

1 BINGHAM McCUTCHEN LLP
2 GEOFFREY HOLTZ – 191370
3 Three Embarcadero Center
4 San Francisco, California 94111-4067
5 Telephone: (415) 393-2000

ROSEN, BIEN & GALVAN, LLP
MICHAEL W. BIEN – 096891
GAY C. GRUNFELD – 121944
MARIA V. MORRIS – 223903
SHIRLEY HUEY – 224114
ELIZABETH H. ENG – 239265
SUMANA COOPAN – 267967
315 Montgomery Street, Tenth Floor
San Francisco, California 94104-1823
Telephone: (415) 433-6830

6 PRISON LAW OFFICE
7 DONALD SPECTER – 83925
8 SARA NORMAN – 189536
9 1917 Fifth Street
10 Berkeley, California 94710-1916
11 Telephone: (510) 280-2621
12 Facsimile: (510) 280-2704
13 Attorneys for Plaintiffs

YOUTH LAW CENTER
SUSAN L. BURRELL – 074204
CAROLE SHAUFFER – 100226
CORENE KENDRICK – 226642
200 Pine Street, 3rd Floor
San Francisco, California 94104
Telephone: (415) 543-3379

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 L.H., A.Z., D.K., D.R., M.N., and R.C., on behalf of
14 themselves and all other similarly situated juvenile
15 parolees in California,
16 Plaintiffs,
17 vs.

Case No. 2:06-CV-02042-LKK-GGH

**JOINT STIPULATION REGARDING
MODIFICATIONS TO DIVISION OF
JUVENILE JUSTICE PAROLE
REVOCATION EXTENSION
MATRIX**

16 ARNOLD SCHWARZENEGGER, Governor, State of
17 California, MATTHEW CATE, Secretary, California
18 Department of Corrections and Rehabilitation
19 (“CDCR”); SCOTT KERNAN, Undersecretary of
20 Operations, CDCR; BERNARD WARNER, Chief
21 Deputy Secretary of the Division of Juvenile Justice;
22 RACHEL RIOS, Director, Division of Juvenile Parole
23 Operations; MARTIN HOSHINO, Executive Officer of
24 the Board of Parole Hearings (“BPH”); ROBERT
25 DOYLE, Chair of the BPH; SUSAN MELANSON,
26 HENRY AGUILAR, ASKIA ABDULMAJEED,
27 JOSEPH COMPTON, ROBERT CAMERON, JOYCE
28 ARREDONDO, MARY SCHAMER, and TRACEY
ST. JULIEN, Commissioners and Board
Representatives; CHUCK SUPPLE, Executive Officer
of the Juvenile Parole Board; CDCR; DIVISION OF
JUVENILE JUSTICE; BOARD OF PAROLE
HEARINGS; and the JUVENILE PAROLE BOARD,
Defendants.¹

¹ The names of Defendants currently serving and their CDCR capacities have been substituted pursuant to Fed. R. Civ. P. 25.

1 WHEREAS, the Stipulated Order for Permanent Injunctive Relief (“Injunction”)
2 entered by this Court on October 7, 2008 requires “Defendants [to] develop sufficiently
3 specific draft Policies, Procedures, and Plans (‘Policies and Procedures’) that will ensure that
4 Revocation Proceedings are in continuous compliance with all of the requirements of the
5 Constitution and applicable statutes[.]” and

6 WHEREAS, the parties in the above-captioned case have met and conferred regarding
7 Defendants’ Policies and Procedures issued pursuant to the Injunction; and

8 WHEREAS, without prejudice to either party’s positions taken in the meet and confer
9 discussions, the parties desire to create greater certainty in the parole revocation process and
10 to narrow the differences between them;

11 NOW, THEREFORE, subject to the approval of this Court, the parties hereby
12 stipulate to the following changes to the Revocation Extension Matrix issued pursuant to the
13 Injunction:

14 **A. Charge Code 3DE**

15 The parties agree to amend charge code 3DE to “Making body contact of a sexual
16 nature with staff, not including battery.”

17 **B. Charge Code 3G**

18 The parties agree to amend charge code 3G to “Escaping, or attempting to escape, or
19 aiding an escape from Division of Juvenile Justice custody.” In addition, the parties agree to
20 remove the term “walk away” from charge codes 3GA, 3GC, and 3GE.

21 **C. Charge Code 3LF**

22 The parties agree to amend charge code 3LF to “Gang activity resulting in the risk of
23 violence toward a staff, youth or person not in custody.”

24 **D. Charge Codes 3EA and 3EB**

25 The parties agree to amend the term “other object” to be “other object the primary
26 intent or purpose of which is to inflict injury or property damage.”
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS SO STIPULATED.

Dated: February 10, 2010

ROSEN, BIEN & GALVAN, LLP

By: /s/ Gay Crosthwait Grunfeld
Gay Crosthwait Grunfeld
Attorneys for Plaintiffs


Dated: February 10, 2010

HANSON BRIDGETT LLP

By: /s/ S. Anne Johnson
S. Anne Johnson
Attorneys for Defendants
Arnold Schwarzenegger, et al.

IT IS SO ORDERED.

Dated: February 12, 2010


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT