to the six cubic feet limitation of authorized property as set forth in this article, inmates who are assigned to institution Academic or Vocational Educational Programs shall be allowed to possess State provided textbooks/materials necessary to complete their education requirements in their quarters/living area. Inmates must sign a CDC Form 193, Trust Account Withdrawal for replacement costs prior to being issued the material. Inmates shall have posted in their cell a CDC 128-B, signed by the appropriate instructor indicating the inmate is authorized to possess the listed texts and/or materials. Any course textbooks furnished by the State shall be returned to the Education Department at the end of the course or upon the inmate's transfer or parole. State supplies not returned in serviceable condition will result in the Trust Account Withdrawal form being submitted for the replacement value. The Supervisor of Correctional Education Programs shall be responsible for determination of the replacement value of educational supplies.

54030.10.6 Appliances / Musical Instruments

Privilege Groups A and B

~~Inmates assigned to Privilege Group A or B may possess up to two appliances, with the exception of female hair care appliances, as indicated in Section 54030.8.~~

Based upon inmate grooming standards as described in CCR Section 3062(f), female inmates may possess up to three appliances when one of the appliances is a hair care appliance.

NOTE: In order to facilitate female hair care needs, female institutions shall maintain a hairdryer in each housing unit for inmate use.

One musical instrument with case may be substituted as one of the two appliances in their quarters/living area consistent with the six cubic foot limitations. When an inmate assigned to Privilege Group A or B is placed in Administrative Segregation, any appliances and/or musical instrument shall be inventoried and stored pending the outcome of ASU placement. If the inmate is released back to the general population and maintains their Privilege Group A or B status, the appliance(s) and/or musical instrument shall be returned to the inmate. If the inmate receives a SHU/PSU term, the inmate shall be required to dispose of the appliance(s) and/or musical instrument in accordance with Section 54030.12.2.

NOTE: Inmates housed at conservation camps shall not possess personal television sets.

Privilege Groups C and U

Inmates assigned to Privilege Group C or U may not possess any appliances (i.e. television, radio, CD player, etc.) or musical instruments, nor may they purchase any electrical entertainment or battery-operated type of appliances.

When an inmate is placed on Privilege Group C via a classification committee action, the inmate shall be required to dispose of any appliance(s) and/or musical instrument in accordance with Section 54030.12.2.

Privilege Group D (ASU/SHU/PSU)

Inmates assigned to ASU may not possess any appliances or musical instruments.

Inmates assigned to SHU/PSU may possess and/or acquire through the inmate personal property package process, or Special Purchase process, one entertainment appliance as outlined above and as identified in Section 54030.19. Eligibility to receive an entertainment appliance commences one year after date of Privilege Group D assignment. Inmates assigned to Privilege Group D may not possess a musical instrument.

54030.10.6.1 Additional Appliance/Musical Instrument Requirements

Appliances may be AC plug-in or may use an AC/DC adapter. Battery operated; non-entertainment appliances shall not be counted against the two-appliance limit. Inmates may purchase and use rechargeable batteries with a recharger unit. Recharger units and AC/DC adapters are considered appliance accessories and shall not be counted as a separate appliance. Inmates shall not possess or use a remote control device. Entertainment appliances with internal mechanisms for recording, downloading, or transmitting shall not be allowed. All appliances, including entertainment appliances shall be portable models. Entertainment appliances with antennas shall be built in. Entertainment appliances shall have earphones or earplugs that shall be worn on the head or in the ear when the appliance is in use within the housing units.

All appliances shall have the inmate's name and number engraved on the back and be sealed by staff. Staff shall make the necessary entries on the inmate's CDC Form 160-H before releasing the property to the inmate. Any inmate who breaks or tampers with the seal may be subject to disciplinary action and confiscation of the item. Inmates that are found guilty of breaking or tampering with the seals of any personal appliance may have the appliance confiscated and disposed of in accordance with Section 54030.12.2.

Inmates ordering new or replacement appliances shall be required to purchase clear-case appliances. Non-clear case appliances shall be eliminated through attrition.

Musical instruments and case combined dimensions shall not exceed 46" x 24" x 12."

54030.10.6.2 Repair of Appliances

In the event of a malfunctioning appliance, the inmate shall be responsible for returning the unit to R&R for shipment to an authorized repair vendor or institution vocational repair shop, if available. The inmate shall have a minimum of \$50 on their trust account for estimates only. If the unit costs more to repair, the inmate shall be contacted regarding the cost. The inmate must forward the necessary funds to the vendor prior to repair.

Inmates are prohibited from keeping inoperable appliances in their possession. Appliances that cannot be repaired or for which the inmate has insufficient funds for repair shall be disposed of per Section 54030.12.2.

54030.10.7 Clear Technology

Inmates shall be restricted to only clear personal care/hygiene items encased in clear containers or tubing based upon availability. An exemption from using clear personal care/hygiene items encased in clear containers or tubing shall only be authorized by the institution's health care manager or chief medical officer and only when an exemption is deemed medically necessary by a physician. Such exemption shall not exceed one year. If the condition persists, another exemption request shall be submitted by the inmate.

Inmates ordering new or replacement appliances shall be required to purchase clear case appliances. Inmates currently possessing non-clear case appliances shall be allowed to keep those appliances until they are no longer functioning. Non-functioning non-clear case appliances are considered contraband and shall be disposed of according to Section 54030.12.2.

54030.10.8 Personal Clothing

Inmates shall not be permitted any personal clothing items other than those listed in the APPS, Section 54030.16. No advertising, letters or pictures depicting or reasonably associated with alcohol, gangs, profanity, sex, nudity, weapons, drugs, or drug paraphernalia shall be authorized.

54030.10.9 Religious Items

Personal religious items may be authorized as described in, but not limited to Section 53050. Inmates may possess authorized religious items consistent within the six cubic feet limitation.

Religious items are subject to approval by designated custody staff and the institutional chaplain. Custody staff shall consult institutional chaplains and spiritual leaders whenever possible when considering the disapproval of religious items.

Procedures

Institutional chaplains shall be responsible for approving all inmate requests for spiritual items. Spiritual packages must be received from an approved, recognized vendor, and must be received in one of the following ways:

- Purchased by a third party from an approved vendor.
- Purchased by the inmate from an approved vendor.

Items arriving via family or friends, or items shipped from other than approved, recognized vendors, shall be disposed of in accordance with Section 54030.12.2.

54030.10.10 Membership Cards

Inmates shall not possess any membership cards, identification cards, or service-type cards other than those issued by the Department.

54030.10.11 Contraband

Anything not permitted, or in excess of the maximum quantity permitted, or no longer functioning as designed, or that have been modified or tampered with, or which is received or obtained from an unauthorized source is contraband. Possession of contraband may result in disciplinary action and confiscation of the contraband (CCR 3006).

The inmate shall be given a written notice for any item(s) of personal and authorized state-issued property that is removed from their quarters during an inspection/search and the disposition made of such property. The notice shall also list any contraband or any breach of security noted during the inspection/search.

54030.11 Health Care Appliances

Approval for an inmate to permanently or temporarily possess or retain a health care appliance requires a clinical prescription for the appliance and shall be documented on a CDC Form 128C Medical, Psych, Dental, Chrono.

Inmates shall be allowed to retain possession of a prescribed health care appliance until a health care evaluation is performed providing that safety and security of the institution/facility will not be compromised. Health care appliances are not subject to the six cubic foot volume limitation, nor count towards the two-appliance limit as described in Section 54030.8.

Approved health care appliances include durable medical equipment, assistive devices, adaptive equipment, prosthetic or orthotic appliances, or equipment or medical support equipment, which include, but are not limited to:

- Eyeglasses.
- Prosthetic Eyes.
- Dental prosthesis.
- Prosthetic limbs.
- Orthopedic braces or shoes.
- Hearing aids.
- Wheelchairs.
- Canes.

54030.11.1 Disallowance of Health Care Appliances

Following review and/or inspection of the appliance, should custody supervisor determine that a significant safety or security concern appears to exist, the institution Health Care Manager, Chief Medical Officer, Chief Physician and Surgeon, or Chief Dentist, Correctional Health Services Administrator, or Physician on Call, or Medical Officer of the Day shall be consulted immediately to determine actions

required to safely accommodate the affected inmate-patient's needs. Accommodation appropriate to the safety and security of the institution may include, but should not be considered limited to:

Modification of the appliance. If this alternative is chosen, equivalent effective alternative accommodation must be provided the inmate/patient while the original appliance is being modified.

Replacement of the appliance with an acceptable one. If this alternative is chosen, equivalent effective alternative accommodation must be provided the inmate/patient while the alternate appliance is being procured.

Special housing. If this alternative is chosen, and housing in a medical bed is required because of nursing care needs that would not be necessary if the inmate/patient could be allowed an effective appliance, the inmate/patient must be seen as being housed solely on the basis of a disability.

Expedited transfer to a designated institution.

Substitution of non-medical personal services for an appliance (where Inmate Assistant programs have been established) or expedited transfer to an institution where such programs exist.

54030.12 Property Issuance

When issuing items of property to an inmate, whether originating from a special purchase or an inmate package, issuing staff are required, at a minimum, to visually observe and physically hand each item of registerable and non-registerable property to the inmate. Staff shall not be responsible for conducting an inventory of non-registerable property during the issuance process.

At the completion of the issuance process, the inmate shall verify that the property is correct as compared with the shipping invoice contained inside the package by signing the staff copy of the shipping invoice. If a discrepancy is identified, the inmate is responsible for showing the discrepancy to staff who shall note the discrepancy on the staff copy of the invoice. One copy of the invoice is retained by the institution/facility for a minimum of one year, and one copy of the invoice is provided to the inmate. While resolution of discrepancies is strictly between the purchaser and the vendor, the copy of the invoice maintained by institutional staff shall serve as verification of any discrepancy claims.

54030.12.1 Property Registration

Personal property items which are not consumable, and that possess enough intrinsic value to be a significant target for theft or bartering, are considered registerable property. Registerable personal property is identified in Section 54030.17.

When designated items are identified as registerable, such items must be registered under the inmate's name and number on the CDC Form 160-H, Inmate Property Control Card. Staff shall include the purchase date and purchase price, and attach a copy of the purchase receipt to the CDC Form 160-H, if available.

It is the responsibility of the inmate to account for all registerable property listed on the CDC Form 160-H. Staff

shall document property inmates cannot account for on appropriate forms (CDC 128 A, CDC 115).

The inmate, in writing, shall report all registerable property that is lost, stolen, or worn-out to R&R personnel as soon as the loss or unusable wear is discovered. A description of the item(s) and the circumstances surrounding the loss shall be included in the report.

54030.12.2 Processing Disapproved Property

Unauthorized inmate personal property, including that which is altered, exceeds volume limitations, or is beyond repair, shall be disposed of in accordance with the provisions of this Section. The institution shall not store unauthorized inmate property except as provided for inmates placed in ASU as provided for in Section 54030.13.2.

Inmates shall sign the CDC Form 1083 indicating their choice of disposition and agreement to the method for disposing of their property. If the inmate makes no selection or has insufficient funds, staff shall document that fact and determine the method of disposition. Unauthorized personal property shall be disposed of as follows:

Mail the item to an address provided by the inmate via United States Postal Service (USPS) or common carrier at the inmate's expense. This option is not available for inmates with insufficient funds in their trust account.

Return the item to the sender via USPS or common carrier at the inmate's expense. This option is not available for inmates with insufficient funds in their trust account.

NOTE: Unopened packages received by the institution via USPS or common carrier, for an inmate ineligible to receive a package, may be returned to sender at no expense.

Donate the item to a charitable organization as designated by the institution/facility.

Donate the item to the institution/facility.

~~Render the item useless and dispose of it according to institution/facility procedures.~~

Failure to provide an address of an individual willing to accept the personal property will result in the property being donated to a charitable organization, donated to the institution/facility, or render as useless and dispose of per institution/facility procedures. Inmates are not permitted to send their property to any State agency or agent of the State. Failure to comply may result in disciplinary action.

54030.13 Movement of Personal Property

The following subsection gives direction, disposition, and processing of inmate property when being transferred, placed in ASU, out-to-court, medical, or extradition.

54030.13.1 Transfers

Upon an inmate's transfer between institutions of the Department, the sending institution shall inventory the inmate's property on a CDC Form 1083. R&R staff shall account for all personal property and document the disposition of any property not allowed at the receiving institution. For purposes of inmate transport, canteen and hygiene are included within the six cubic feet of allowable property.

The APPS shall be used as the basis for determination of property decisions. Changes in an inmate's privilege group and volume limitations are addressed in the APPS (Section 54030.17).

When the inmates report to R&R with their personal property, they shall be informed that any item that cannot be transported or will not be accepted at the receiving institution based upon a change to privilege group shall be disposed of by the methods outlined in Section 54030.12.2.

A signed copy of the CDC Form 1083 shall be placed in each box containing the inmate's personal property. A copy shall also be provided to the inmate and a copy retained by the sending R&R and receiving institution to facilitate the resolution of inmate property claims. The receiving institution shall document the disposition of any disallowed property items that were not identified and confiscated by the sending institution.

The CDC Form 143 shall be completed by R&R staff, and a copy shall be provided to transporting staff.

All boxes/containers used to transport inmate property shall not exceed 24" x 24" x 24" maximum dimensions, nor contain in excess of 30 pounds of property each.

All health care appliances belonging to an inmate shall be transported with the inmate upon transfer. Upon an inmate paroling, all health care appliances permanently issued to the inmate shall be retained and maintained by him/her. Health care appliances temporarily issued to the inmate for use during incarceration shall be retained at the institution.

54030.13.2 Temporary Placements, Transfers, and Returns

Administrative Segregation

Unissued authorized property for inmates on ASU status shall be inventoried by appropriate staff and stored in areas ~~designated for property storage pending the outcome of ASU placement.~~ Property inventory shall be completed in accordance with Section 54030.6.

Upon initial ASU placement, the institution must provide the inmate basic hygiene and writing materials, i.e., fish kit. In addition, the inmate shall be provided access to his/her personal address book and stamps in order to facilitate access to correspondents and the courts.

If the Institution Classification Committee retains the inmate in ASU after initial ASU review, the inmate shall have access to canteen as provided for in Section 54070.7 based upon a schedule determined by the facility. Additionally, the inmate shall have access to all authorized personal property as determined by Section 54030.17.

If the inmate is released back to the general population and maintains his/her original Privilege Group status, the personal property shall be returned to the inmate. If the inmate receives a SHU/PSU term, the inmate shall be required to dispose of all unauthorized property prior to transfer in accordance with Section 54030.12.2.

The property of inmates on temporary transfer status shall be processed as follows:

Out-To-Court

Inmates going out-to-court who are not returning the same day shall report to R&R with all of their personal property. R&R staff shall inventory and store the property until the inmate returns from court. If an inmate is paroled or discharged while on out-to-court status, all tangible property, such as clothing, appliances, and paperwork, shall be stored for a period of one year. Intangible property such as inmate funds shall be maintained for a period of three years. If no claim is made on the property after expiration of time frames, final disposition shall be in accordance with PC Sections 5062 and 5063.

In institutions that have authorized property storage areas within the housing unit, staff from the respective unit may inventory and store the inmate's property.

Hospital/Out-Patient Housing Unit (OHU) / Correctional Treatment Center(CTC)

Inmates transferring to the hospital, OHU, or CTC who are not returning the same day shall turn in all property to the housing unit officer or R&R. The property shall be inventoried and properly stored in accordance with this Section until the inmate returns from the hospital/OHU/CTC.

Inmates going to the hospital/OHU/CTC and returning the same day shall not be required to store their property in the property room.

Inmates placed in the hospital/OHU/CTC due to accident or emergency shall have their property collected, inventoried, and stored in R&R (or other approved area) by the housing unit officer or designee.

Inmates transferring on medical and return status to other institutions shall store their property in R&R or other designated areas.

Return

Upon release/return from the hospital/OHU/CTC or special housing units, the inmate's property shall be returned. The inmate shall be provided an opportunity to sign the property inventory form acknowledging receipt of the property. Issuing staff shall also sign the property inventory form, acknowledging the inmate's receipt or refusal to sign.

54030.13.3 Extradition

Inmates or parolees requiring extradition transport from any state or territory of the United States are personally responsible for the disposition of their personal property. It is the inmate's responsibility to make arrangements with the holding agency for the disposal, storage, or mailing of their property prior to being transported by extradition agents. Extradition agents shall not be responsible for inmate property left at the sending agency/institution. At no time shall inmate property be checked onto airplanes or transported in the baggage compartment of the aircraft. The only exception is wheelchairs or other prescribed health care appliances.

Inmates being extradited shall not retain any property on their person except prescribed medications and health care appliances as necessary, e.g., prescribed eyeglasses. Only authorized property that can fit into a 10" x 12" clasp envelope, including, but not limited to, jewelry, wallet, watch, family pictures, or printed material shall be allowed to be

transported with the prisoner. Inmate property shall be inventoried on a CDC Form 1083. A copy of the CDC Form 1083 shall be placed in the sealed envelope, a copy shall be provided to the inmate, and a copy shall be retained by the extradition agent. The envelope shall then be secured in the agent's carry-on baggage or secured compartment in a transportation vehicle. The inmate may wear his/her own clothing and shoes if deemed appropriate for transport purposes by the assigned State agents.

Inmates being extradited from CDC to other jurisdictions, states or territories of the United States may be allowed to retain all or a portion of their property as determined by the transporting extradition agent. In cases where personal property is not permitted to be transported, inmates shall be provided the opportunity to select appropriate disposition of their property as follows:

~~Inmates permanently transferring to the custody of another~~ agency shall be provided with the opportunity to mail all property to an address of their choosing, via United States Postal Service (USPS) or common carrier at the inmate's expense.

Indigent inmates shall have property shipped to an address of their choosing at CDC's expense.

NOTE: If no address is provided or previously mailed property is returned as undeliverable, all tangible property shall be placed in storage for a period of one year. Intangible property shall be maintained for a period of three years. If no claim is made on the property after expiration of time frames, final disposition shall be in accordance with PC Sections 5062 and 5063.

Inmates temporarily transferring OTC and other temporary transfers, shall have property stored pending their return to CDC custody. All property will remain in storage until the inmate is either returned to CDC custody or paroled or discharged. If paroled or discharged, all tangible property shall be stored for a period of one year. ~~Intangible property~~ shall be maintained for a period of three years. If no claim is made on the property after expiration of time frames, final disposition shall be in accordance with PC Sections 5062 and 5063.

54030.14 Release Clothing

Inmates scheduled for parole or awaiting discharge may be sent a release-clothing package via USPS or common carrier no earlier than 30 days prior to their scheduled parole or discharge date. Inmate release-clothing packages, limited to one set of clothing, shall be retained in a secure location by departmental staff.

54030.15 Escapees' Property

The Department shall not assume responsibility for property abandoned by an escapee until such time as the escape is discovered and the property is inventoried.

All personal property of escapees shall be inventoried and transferred to the investigating lieutenant. In accordance with PC Section 5062, tangible property shall be stored for a period of one year. Intangible property shall be maintained for a period of three years. Final disposition of property shall be in accordance with PC Sections 5062 and 5063.

54030.16 Deceased Inmate Property

All personal property of a deceased inmate shall be inventoried on a CDC Form 1083 and stored in a location designated by the Warden. The deceased inmate's Central File shall be reviewed for written directions of the decedent as to the next-of-kin. The deceased inmate's property shall be shipped to the next of kin as designated on the CDC Form 127, Notification in Case of Death, Serious Injury, or Serious Illness at the inmate's expense. If funds are not available in the inmate's trust account, the property shall be shipped to the person designated on the CDC Form 127, only

after contact and willingness to receive property is established.

If no willing recipient can be identified or previously mailed property is returned as undeliverable, all tangible property shall be placed in storage for a period of one year. Intangible property shall be maintained for a period of three years. If no claim is made on the property after expiration of time frames, final disposition shall be in accordance with PC Sections 5062 and 5063.

54030.17**MATRIX - AUTHORIZED PERSONAL PROPERTY SCHEDULE**

Inmates may request to have items within the specified categories added to the APPS through their Inmate Advisory Council (IAC). All IAC requests are subject to review by local institutional administration.

Institutions may contact a vendor directly to make requests for alternate and additional products within the categories of items listed on the APPS. Such items may be approved by the local administration if they otherwise meet departmental safety and security needs and clear technology requirements of DOM Section 54030. For example, specific brand names of foodstuffs, hygiene/personal care items, etc., that are inferred as permissible by the APPS but not regularly provided by the approved vendors, may be requested. Vendors are encouraged, but not required, to comply with such requests. Items that vendors are unable to provide may be carried in the institutional canteen.

Requests for new categories of items not currently listed on the APPS shall be reviewed and approved by the Deputy Director, Institutions Division. A memorandum thoroughly addressing the rationale for the request shall be presented to the Deputy Director.

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NOTE: Individual institutions may receive exemptions to the following authorized personal property items by forwarding a request and justification to the Deputy Director, Institutions Division. All requests must include rationale and supporting data such as incident reports, physical plant limitations, etc.

54030.17.1

PERSONAL CLOTHING FOR ALL INMATES

- INMATES ARE ONLY PERMITTED ITEMS OF PERSONAL CLOTHING LISTED IN THIS SCHEDULE UNLESS AUTHORIZED FOR MEDICAL REASONS.
- INMATES ARE PERMITTED TO WEAR SOLID COLORS ONLY.
- INMATES ARE PROHIBITED FROM POSSESSING, USING, OR WEARING PERSONAL CLOTHING ITEMS IN ANY SHADE OR TINT OF GREEN, BLACK, BROWN, TAN, RED, OR BLUE COLOR (EXCLUDING BLUE DENIM).
- INMATES ARE PROHIBITED FROM POSSESSING, USING, OR WEARING PERSONAL CLOTHING WITH HOODS, PICTURES, DECORATIVE ZIPPERS, INSIDE POCKETS, OR ZIPPERED POCKETS.
- ALL INMATES ARE PROHIBITED FROM POSSESSING, USING, OR WEARING ITEMS WHICH ARE OBSCENE OR WHICH HAVE LOGOS, LETTERING, PICTURES WHICH ADVERTISE OR DEPICT ALCOHOL, GANGS, PROFANITY, SEX, WEAPONS, DRUGS, OR DRUG PARAPHERNALIA.
- MALE INMATES SHALL NOT RECEIVE OR POSSESS ITEMS OF CLOTHING DESIGNED AND MANUFACTURED SPECIFICALLY FOR WOMEN UNLESS AUTHORIZED FOR MEDICAL REASONS.

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
ATHLETIC SHORTS (Gray only, no logos or printing).	0	0	2	2	2	0	0
HATS and CAPS	0	1	3	3	3	0	0
• BRIMMED, LIGHT STRAW (Rounded arch. 4" brim).			(1 of each type)	(1 of each type)	(1 of each type)		
• BASEBALL (Plain, no stripes, designs, or logos. White or gray only, no black).							
• WATCH CAPS (No black).							
HEAD BAND (Terry cloth, plain, white, or gray).	0	0	2	2	2	0	0
RAIN COAT (Transparent or yellow only).	0	1	1	1	1	0	0
SHOWER SHOES / SLIPPERS	1 pair	1 pair	1 pair	1 pair	1 pair	1 pair	1 pair
SWEAT SHIRT (Grey, white, or off-white only).	0	1	2	2	2	1	1
SWEAT PANTS (Grey, white, or off-white only).	0	1	2	2	2	1	1
TENNIS SHOES (No shades of red or blue, low or high tops. Must be predominantly white in color. No K-Swiss, Bugle Boys, Joy Walkers, Pumps, Gels, British Knights or Airlifts. Shoe laces white only. Not to exceed \$75.00. No hidden compartments, zippers, or laces that are covered or concealed).	0	1 pair	1 pair	1 pair	1 pair	1 pair	1 pair

54030.17.1

PERSONAL CLOTHING FOR ALL INMATES (Continued)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
UNDERWEAR, THERMAL, OR LONG (Grey, white, or off-white only. One pair consists of top and bottom or solid one piece).	0	1 set	2 sets	2 sets	2 sets	1 set	1 set

54030.17.2

PERSONAL CLOTHING FOR MALE INMATES

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
BRIEFS (White only).	10	10	10	10	10	0	0

54030.17.3

PERSONAL CLOTHING FOR FEMALE INMATES

- THE FOLLOWING ITEMS OF FEMALE CLOTHING ARE EXEMPT FROM ESTABLISHED COLOR RESTRICTIONS.

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
BRASSIERES (No metal, lace, pockets, see through, strapless, or push up).	4	4	4	4	4	4	4
PAJAMA / NIGHTGOWN (Opaque only, no sheer material).	1	1	1	1	1	1	1
PANTIES (Full-cut briefs only, no lace, see through, or pockets).	10	10	10	10	10	10	10
SANDALS (Not to exceed \$75.00. No hidden compartments, zippers, or laces that are covered or concealed).	0	1	1	1	1	1	1

54030.17.4

PERSONAL CARE / HYGIENE FOR ALL INMATES

- THE FOLLOWING ITEMS APPLY TO BOTH MALE AND FEMALE INMATES.
- UPON AVAILABILITY, ALL COSMETIC ITEMS, INCLUDING HAIR CARE PRODUCTS, DEODORANTS, SOAPS, AND TOOTHPASTE MUST BE TRANSPARENT (BOTH THE SUBSTANCE AND THE CONTAINER MUST BE SEE-THROUGH.) NO ALCOHOL-BASED PRODUCTS AND NO AEROSOL CONTAINERS ALLOWED.
- NO METAL CONTAINERS.
- PRODUCTS CONTAINING PHOSPHATES ARE NOT ALLOWED.
- INSTITUTIONS MAY REQUIRE DISPOSABLE RAZORS TO MEET SAFETY TAMPER PROOF SPECIFICATIONS.

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
COMB (Non-metal, maximum of 6" in length, no handle).	1	1	1	1	1	0	0
COSMETIC/SHAVING BAG (Not to exceed 6" x 6" x 8").	0	1	1	1	1	0	0
COTTON SWABS	0	40	40	40	40	0	0
DENTURE CLEANSER	0	1 box	2 boxes	2 boxes	2 boxes	0	0
DEODORANT	0	2	2	2	2	0	0
HAIR CONDITIONER	0	1	2	2	2	0	0
HAIR OIL / GREASE	0	1	2	2	2	0	0
LOTION	0	1	2	2	2	0	0
MEDICATIONS, OVER-THE-COUNTER (Only those medications allowed by current OTC drug distribution policy shall be stocked by institution canteens, OTC medications are not approved for inmate packages).	YES	YES	YES	YES	YES	YES	YES
MIRROR (Maximum of 6" diameter).	0	1	1	1	1	0	0
MOUTHWASH (Non-alcohol only).	0	1	2	2	2	0	0
NAIL CLIPPER (Maximum of 2" length, no file blade).	0	1	1	1	1	0	0
PALM BRUSH (No handle, plastic only).	1	1	1	1	1	0	0
PETROLEUM JELLY	0	1	2	2	2	0	0
RAZOR, DISPOSABLE	0	5	10	10	10	0	0
SHAMPOO	0	1	2	2	2	1	0
SHAVING CREAM (Non-aerosol).	0	1	2	2	2	1	0

54030.17.4

PERSONAL CARE / HYGIENE FOR ALL INMATES (CONTINUED)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
SOAP, BAR	0	2	2	2	2	2	2
SOAP DISH (Non-metal).	0	1	1	1	1	0	0
SOAP, LIQUID	0	1	2	2	2	0	0
TOOTHBRUSH (*ASU placement does not preclude issue of approved toothbrush).	1	2	2	2	2	0*	0*
TOOTHPASTE / POWDER	Powder	1	2	2	2	Powder	Powder

54030.17.5

ADDITIONAL PERSONAL CARE / HYGIENE FOR FEMALE INMATES

- MAKE UP PRODUCTS (FOUNDATION, BLUSH, MASCARA, ETC.) ARE ALLOWED FOR FEMALES ONLY. THEY MUST BE NATURAL SKIN TONES PER CALIFORNIA CODE OF REGULATIONS, SECTION 3062, INMATE GROOMING STANDARDS.

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
BRUSH (Non-metal, maximum of 8" in length including handle).	1	1	1	1	1	0	0
COTTON BALLS	0	40	40	40	40	0	0
DOUCHE	0	2	4	4	4	0	0
EYEBROW PENCIL	0	1	2	2	2	0	0
EYELINER	0	1	2	2	2	0	0
EYE SHADOW KIT	0	1	2	2	2	0	0
FACE CREAM	0	1	2	2	2	0	0
FACE POWDER	0	1	2	2	2	0	0
FACIAL ASTRINGENT	0	1	2	2	2	0	0
HAIR CLIPPERS (Maximum three inches in size).	0	0	2	2	2	0	0
HAIR ROLLERS	0	0	20	20	20	0	0
LIPSTICK	0	1	2	2	2	0	0
PERM KIT	0	1	1	1	1	0	0

54030.17.5

ADDITIONAL PERSONAL CARE / HYGIENE FOR FEMALE INMATES (Continued)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
PERM RODS	0	1 Set	1 Set	1 Set	1 Set	0	0
PERMANENT WAVE KIT	0	1	1	1	1	0	0

54030.17.6

FOOD

- NO GLASS CONTAINERS.
- NO CANNED ITEMS OR METAL CONTAINERS.
- NO PRODUCTS REQUIRING REFRIGERATION ARE PERMITTED.
- UPON AVAILABILITY, ALL CONSUMABLE ITEMS, INCLUDING MEATS, MUST BE PACKED IN CLEAR, SEE-THROUGH FACTORY SEALED NON-METAL CONTAINERS.
- NO FOIL PACKAGED ITEMS PERMITTED.
- FOODS MEETING SPECIFIC RECOGNIZED RELIGIOUS DIETARY REQUIREMENTS MAY BE ORDERED AS PROVIDED FOR IN SECTION 54030.6.2. RELIGIOUS SPECIALTY FOODS MUST MEET REQUIREMENTS OF THE APPS.
- ADDITIONAL FOOD ITEMS APPROVED FOR CANTEEN PURCHASE AT INDIVIDUAL INSTITUTIONS/FACILITIES MAY ALSO BE ALLOWED.

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
CANDY	0	YES	YES	YES	YES	YES	YES
CEREALS (Dry, single serving packets only).	0	YES	YES	YES	YES	YES	YES
CHEESE (Non-aerosol).	0	YES	YES	YES	YES	YES	YES
CHIPS	0	YES	YES	YES	YES	YES	YES
COCOA	0	YES	YES	YES	YES	0	0
COOKIES	0	YES	YES	YES	YES	YES	YES
COFFEE (Instant only).	0	YES	YES	YES	YES	0	0
CONDIMENTS (Hot sauce, ketchup, mustard, etc.).	0	YES	YES	YES	YES	0	0
CRACKERS	0	YES	YES	YES	YES	YES	YES
CREAMER (Powdered only).	0	YES	YES	YES	YES	0	0

54030.17.6

FOOD (Continued)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
DRY MIX DRINKS (Non-flammable only).	0	YES	YES	YES	YES	YES	YES
MEATS, DRY (Salami, jerky, sausages, etc.).	0	YES	YES	YES	YES	YES	YES
MEATS, VACUUM PACKED (Tuna, sardines, etc.).	0	YES	YES	YES	YES	YES	YES
MISCELLANEOUS SNACK ITEMS (Snack cakes, bars, pies, dried fruit, etc.).	0	YES	YES	YES	YES	YES	YES
NUTS (No shells).	0	YES	YES	YES	YES	YES	YES
PROTEIN SUPPLEMENTS (Solid tablet or capsule form only. No bulk powdered products).	0	YES	YES	YES	YES	Medical Rx. Only	Medical Rx. Only
SOUPS	0	YES	YES	YES	YES	0	0
TEA (Bags and instant).	0	YES	YES	YES	YES	0	0
VITAMIN / MINERAL SUPPLEMENTS (Solid tablet or capsule form. No bulk powdered products).	0	YES	YES	YES	YES	Medical Rx. Only	Medical Rx. Only

54030.17.7
MISCELLANEOUS

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
ADDRESS BOOK (Paperback only, 3" x 5" maximum).	1	1	1	1	1	1	1
AUDIO CASSETTES (Professionally pre-recorded only).	0	0	10	10	0	0	0
BALLPOINT PENS (Non-metal, clear plastic only).	1	1	4	4	1	0	0

54030.17.7

MISCELLANEOUS (Continued)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
BATTERY RECHARGER (Does not count as an electrical appliance).	0	0	1	1	0	0	0
BATTERIES	0	0	8	8	0	0	0
BOOKS MAGAZINES AND NEWSPAPERS (Paperback only).	0	0	10	10	5	5	5
BOWL (Plastic, maximum of 8" in diameter).	0	0	2	2	1	0	0
CALENDAR (12" x 12" maximum dimensions, no metal).	0	0	1	1	1	0	0
CLOCK (Non-electric).	0	0	1	1	0	0	0
COMPACT DISCS (Factory pre-recorded only).	0	0	10	10	0	0	0
ENVELOPES, BLANK	10	40	40	40	40	10	10
ENVELOPES, METERED (Indigent inmates only).	0	5	5	5	5	5	5
EXTENSION CORD (Maximum length of 6', UL approved only, three prong outlet only).	0	0	1	1	0	0	0
GREETING CARDS	0	10	10	10	5	5	5
HANDKERCHIEFS (White or gray only).	0	5	5	5	2	0	0
HOT POT (UL approved, maximum 350 watts, 40 oz liquid capacity. Non-removable base from body, temperature sensitive thermal fuse).	0	0	1	1	0	0	0
INSTRUMENT STRINGS, SPARE	0	0	1	1	0	0	0
LEGAL PADS / TABLETS AND NOTEBOOKS (No spiral bound).	1	1	4	4	2	1	1
PENCILS, DRAWING (Colored), OR WRITING (Non-mechanical only).	1	3	20	20	20	0	0
PENCIL SHARPENER (Non-electric, hand held only, no metal cover, maximum 2" length).	1	1	1	1	1	0	0
PHOTOS / PORTRAITS (Maximum of 8" x 10").	15	15	YES	YES	YES	15	15
PHOTO ALBUMS (Maximum of 9" x 12").	0	0	4	4	4	0	0
STAMPS (U.S. Postal only).	40	40	40	40	40	40	40

54030.17.7

MISCELLANEOUS (Continued)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
STATIONARY	15 sheets	500 sheets	500 sheets	500 sheets	500 sheets	15 sheets	15 sheets
SUN CLASSES (No steel frames, non-mirrored, no red or blue lenses).	0	0	1	1	1	0	0
PLASTIC TUMBLER (16 ounce or less).	1	1	2	2	2	1	1
WALLET (Plain brown or black, no engravings).	0	0	1	1	1	0	0

54030.17.8

GAMES

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
CARDS (Consisting of the four basic suits only. No role playing or Tarot).	0	1	1	1	0	0	0
CHECKERS	0	1	1	1	0	0	0
CHESS	0	1	1	1	0	0	0
DOMINOS	0	1	1	1	0	0	0

54030.17.9

REGISTERABLE PROPERTY

- A MAXIMUM OF TWO APPLIANCES OF ANY TYPE ARE ALLOWED PER MALE INMATE.
- A MAXIMUM OF THREE APPLIANCES IS ALLOWED FOR FEMALE INMATES WHEN ONE IS A HAIR CARE APPLIANCE.
- UPON IMPLEMENTATION OF THIS POLICY, PURCHASES OF ALL ENTERTAINMENT, ELECTRICAL, AND BATTERY OPERATED APPLIANCES SHALL BE LIMITED TO CLEAR CASE BASED UPON INDUSTRY AVAILABILITY.
- UNLESS OTHERWISE INDICATED, THE ITEMS ALLOWED APPLY TO BOTH MALE AND FEMALE INMATES.
- APPLIANCES WITH INTERNAL MECHANISMS FOR RECORDING OR TRANSMITTING CAPABILITY SHALL NOT BE ALLOWED. VENDOR OR MANUFACTURER ALTERATIONS THAT DISABLE AN APPLIANCES CAPABILITY TO RECORD OR TRANSMIT SHALL NOT BE ALLOWED. COMPACT DISC AND CASSETTE TAPE PLAYERS ARE RESTRICTED TO ORIGINAL MANUFACTURER PLAY CAPABILITY ONLY.
- APPLIANCES SHALL BE TRANSISTORIZED PORTABLE MODELS, AND HAVE A BUILT-IN ANTENNA, NO REEL-TO-REEL OR SPOOL TYPE PLAYERS.
- ENTERTAINMENT APPLIANCES SHALL HAVE EARPHONES/EARPLUGS, WHICH SHALL BE WORN, ON HEAD OR IN EAR WHEN APPLIANCE IS IN USE. EARPHONES/EARPLUGS MAY BE PURCHASED AND POSSESSED WHEN INMATE HAS TV, OR AUDIO DEVICE AS PERSONAL PROPERTY.

NOTE: CERTAIN INMATE HOUSING CONFIGURATIONS MAY JUSTIFY THE PRECLUSION OF THE POSSESSION AND USE OF SPECIFIC APPLIANCES. WARDENS MUST REQUEST APPROVAL FOR AN EXEMPTION FROM THE DEPUTY DIRECTOR, INSTITUTIONS DIVISION.

54030.17.9.1

REGISTERABLE APPLIANCES

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Preexisting) U	A	B	C	D	
AUDIO ENTERTAINMENT APPLIANCE (AM/FM radio/CD/cassette tape player or any combination allowed. AC power or battery operated. Must have earphone jack and headphones. No detachable speakers. Outside measurements not to exceed 3" x 6" x 6". Purchase value not to exceed \$150).	0	0	1	1	0	0	0
CURLING IRON, ELECTRIC (Female only, purchase value not to exceed \$25).	0	0	1	1	0	0	0
FAN (Electric. Plastic blade and cage. Not to exceed 9" not to exceed \$25).	0	0	1	1	0	0	0
HAIR DRYER / BLOW DRYER (Female only, purchase value not to exceed \$25).	0	0	1	1	0	0	0
HAIR ROLLERS, ELECTRIC (Female only, purchase value not to exceed \$25).	0	0	1	1	0	0	0

54030.17.9.1 cont,

REGISTERABLE APPLIANCES (Continued)

	RECEPTION CENTER	GENERAL POPULATION	SHU	ASU
--	------------------	--------------------	-----	-----

Item Description With additional requirements and restrictions.	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
LAMP (Not to exceed 3 pounds or 12" extended length. Not to exceed 25 watts. Not to exceed \$25. Flexible neck only).	0	0	1	1	0	0	0
PRESSING COMB, ELECTRIC (Female only, purchase value not to exceed \$25).	0	0	1	1	0	0	0
RAZOR, ELECTRIC (Purchase value not to exceed \$50).	0	0	1	1	0	0	0
RADIO, AM/FM (AC power or battery operated. Must have earphone jack and headphones. No detachable speakers. Outside measurements not to exceed 3" x 6" x 6". Purchase value not to exceed \$150).	0	0	1	1	0	1	0
TELEVISION SET (Portable models only). Must have jack and earphones or headphones. Outside cabinet not to exceed 16" x 16" x 20" deep. Screen not to exceed 13" measured diagonally. (purchase value not to exceed \$300. NO REMOTE CONTROL DEVICES).	0	0	1	1	0	1	0
TYPEWRITER, ELECTRIC Portable only. Not to exceed 24" x 18" x 12. No removable memory storage device, disks, tapes, chips (CPUs). No capability to transfer information. (purchase value not to exceed \$200).	0	0	1	1	0	0	0

54030.17.9.2

OTHER REGISTERABLE ITEMS

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
CALCULATOR Hand held, battery or solar battery operated. No games clock or alarm. No removable memory storage device, disks, tapes, chips (CPUs). No capability to transfer information. (Purchase value not to exceed \$25).	0	0	1	1	0	0	0
CHAIN, NECKLACE OR BRACELET (Female only yellow or white metal only, value not to exceed \$25).	0	0	1	1	0	0	0
EARRINGS (Female only, studs or hoops no larger than 30 millimeters [quarter-size] purchase value not to exceed \$25 a pair).	0	0	3 Pair	3 Pair	0	0	0
FAN (Battery operated. Plastic blade and cage. Not to exceed 9" not to exceed \$25).	0	0	1	1	0	0	0
HANDICRAFT (Requires institutional approval).	0	0	YES	YES	0	0	0
HEADPHONES (Not to exceed \$25)	0	0	1	1	0	1	0
HEALTH CARE APPLIANCE (Dr. Rx. Only).	YES	YES	YES	YES	YES	YES	YES
MUSICAL INSTRUMENT (Non-electric. Combined instrument and case dimensions shall not exceed 46" x 24" x 12").	0	0	1	1	0	0	0
PRESCRIPTION GLASSES (Includes non-prescription reading glasses).	1	1	1	1	1	1	1
RAZOR, BATTERY OPERATED (Purchase value not to exceed \$50).	0	0	1	1	0	0	0
RELIGIOUS MEDAL AND CHAIN (Not to exceed \$100).	1	1	1	1	1	1	1
RING (Wedding band one only for male inmates, yellow or white metal only. Not to exceed \$100, maximum declared value, and may not contain a set or stone). Female inmates may possess a wedding ring or wedding/engagement ring set, yellow or white metal only. Stones are permissible, maximum declared value not to exceed \$150.	1	1	1	1	1	1	1

54030.17.9.2 cont,
OTHER REGISTERABLE ITEMS (Continued)

Item Description With additional requirements and restrictions.	RECEPTION CENTER		GENERAL POPULATION			SHU	ASU
	PRIVILEGE GROUP		PRIVILEGE GROUP			PRIVILEGE GROUP	
	(New Arrival) U	(Processing) U	A	B	C	D	
TYPEWRITER, MANUAL Portable only. Not to exceed 24" x 18" x 12. No removable memory storage device; disks, tapes, chips (CPUs). No capability to transfer information. (Purchase value not to exceed \$200).	0	0	1	1	0	0	0
WATCH Wrist or pocket style. No sets or stones. No memory storage device, disks, tapes, or CPUs. No alarm, calculator, radio, TV, game or communication capabilities. No capacity to transfer information. (Purchase value not to exceed \$50).	0	0	1	1	0	0	0

54030.18 Revisions

The Deputy Director, Institutions Division, or designee, shall ensure the contents of this Section is current.

~~54030.19 References~~

PC §§ 2085, 2600, 2601, 5054, 5058, 5061, 5062, 5063.

CCR (15) (3) §§ 3002, 3006, 3010, 3011, 3044, 3064, 3092, 3101, 3102, 3151, 3152, 3161, 3164, 3175(l), and (m), 3190, 3191, 3193, 3287, 3331(c), 3343(g).

ACA Standards 2-4392 - 2-4394.

Case No. 117925, In the Superior Court of the State of California for the County of Marin.

EXHIBIT C

WHITE - CENTRAL FILE
BLUE - INMATE (2ND COPY)
GREEN - ASU

CANARY - WARDEN
PINK - HEALTH CARE MGR
GOLDENROD - INMATE (1ST COPY)

INMATE'S NAME **ROBINSON** CDC NUMBER **C-47538**

REASON(S) FOR PLACEMENT (PART A)

- ☐ PRESENTS AN IMMEDIATE THREAT TO THE SAFETY OF SELF OR OTHERS
☐ JEOPARDIZES INTEGRITY OF AN INVESTIGATION OF ALLEGED SERIOUS MISCONDUCT OR CRIMINAL ACTIVITY
☐ ENDANGERS INSTITUTION SECURITY ☐ UPON RELEASE FROM SEGREGATION, NO BED AVAILABLE IN GENERAL POPULATION

DESCRIPTION OF CIRCUMSTANCES WHICH SUPPORT THE REASON(S) FOR PLACEMENT: **On Friday March 11, 2005 you Inmate Robinson, C-47538 arrived at Pleasant Valley State Prison (P.V.S.P.) via special transport from Duel Vocational Institution for Placement in P.V.S.P. General Population. Upon intake interview at R&R you stated "you were refusing to cooperate or program here at P.V.S.P. Based on your statements you will be rehoused in Administrative Segregation which will have an adverse effect on your custody level, credit earning status and privilege group. Inmate Robinson, C-47538 is not a participant in the Mental Health Services Delivery System (MHSDS).**

☐ CONTINUED ON ATTACHED PAGE (CHECK IF ADDITIONAL)		☐ IF CONFIDENTIAL INFORMATION USED, DATE OF DISCLOSURE: / /	
DATE OF ASU PLACEMENT 03-11-05	SEGREGATION AUTHORITY'S PRINTED NAME B.L. CONTRERAS	SIGNATURE <i>[Signature]</i>	TITLE LIEUTENANT
DATE NOTICE SERVED 3-11-05	TIME SERVED 1500	PRINTED NAME OF STAFF SERVING ASU PLACEMENT NOTICE Beagles	SIGNATURE <i>[Signature]</i>
☐ INMATE REFUSED TO SIGN		INMATE SIGNATURE <i>[Signature]</i>	CDC NUMBER C47538

ADMINISTRATIVE REVIEW (PART B)

The following to be completed during the initial administrative review by Captain or higher by the first working day following placement

STAFF ASSISTANT (SA)		INVESTIGATIVE EMPLOYEE (IE)	
STAFF ASSISTANT NAME	TITLE	INVESTIGATIVE EMPLOYEE'S NAME	TITLE
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
IS THIS INMATE:			
LITERATE?	☒ YES ☐ NO	EVIDENCE COLLECTION BY IE UNNECESSARY	☒ YES ☐ NO
FLUENT IN ENGLISH?	☒ YES ☐ NO	DECLINED ANY INVESTIGATIVE EMPLOYEE	☐ YES ☒ NO
ABLE TO COMPREHEND ISSUES?	☒ YES ☐ NO	ASU PLACEMENT IS FOR DISCIPLINARY REASONS	☐ YES ☒ NO
FREE OF MENTAL HEALTH SERVICES DELIVERY SYSTEM NEEDS?	☒ YES ☐ NO	DECLINED 1ST INVESTIGATIVE EMPLOYEE ASSIGNED	☐ YES ☒ NO
DECLINING FIRST STAFF ASSISTANT ASSIGNED?	☐ YES ☒ NO		
☒ NOT ASSIGNED		☒ NOT ASSIGNED	

INMATE WAIVERS

- ☐ INMATE WAIVES OR DECLINES INTERVIEW WITH ADMINISTRATIVE REVIEWER ☒ INMATE WAIVES RIGHT TO 72 HOURS PREPARATION TIME
☐ NO WITNESSES REQUESTED BY INMATE

INMATE SIGNATURE *[Signature]* DATE **3-13-05**

WITNESSES REQUESTED FOR HEARING

WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
<i>[Signature]</i>		<i>[Signature]</i>	
WITNESS' NAME	TITLE/CDC NUMBER	WITNESS' NAME	TITLE/CDC NUMBER
<i>[Signature]</i>		<i>[Signature]</i>	

DECISION: ☐ RELEASE TO UNIT/FACILITY ☐ RETAIN PENDING ICC REVIEW ☒ DOUBLE CELL ☐ SINGLE CELL PENDING ICC

REASON FOR DECISION: **Inmate Presence in G.P. could jeopardize the the safety and security of self or others.**

ADMINISTRATIVE REVIEWER'S PRINTED NAME D Fischer	TITLE FC(A)	DATE OF REVIEW 3-13-05	TIME 1335	ADMINISTRATIVE REVIEWER'S SIGNATURE <i>[Signature]</i>
CORRECTIONAL ADMINISTRATOR'S PRINTED NAME (if necessary)		CORRECTIONAL ADMINISTRATOR'S CO-SIGNATURE (if necessary)		DATE OF REVIEW

EXHIBIT D

CDC FORM 695

Screening For:

CDC 602 Inmate/Parolee Appeals

CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the INFORMAL Level

August 16, 2005

ROBINSON, C47538

CFB4T1000000143U

Log Number: PVSP-C-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

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

There has been too great a TIME LAPSE between when the action or decision occurred and when you filed your appeal with no explanation of why you did not or could not file in a timely fashion. Time limits expired per CCR 3084.6(c). Therefore, if you would like to pursue this matter further, you must submit an explanation and supporting documentation explaining why you did not or could not file your appeal timely.

PVSP
RECEIVED APPEALS
OFFICE

PM

R. Shannon / E. Parks

Appeals Coordinator

PVSP

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

EXHIBIT E

INMATE/PAROLEE
APPEAL FORM
CDC 602 (12/87)Location: Institution/Parole Region
PVSP-C-

Log No.

05-02403

Category

E

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be for using the appeals procedure responsibly.

NAME ROBINSON	NUMBER C47534	ASSIGNMENT U1A	UNIT/ROOM NUMBER C4-183
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A. Describe Problem: THIS APPEAL INVOLVES PVSP OFFICIALS MISINTERPRETATION AND MISAPPLICATION OF ARTICLE 43 OF THE DOM "INMATE PERSONAL PROPERTY" OFFICERS WITHIN THE RECEIVING & RELEASE DEPT. HAS MISINTERPRETED ARTICLE 43 TO BE APPLIED RETROACTIVE. ARTICLE 43 IT'S SELF INFORMS ITS INTERPRETATION THAT REVISIONS MADE ARE NOT TO BE APPLIED RETROACTIVE. ARTICLE 43 TOOK EFFECT ON MARCH 2 2005, AND RTR OFFICIALS HAS INTERPRET THAT DATE TO MEAN THAT ALL INMATES ARRIVING AT PVSP ON OR AFTER THAT DATE MUST BE IN COMPLIANCE WITH ITS REVISIONS. THIS INTERPRETATION IS IN ERROR. THE EFFECTIVE DATE

If you need more space, attach one additional sheet.

B. Action Requested: THE RTR OFFICIALS CURE THEIR MISAPPLICATION OF ARTICLE 43, "S" BE PROVIDED THE SAME PROPERTY ITEMS AS DO OTHER INMATES WHO ARE NOT REQUIRED TO COMPLY WITH ARTICLE 43. BECAUSE OF ITS EFFECTIVE DATE AND THAT "S" BE TREATED EQUALLY & FAIRLY WITH OTHER INMATES HOUSED AT PVSP BY ALLOWING HIM TO RETAIN HIS PROPERTY.

Inmate/Parolee Signature: [Signature]Date Submitted: 7-8-05C. INFORMAL LEVEL (Date Received: 7-12-05)

Staff Response: 54030.1 IS SUFFICIENTLY CLEAR AS TO WHEN EXCESS/UNAUTHORIZED PROPERTY IS TO BE RELINQUISHED & HOW LONG IT MAY BE RETAINED BY INMATES IN GENERAL POPULATION THAT ARE NOT SUBJECT TO TRANSFER

aff Signature: [Signature]Date Returned to Inmate: 7-12-05

FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

OFFICIALS FAILED TO ADDRESS ALL THE ISSUES. "S" STATED HE IS IN AGREEMENT THAT PROPERTY ITEMS IN EXCESS/UNAUTHORIZED CAN BE CONFISCATED. "S" OPPOSES OFFICIALS PRACTICE OF CONFISCATING AUTHORIZED ITEMS THAT HAS BEEN RECLASSIFIED BY ARTICLE 43 YET, STILL AUTHORIZED

Signature: [Signature]Date Submitted: 7-14-05

CDC Appeal Number:

Property/Funds appeals must be accompanied by a completed
Form of Control form BC-1E, Inmate Claim

JUL 19 2005

EXHIBIT F

INMATE APPEALS BRANCH

1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001



September 15, 2005

Robinson, CDC #C-47538
Pleasant Valley State Prison
P.O. Box 8500
Coalinga, CA 93210-8500

Re: Personal Property

Dear Mr. Robinson:

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

This office provides the Director's Level Review of inmate/parolee appeals. The form must be completed through the Second Level of Review on behalf of the Warden or Parole Region Administrator. This appeal issue should be submitted directly to the Appeals Coordinator for review and appropriate action.

Your assigned counselor, the Appeals Coordinator, or your Parole Agent can answer any questions you may have regarding the appeals process. Library staff can help you obtain any addresses you need.

A handwritten signature in black ink, appearing to read "N. Grannis".

N. GRANNIS, Chief
Inmate Appeals Branch

EXHIBIT G

DECLARATION

I David M. Carey, declare under penalty of perjury:
That declarant is not the petitioner in the above-entitled action, and is currently housed at Pleasant Valley State Prison, with no meaningfully interest in the above action. On December 2, 2005, I was summoned to the Receiving and Release Department along with Ricardo Robinson to receive personal property that have been in the custody of PVSP officials. Upon arrival Robinson and I were placed in an holding cell when Officer Gellerson approached the cell and informed Mr. Robinson, that he had an option to either accept the disposition of his property or it would be declared abandon and would be dispose of. Mr. Robinson, informed Gellerson that legal proceedings had begun, Gellerson replied that she didn't care and reinstated the question to Mr. Robinson, Robinson then agreed to accept his property.

During the distribution of the property a dispute ensued between Robinson and Gellerson over what items were authorize. I witnessed Gellerson throw away personal clothing items, stationary items, personal hygiene items and an assortment of other items that were deemed unauthorized.

Gellerson, instructed Robinson to initial his property card, Robinson refused and requested receipts for the items that were trashed and confiscated, Gellerson refused and informed Robinson that if he did not initial his card that his property would be deemed abandon, Robinson complied and was escorted back to the holding cell and later returned to his housing unit.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on December 6, 2006, at Coalinga California.

DAVID CAREY
Declarant

David M. Carey
Signature

DECLARATION

I JAMES D. WEBSTER, declare under penalty of perjury:
That declarant is not the petitioner in the above entitled matter,
that I am currently being housed at Pleasant Valley State Prison with
some meaningful interest in the above action. In that on March 11, 2005
prior to leaving Deuel Vocational Institute (DVI) to PVSP, I and others
questioned DVI officials regarding what property items are in fact
authorize at PVSP, in accordance with CCR#3190 and DVI officials com-
plied. However, upon arrival to PVSP with Mr. Robinson, I witness and
became a victim of the trashing and the confiscation of authorize
property items.

Declarant further witness the unfair distribution of property
items, meaning depending on who was summoned and by what Correctional
officer determined what items that particular prisoner would receive
and it was this type of disparity that caused Robinson, myself and
others to object and to request to speak too their supervisor.

Mr. Robinson, was the only prisoner authorize to speak with
R&R officials and after his interview with the supervisor, this declarant
had not seen or spoken to Mr. Robinson until he was released from
Ad/Seg.

I delcare under penalty of perjury and the laws of the State of California
that the foregoing is true and correct and that the declaration was
executed on June 29, 2005, at Pleasant Valley State Prison in Coalinga
Ca.

JAMES D. WEBSTER
Declarant

James D. Webster
Signature
C-86800

EXHIBIT "H"

ORTHOPEDIC CLINIC

NAME: ROBINSON

CDC #: C47538

DATE: 10/12/95

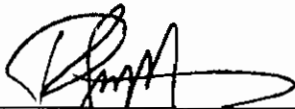
LOCATION: CAL

PHYSICIAN: David Smith, M.D.

Mr. Robinson has been experiencing low back pain since an automobile injury in 1979. He states that he was doing somewhat better but a few weeks ago his pain recurred when he twisted his back.

Upon examination it is noted that there is diffuse tenderness to palpation across the lumbar area. There is no paraspinus muscle spasm noted. Distal neurovascular function is intact in the lower extremity. He complains of the pain shooting down into both legs, which he describes as needles or pin like sensations.

His x-rays from 1992 show some mild degenerative changes. I have ordered some updated x-rays of his lumbar spine. I reordered his Robaxin and Motrin and he is to return to clinic in four (4) to six (6) weeks.



DAVID G. SMITH, M.D.

Diplomate

American Board of Orthopedic Surgery

Fellow, American Academy of Orthopedic Surgeons

GDC NO: C47538
CS: 28
WG/PG: A1/A
CUSTODY: MEDA

NAME: ROBINSON, R.
R/GPL:
EFF: 5/9/2003
ETH: BLA

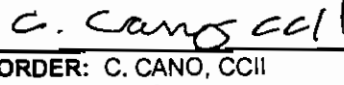
HOUSING: ASU-152U
REL DATE: MEPD 1/2/1995
NEXT RCL: 3/17/2005
FACILITY: C

COMMITTEE ACTION: INITIAL ASU REVIEW. RELEASE TO FAC. 'C', P/O SS/WL ONLY. WG/PG A1/A EFFECTIVE 5/9/2003. DOUBLE CELL CLEAR.

COMMENTS: INMATE ROBINSON APPEARED BEFORE PLEASANT VALLEY STATE PRISON'S (PVSP'S) ADMINISTRATIVE SEGREGATION UNIT (ASU) INSTITUTIONAL CLASSIFICATION COMMITTEE (ICC) THIS DATE FOR AN INITIAL ASU REVIEW/CDC-114D HEARING. HE WAS PLACED INTO PVSP'S ASU ON 3/11/2005 DUE TO BEING RECEIVED BY A SPECIAL TRANSPORT FROM DVI FOR PVSP GP PLACEMENT, AND UPON INTAKE INTERVIEW AT R&R, INMATE ROBINSON STATED HE WOULD REFUSE TO COOPERATE AND PROGRAM AT PVSP. TODAY DURING COMMITTEE, ROBINSON STATED THAT HE DID HAVE A PROBLEM WITH A PROPERTY ISSUE BUT WOULD NOT HAVE A PROBLEM PROGRAMMING ON THE GP AT THIS INSTITUTION. THE CDC-114D ADMINISTRATIVE REVIEW WAS CONDUCTED ON 3/13/2005 BY D. FISHER, FACILITY CAPTAIN (ACTING). M. C. DAVIS COSIGNED THE CDC-114D AS THE ASSOCIATE WARDEN (ACTING). ICC IS ACTING TODAY TO HEAR THE CDC-114D AND FINDS ALL DUE PROCESS REQUIREMENTS HAVE BEEN MET. AFTER CAREFUL EVALUATION OF THIS CASE, ICC HAS DETERMINED INMATE ROBINSON DOES NOT REQUIRE A STAFF ASSISTANT OR INVESTIGATIVE EMPLOYEE, THE ISSUES ARE NOT COMPLEX, THE INMATE COMPREHENDS THE CASE ADEQUATELY TO PREPARE A DEFENSE, AND HE IS NOT A PARTICIPANT IN THE MHSDS. BASED ON INTERVIEW WITH INMATE AND REVIEW OF CENTRAL FILE, COMMITTEE ELECTS TO RELEASE INMATE ROBINSON TO FACILITY 'C', PLACE ON SS/WL, DOUBLE CELL CLEAR. ESTABLISH CUSTODY AT MEDA. RETAIN WG/PG A1/A EFFECTIVE 5/9/2003. THE CDC-812 WAS REVIEWED AND IS NOTED. THE CONFIDENTIAL FOLDER WAS REVIEWED AND IS NOTED. COMMITTEE NOTES ROBINSON IS A 47-YEAR-OLD 1ST TERMER, RECEIVED TO CDC ON 5/18/1982 FROM LOS ANGELES COUNTY, FOR THE COMMITMENT OFFENSE OF MURDER 1ST, AND SENTENCED TO A TERM OF 25 YEARS TO LIFE. HE CURRENTLY HAS NO HOLDS OR RESTITUTION. NO CHILD VICTIM RESTRICTIONS NOTED. THERE IS NO HISTORY OF ARSON, SEX, OR ESCAPE RELATED OFFENSES. HE IS NOT ELIGIBLE FOR CCRC, MSF, CCF, CAMP, SAP, OR RESTITUTION CENTER PLACEMENT, DUE TO LIFE TERM. HE IS NOT ELIGIBLE FOR FPTTP. HE IS MEDICALLY RESTRICTED TO LIGHT DUTY. HIS TB CODE IS 22. INMATE ROBINSON DOES NOT MEET THE CRITERIA FOR MDO REFERRAL. INMATE ROBINSON ACTIVELY PARTICIPATED IN ICC AND STATED HE WAS IN FULL AGREEMENT WITH COMMITTEE'S DECISION. HE WAS INFORMED OF HIS RIGHT TO APPEAL.


CHAIRPERSON: J. MATTINGLY, COW(A)


FC: M. DAVIS


RECORDER: C. CANO, CCII

COMMITTEE MEMBERS: R. TRIMBLE, AW; J. BROWN, LT.-ISU; G. SHAPIRSHEYN, PHD; M. GOMEZ, ASST. C&PR.

DATE: MARCH 17, 2005

CLASSIFICATION: ICC-AD/SEG

PVSP/aa

(IC3-17CC)

EXHIBIT "I"

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

RULES VIOLATION REPORT

CDC NUMBER C-4758333	INMATE'S NAME ROBINSON	RELEASE/BOARD DATE LIVER	INST. PVSP III	HOUSING NO. CP4-143U	LOG NO. 75-PC-07-05
VIOLATED RULE NO(S). CCR TITLE 15 § 3041(a)		SPECIFIC ACTS REFUSAL TO WORK	LOCATION C-DINING	DATE 07/13/05	TIME 0530HRS

CIRCUMSTANCES

On Wednesday, July 13, 2005, at approximately 0530 hours, Inmate ROBINSON, C-4758333, CP4-143U, informed me Correctional Supervising Cook, (CSC) H. Trumbly, that he refused to perform the task of his assigned position in the Facility 'C' Dining. Upon trying to counsel ROBINSON regarding his refusal to work, ROBINSON again refused to work, at which time he was sent back to his assigned housing. ROBINSON has a history of this type of behavior as can be seen by the "A" day he received on the following dates: The entire month of June. ROBINSON's refusal to work has caused problems and delay with the morning meal procedures. ROBINSON is aware that this type of work performance will not be tolerated. I requested that ROBINSON be referred to UCC for program review and unassignment from position # SKWFC.006. Inmate ROBINSON is aware of this report.

INMATE IS NOT A PARTICIPANT IN THE MENTAL HEALTH DELIVERY SYSTEM
INMATE IS NOT A PARTICIPANT IN THE LITERACY PROGRAM

REPORTING EMPLOYEE (Typed Name and Signature) H. TRUMBLY, CORRECTIONAL SUPERVISING COOK		DATE 7/15/05	ASSIGNMENT C-DINING 1/W	RDO'S
REVIEWING SUPERVISOR'S SIGNATURE G. HERRERA, CORRECTIONAL SERGEANT		DATE 7-15-05	☐ INMATE SEGREGATED PENDING HEARING	
CLASSIFIED ☒ ADMINISTRATIVE ☒ SERIOUS	OFFENSE DIVISION F(3)	DATE 7/15/05	CLASSIFIED BY (Typed Name and Signature) M. DAVIS, FACILITY C CAPTAIN	HEARING REFERRED TO ☐ HO ☒ SHO ☐ SC ☐ FC
COPIES GIVEN INMATE BEFORE HEARING				
☒ CDC 115	BY: (STAFF'S SIGNATURE)	DATE 7/15/05	TIME 0845	TITLE OF SUPPLEMENT
☐ INCIDENT REPORT LOG NUMBER:	BY: (STAFF'S SIGNATURE)	DATE	TIME	BY: (STAFF'S SIGNATURE)

HEARING

PLED: NOT GUILTY

FOUND: GUILTY

On 07/22/05, at 1050 hours, Inmate ROBINSON appeared before this Senior Hearing Officer (SHO). The purpose of the hearing and the inmate's rights were explained. He stated he was in good health. Inmate ROBINSON is not a participant in the Mental Health Services Delivery System.

PLEA: The charge was read to the inmate and he pled NOT GUILTY.

DISPOSITION: Assessed a credit forfeiture of 30 days for a division 'F' offense. Refer to UCC for Unassignment from job # SKWFC.006, effective 07/22/05. Subject was counseled and reprimanded regarding his conduct. He was receptive to counseling.

ADDITIONAL COMMENTS REGARDING DISPOSITION: Subject was advised of his rights and the procedure to appeal this action. He was advised of the procedures regarding credit restoration. He was informed that he would receive a final copy of this report at the completion of the CDO audit.

(HEARING CONTINUED ON PART C)

REFERRED TO ☐ CLASSIFICATION ☐ BPT/NAEA

ACTION BY: (TYPED NAME) R. HENDERSON, Senior Hearing Officer	SIGNATURE: 	DATE 7/22/05	TIME 1050
REVIEWED BY: (SIGNATURE) M. C. DAVIS, Facility C Captain	DATE 7/22/05	CHIEF DISCIPLINARY OFFICER'S SIGNATURE R. H. TRIMBLE, Associate Warden	DATE
☒ COPY OF CDC 115 GIVEN INMATE AFTER HEARING	BY: (STAFF'S SIGNATURE)	DATE 7/22/05	TIME 1200

CDC 115 (7/88)

RULES VIOLATION REPORT - PART C

PAGE 1 OF 1

CDC NUMBER C-47538	INMATE'S NAME ROBINSON	LOG NUMBER 05-FC-07-051	INSTITUTION PVSP-III	TODAY'S DATE 07/22/05
☐ SUPPLEMENTAL	☒ CONTINUATION OF: ☐ 115 CIRCUMSTANCES ☒ HEARING ☐ IE REPORT ☐ OTHER			

DUE PROCESS

The pre-hearing copy of the CDC-115 was issued to Inmate ROBINSON on 07/18/05, which is within 15 days of the date of discovery of the alleged misconduct. The hearing was conducted within 30 days of issuance of the pre-hearing copy. All time constraints have been met. There are no due process issues barring forfeiture of credit. Inmate ROBINSON acknowledged receipt of the following reports which may be used as evidence during the hearing, more than 24 hours prior to the hearing, and stated he was ready to proceed with the hearing. CDC-115, CDC-115-A.

INVESTIGATIVE EMPLOYEE/STAFF ASSISTANT

An Investigative Employee was not assigned. A Staff Assistant was not assigned.

HEARING

INMATE'S STATEMENT

Inmate ROBINSON stated, "I have back pain and that is why I could not work that day."

WITNESS/EVIDENCE

Witnesses were not requested. Inmate ROBINSON did not request any additional material/evidence to be presented at this hearing.

REQUESTED WITNESSES

None.

FINDINGS

Subject was found **GUILTY** of violating OCR § 3041(a), for the specific act of, **Refusing to Work**. The preponderance of evidence presented at the hearing did substantiate the charge. The specific evidence supporting the finding is the Reporting Employee's written report, which states in part... "On July 13, 2005, Inmate ROBINSON, C-47538, informed me he was refusing to do his assigned position in the Facility C Dining... ROBINSON has a history of this type of behavior as can be seen by the "A" days he received for the entire month of June."...

ADDITIONAL COMMENTS REGARDING FINDINGS

Refer to UCC for Unassignment and possible assignment to another job assignment. SHD further elects to Unassign pending UCC confirmation and possible reassignment.

SIGNATURE OF WRITER R. HENDERSON, Senior Hearing Officer		DATE SIGNED 07/22/05	
☒ COPY OF CDC 115-C GIVEN TO INMATE	GIVEN BY: (Staff's Signature) T A	DATE SIGNED 7/28/05	TIME SIGNED 1:20

EXHIBIT "J"

INMATE APPEALS BRANCH

1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001



December 21, 2005

Robinson, CDC #C-47538
Pleasant Valley State Prison
P.O. Box 8500
Coalinga, CA 93210-8500

Re: Institution Appeal Log #PVSP-C 05-02476 Disciplinary

Dear Mr. Robinson:

The Inmate Appeals Branch has received your correspondence regarding the above matter. It has been forwarded to the Appeals Coordinator at your location for further review. It is anticipated that they will complete further action at that level, returning the material to this office by January 20, 2006. You will receive further resolution from this office once the material is returned to the Inmate Appeals Branch.

A handwritten signature in black ink, appearing to read "N. Grannis".

N. GRANNIS, Chief
Inmate Appeals Branch

EXHIBIT "K"

PVSP

1
2
RICARDO A. ROBINSON C47538
POST OFFICE BOX- 8503 / C4112
CORTINA CA 93210
PLEASANT VALLEY STATE PRISON

RE: INSTITUTION APPEAL LOG # PVSP-05-C-02476

FEBRUARY 10 2006

TO WHOM IT MAY CONCERN,

ON THE 21ST OF DECEMBER 2005, I RECEIVED CORRESPONDENCE FROM THIS OFFICE INFORMING ME THAT INSTITUTION APPEAL LOG # PVSP-05-C-02476, WAS BEING FORWARDED TO PVSP APPEALS COORDINATOR FOR ADDITIONAL REVIEW AND THAT THE MATTER WOULD BE RESOLVED BY THE 20TH OF JANUARY 2006, IT IS NOW THE 10TH OF FEBRUARY 2006, COULD YOU PLEASE INFORM ME AS TO THE STATUS OF LOG # PVSP-05-C-02476.

Respectfully
Ricardo A. Robinson

RECEIVED
FEB 15 2006
APPEALS
BRANCH

Ricardo H. Robinson C-47538
Post Office Box-8503/C4140L
Coalinga Ca. 93210

In pro per

Re: Institution Appeal Log#PVSP-C-05-02476 Disciplinary

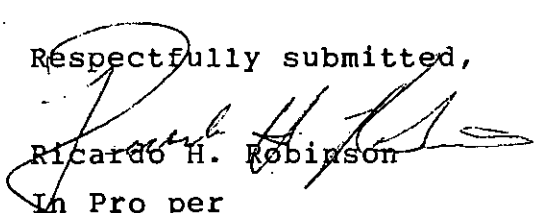
May 11 2006

Dear Ms. Grannis

This is the fourth letter written to this office regarding Institutional Appeal Log No. PVSP-C-05-02476/Disciplinary. In December 2005, I received a memorandum informing me that the above entitled matter was referred back to PVSP appeal coordinator R. Shannon, for further review and that the matter was expected to completed by January 20, 2006. In the months of February, March, April and now May, I've requested the status of this appeal, and received no response. I spoken with Correctional counselor Rhodes regarding the matter who then spoke with the appeals coordinator who informed him that his office has complied with this office instructions back in September of 2005, and that the delay in this matter rest with office. Ms. Grannis, will you please resolve this matter/mix-up, so I can proceed into court.

Thank you,

Respectfully submitted,


Ricardo H. Robinson

In Pro per

EXHIBIT "L"

INMATE APPEALS BRANCH

1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001



May 21, 2006

Robinson, CDC #C-47538
Pleasant Valley State Prison
P.O. Box 8500
Coalinga, CA 93210-8500

Re: Institution Appeal Log #PVSP 05-02476

Dear Mr. Robinson:

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

There is no record that this appeal has been accepted for a Director's Level of Review. It may have been returned to you with a letter similar to this one explaining what was needed in order for it to be accepted for review.

Your assigned counselor, the Appeals Coordinator, or your Parole Agent can answer any questions you may have regarding the appeals process. Library staff can help you obtain any addresses you need.


N. GRANNIS, Chief
Inmate Appeals Branch

*Muecke's Request of BCC
Prison. (115)*

Exhibit "M"

INMATE APPEALS BRANCH

1515 S Street, Sacramento, CA 95814
P.O. Box 942883
Sacramento, CA 94283-0001



August 13, 2006

Robinson, CDC #C-47538
Pleasant Valley State Prison
P.O. Box 8500
Coalinga, CA 93210-8500

Re: Disciplinary

Dear Mr. Robinson:

The Inmate Appeals Branch has received your correspondence regarding the above matter. It has been forwarded to the Appeals Coordinator at your location for further review. It is anticipated that they will complete further action at that level, returning the material to this office by September 12, 2006. You will receive further resolution from this office once the material is returned to the Inmate Appeals Branch.


N. GRANNIS, Chief
Inmate Appeals Branch

*Acknowledge Rec.
9/29/06 115*

State of California

CDC FORM 695

Screening For:

CDC 602 Inmate/Parolee Appeals

CDC 1824 Reasonable Modification or Accommodation Request

RE: Screening at the INFORMAL Level

August 22, 2006

ROBINSON, C47538

CFB4T1000000118L

Log Number: PVSP-S-

(Note: Log numbers are not assigned to screen out appeals, or informal level appeals)

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

Your appeal, PVSP-C-05-02476 was completed on January 04, 2006, and denied.



R. Shannon/M. C. Voss
CCII, Appeals Coordinator
PVSP

NOTE: Failure to follow instruction(s) will be viewed as non-cooperation and your appeal will be automatically dismissed pursuant to CCR 3084.4(d). This screening decision may not be appealed. If you believe this screen out is in error, please return this form to the Appeals Coordinator with an explanation of why you believe it to be in error, and supporting documents. You have only 15 days to comply with the above directives.

PERMANENT APPEAL ATTACHMENT – DO NOT REMOVE

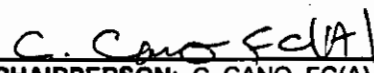
Exhibit "N"

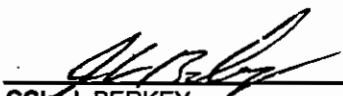
Case 1:05-cv-01397-MHM Document 14 Filed 04/19/2007 Page 73 of 73

CDCR NO:	C47538	NAME:	ROBINSON, R.	HOUSING:	C4-143U
IS:	28	R/GPL:		REL DATE:	MEPD 1/2/1995
WG/PG:	C/C	EFF:	8/10/2005	NEXT RCL:	6/1/2006
CUSTODY:	MEDA	ETH:	BLA	FACILITY:	C

COMMITTEE ACTION: PROGRAM REVIEW. UNASSIGN FROM POSITION #SRWFC.006. MAKE A2/B EFFECTIVE 7/13/2005 TO 8/9/2005, P/O C/C EFFECTIVE 8/10/2005. DOUBLE CELL CLEAR.

COMMENTS: INMATE ROBINSON MADE A PERSONAL APPEARANCE BEFORE THE FACILITY 'C' UCC THIS DATE, FOR THE PURPOSE OF A PROGRAM REVIEW. ROBINSON RECEIVED A CDC-115 ON 7/13/2005 FOR REFUSING TO WORK. IT WAS NOTED IN THE CDC-115 THAT ROBINSON HAD REFUSED TO WORK FOR THE ENTIRE MONTH OF JUNE. COMMITTEE ELECTS TO UNASSIGN ROBINSON FROM POSITION #SKWFC.006 AND IS MAKING HIM A2/B EFFECTIVE 7/13/2005 TO 8/9/2005, AND IS PLACING HIM ON C/C STATUS EFFECTIVE 8/10/2005. ROBINSON WAS ADVISED OF THE RESTRICTIONS PERTAINING TO C/C STATUS. HIS CASE WAS REVIEWED AND IT WAS DETERMINED HE IS CLEAR FOR DOUBLE CELL HOUSING. INMATE ROBINSON ACTIVELY PARTICIPATED IN UCC AND EXPRESSED NO REACTION TO PLACEMENT ON C/C STATUS. HE WAS INFORMED OF HIS RIGHT TO APPEAL.


CHAIRPERSON: C. CANO, FC(A)


CCI J. BERKEY


RECORDER: G. RHOADES, CCI

DATE: AUGUST 10, 2005

CLASSIFICATION: UNIT

PVSP/aa

(UN8-10GR)

INMATE COPY