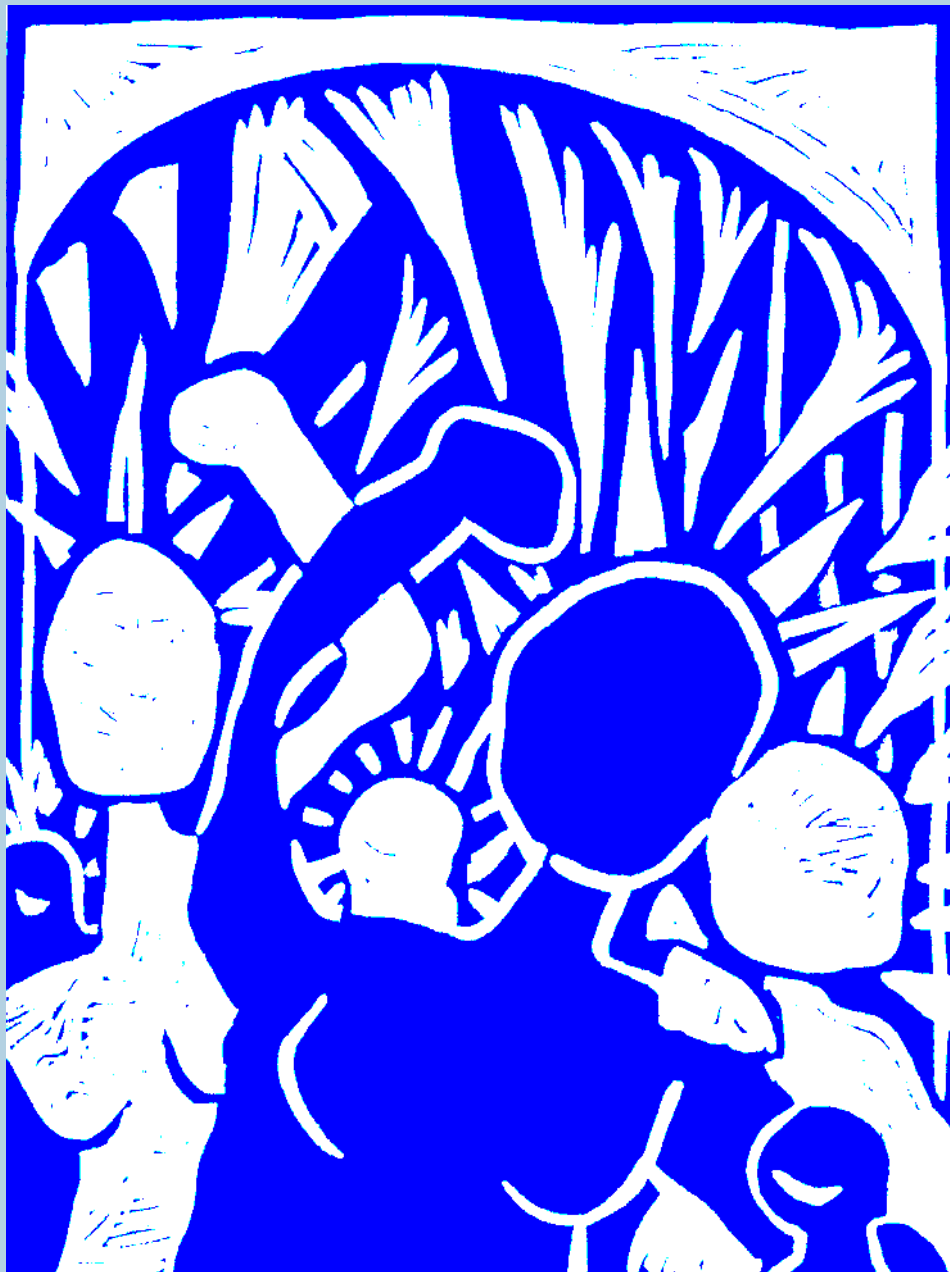


# Fighting for Our Rights: A Toolbox for Family Advocates of California Prisoners

Produced and distributed by the Family Advocacy Network of  
Legal Services for Prisoners with Children



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Produced and distributed by the Family Advocacy Network of  
Legal Services for Prisoners with Children

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Made possible by grants from The California Endowment, the California State Bar Trust Fund, the Fund for Nonviolence, and the Omnia Foundation



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# Dedication

**T**his manual comes out of the work of LSPC's Family Advocacy Network (FAN), which supports the leadership of family members in advocating for the human rights of prisoners and their families.

Special thanks to all those members of FAN who contributed their ideas, their letters, their love, and to our sisters and brothers inside for their assistance in shaping this manual.

This manual is dedicated to the families and friends of prisoners who have refused to let the bars be a barrier, whose love and perseverance keep their families and communities together against all odds.

## The Visit

*The pain is too acute as we watch  
Our brother/son/husband/friend  
Herded by fat, uniformed, vacant eyed guards  
Back to a hell that seems to never end  
Except for our visit.  
It's a sharp stab to the heart  
A vertigo that starts in the head  
Knowing that these men  
Strong yellow/brown/black/red  
Might be dead before our next visit.*

*The hurt overwhelms, goes to the core.  
A collective ache felt by us all  
As we leave our sister/daughter/wife/friend  
In the cells, rooms, dorms and halls  
And we start to grieve, crying in silence  
For a longer visit.  
We leave by car, bus, train and plane  
Their face on our minds their touch still felt  
Words and kisses warm on our ear  
We slump in our seats and try to melt  
Into the memories of our too short visit.*

*Whistles, bells, head counts, lines  
We sit or stand for hours it seems*

*As the life behind the prison walls  
The hellish life and what it means  
Bombards us in the visiting halls  
Waiting, watching, for our visit.  
We fill out the forms, wait in the lines  
Go through the metal detector a thousand times  
The sounds that reach us shock us so  
We can hardly talk when at last we meet  
Our sister/daughter/wife/friend  
As the gate finally opens, we smile and greet  
Them on another visit.*

*Our hearts beat fast.  
Do I look alright? What will he say?  
You know he called last night.  
Cowboy is back in here again.  
He stayed out almost a year this time.  
Chile, James just got out the hole  
Said a chump on A Tier told.  
I swore I wasn't comin' up here no more.  
Junior bring your butt back here before-  
Shaniqua let me fix your hair  
T.J., look, look over there  
Here comes daddy.*

*-Staajabu*

*Staajabu is a nationally published, award-winning poet. She and her daughter V.S. Chochezi are a dynamic mother/daughter poetry team known as Straight Out Scribes; they have several volumes of poetry and a CD to their credit. Their website is [www.angelfire.com/biz2/straightoutscribes](http://www.angelfire.com/biz2/straightoutscribes).*



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## Introduction

**T**his manual was developed to assist families and friends of California state prisoners in advocating for their rights and the rights of their incarcerated loved ones. The “war on crime” and the “war on drugs” have taken a devastating toll on our communities, as we have watched the number of prisoners in California triple in the last 20 years. The heaviest burden falls on Black and Latino communities; nearly 3/4 of California’s prisoners are from communities of color. Consider these statistics:

- In California, more than 7 out of 10 prisoners are people of color (CDCR). Nearly one out of ten children in California had a parent in the criminal justice system in 2001-2002 (Nolan, 2003). Nearly four times as many African American grandparents are raising their grandchildren compared to their white counterparts (U.S. Bureau of the Census).
- Family members of prisoners are held hostage by MCI as we are forced to sign up with an MCI-affiliate in order to be able to receive collect phone calls from our imprisoned loved ones. Phone companies like MCI make outrageous profits from collect calls from prisoners. A 15-minute long-distance call from Los Angeles to Pelican Bay would typically be \$.08 per minute. A 15-minute operator-assisted collect call from Pelican Bay Prison to Los Angeles can cost as much as \$2.95 per minute.

- California Department of Corrections and Rehabilitation (CDCR) policy requires that 55% of a prisoner’s commissary fund be turned over to the Victims Restitution Fund. Every time a family member sends a prisoner \$10.00, \$5.50 is automatically deducted. Over the last 10 years, more than \$100 million has been directed to this fund from prisoners’ accounts. This is an additional, unofficial tax on families of prisoners.

Those of us who have ties to someone inside know how many obstacles there are to maintaining support and communications with our loved ones. When families and friends go to visit, we often have to put up with humiliating treatment by prison guards. Women visitors are subject to judgments by guards about their clothing and are often spoken to in a demeaning manner. We find ourselves being criminalized simply because someone we care about is in prison.



After spending hours driving long distances, and a lot of money for hotels, we arrive for our visit and are told our clothes are not appropriate, or the paper work isn’t in order, or our loved one is not able to come to the visiting room—no reason is given. If we try to get some answers, we’re threatened with termination of our visits. When something worrisome is happening with our loved one inside—they are sick, or there has been a death in the family or some emergency with the kids—we

call the prison and are met with a wall of silence. We are treated as if we had no right to look after the people we love.

We believe that family members can play an important role in making sure their loved ones are safe from abuse, get needed medical care, and are treated with the dignity and respect they deserve. Our support is critical on so many levels: our loved ones need to know they can count on us, and the California Department of Corrections and Rehabilitation (CDCR) needs to know that it must be accountable for what happens to the people they keep behind bars. In the summer of 2002, family members and prisoner rights advocates pushed back the CDCR's attempts to implement new visiting regulations that would have made it much more difficult, if not impossible, for many family members to visit. When we joined forces by writing letters and speaking up at a public hearing in Sacramento, we were able to make our voices heard. Family members have testified at legislative hearings about many issues that affect their loved ones, and are clearly having an impact on legislators and public opinion.

This manual outlines some basic tools you can use to fight for the rights of your loved one inside. From letters and phone calls, to official complaints and contacting your legislators and the media, you have ways to make your voice heard and change situations that are not acceptable. This manual gives information on specific issues you may need to advocate about: medical neglect, compassionate release, emergency furloughs, transfers, and paroles. It focuses on issues of medical care, but the tools described here can be used to advocate about many issues. Most importantly, this manual draws on the experience of family members who have used their power to change situations that seemed unchangeable. Their involvement made a difference.

We have included letters in this manual that were written by family members and other advocates. With the exceptions that are noted in the text, names of state officials, doctors, family members, and prisoners have been changed to protect their privacy.

---

**This manual is not intended to answer all your legal questions or take the place of an attorney. Prison policies are subject to frequent change. It is your responsibility to check to make sure the information on the policies and the forms are up to date. The information in this manual is based on policies and procedures of the California Department of Corrections and Rehabilitation and will apply only to California state prisons. County jails and other detention facilities are governed by a different set of policies.**

---

## Endnotes:

CDCR 2006 Census

[http://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Annual/Census/CENSUSd0612.pdf](http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/Census/CENSUSd0612.pdf)

CDCR, Victims Services

[http://www.cdcr.ca.gov/Victim\\_Services/index.html](http://www.cdcr.ca.gov/Victim_Services/index.html)

Clare Nolan, *Children of Arrested Parents*. California Research Bureau, 2003.

<http://www.library.ca.gov/crb/03/11/03-011.pdf>

*The Census 2000 Supplemental Survey, QT-03; Profile of Selected Economic Characteristics: 2001.*





*“We are not the only family going through this tragedy, there are many people suffering the same situation, and we need to get in touch and support each other.”*

## Toolbox

### Tools for Advocating for a Loved One in Prison

If someone you care about is being denied medical care or is being abused by prison authorities, you can play an important role in changing the situation.

Here are some tools you have at your disposal:

- Letters and phone calls to the Warden, Chief Medical Officer, and other CDCR officials
- Inmate grievance process (602)
- Letters, phone calls to the Federal Receiver overseeing healthcare in California prisons
- Letters, phone calls, and meetings with your elected representatives
- Contacting the media
- Filing complaints with state medical licensing agencies
- Filing complaints with the Inspector General's Office
- Filing a Board of Control Claim in order to preserve your right to sue for damages in State Court

Each of these tools will be discussed in a separate section of this manual. Additionally, sample letters from family members and other advocates are included in several sections as examples.

### Here are some important tips for communicating with prison officials:

- Put all communications to prison officials in writing, and send them certified mail.
- Make your complaint specific, and try to keep the writing clear. Shorter is often better.
- Make sure you are directing your complaint to the right person, the person who has authority to affect the situation (see chart below). Then send copies to other people who also have responsibility and could have an impact.
- Keep a written log of all your efforts, and encourage your imprisoned loved one to do the same. Keeping a medical diary just for this purpose is very helpful so you can easily keep track of when you spoke to someone, when they said you could expect a response, and what was said in the conversation. Be sure to write the *full date and time* of these events, as well as the *full name and title* of the person with whom you spoke.
- The person incarcerated should also use a medical diary to keep track of every attempt made to seek medical care, every attempt to obtain medical records, and every interaction with CDCR staff that is related to medical care. She should be sure to write the full date and time of these events, as well as the name and title of the person they spoke to. She should keep copies of all co-pays, inmate request forms, 602 and 1824 forms, etc. In addition, it is a good idea for your loved one to periodically send you copies of her diary.



- Make sure that your incarcerated loved one gives written permission to the prison to discuss with you her medical condition and related issues. New guidelines are very specific about what must be included in this permission. See sample release, p 15.

- Keep copies of everything you send, and encourage your imprisoned loved one to do the same. This creates a "paper trail" that could prove very helpful later.

- After every phone call, send a follow-up letter summarizing your conversation.

- Write letters to your elected representatives and the media if you have an ongoing relationship with them about the issue. Include copies of your correspondence with the CDCR and any other documents that could be helpful.

- It is not uncommon for the prison medical staff to fail to get a prisoner's previous medical records in a timely fashion. If your loved one has a chronic illness, it can be very helpful for you to get her previous medical records from doctors who were providing care before incarceration. Sometimes a family doctor may be willing to summarize someone's medical history and send it to the Chief Medical Officer (CMO).

- Encourage your loved one to obtain her prison medical records, both from the institution and from any outside hospital where she receives treatment while incarcerated. This creates a "paper trail" and may help prove that she is not getting proper medical treatment. It may also be very useful should a lawsuit be filed in the future.

The prisoner must fill out an Inmate Request Form specifically requesting medical records; she will be charged a copying fee. If the records are many pages, it might be best to request records for a limited time period or for the records related to specific lab test. Your loved one should copy the records and send you a copy for safekeeping.

- Try to learn more about the medical condition your loved one has. You can get educational information from various groups, like the American Lung Society or the Arthritis Foundation. This is important because it helps you better understand what kind of medical care your loved one should be receiving. Knowing more about her medical condition also helps your loved one advocate for herself.

- Make sure the appropriate person is listed as the emergency contact on the prisoner's central file (C-file).

- Whenever possible, discuss a plan of action with your incarcerated loved one before you take action because advocating on someone's behalf often results in retaliation by prison officials.

- Look for websites created by other family members who are publicizing similar issues.

- Find out if the prison where your loved one is incarcerated has an Inmate Family Council that you can be part of.

- Don't blame yourself if your efforts don't work the way you had hoped.

You're up against many road-blocks! Hang in there...it's a long road.



# Medical and Mental Health Care in California Prisons

## Legal Standards for Prison Health Care

**T**he medical care system in California's prisons has been the subject of several court cases brought to address the substandard care prisoners have had to endure. As a result of the *Plata v. Schwarzenegger* case, in which the medical care in California's prisons was found to be unconstitutional, the medical care system of the CDCR was put under the control of a federal receivership after the State failed to make court-ordered corrections.

This decision essentially stripped the state—including the Governor, Legislature and Department of Corrections and Rehabilitation—of its ability to manage medical care in the prison system, and handed that responsibility over to the court-appointed Receiver. The California Prison Health Care Receivership Corporation is directed by the Receiver, who reports directly to Judge Thelton Henderson, the presiding judge in *Plata v. Schwarzenegger*.

*Prisoner Patients and their families may contact the Receiver about specific medical issues by writing:*

Federal Receiver  
c/o California Department of Corrections and  
Rehabilitation  
Controlled Correspondence Unit  
P.O. Box 4038  
Sacramento, CA 95812-4038

**California Prison Health Care Services (CPHCS)**  
**Hotline: 916-324-1403**

Family members who have concerns about the health-related concerns of their incarcerated loved one can call this number and leave a recorded message. The CPHCS website indicates that they will answer messages within 48 hours.

For more information on the Receivership, go to <http://www.cphcs.ca.gov>.

Other cases governing the health of California prisoners include the following:

Mental health services are the subject of a separate federal class action law suit (*Coleman v. Schwarzenegger*). In that case, U.S. District Court Judge Lawrence Karlton has appointed a Special Master to oversee remedial efforts.

Dental services are the subject of another federal class action law suit (*Perez v. Tilton*), which is presided over by U.S. District Court Judge Jeffrey White.

Since then, U.S. District Court Judge Claudia Wilken, who presides over another federal class action law suit (*Armstrong v. Schwarzenegger*) also has joined the coordination efforts. This case addresses the rights of disabled inmates under the Americans with Disabilities Act (ADA).

In spite of years of lawsuits, medical and mental health care in California's prisons is often grossly inadequate. The following section will tell you what

a prisoner has a legal right to. It should not be taken as a description of the actual state of care in California's prisons. It is a starting point for you to advocate from, a measuring stick that tells you what medical care *should* be like.

## Federal Standard

All prisoners have the right to medical and mental health care. Violating this right would be violating the constitution. In *Estelle v. Gamble*, the Court decided that "deliberate indifference to a serious medical need" is a violation of the constitution. In order to prove this has taken place in the case of a prisoner, he must show the following:

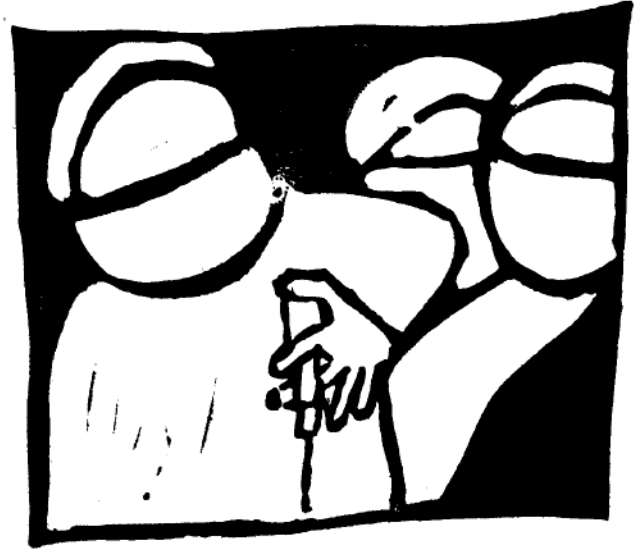
1. That a medical need is serious. In order to prove this, the prisoner must have:
  - An injury that a doctor finds in need of treatment
  - A medical need that affects the prisoner's daily activities, and/or
  - The presence of intense or chronic pain
2. That the prisoner was denied medical care, the treatment was delayed, or the care was improper.

## Medical Care Tort Standards

Patients also have the right to be protected from medical malpractice or negligence. To prove medical malpractice, the prisoner must show the following:

1. The doctor did not use the same skills that a reputable doctor would use.
2. Because the doctor did not act accordingly, the patient suffered injury or illness.

California law also holds public employees (prison staff) accountable for neglecting to take action if **they have reason to know that a prisoner needs immediate medical attention**. The circumstances for needing immediate medical attention must be very serious (for example, requesting medicine for a headache is not considered an emergency, but if an inmate fell off of his bunk and became unconscious, emergency attention is needed).



*Overview of California Department of Corrections and Rehabilitation (CDCR) Health Care Services*

## Frequently Asked Questions

*Does my loved one have any rights as a patient while in prison?*

According to CDCR policies, prisoners do have certain rights regarding access to medical care. However, there is often a big difference between written policies and what actually happens in reality. The CDCR also reserves the right to deny or limit these rights. The following is a brief summary of patient's rights according to CDCR policies:

- Prisoners shall be provided "medically necessary" care. Medically necessary is defined as "health care services that are determined by the attending physician to be reasonable and necessary to protect life, prevent significant illness or disability or alleviate severe pain and are supported by health outcome data as being effective medical care."
- Prisoners have the right to be free from mental and physical abuse.
- Prisoners shall not be discriminated against in their attempts to get medical attention.
- Prisoners have the right to be treated with consideration, respect and dignity.
- Prisoners have the right to confidentiality regarding their medical situation and the right to

approve or refuse the release of this information to anyone outside the CDCR, except in the case of transfer to another health care facility, or as required by law or third party payment contract.

- Prisoners have the right to obtain from prison health staff information about their health status, including diagnosis, treatment and prognosis (if known).
- Prisoners have the right to communicate with persons outside the prison consistent with CDCR policies. Prisoners also have the right to have access to an interpreter.
- Prisoners have the right to informed consent and to refuse medical treatment.
- Prisoners have the right to refuse convulsive treatment (electroshock).
- Prisoners have the right to be informed about prison rules applicable to their status as a patient and have the right to file grievances.
- Prisoners have the right to be free from chemical (except in emergencies), clinical, and treatment restraints, except when necessary to protect themselves or others from injury.
- Prisoners have a right to access their medical records.

#### *How does my loved one access health care?*

All prisoners, including those in segregation, have a right to medical care. Prisoners must fill out a Health Care Services Request Form (also called a co-pay) and explain why they need medical attention. Prison health staff reviews these requests for care and set up appointments based on priority.

#### *Does my loved one have to pay for health services?*

Prisoners are charged \$5.00 for each "inmate initiated" health care visit. Prisoners are not supposed to be charged for the following: emergency care, diagnosis and treatment of communicable diseases, mental health services, follow-up care, health services necessary to comply with state law, reception center health screening, inpatient services, extended care, skilled nursing care, and Chronic Care Program visits.

#### *What if my loved one can't afford the \$5.00 co-pay?*

If a prisoner does not have any money in her account for 30 days, she is considered indigent and the \$5.00 co-pay fee for medical services is waived.

#### *What types of medical services are available in prison?*

The CDCR provides primary care, standby emergency care, mental health crisis care, and basic medical care in skilled nursing facilities, hospices, and correctional treatment centers. CDCR prisons differ in the level of health services they provide. All prisons provide outpatient medical, dental, pharmacy services, public health and mental health care that is delivered both in clinics, offsite, or in special housing units. Many prisons contract out for specialty services.

#### *Will my loved one be given medical care as soon as she arrives at the prison?*

All prisoners are supposed to receive an initial health screening immediately upon arrival at the prison and a complete medical evaluation and physical within 14 days.

#### *Does the prison provide specialized care for prisoners with chronic illnesses?*

The CDCR has a Chronic Care Program (CCP) aimed at identifying and providing treatment to prisoners with certain chronic and communicable diseases such as heart problems, diabetes, HIV, seizure disorders, etc. Prisoners enrolled in this program are supposed to be seen by a doctor every 90 days for monitoring and treatment.

#### *What happens if there is a medical emergency at night or during the weekends?*

Registered nurses are on site and available to respond to emergencies at each CDCR prison 24 hours a day, seven days a week. A physician is on-call by telephone during evening hours, weekends and holidays. At those prisons with a General Acute Care Hospital, a physician is available on site at all times. Prisoners in need of hospitalization are sent out as necessary.

#### *Who is in charge of health care at each prison?*

Each prison has a Chief Medical Officer (CMO) and/or Health Care Manager

(HCM) who are responsible for overseeing the delivery of health care services.

*Can our family hire an outside doctor to examine and treat our incarcerated loved one?*

A prisoner or an outside advocate, whether a family member or legal representative, may request that a prisoner be examined by an outside doctor. However, the advocate or person requesting the examination must pay any costs associated with such an examination. Additionally, prison health staff *is not* required to follow any recommendations made by the outside doctor. These requests must be submitted to the Warden who consults with the Chief Medical Officer before issuing a decision on the request.

*Can I visit my loved one if she is sick in the hospital or prison medical unit?*

It can be extremely difficult to visit a sick loved one who is temporarily housed in an outside hospital or an on site prison medical unit. Generally speaking, these types of visits require special approval from prison staff (such as the warden, visiting lieutenant, and/or watch commander) and the attending physician. If your loved one does not have a terminal diagnosis, you must demonstrate why the visit cannot wait until the prisoner returns to the institution or her regular general population housing unit. For specific requirements, contact the visiting lieutenant.

*Can my loved one be released from prison if she is dying?*

California state law allows for the early release of terminally ill prisoners. However, these "compassionate releases" may be *extremely difficult* to win due to the strict eligibility requirements. (See section on Compassionate Release)

## Common Medical Problems Faced by Prisoners

*Your loved one needs medical attention and is not able to see a doctor.*

### Summary of the Problem

One of the most common problems prisoners experience regarding the prison health system is often just trying to get an appointment with a doctor.

### What is supposed to happen?

The following is a *very general and brief* overview of the process prisoners are supposed to use to get medical attention from a nurse or primary care doctor. These policies were developed as part of a settlement agreement in a class action lawsuit called *Plata v. Davis*.

1. Each prison medical clinic shall have one RN, one MTA and one Physician or Nurse Practitioner and be open at least eight hours a day, Monday through Friday, excluding holidays. There must be at least one RN on duty at the prison during the

evenings and weekends *and* at least one physician on-call during non-business hours.

2. The health clinic will provide medical care to patients who (a) have submitted a Health Care Request Form, (b) are referred to the clinic by custody staff, or (c) are experiencing an "urgent/emergent" medical problem.
3. Prisoners are expected to initiate health services by filing a Health Care Services Request Form (co-pay) explaining why they need medical attention. Prisoners must pay a \$5.00 co-pay for every *prisoner-initiated* visit. Some exceptions to this policy include, but are not limited to, the following: a prisoner is without funds for 30 days; the prisoner is seeking emergency medical attention; the prisoner is seeking medical attention for diagnosis and treatment of certain communicable diseases; the prisoner is seeking follow-up care recommended by a medical staff person.

4. All requests for medical services are placed in a locked box, which is checked daily. All requests are supposed to be reviewed by an RN daily in order to determine medical priorities.
5. Prisoners are supposed to be evaluated by an RN within 24 hours of submitting a request form to determine what medical care is needed. The nurse will provide treatment if necessary, within the scope of her abilities.
6. Patients shall be scheduled to see a primary care provider for the earliest possible appointment if (a) the needs of the patient are beyond the scope of practice for an RN, or (b) this is the patient's third request for the same medical complaint.
7. Once an appointment to meet with a doctor has been made, the prisoner is supposed to receive a "priority medical ducat" which gives her special permission to leave her job or program assignment in order to go to this appointment.

#### What often happens in reality?

Prisoners often wait days, weeks, and—in extreme cases—months to access medical staff. Prisoners complain that they submit co-pays and are never seen by medical staff yet have \$5 deducted from their accounts, regularly have their appointments cancelled without explanation or rescheduling, show up for appointments only to find that their medical records are not available, or see doctors who dismiss their concerns and offer no treatment.

#### Possible Solutions

Prisoners who experience problems accessing medical attention should consider filing a 602, which clearly and briefly explains their attempts to get care.

Prisoners should try and keep copies of all documents related to their attempts to get care, including Health Care Request Forms (co-pays), priority medical ducats, Inmate Request Forms, medical records, 602s, etc. It is also extremely helpful to keep a "medical diary" that keeps track of dates forms were submitted, dates of responses, dates and descriptions of all contact with any medical staff including names and positions, and details of the state of the prisoner's health.

Family members may consider writing letters (and making follow up phone calls) to the prison's Chief Medical Officer, Warden, and prison officials in Sacramento in an attempt to make known your loved one's difficulties getting medical attention. Your letter will be much stronger if you address the following issues and show officials that you know exactly what policies have not been followed correctly:

- Has your loved one submitted a Health Care Request Form (co-pay)? If so, how many and when? What kind of medical attention was requested? What happened?
- Find out if an RN saw your loved one within 24 hours of filing a co-pay. Did another medical staff person see the prisoner?
- Was your loved one charged \$5 for care that was never provided or charged for care that is part of an on-going treatment plan?
- What happened once your loved one was able to see a doctor? Did the doctor physically examine the patient and provide information about a diagnosis, the need for further testing, and possible treatment options? Did the doctor make recommendations for specific follow-up action? Did this happen?

Try to be as accurate and specific as possible, including dates, names and detailed descriptions of events. Include copies of all relevant paper work with your letter.

#### *Your loved one experiences delays in getting medications refilled.*

#### Summary of the Problem

Many prisoners complain that they often experience delays in getting their medications refilled. This can be very serious depending on the type of medical problem they have. For example, prisoners with HIV who do not take their medications regularly may experience drug resistance as a result of medication interruptions. Prisoners taking anti-seizure medications may experience seizures, which puts them at risk for serious injury.

### What is supposed to happen?

Prisoners are allowed to keep a supply of medications in their cell. Certain medications, such as HIV medications and narcotics must be taken as "Directly Observed Therapy" which means prisoners must wait in pill-line to receive their medications and ingest them in direct view of a medical staff. In other words, prisoners are not allowed to keep these types of medications on their person in their cell and must always wait in a pill-line to take their doses.

Prisoners receive self-administered medications in 14-30 day supplies. Sometimes prisoners may receive a 30-90 day supply. Medications are prescribed by health care providers, often the prisoner's yard doctor. All newly ordered medications are supposed to be made available to the prisoner within 24 hours unless the drug would not normally be started until the next day. Certain medications used to treat severe pain, nausea, agitation, and diarrhea are supposed to be issued to the prisoner immediately. Prisoners enrolled in the Chronic Care Program (CCP) who need to take medication on an ongoing basis often receive a 30-90 day supply. CCP patients are supposed to be seen by a CCP doctor every 90 days at which time the physician should re-order any needed medications.

### What often happens in reality?

Prisoners often experience interruptions in their medications for a variety of reasons. For example, prisoners will wait in pill line only to discover that their medication renewals have not been refilled. A scheduled appointment with a doctor may be cancelled, delaying their medication reevaluation. Sometimes prisoners are issued other people's medications.

### Possible solutions

Prisoners who experience problems getting their medications renewed may consider filing a Health Care Services Request Form (co-pay) to see their yard doctor and request a medication renewal. If this does not resolve the issue, a prisoner may choose to file a 602. If filing a 602, the prisoner should make sure to include the following information in the appeal:

- Name of the medication(s) and a *brief* description of why the prisoner needs this medication.

- An explanation of what went wrong, for example, the prisoner was never called for her regular CCP appointment and therefore never received a renewal for the medication.
- If possible, include a copy of the medication label to prove that this medication had previously been prescribed and also include a copy of any co-pay forms which may have been filed in an attempt to resolve the problem

Family members may consider writing a letter to the prison's CMO, Warden, and prison officials in Sacramento in an attempt to make known your loved one's difficulties getting medications renewed. Your letter will be much stronger if you can demonstrate that the prisoner has followed the rules for resolving problems and these efforts have not worked. Your letter should mention if your loved one filed any co-pays or 602s and what happened as a result of these actions. As always, make sure to keep copies of all documents and correspondence.

*Your loved one is forced to work a job or program assignment that she is not able to do because of health-related problems.*

### Summary of the Problem

Most California state prisoners are required to work or participate in some type of prison program in order to establish a record of "good behavior" and also to qualify for "good time" credits. However, some prisoners are unable to work or program because of medical problems. These individuals must get special permission from prison doctors and administrators in order to be excused from work. Unfortunately, many prisoners who are sick, in pain, disabled or otherwise having problems working complain that it is often very difficult to acquire the special status of not having to work. If prisoners don't work or program they risk getting punished.

### What is supposed to happen?

In past years, if a prisoner was unable to work because of a medical issue, a prison doctor would issue a "chrono" (authorization form) stating that the individual is not able to work at all due to medical reasons. This meant the prisoner would still receive her "good time" credits and keep getting all other

privileges. This is also called being on "A-1-A status." Unfortunately, the rules changed and doctors now have less authority over deciding whether or not a prisoner is able to work. Currently, a prison doctor must write a "chrono" that explains exactly what an individual is able to do. For example, a "chrono" might state that a prisoner is not able to walk more than 50 feet, lift anything over 5 pounds, not be exposed to sunlight, etc.

Next, the prisoner will go before a classification committee which will decide if there is a prison job or program that the individual is able to do given her health-related limitations. If such a position exists, the prisoner will be placed directly into that job or put on a waiting list. If there is no job or program available, the classification committee will put the prisoner on "medically unassigned status" (if the medical issue will get better within 6 months) or "medically disabled status" (if the medical condition is permanent or will last longer than 6 months). It is important to note that prisoners who are either put on a waiting list for a job or are classified as "medically unassigned" will receive partial privileges or A-2-B status. Prisoners classified as "medically disabled," receive their full privileges or A-1-A status.

### What often happens in reality?

Two of the most common problems related to this policy are (1) prison doctors do not issue the appro-

priate chronos and (2) prisoners have the right chronos but their job or program assignment requires them to perform activities that they are not supposed to do.

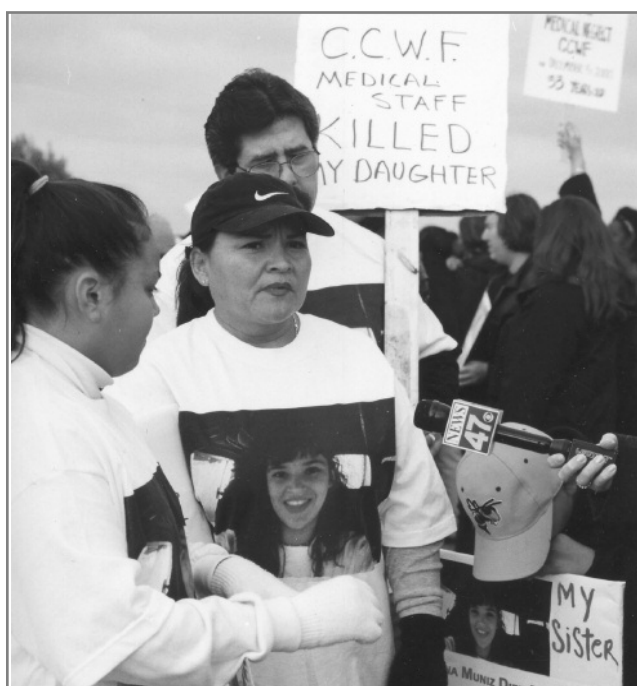
### Possible solutions

It is the responsibility of the prisoner's work supervisor to provide "reasonable accommodation" on the job. If your loved one is given a job that she is not able to perform, she can attempt to resolve the issue informally by talking with her work supervisor who may be willing to make adjustments to the job assignment. For example, if your loved works as a "porter" (janitor) and is not suppose to lift anything over 5 pounds, perhaps her work supervisor will not require her to perform this task. If the supervisor says that in order to stay at the job the individual must perform activities that she is unable to do or are extremely painful or dangerous, the prisoner should be reassigned. The prisoner may consider filing an "1824 Reasonable Modification or Accommodation Request" form which explains her attempts at resolving the issue. She should also explain specifically why her current job assignment conflicts with her chronos.

Your loved one may also try to submit an "Inmate Request Form" asking to speak with the CMO about her desire to be issued a particular chrono.

If your loved one is unable to get her prison doctor to issue the appropriate chronos, she may consider filing a 602 explaining (1) a brief description of her health condition and (2) a brief explanation of why the job or program assignment is inappropriate. She may want to request specific chronos that will make her current job easier or request a different job assignment entirely.

As a family member, it can be helpful for you to write letters to the warden (and follow up with phone calls) explaining the problems your loved one is having with her classification status and job assignment. Try to be as specific as possible about the problem and what your loved one has done to resolve the issue.





## Authorization To Release Medical Information

In order to protect the confidentiality of a person's health care records, hospitals, doctors, and health care agencies must have permission from the patient before they can release information. If you are attempting to obtain a copy of your loved one's medical file from the CDCR or from an outside hospital or clinic, you will have to show that you are authorized to receive the information you are requesting.

According to California Civil Code section 56.11, for an Authorization to be valid it must meet the following requirements:

- It must be handwritten by the person signing it or typed in at least 14 point type
- The authorization to release information is clearly separate from any other language on the page
- It is signed & dated by the patient
- It states the specific uses and limitations on the type of information to be disclosed
- It states the name or function of the health care provider that may disclose the information
- States the specific uses and limitations on the use of the information by the person authorized to receive the information
- States the name or function of the person authorized to receive the information
- States a specific ending date for the authorization
- Tells the person signing the authorization that she has a right to have a copy of it

On the following page you will find two examples of Authorizations to Release Medical Information that contains all of the requirements above. The first form is used to obtain prison medical records from the CDCR. The second form is more generic and would be used to obtain medical records from other sources, such as an outside hospital. When you make a written request for your loved one's records just include a copy of her signed authorization as proof that you are authorized to receive the information.

You will probably have to pay a fee for your loved one's medical records. Charges for copying medical records will vary from one agency to the next. It is not unusual to be charged anywhere from 10 cents a page to 50 cents or more per page. In addition to the per-page copying charges, you may be charged a "basic fee," a "retrieval fee," shipping & handling charges, and sales tax. These various fees can add up quickly and depending upon how large your loved one's medical file is, this can become costly. For example, the cost for 43 pages of records from one medical center came to \$69.99 (a \$32.00 basic fee, a \$15.00 retrieval fee, 35 cents per page copying fee, \$2.67 shipping/handling, and \$5.27 sales tax).

## AUTHORIZATION FOR RELEASE OF INFORMATION

YOUR INFORMATION		
Last Name:	First Name:	Middle Name:
Address:	City/State/Zip:	CDC/YA Number:

Person/Organization Providing the Information [45 C.F.R. § 164.508(c)(1)(ii) & Civ. Code § 56.11(e).]	Person/Organization to Receive the Information [45 C.F.R. § 164.508(c)(1)(iii) & Civ. Code § 56.11(f).]
CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION	

Description of the Information to be Released (Provide a detailed description of the specific information to be released.) [45 C.F.R. § 164.508(c)(1)(i) & Civ. Code §§ 56.11(d) & (g).]	
<input type="checkbox"/> Medical	<input type="checkbox"/> Substance Abuse
<input type="checkbox"/> HIV	<input type="checkbox"/> Mental Health
<input type="checkbox"/> Genetic Testing	<input type="checkbox"/> Communicable Diseases
Additional Information: _____ _____ _____	

Description of Each Purpose for the Use or Release of the Information (Provide a detailed description of the activity for which the information will be used) [45 C.F.R. § 164.508(c)(1)(iv).]
_____ _____ _____

Will the health plan or provider receive money for the release of this information? [45 C.F.R. § 164.508(a)(3).]
NO, WITH THE EXCEPTION OF COPY COSTS.

This authorization for release of the above information to the above-named persons/organizations will expire on: \_\_\_\_\_ (date). [45 C.F.R. § 164.508(c)(1)(v) & Civ. Code § 56.11(h).]

**I understand:**

- I authorize the use or disclosure of my individually identifiable health information as described above for the purpose listed. I understand that this authorization is voluntary. [45 C.F.R. § 164.508(c)(2)(i).]
- I have the right to revoke this authorization by sending a notice stopping this authorization to \_\_\_\_\_ at \_\_\_\_\_. The authorization will stop on the date my request is received. [45 C.F.R. § 164.508(c)(2)(i) & Civ. Code § 56.11(h).]
- I understand that I am signing this authorization voluntarily and that treatment, payment or eligibility for my benefits will not be affected if I do not sign this authorization. [45 C.F.R. § 164.508(c)(2)(ii).]
- I understand if the organization I have authorized to receive the information is not a health plan or health care provider; the released information may no longer be protected by federal privacy regulations. [45 C.F.R. § 164.508(c)(2)(ii).]
- I understand I have the right to receive a copy of this authorization. [Civ. Code § 56.11(i).]

Signature:	CDC/YA Number:	Date:
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[45 C.F.R. § 164.508(c)(1)(vi) & Civ. Code § 56.11(c).]

Representative:	Relationship:	CDC/YA Number:	Date:
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## MEDICAL RECORDS AUTHORIZATION

(This authorization for the use or release of medical information is requested from you in order to comply with the requirements of California Civil Code section 56 et. seq.)

I, \_\_\_\_\_ hereby authorize  
(Name of Patient)

\_\_\_\_\_  
(Name and address of Physician, Hospital or Health Care Provider)

to release to \_\_\_\_\_  
(Name of person authorized to receive the information)

all information in his/her/its possession regarding my medical condition, INCLUDING MY HIV STATUS, MENTAL HEALTH, AND SUBSTANCE ABUSE, documented between

\_\_\_\_\_ and \_\_\_\_\_  
(Beginning date) (Ending date)

and further authorize the examination and copying of the records and information.

I understand that \_\_\_\_\_, will regard  
as

(Name of person receiving the information)

confidential any information released to him or her, and will use the information for the sole purpose of advocating for my right to health care. Such advocacy may include seeking legal relief and/or speaking with the media and will be conducted under my direction.

This authorization shall remain in effect until five (5) years after my death, or until revoked by me in writing, whichever occurs first. Photocopies of this authorization shall be as valid as the original. I understand that I have the right to revoke this authorization and to receive a copy of this authorization upon request.

Copy requested: ☐ Yes ☐ No, and if not why?

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Social Security Number)

\_\_\_\_\_  
(CDCR number)

\_\_\_\_\_  
(Street address)

\_\_\_\_\_  
(Date of Birth)

\_\_\_\_\_  
(City, State, Zip Code)

## *Sample Advocacy Letter from a Family Member*

Karen Jones  
1050 Main Street  
Middletown, CA 99555  
(999) 111-5555

June 4, 2002

VIA FAX

Dr. Richard Smith  
Chief Medical Officer  
Central California Women's Facility  
PO Box 1501  
Chowchilla, CA 93610-1501

Dear Dr. Smith,

I am writing on behalf of my sister Pat Jones, W-00001. I visited her yesterday and was told the following about her urgent medical needs:

She found out she had an abnormal pap in February 1999, when she first arrived at CCWF. She had laser surgery two months later, but had no follow-up care for two years. She was told in 2001 that she had cancer and had another surgery, this time at Madera Community Hospital. She was denied her post surgical visit by the MTAs and was not given the antibiotics or pain medication prescribed by her outside doctor. She has had an abnormal vaginal discharge since her surgery, and it took her three requests to be seen, eight months after her surgery. She was given betadine douches and some pills but the discharge continues. She also filed a 602 in an attempt to get the medical care she needs but this failed to resolve this issue. Included with this letter is a copy of her 602.

She has had a breast lump since 1999, which she mentioned to medical staff. She had a mammogram and was told not to worry about the lump unless it hurt. She had a sonogram but was never told the results. The lump now is burning and painful. She put in a request to see a doctor in March of this year but has not yet been seen for this condition.

I am quite concerned that no one seems to be following her care, and no one has taken the time to explain her current status to her. I am asking you to review her chart and make sure she gets the care she needs. I look forward to your prompt response.

Sincerely,

Karen Jones

cc: XXXXX

## Sample Advocacy Letter from a Family Member\*

July 15, 2000

Warden Ray Middleton  
Valley State Prison for Women  
21633 Avenue 24  
Chowchilla, CA 93610-0099

Re: Inmate Gina Muniz, W-77857

Dear Warden Middleton:

I am writing on behalf of my daughter, Gina Muniz. She arrived in your care approximately June 15, 2000. She was recently sentenced in the Pomona Superior Court. Prior to her sentence she was in Twin Towers in Los Angeles. During her stay at Twin Towers she was housed in the medical ward and Women's and Children's Hospital of Los Angeles. She has been diagnosed with cervical cancer, stage 2B. She was under treatment when transferred.

Since her arrival in your care, her symptoms have increased. I received a call from her on July 14 at approximately 10:30 A.M. She stated at that time that she was very ill and in pain. She also stated that she was losing weight at a fast rate. After examination in your facility, she was given a pap smear and Motrin to treat her symptoms. It has been my understanding after speaking to a nurse in your facility that you are in receipt of her medical records. This is where my question to you arises. Since when is follow up treatment for cancer dealt with by the issuance of Motrin? I am requesting that you take immediate action on this matter and see that my daughter receives the proper medical care and continued daily treatment she was previously receiving. I understand that she is incarcerated, but her human right to medical care is being ignored.

As previously stated, she was receiving treatment for her cancer at Women's and Children's Hospital of Los Angeles. I expect her treatment to be continued, not put on hold as the cancer worsens and spreads. We are talking about the quality of a young woman's life and health. This is not a case of a bad flu, but a matter of a life-threatening disease. She has an 8-year old daughter and many family members are concerned about her well-being.

I anticipate immediate action for my daughter and look forward to a written response from you.

Sincerely and gratefully,

Grace Ortega

Cc: Gina Muniz  
Cal Terhune, Director, CA Dept. of Corrections  
Gov. Gray Davis  
Lt. Governor Cruz Bustamonte  
Sen. John Vasconcellos  
Sen. Richard Polanco  
Bill Heatherman, San Gabriel Valley Tribune  
Concerned Citizens for Prisoners  
Southern Center for Human Rights  
Prisoners Legal Service Project  
ACLU National Prison Project

Prison Activist Resource Center  
Kairos Outside Ministry  
California Coalition for Women Prisoners  
Families of Prisoners Support Group  
Prison Rights Union  
Prison Legal Aid Network  
Prison Legal News  
Board of Prison Terms

*\*This is an actual letter from a family member*





*“My daughter suffered greatly...she is missed so much, her grace, her beauty, her laugh...I’m very thankful for getting her home”*

## Compassionate Release

The compassionate release law, passed in 1997 under Statute 1170(e) of the Penal Code, allows for the release of terminally ill prisoners who are no longer considered a threat to the community. It does not apply to a prisoner sentenced to death or a term of life without possibility of parole. This compassionate release law permits dying prisoners with six months or less to live to spend their last days surrounded by family members and friends, with the comfort that all human beings are entitled to in their final days. It allows families to say goodbye to their loved ones in a dignified, loving way. It spares prisoners the horror of dying alone, and spares families the feeling of being powerless to be present with their loved ones in their final passing.

Over the years changes have been made to Penal Code section 1170. Recent changes include the following: (1) Compassionate release can be sought for prisoners who are **permanently medically incapacitated** in addition to those prisoners who are terminally ill; (2) Strict timelines that the state must follow in evaluating a person for compassionate release; (3) Requirements that the CDCR must communicate with the person in prison and her family about any changes in the person's medical condition and/or the compassionate release process; (4) Requirements that when a person is released on compassionate release, she is provided with the necessary medication and paperwork at the time of her release so that she can obtain proper medical care outside of prison.

While compassionate release is permitted for many prisoners, it is not guaranteed. Family members can play a crucial role in obtaining compassionate release for their loved one. Being aware of a prisoner's deteriorating condition and writing letters of advocacy urging that a terminally ill or permanently medically incapacitated prisoner be issued a chrono in a timely way can help to make her release possible. Locating a hospice that will accept the prisoner upon release and developing a release plan are crucial steps in the process. Likewise, writing letters as family members and obtaining letters from others in the community who support the compassionate release of your loved one are important contributions to the release process.

The following flowchart has been excerpted from Justice Now's manual "Compassionate Release for Terminally Ill and Permanently Medically Incapacitated People in California Prisons: The Nuts and Bolts Manual for Winning Compassionate Release," that provides a detailed description of the steps involved in obtaining compassionate release, as well as sample letters and documents to guide you in the process. For more details, we recommend ordering it from Justice Now at 1322 Webster St., Suite 210, Oakland, CA 94612.



# Compassionate Release Flowchart

## 1. INITIATION OF REQUEST

Any person may initiate the compassionate release process by written request to the Secretary, Division of Adult Institutions, a physician employed by the CDCR, or the Chief Medical Officer (CMO) at the prison where the person is locked up.

Upon determining that a person qualifies, the CMO must give written notice to the Warden; the warden has 48 hours to notify the person of the relevant procedures and to make arrangements for the person to designate a family member or outside agent to act as an agent. (If the person is deemed mentally unfit, the Warden or Warden's representative shall contact the emergency contact and provide all relevant information.)

The warden has an affirmative obligation to provide the applicant and/or the applicant's agent with updated information regarding the medical condition and status of the recall and resentencing procedure throughout the process.

## 2. PAROLE VIOLATION

Within 30 days of the written request, the Executive Officer of the Board of Parole Hearings (BPH) either approves or disapproves the request based upon a medical and risk assessment.

### NO NEW CHARGES

The Parole Agent must approve the request

OR

### NEW CHARGES

The BPH must make a recommendation to the CDCR on how to proceed. Within 30 days, the Secretary must approve or disapprove the request based upon a medical and risk assessment.

Upon approval by the Secretary, the Court must hold a hearing within 10 days to approve or disapprove the request.

The person must be released within 48 hours of approval, unless he/she agrees to a longer period of time.

## 3. DETERMINATE SENTENCE

Within 30 days of notification from the Warden, the Secretary must submit a recommendation for release to the Court including one or more medical evaluations, a post-release plan, and a determination that the person satisfies the criteria for compassionate release under Penal Code sec. 1170(e)(2).

## 4. INDETERMINATE SENTENCE

Within 30 days from notification from the Warden, the Secretary must submit a recommendation for release to the Board of Parole Hearings (BPH). The BPH shall consider the Secretary's evaluation and may make their own independent judgment pursuant to Penal Code sec. 1170(e)(2). The BPH shall consider the case at the next lawfully noticed board meeting.

Within 10 days of notification that the Secretary or the BPH has recommended compassionate release, the Court must recall the previously imposed sentence. Thereafter, if the Court grants recall and resentencing, the person in prison shall be released by the CDCR within 48 hours of receipt of the Court's order, unless he/she agrees to a longer period of time. At the time of release, the Warden or his/her representative shall ensure that the person being released has in his/her possession the following materials: (1) Discharge medical summary; (2) Full medical records; (3) State identification; (4) Parole medications; and, (5) All property belonging to him/her. After discharge, any additional records shall be sent to the person at his/her forwarding address.



## Appeals Process for California State Prisoners and Family Members (602s)

California state prisoners and their family members, as well as parolees, have a right to file an appeal of any decision, action or policy that has an adverse affect on them. This process is known as the 602 Appeal Process (602 refers to the "green" CDCR form prisoners use to appeal general issues; effective June 2008, appeals of medical, dental or mental health issues should be filed on the "pink" CDCR Form 602-HC). For example, if a prisoner was having a problem with a doctor, nurse, other health care staff, or a medical chrono, the prisoner asks for a 602-HC form and writes her complaint on the form and then states what she wants done to remedy the situation. The prisoner must file the 602 within 15 days of the incident or injury that led to the problem. The prisoner then takes the form and submits it to the health care appeals coordinator at the institution who then has 10 working days to respond to the 602 in writing (the staff member writes his/her response on Section C--Informal Review). If the prisoner is not satisfied with the response, then Section D--Formal Level of the 602 form must be filled out stating why she is dissatisfied, any supporting documents she may have should be attached and then everything is sent to the Institution/Parole Region Appeals Coordinator (this must be done within 15 days). The coordinator then has 30 working days to respond in writing (Section E). If the prisoner is still not satisfied with the decision, a Second-Level Review may be requested (Section F and again within 15 days) by re-submitting the appeal to the coordinator who has 20 working days to respond (Section G). If the prisoner is still dissatisfied with the decision, further information may be added and a Third Level Review (Section H) requested. The appeal is sent to the Third Level Review office in Sacramento where it will be evaluated by licensed medical staff. Once a prisoner has taken a 602 through all levels of

review, administrative remedies have been exhausted.

Appeals of all non-health care issues should be submitted on the CDCR Form 602 (green form) as in the past. These appeals are also sent to Sacramento for a final review but are sent to the Secretary of the CDCR (Director's Level).

If a prisoner is disabled and needs to file an appeal based on her disability, she should use CDCR Form 1824 Request for Accommodation or Modification ("yellow" form).

For more detailed information on 602 Appeals see the 602 Informational Flyer following the section on Citizen's Complaints.

If a prisoner is complaining about **misconduct** by someone who is a "departmental peace officer," in addition to filing a 602 appeal, the prisoner must read and sign a Rights and Responsibility Statement (CDCR Form 1858) and attach it to the 602. If the prisoner fails to attach Form 1858 to her appeal, the appeal will be rejected as incomplete. Departmental peace officers include correctional officers, MTAs, and parole agents. A sample Rights and Responsibilities Statement can be found in the Citizen's Complaint section below.

Appeals of parole (Board of Parole Hearings-BPH) decisions are no longer filed on a BPT 1040 Form. If you want to appeal a BPH decision or action involving due process, grant of parole, denial of parole, parole revocation, witnesses, early discharge, attorney appointed for hearings or "good cause" findings for hearings, or other discretionary decisions, the appeal is sent directly to the court.

To appeal "non-discretionary" decisions or actions

including clerical errors, credit eligibility during revocation, mandatory discharge and other rules of law, write the appeal in the form of a letter addressed to the Board of Parole Hearings. Attach any documentation that may be relevant and send it to the BPH, Quality Control Unit, 1515 K Street, Sixth Floor, Sacramento, CA 95814. Problems with credit calculations or other CDCR actions should be appealed using the standard CDCR Form 602 (green form).

Disabled persons who asked for help before, during, or after their parole hearing and who did NOT receive the help they needed, should send a grievance to the BPH's ADA (Americans with Disabilities Act) Compliance Unit. Ask staff or your attorney for Form 1074. Remember that a complaint cannot be filed in court without using the grievance process first.

As a family member you have the right to file an appeal if you are concerned or dissatisfied with departmental policy and regulations or facility policies and regulations. Instead of using a 602 form, you would simply write a letter stating the problem and what you want done about it. If you were appealing a procedure or practice of the **facility or institution**, you would write to the warden or regional parole administrator of the facility/institution where the problem arose. The warden or regional parole administrator has 15 working days to respond to you in writing. If you are dissatisfied with the response, you may then send the appeal to the director who has 20 working days from the date the appeal is received to give you a written response.

If you are complaining about a policy or regulation of the **department**, you write to the Director of Corrections in Sacramento instead of the warden or regional parole administrator. The director has 20 working days from the date your letter (appeal) is received to give you a written response.

Your right to file an appeal can be found in Title 15 in section 3137 (Appeals Relating to Mail) and section 3178 (Appeals Relating to Visiting). It is unclear whether you have the right to file an appeal about policies and procedures not related to mail or visiting. **However, even if you do not have the right to formally appeal issues unrelated to mail and visiting, you always have the right to advocate for your**

**loved one inside by calling and writing the warden, the chief medical officer/health care manager, the regional parole administrator, and the director.**

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*Filing a 602 is vitally important because it establishes a paper trail of attempts to remedy an adverse situation. All levels of appeal in the 602 process must be exhausted before seeking help from the courts.*

## Citizen's Complaints

A Citizen's Complaint may be filed by prisoners, parolees, family members and other non-prisoners to allege **misconduct by a departmental peace officer**. If filed by non-prisoners they must be filed within 12 months of the misconduct you are complaining about on CDCR Form 2142. Prisoners and parolees must submit their complaint on CDCR Form 602 and read and sign a Rights and Responsibilities Statement (CDCR Form 1858). The signed Rights and Responsibilities Statement must be submitted at the same time as the 602 within the 15-day appeals time limit. (An example of the Statement is below).

Examples of misconduct by a departmental peace officer include, but are not limited to the following:

- Calling a prisoner derogatory names
- Using indecent, abusive, or profane language while on duty
- Irresponsible or unethical conduct either while on duty or off duty
- Other discourteous or unprofessional conduct

### **Rights and Responsibilities Statement**

(Penal Code Sec. 148.6; Cal. Code Regs. Title 15, Sec. 3391(d))

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER (this includes a departmental peace officer) FOR ANY IMPROPER POLICE (or peace) OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' (or inmates'/parolees') COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN (or inmate/parolee) COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.**

**IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE. (An inmate/parolee who makes a complaint against a departmental peace officer, knowing it is false may be issued a serious disciplinary rule violation in addition to being prosecuted on a misdemeanor charge).**

I have read and understood the above statement.

---

Complainant





# The 602 Appeals Process

*This flyer provides general guidelines only. Refer to California Code of Regulations, Title 15, section 3084 (Appeals) and the sections that follow for more information.*

**\*If you are in the Joint Venture Program and your grievance is about wages or retaliation, different rules apply. Please write us at LSPC and ask for the "Joint Venture Informational Letter."**

Note: Effective June 2008, to appeal issues related to medical, dental and mental health, you should use the "pink" CDCR Form 602-HC (see below for more information). The "green" CDCR Form 602 should be used for all other appeals. If you are filing an appeal under the American Disabilities Act (ADA), use the "Request for Accommodation or Modification," CDCR Form 1824 ("yellow" form).

## Introduction

**T**he 602 appeals process was enacted as part of California state law for the purpose of giving prisoners a chance to have their grievances resolved by the prison directly. Although the experience of many prisoners is that the 602 process does not work the way it should, there may be good reasons to continue using it:

- There is a chance that the prison might help solve the problem;
- You must *exhaust* the appeals process in order to sue the prison in federal court. Exhaustion means that you used the appeals process and took your appeal all the way to Sacramento (Director's level); and

- The more 602s that are filed and taken all the way to Sacramento, the more evidence there is that prisoners are not being treated fairly.

## Appeals Form

**Section A: Describe the problem.** Be as clear as possible and explain what happened to you and how it affected you. Example: "During my pregnancy I asked for medical care for abnormal vaginal bleeding. My requests were ignored and my baby died. I'm experiencing nightmares & depression since my baby died."

\* You must file the 602 within 15 days after the problem occurred. The deadline for your response at every level of the 602 process is 15 days.

\* Only talk about one problem on a 602. Use more than one 602 for more than one problem.

**Section B: Action Requested.** Tell them what you want to happen and stick to it throughout the appeals process. Using the example above, a requested action could be, "I need to participate in grief counseling," or, "I need appropriate medical attention to deal with my nightmares."

\* Make sure your requested action is related to the problem.

## Filing Your 602

### KEEP COPIES!!!!!!

You need to show that you've done everything you can to follow the process---without a copy it will be difficult to prove it. If you do not have access to a

copy machine, make a handwritten copy and keep the response you get with it. At the top of the copy, write: "I do not have access to a copy machine. This is a handwritten copy of my 602 appeal. I attest under penalty of perjury that all statements made by me on this form are true and an exact duplicate of the statements made by me and by the Dept. of Corrections and Rehabilitation on the original 602 form." Sign and date the statement.

**Section C: Informal Level.** Submit your appeal to the staff person responsible for the event you are complaining about. They should respond in writing within 10 working days. If your 602 is lost, destroyed, or ignored, then on a new form skip section C and go to section D, Formal Review, and write that you are dissatisfied because the staff person refused to accept, destroyed, or didn't return (or whatever happened) your 602 and you are appealing to the formal level.

\* If the Department is late in responding *and has not notified you in writing why they are late and an estimate of when they will respond*, note that on your appeal and send it to the next level. For example: "You have failed to respond in a timely manner to level \_\_\_\_\_, therefore level \_\_\_\_\_ is deemed denied by operation of law." Advance to the next level.

\* There are some instances where you can skip the informal level. See Title 15, §3084.5(a)(3).

*Protect yourself*—if you are alleging officer misconduct, you must attach a Rights & Responsibilities statement to your 602 [see §3391(d) of Title 15].

**Sections D & E: First and Second levels of Formal Review.** On the first formal level they have *30 working days* to respond. On the second formal level they have *20 working days* [30 days if informal level waived under §3084.5(a)(3)].

**Third and Final Level of Formal Review (Director's Level)** According to Title 15, you should hear from Sacramento within 60 working days of sending your appeal. *Sacramento is not required to give you notice of any delay.* You *may* be able to consider your appeal exhausted if you have not received any response from the director after 180 days.

## Health Care Appeals (CDCR Form 602-HC)

Appeals about medical, dental or mental health issues should be submitted to the Health Care Appeals Coordinator at the prison. Issues that can be appealed on the new "pink" form include, but are not limited to: access to care, chronos, co-payment, medical supplies, complaints about health care staff, medication, medical records, medical transfers, special diets, health care appliances, and health care policy.

If you are not satisfied with the institution's response, you may request a Director's Level Review. The appeal will be reviewed by licensed medical staff. Send your appeal to: The Office of Third Level Appeals-Healthcare, PO Box 4038, Sacramento, CA 95812-4038.

## Group Appeals

Group appeals may be filed when a decision, action or policy will affect *all* members of a group. Use one appeal form with the name and CDCR # of the person who prepared the appeal. Attach a list that contains each prisoner's name, number, signature and housing designation. The person who prepared the appeal is responsible for notifying the group of the department's response. If that person is transferred or released, the response is then directed to the next person on the list.

## Exception To Regular Appeal Process

If the normal 602 process time delays may result in a threat to your safety or cause other serious and irreparable harm, you might be able to file emergency appeals. To file an emergency appeal, you submit the appeal directly to the appeals coordinator and include and include proof that shows they should do an emergency processing of your appeal. If the appeals coordinator decides that the appeal is not an emergency, the appeal will be processed as a regular appeal. *If the appeals coordinator decides it is an emergency, the first level is waived and second level review is supposed to be completed within 5 working days.* If you are not satisfied with the sec-

ond level response, you can resubmit the appeal to the appeals coordinator who has to fax the appeal to the Chief of Inmate Appeals. Then, the Chief has 5 working days to complete the third level review.

## Other Tips

- Only you can decide whether you should file a 602.
- There is no way for us to protect you entirely from retaliation. However, if you fear retaliation but wish to proceed with the 602 process you may want to contact family or other advocates to write letters and call the institution on your behalf.
- If you feel you cannot use the 602 process, there is some case law that suggests you can write a letter to prison and CDCR officials asking for help and exhaust your remedies in that manner. We advise that you use this method only in extreme cases since the law is not clear on this point. It may be a good idea to write these letters even if you file a 602. In any event, protect yourself and make and keep copies.
- If it becomes impossible to use the 602 process because the Department does not cooperate, consider keeping a log/diary of the ways the Department obstructed the process. For example: "On 12/12/99, MTA Name refused my request for medical records to document this 602". This log/diary may be considered evidence of exhaustion. Additionally, narratives are useful to advocates in helping to create change.
- *Remember:* Though change may be slow in coming, with perseverance, it will come.
- It is also a good idea to send copies of your 602 to the following agencies so that others know of your efforts to resolve the situation:

CDCR Ombudsman  
PO Box 942883  
Sacramento, CA 94283-0001

Office of Internal Affairs  
Northern Region: 10834 International Dr., Ste. 210, Rancho Cordova, CA 95670

Central Region: 5016 California Ave., Ste. 210,

Bakersfield, CA 93309

Southern Region: 9035 Haven Ave., Ste. 105,  
Rancho Cucamonga, CA 91730

Office of the Inspector General  
PO Box 348780  
Sacramento, CA 95834-8780

*\* Family members, friends, and advocates can also use the 602 appeals process. Section 3137 (Appeals Related to Mail) covers appeals by persons other than prisoners.*

Section 3137(c) provides people other than inmates should address any appeal about *department policy and regulations* to the Director of Corrections and Rehabilitation.

Appeals relating to *facility procedures and practices* should be addressed in writing to the warden, superintendent or regional administrator of the facility where the appeal arises. The warden, superintendent or regional parole administrator is supposed to respond in writing within 15 working days. If the person making the appeal isn't satisfied with the warden's response, they can forward it to the Director/Secretary of the CDCR who is supposed to respond in writing within 20 working days.

Director/Secretary  
California Department of Corrections and Rehabilitation  
1515 S Street, Suite 502  
P.O. Box 942883  
Sacramento, CA 94283-0001

*This flyer was prepared by Cassie Pierson, staff attorney, and Jeff Edwards, legal intern, at Legal Services for Prisoners with Children. If you have any questions, please contact:*

*Cassie M. Pierson, Staff Attorney  
Legal Services for Prisoners with Children  
1540 Market Street, Suite 490  
San Francisco, CA 94102*

*This information is current as of August 2008.*



**INMATE/PAROLEE  
APPEAL FORM**

CDC 602 (12/87)

Location: Institution/Parole Region

Log No.

Category

1. \_\_\_\_\_

1. \_\_\_\_\_

2. \_\_\_\_\_

2. \_\_\_\_\_

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 staff 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 taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
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A. Describe Problem: \_\_\_\_\_

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If you need more space, attach one additional sheet.

B. Action Requested: \_\_\_\_\_

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Inmate/Parolee Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

C. INFORMAL LEVEL (Date Received: \_\_\_\_\_ )

Staff Response: \_\_\_\_\_

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Staff Signature: \_\_\_\_\_

Date Returned to Inmate: \_\_\_\_\_

D. 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.

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Signature: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

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

CDC Appeal Number:

First Level ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

E. REVIEWER'S ACTION (Complete within 15 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

Interviewed by: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Division Head Approved: \_\_\_\_\_ Returned \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date to Inmate: \_\_\_\_\_

F. If dissatisfied, explain reasons for requesting a Second-Level Review, and submit to Institution or Parole Region Appeals Coordinator within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

Second Level ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

G. REVIEWER'S ACTION (Complete within 10 working days): Date assigned: \_\_\_\_\_ Due Date: \_\_\_\_\_

☐ See Attached Letter

Signature: \_\_\_\_\_ Date Completed: \_\_\_\_\_

Warden/Superintendent Signature: \_\_\_\_\_ Date Returned to Inmate: \_\_\_\_\_

H. If dissatisfied, add data or reasons for requesting a Director's Level Review, and submit by mail to the third level within 15 days of receipt of response.

Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

For the Director's Review, submit all documents to: Director of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
Attn: Chief, Inmate Appeals

DIRECTOR'S ACTION: ☐ Granted ☐ P. Granted ☐ Denied ☐ Other \_\_\_\_\_

☐ See Attached Letter

Date: \_\_\_\_\_

**REASONABLE MODIFICATION OR  
ACCOMMODATION REQUEST**  
 CDC 1824 (1/95)

INSTITUTION/PAROLE REGION:	LOG NUMBER:	CATEGORY: <b>18. ADA</b>
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**NOTE: THIS FORM IS TO BE USED ONLY BY INMATES/PAROLEES WITH DISABILITIES**

*In processing this request, it will be verified that the inmate/parolee has a disability which is covered under the Americans With Disabilities Act.*

INMATE/PAROLEE'S NAME (PRINT)	CDC NUMBER	ASSIGNMENT	HOURS/WATCH	HOUSING
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In accordance with the provisions of the Americans With Disabilities Act (ADA), no qualified individuals with a disability shall, on the basis of disability, be excluded from participation in, or be denied the benefits of the services, activities, or programs of a public entity, or be subjected to discrimination.

You may use this form to request specific reasonable modification or accommodation which, if granted, would enable you to participate in a service, activity or program offered by the Department/institution/facility, for which you are otherwise qualified/eligible to participate.

Submit this completed form to the Institution or facility's Appeals Coordinator's Office. A decision will be rendered within 15 working days of receipt at the Appeals Coordinator's Office and the completed form will be returned to you.

If you do not agree with the decision on this form, you may pursue further review. The decision rendered on this form constitutes a decision at the FIRST LEVEL of review.

To proceed to SECOND LEVEL, attach this form to an Inmate/Parolee Appeal Form (CDC 602) and complete section "F" of the appeal form.

Submit the appeal with attachment to the Appeals Coordinator's Office within 15 days of your receipt of the decision rendered on this request form.

If you are not satisfied with the SECOND LEVEL review decision, you may request THIRD LEVEL review as instructed on the CDC 602.

**MODIFICATION OR ACCOMMODATION REQUESTED**

DESCRIPTION OF DISABILITY:

WHAT VERIFICATION DO YOU HAVE OF YOUR DISABILITY?

DESCRIBE THE PROBLEM:

WHAT SPECIFIC MODIFICATION OR ACCOMMODATION IS REQUESTED?

INMATE/PAROLEE'S SIGNATURE

DATE SIGNED

REASONABLE MODIFICATION OR ACCOMMODATION REQUEST  
CDC 1824 (1/95)

REVIEWER'S ACTION

TYPE OF ADA ISSUE

DATE ASSIGNED TO REVIEWER:

DATE DUE:

☐ PROGRAM, SERVICE, OR ACTIVITY ACCESS (Not requiring structural modification)

☐ Auxiliary Aid or Device Requested

☐ Other \_\_\_\_\_

☐ PHYSICAL ACCESS (requiring structural modification)

DISCUSSION OF FINDINGS:

DATE INMATE/PAROLEE WAS INTERVIEWED

PERSON WHO CONDUCTED INTERVIEW

DISPOSITION

☐ GRANTED ☐ DENIED ☐ PARTIALLY GRANTED

BASIS OF DECISION:

**NOTE:** If disposition is based upon information provided by other staff or other resources, specify the resource and the information provided. If the request is granted, specify the process by which the modification or accommodation will be provided, with time frames if appropriate.

DISPOSITION RENDERED BY: (NAME)

TITLE

INSTITUTION/FACILITY

APPROVAL

ASSOCIATE WARDEN'S SIGNATURE

DATE SIGNED

DATE RETURNED TO INMATE/PAROLEE

**CITIZEN'S COMPLAINT AGAINST EMPLOYEE OF THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS**

I wish to register a complaint against the following named employee(s) of the California Department of Corrections:

Employee(s) Name	Description (Job title, ID number, vehicle and license number, home address, etc.)	Employee's Work Location (if known)

Date(s) of Incident

Time of Incident

Location of Incident

**Details of Complaint** (Include nature of complaint, names and addresses of witnesses and other involved parties, names of any law enforcement or social services agencies, doctors or attorneys contacted, a chronology of the events, etc. It is important to include as many factual details as possible so that your complaint may be thoroughly investigated. Attach additional sheets if necessary.)

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**In order that the Department may contact you relative to your complaint, please provide the following:**

**Name:** (please print)

**Home Phone:** (    )

**Address:**

**Work Phone:** (    )

If your complaint is against a Department peace officer, you must read and sign the following statement:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A PEACE OFFICER FOR ANY IMPROPER PEACE OFFICER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT, EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZENS' COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST A DEPARTMENTAL PEACE OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understand the above statement:

Signature

Date

Your complaint may be submitted to any supervisor or manager of the Department, or may be addressed to the Department's Office of Internal Affairs at any of the Regional Offices indicated on the reverse of this form. Intentional filing of a false complaint against any departmental employee may result in adverse action against the complainant and/or prosecution under California law.  
*For Departmental Use Only:*

Official Receiving Complaint

Office/Institution

Date Received



**CALIFORNIA DEPARTMENT OF CORRECTIONS  
Procedure for Processing Citizen's Complaints**

***The Department of Corrections is committed to ensuring all departmental employees are courteous, ethical and professional in carrying out the Department's mission. The Department shall investigate citizens' complaints against employees to preserve the integrity and morale of the Department, foster public trust and confidence, and ensure accountability to the public. The investigations shall be thorough and impartial, with the intent of correcting or disciplining employees who engage in misconduct, identifying inadequate policies and training, and protecting employees who perform their duties properly from unwarranted criticism. The following outlines the process used by the Department for investigating complaints by citizens and departmental employees.***

1. Section 3391 (b) of Title 15 of the California Code of Regulations specifies that an allegation by a non-inmate of misconduct by a departmental peace officer is a citizen's complaint pursuant to Penal Code Section 832.5. A citizen's complaint against any departmental employee may be initiated by completing and submitting this form to: (a) Any departmental hiring authority, including warden/administrator of a correctional institution, parole office or other departmental office; (b) any departmental supervisor or manager; or, (c) any Regional Office or Headquarters Office of the Department's Office of Internal Affairs. If your complaint regards sexual harassment or discrimination based on race, gender, national origin, religion, sexual orientation, or disability, it may be referred to the Department's Equal Employment Opportunity Office for investigation and appropriate disposition.
2. Provide as much detail as possible on this form to ensure a thorough and timely investigation. Attach additional sheets if necessary to describe your complaint. In addition, attach any documentation you believe supports your complaint. The date, time and location of the incident, where the subject employee(s) works, and names, addresses and telephone numbers of other involved parties and witnesses are critical to a thorough investigation of your complaint.
3. Your complaint will be investigated by a departmental hiring authority or the Office of Internal Affairs depending on the nature and seriousness of the allegation(s).
4. As the complainant, you will be contacted during the investigation regarding the information provided on this form and supporting documents, as well as any other knowledge you may have relative to the allegation(s). You may be interviewed regarding your complaint and, if criminal conduct is alleged, you may also be contacted by other federal, state, and/or local law enforcement agencies.
5. The investigator will verify the information you provide by collecting evidence and interviewing witnesses, other involved parties and the subject employee. A final investigative report will be prepared at the conclusion of the investigation and you will be notified of the results of the investigation.
6. The departmental hiring authority will be provided with the investigative report. If any allegations of misconduct are sustained, a determination will be made regarding appropriate corrective and/or disciplinary action against the employee. The Director of Corrections has final authority on disciplinary matters.
7. In some cases, the results of the investigation may warrant changes to a departmental policy/procedure to alleviate any future concerns.
8. If formal adverse action is taken against the employee, the employee has a right to appeal this action to the State Personnel Board. The Board may uphold the Department's action, or overturn the action based on its own independent evaluation of the allegation(s) and finding(s).
9. Complaints and investigative reports will be retained by the Department for a period of five years.
10. It is against the law to make a complaint that you know to be false. If you make a complaint against a departmental peace officer knowing that it is false, you can be prosecuted on a misdemeanor charge in a criminal court.

**NOTE:** A complaint by an inmate or parolee under the Department's jurisdiction shall be made on the Inmate/Parolee Appeal Form (CDC Form 602) under the appeal process outlined in the California Code of Regulations, Title 15, Sections 3084 through 3084.7.

**Office of Internal Affairs:**

Northern Region  
P.O. Box 3009  
Sacramento, CA 95812  
  
(916) 445-5323

Central Region  
5016 California Avenue  
Suite 210  
Bakersfield, CA 93309  
(805) 355-7337

Southern Region  
9035 Haven Avenue  
Suite 105  
Rancho Cucamonga, CA 91730  
(909) 483-1594





# JOINT VENTURE PROGRAM (JVP) APPEALS INFORMATION

**I**t's important that you only use this information for wage or retaliation claims that have to do with your involvement in the JVP. If your problem has to do with something else that happened in the JVP (like an injury) or wage problems or retaliation in some other kind of prison work program (like with the Prison Industrial Authority), don't follow these steps. Using the JVP appeals process for wage and retaliation in the wrong context could result in forfeiting your claim altogether.

The reason there is a special process of JVP wage and retaliation claims is because there was a lawsuit, *Ervin v Ratelle*, GIC 740832 (San Diego Super. Ct. March 12, 2002). As part of the settlement to that lawsuit, the rules about the CDCR appeals process (Title 15 Section 3084) changed. Now instead of going through the CDCR, appeals about wage and retaliation claims in the JVP goes through the JVP Chief and the Labor Commissioner.

The first step of any wage or retaliation claim is to submit a **written grievance** to the Joint Venture Program Chief. The address for the Joint Venture Program Chief is:

Joint Venture Program Chief  
560 E. Natoma Street  
Folsom, CA 95630-2200

The JVP Chief is supposed to try to resolve your claim. It might be helpful to send them a copy of 15 CCR 3084.7(m) along with your complaint so that they know that they are supposed to respond to it. If you are not satisfied with what the JVP Chief's resolution, you can file with the Labor Commissioner. The Labor Commissioner treats wage and retaliation claims differently.

## Wage Claims

A wage claim can be about not getting paid for hours you worked, not getting paid for some types of training, unauthorized deductions from your paycheck, and getting paid less than "the prevailing wage" in the industry. To file a wage claim, fill out the Department of Labor Standards Enforcement (DLSE) Form 1 and mail it to a DLSE office *near you*. Don't file Form 1 with the San Francisco Headquarters; if you do, they will send it back to you.

After you file DLSE Form 1, the DLSE will schedule a hearing and notify you about it by mail. As soon as you hear about the hearing, you should contact the DLSE office to try to be part of the hearing by phone. After the hearing, the Labor Commissioner makes a finding on your claim. If you don't like the outcome of the hearing, you can file a wage claim in the Superior Court of the county where you were working. The employer can also file in court if they don't like the outcome of the hearing. If neither you nor the employer file with the court, the findings of the hearing will become binding and the DLSE will file papers with the court to enforce it.

## Retaliation Claims

You may want to file a retaliation claim if your JVP employer does something to you because you filed a wage claim or did some other kind of protected activity. The time limit to file this type of claim may be limited to six months after the occurrence of the alleged discrimination/retaliation, so it is wise to not wait too long to file. To file a retaliation claim, fill



out a copy of DLSE Form 205 and mail it to:

Division of Labor Standards Enforcement  
Discrimination Complaint Investigation Unit  
2031 Howe Ave., Ste. 10  
Sacramento, CA 95825

Once the DLSE gets your form, they conduct an investigation. It can take a long time for them to complete their investigation. The DLSE should send you information like a claim number so that you can write them for updates about your investigation. Whenever your mailing address changes, you should write the DLSE and tell them your new address.

After the investigation is over, the Labor Commissioner makes a decision. If the Labor Commission finds that there was retaliation against

you, the employer has a short period of time to prove that they are following the labor Commissioner's ruling. If the employer doesn't prove to the Labor Commissioner that they are following the ruling, the Labor Commissioner will file a lawsuit against the employer. If the Labor Commissioner finds that there wasn't retaliation, you can still file a lawsuit against the employer yourself.

DLSE Form 1 (wage claims) and/or DLSE Form 205 (retaliation/discrimination claims) may be obtained by writing to the DLSE office closest to the city/location/community where you performed the work. A list of district offices is on the following page. If a family member or friend has access to the internet, the forms can be found at [www.dir.ca.gov/DLSE](http://www.dir.ca.gov/DLSE) and clicking on "forms."





# Department of Industrial Relations, Division of Labor Standards Enforcement—District Offices

**Bakersfield**

5555 California Ave., Suite. 200  
Bakersfield, CA 93309  
661-395-2710

**El Centro**

1550 W. Main Street  
El Centro, CA 92243  
760-353-0607

**Eureka**

619 Second Street, Room 109  
Eureka, CA 95501  
707-445-6613

**Fresno**

770 E. Shaw Avenue, Room 315  
Fresno, CA 93710  
559-244-5340

**Long Beach**

300 OceanGate, Suite 302  
Long Beach, CA 90802  
562-590-5048

**Los Angeles**

320 W. Fourth Street, Suite 450  
Los Angeles, CA 90013  
213-620-6330

**Oakland**

1515 Clay Street, Suite 801  
Oakland, CA 94612  
510-622-3273

**Redding**

2115 Civic Center Drive, Room 17  
Redding, CA 96001  
530-225-2655

**Sacramento**

2031 Howe Avenue, Suite 100  
Sacramento, CA 95825  
916-263-1811 209-948-7771

**Salinas**

1870 N. Main Street, Suite 150  
Salinas, CA 93906  
831-443-3041

**San Bernardino**

464 W. Fourth Street, Room 348  
San Bernardino, CA 92401  
909-383-4334

**San Diego**

7575 Metropolitan Drive, Room 210  
San Diego, CA 92108  
619-220-5451

**San Francisco**

455 Golden Gate Avenue, 10th Floor  
San Francisco, CA 94102  
415-703-5300

**San Jose**

100 Paseo de San Antonio, Room 120  
San Jose, CA 95113  
408-277-1266

**Santa Ana**

605 West Santa Ana Blvd., Bldg. 28  
Santa Ana, CA 92701  
714-558-4910

**Santa Barbara**

411 E. Cañon Perdido, Room 3  
Santa Barbara, CA 93101  
805-568-1222

**Santa Rosa**

50 "D" Street, Suite 360  
Santa Rosa, CA 95404  
707-576-2362

**Stockton**

31 E. Channel Street, Room 317  
Stockton, CA 95202

**Van Nuys**

6150 Van Nuys Blvd., Room 206  
Van Nuys, CA 91401  
818-901-5315





## Where to File Complaints with the Department of Corrections and Rehabilitation

Check out the CDCR's website:

<http://www.corr.ca.gov>. You can find the contact information for each prison in California, including the name of the warden.

### **Secretary (formerly known as director)**

California Department of Corrections and Rehabilitation

P.O. Box 942883

Sacramento, CA 94283-0001

(916) 323-6001

**Chief Deputy Secretary** (in charge of dental and mental health care only. Please direct your letters to the regional offices listed below and cc it to the chief deputy secretary)

Health Care Services Division

California Department of Corrections and Rehabilitation

P.O. Box 942883

Sacramento, CA 94283-0001

(916) 323-0229

**Regional Administrators for Health Care Services**  
(Northern, Central, and Southern Regions)

### *Northern Region*

Health Care Services Division

California Department of Corrections and

Rehabilitation

P.O. Box 942883

Sacramento, CA 94283-0001

(916) 327-2136

### *Central Region*

Health Care Services Division

California Department of Corrections and Rehabilitation

2019 Westwind Dr. Suite C

Bakersfield, CA 93301

(661) 863-6700 ext.225

### *Southern Region*

Health Care Services Division

California Department of Corrections and Rehabilitation

10608 N. Trademark Parkway

Rancho Cucamonga, CA 91730

(909) 987-7861

### **Ombudsman**

1515 "S" Street

Sacramento, CA 95811.

\*Ombudsmen for all California facilities can be reached at this address. Simply address the letter to "Ombudsman for (list your facility here.)" Your letter will be sorted into the correct office.

# Where to File Complaints With Other Agencies

**California Prison Health Care Services**  
(Federal Receivership)  
P.O. Box 4038  
Sacramento, CA 95812-4038  
*p:* (916) 323-1923  
*f:* (916) 323-1257

**Office of Inspector General**  
P.O. Box 348780  
Sacramento, CA 95834-8780  
*p:* (916) 445-1748  
*toll-free:* (800) 700-5952  
*f:* (916) 928-4667

**California Board of Corrections and Rehabilitation**  
(establishes standards for health and safety in jails)  
600 Bercut Dr.  
Sacramento, CA 95811  
(916) 445-5073



# Filing Complaints with State Medical Licensing Agencies

If you have concerns about specific prison health staff you may consider filing complaints with the appropriate state licensing board. These agencies are designed to monitor medical professionals in order to protect the public (which includes prisoners) and ensure that medical professionals are providing care consistent with their licensure. There is no guarantee that by filing a complaint you will get the specific care you desire or that the medical staff person will be reprimanded. However, you are creating a paper trail and lodging official complaints with other state agencies (besides the California Department of Corrections and Rehabilitation) about the difficulties prisoners experience getting adequate medical care. You can write to these agencies directly for complaint information:

## *Complaints about Physicians*

### **Medical Board of California**

Central Complaint Unit

2005 Evergreen Street Suite 1200

Sacramento, CA 95815

*p:* (916) 263-2424

*toll-free:* (800) 633-2322

*Consumer Information Unit:* (916) 263-2382

*f:* (916) 263-2345

## *Complaints about Dentists*

### **Dental Board of California**

2005 Evergreen Street, Suite 1550

Sacramento, CA 95815

*p:* (916) 263-2300

*f:* (916) 263-2140

## *Complaints about Registered Nurses*

### **Board of Registered Nursing**

2005 Evergreen Street, Suite 1550

Sacramento, CA 95815

*Mailing:*

P.O. Box 944210

Sacramento, CA 94244-2100

*p:* (916)-322-3350

*f:* (916) 327-4402

*toll-free License Verification Number:* (800) 838-6828

*Complaints about Certified Nursing Assistants*

**Department of Health Services**

Licensing and Certification

Aide and Technician Certification Section

Attn: Enforcement Unit

1800 Third Street, Suite 200

P.O. Box 942732

Sacramento, CA 94234-7320

*p:* (916) 322-1084

*f:* (916) 324-1054

*Complaints about Licensed Vocational Nurses and Psychiatric Technicians*

*Many Medical Technical Assistants (MTAs) are also Licensed Vocational Nurses*

**Board Of Vocation Nursing and Psychiatric Technicians**

2535 Capitol Oaks Drive, Suite 205

Sacramento, CA 95833

*p:* (916) 263-7800

*f:* (916) 263-7859

*Complaints about the Skilled Nursing Facility at the Central California Women's Facility*

**Health Facilities Evaluator**

Licensing and Certification

Department of Health Services

7170 North Financial Drive, #110

Fresno, California 93720

*p:* (559) 437-1500

*f:* (559) 437-1555





# Declarations

**A** Declaration is a formal, written statement made under penalty of perjury. In a declaration, you only write (declare) facts that you know to be true. For example, your name, your relationship to the prisoner, the names & dates of phone calls you made on behalf of your loved one, what was said in those phone calls, events you witnessed, etc. It is important to remember that you should not make statements based on what someone else told you. **You should not put anything in a declaration that you would not be willing to testify to in court.** The declaration should be typed and double-spaced but if you do not have access to a typewriter or computer you may print the declaration by hand. Be sure to print clearly and use blue or black ink (do not use pencil). The declaration includes a statement at the end that it was made under penalty of perjury, it is dated, you print or type your name, and then sign your name as the declarant. A declaration is *not* notarized. A sample declaration is on the following page.

## *Remember:*

- Only declare facts you know to be true.
- Do not include information that someone else told you.
- Type the declaration or print by hand in blue or black ink.
- The declaration can be any length; number each statement on the declaration.
- Include statement at the end that the declaration was made under penalty of perjury.
- Sign and date the declaration.
- Do not notarize the declaration.



# Sample Declaration

I, \_\_\_\_\_, declare:

1. I am the *[father, mother, friend]* of *[name of prisoner]* who is currently incarcerated at *[name of prison]*, in *[name of city]*.
  2. I visited with *[name of prisoner]* on *[date]*; during the visit, I noticed that she had trouble *[walking, sitting, breathing, etc.]* and she appeared to be in a lot of pain.
  3. I called *[name of warden, chief medical officer, prison counselor]* on *[date]* to ask about my *[daughter, sister, mother, friend]* and to say how concerned I was.
  4. The *[warden, chief medical officer, prisoner counselor]* took my call OR was not available to speak with me and I left a message with *[name of person & title]*.
  5. I documented my telephone call by sending a letter dated \_\_\_\_\_ to *[name of warden, etc.]*. (See copy attached)
  - 6.
  - 7.
  - 8.
- Etc.

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

DATED: \_\_\_\_\_

\_\_\_\_\_  
TYPE OR PRINT NAME

\_\_\_\_\_  
SIGNATURE OF DECLARANT



# Government Claims Board

**I**f you feel that you have been financially damaged or injured by the action or inaction of an agency or employee of the state government, you can file a claim for money or damages with the California Victims Compensation and Government Claims Board (Board). These claims are known as Tort claims and are filed pursuant to Government Code Section 910. Claims may be filed for the death or injury of a person or loss/damage to personal property and must be filed within six months of the date of injury.

The first step is to get a copy of the Claim form and follow the instructions on how to fill out the form. The instructions are clear and you should have little or no trouble providing the information needed to process your claim. It is important to remember that you need to name each individual person that is the subject of your claim (for example, the CMO, nurse, doctor, correctional officer, warden, outside hospital, etc.). If you don't know the name of the person, you can say "Does 1 through \_\_\_\_" so that they can be named at a later date. If a particular section does not have enough room for your information you may attach additional pages. After you have completed all applicable sections of the claim form, you then make four copies of everything. You send the original and two copies to the address on the form and keep the extra copy for your records. If you wish to have an "endorsed" copy (one that is stamped as received) returned to you, then you must also enclose a written request for an endorsed copy and a self-addressed stamped envelope along with the extra copy of the claim (so a total of three copies are sent with the original).

## The Board's Government Claims (GC)

Program will review your claim to make sure that it is complete and meets certain legal requirements. If everything is in order, the GC Program will then ask the agency affected by your claim to review it and submit their written recommendation to the Board. Then the GC Program prepares its own recommendation and presents it to the Board where the matter is discussed during a public meeting. The Board may decide to accept the claim and order the affected agency to pay the claim or it may reject the claim without discussion. If the Board rejects your claim you will receive a notice, usually within two weeks of the Board's meeting, which then allows you to pursue a lawsuit against the agency or employee that caused the injury or damages. Your lawsuit must be filed within six months from the time you received the Board's notice. If you do not receive a notice from the Board, then you have two years in which to file a lawsuit.

It is important to remember that if your claim is for damage or loss of personal property valued at more than \$100 and the damage/loss occurred while you were incarcerated and you are still in prison when you file the claim with the Board, you must also file a 602 appeal within the 15-day time limit for appeals. Please note that the Board no longer requires that your administrative remedies be exhausted before filing your claim with the Board. You may attach a copy of your 602 to the claim as proof that you have begun the 602 process, but it is not required.

Finally, if six months or more have passed since the injury or harm and you did not file a claim with the Board, you must get leave or permission to file a late claim. Write a letter requesting permission to file a late claim and attach it to a claim form and mail it to the GC Program. If the Board does not take action within 45 days, your claim is deemed rejected and you can then file a lawsuit.

The Government Claims Board requires a filing fee of \$25.00 unless you are eligible for a fee waiver. If you are currently incarcerated when you file your claim and cannot pay the filing fee, fill out the waiver and send it with your claim form to the Board. You must include a certified copy of your "Inmate Trust Account" with the fee waiver request.

The claim form, fee waiver form, and instructions for filling out the forms follow the information on Federal Civil Rights Claims.

## State Court Complaints

Lawsuits for money damages can be filed in California state courts after the Government

Claims Board process has been completed (after your claim has been rejected by the Board). There are strict time limits for these lawsuits and you might

only have as little as six months from the date of your rejected claim to file a complaint (lawsuit) in state court.

## Federal Civil Rights Claims

It is also possible to bring a lawsuit in federal court rather than state court. However, you may only sue in federal court if a prison official violated a federal law. Also, in federal court you may not name the State of California or the Department of Corrections and Rehabilitation as defendants because they are not "persons" under the Civil Rights Act. Instead, you would sue the individual officer who injured you, the officer who ordered the assault and the person who is supposed to supervise the officers' actions, if you can show a failure to properly supervise or a failure to train the officers who caused the injury or harm.

A claim under the federal civil rights act must be brought within three years if the harm occurred before January 1, 2003. If the injury or harm occurred on or after January 1, 2003, the case must be brought within four years.

Again, it must be stressed that a prisoner must exhaust administrative remedies before bringing a lawsuit in federal court. If you cannot show the court that administrative remedies have been exhausted, the court will dismiss your lawsuit for "failure to exhaust administrative remedies" and you will be required to re-file the lawsuit at a later time.

Attorneys at the Prison Law Office have prepared a booklet on State and Federal complaints that gives more information on these subjects. Write to: Prison Law Office, 1917 Fifth Street, Berkeley, CA 94710, and request the booklet, "Lawsuits for Money Damages Against Prison Officials."



## Government Claims Program Information and Claim Form

California Victim Compensation and Government Claims Board  
P.O. Box 3035  
Sacramento, CA 95812-3035

1-800-955-0045 • [www.governmentclaims.ca.gov](http://www.governmentclaims.ca.gov)



## Information and Claim Form

**Note: New statute  
requires \$25 filing fee!**

**What kind of claims can be filed?** Claims can be filed for losses you believe were caused by the action, or inaction, of any state agency. Claims may include:

- Damage to real or personal property
- Reimbursement for state employee property loss, benefits, salary, or travel expenses
- Refund of a tax, fee, or penalty
- Contract disputes

Claims for damages caused by a local government agency must be filed directly with the local agency that is involved. Do not file your claim with the state. If your claim is with an institution in the University of California (UC) system, contact the UC Regents directly. Call the Government Claims Program at 1-800-955-0045 to find out more.

### Who can file a claim?

Anyone who believes a state agency caused him or her to suffer monetary loss can file a claim.

### What are the time limits for filing a claim?

Claims relating to the death or injury of a person, or damage to personal property or growing crops, must be filed no later than six months after the date of the incident. Other claims must be filed no later than one year after the date of the incident. You can request permission to file a late claim. Some claims have no filing deadline. You may want to consult an attorney if you are not sure how the time limits apply to your claim.

### Is your claim against the California Department of Transportation (Caltrans)?

If your claim is against Caltrans and the damages are \$5,000 or less, you can file your claim directly with Caltrans. Contact your local Caltrans office or visit [www.dot.ca.gov](http://www.dot.ca.gov) to locate a Caltrans office near you. No fee is required for Caltrans claims under \$5,000.

### Instructions for filling out this form:

1	Provide the full name of the person claiming damage or injury.
2	Provide a daytime telephone number.
3	Provide an email address. <i>(Optional)</i>
4	Provide a complete mailing address.
5	Let us know the best way to contact you if we need to call you.
6	If the claim is being filed on behalf of a minor (someone under the age of 18), please give the minor's date of birth.
7	You may wish to consult an attorney for assistance with filing a claim, however it is not required. If an attorney or other person (such as the parent or legal guardian of a minor or conservator of an adult) is representing you, please complete this section. If this section is completed, all correspondence regarding this claim will be sent to the representative.

8	Provide a daytime telephone number, including area code, for the attorney or representative.
9	Provide an email address for the attorney or representative. <i>(Optional)</i>
10	Provide a complete mailing address for the attorney or representative.
11	Describe the relationship of the attorney or representative to the claimant.
12	If this claim is regarding a stale-dated warrant (an uncashed check) more than three years old, or for an unredeemed bond, provide the date of issue, amount, and the name of the agency that issued it. <b>Attach a copy of the front and back of the warrant or bond.</b> For warrants that are less than three years old, contact the agency that issued the warrant directly to obtain payment.
13	<p>State the exact date of the incident that you believe caused the damage or injury. If the incident took place over more than one date, provide both the beginning and ending dates. If the incident is ongoing, please provide the beginning date and the most recent date it occurred.</p> <p><b>Late Claims:</b> The Board must receive claims relating to the death or injury of a person, or damage to personal property or growing crops, no later than six months after the date of the incident. If such a claim is filed more than six months from the date of the incident, <b>attach a written explanation for late filing to the claim on a separate sheet.</b> Other claims that have deadlines must be received no later than one year after the incident date. Other claims have no filing deadline. Claimants may wish to consult with an attorney to determine which filing deadline applies.</p>
14	Provide the name of the state agency that you believe caused the damage or injury. "State of California" alone is not sufficient. Please spell out the name of the agency and include the names of any state employees that were involved.
15	Enter the total dollar amount being claimed. If you believe the damages are continuing, or anticipated in the future, show a "+" after the dollar amount. If the total dollar amount exceeds \$10,000, note whether the claim is a limited civil case or a non-limited civil case. Provide an explanation of how you computed the total amount. You may declare expenses incurred as well as expenses you expect to have in the future. Attach copies of all bills, payment receipts, and cost estimates.
16	For all claims involving real property, state-owned buildings or parking lots, and roadway- or vehicle-related claims, provide the street address, city, county, state highway number, road numbers, and/or post mile markers where you believe the damage or injury occurred. Real property includes land, buildings and other fixed structures. Roadway- or vehicle-related claims occurred on a state road or involved a state vehicle.
17	Describe the specific damage or injury that you believe resulted from the incident. Feel free to attach additional information to explain 17 through 19.
18	Describe in full detail the circumstances that led up to the damage or injury. State all the facts that support your claim. If it applies, describe the dangerous condition of the public property. If a law enforcement or insurance Collision/Incident Report is submitted with the claim, this section must <b>still</b> be completed in your own words.
19	Explain why you believe the state agency is responsible for the damage or injury.
20	Provide the vehicle license number and any other identifying information if the claim involves a state vehicle.
21	This section must be completed if the claim involves a motor vehicle. Indicate whether a claim has been filed with your insurance carrier. If a claim has been filed with your insurance carrier, provide the name, telephone number, and mailing address of the insurance carrier. Also include your policy number and the amount of the deductible. If you have received payment, please indicate when and the dollar amount.
22	The claimant or the claimant's attorney or representative must sign this form. The Board will not accept the claim without an <b>original</b> signature.
23	Be sure to attach the \$25 filing fee. Please make your check or money order payable to the State of California. If you cannot afford the filing fee, you can fill out a "Filing Fee Waiver Request", and attach it to this form. You obtain the filing fee waiver request form at <a href="http://www.governmentclaims.ca.gov">www.governmentclaims.ca.gov</a> or by calling 1-800-955-0045.
24	State agencies must submit the agency name, contact information for the agency budget officer, and the name of the fund or budget act appropriation item number. Submit the appropriate schedule if applicable (Example: 0000-000-0000, Budget Act 2004).

**Government Claims Form**

California Victim Compensation and Government Claims Board  
P.O. Box 3035  
Sacramento, CA 95812-3035

1-800-955-0045 • www.governmentclaims.ca.gov

State of California

For Office Use Only  
Claim No.:

**Is your claim complete?**

<input type="checkbox"/>	<b>New! Include a check or money order for \$25 payable to the State of California.</b>
<input type="checkbox"/>	Complete all sections relating to this claim and sign the form. Please print or type all information.
<input type="checkbox"/>	Attach receipts, bills, estimates or other documents that back up your claim.
<input type="checkbox"/>	Include two copies of this form and all the attached documents with the original.

**Claimant Information**

<b>1</b>	Last name		First Name	MI	<b>2</b>	Tel: <input type="text"/>	
					<b>3</b>	Email: <input type="text"/>	
<b>4</b>	Mailing Address		City		State	Zip	
<b>5</b>	Best time and way to reach you:						
<b>6</b>	Is the claimant under 18?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	If YES, give date of birth: <input type="text"/> <input type="text"/> <input type="text"/>		
					MM	DD	YYYY

**Attorney or Representative Information**

<b>7</b>	Last name		First Name	MI	<b>8</b>	Tel: <input type="text"/>	
					<b>9</b>	Email: <input type="text"/>	
<b>10</b>	Mailing Address		City		State	Zip	
<b>11</b>	Relationship to claimant:						

**Claim Information**

<b>12</b>	Is your claim for a state-dated warrant (uncashed check) or unredeemed bond?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
	State agency that issued the warrant:		If NO, continue to Step <b>13</b> .	
	Dollar amount of warrant:	Date of issue:	<input type="text"/>	<input type="text"/>
			MM	DD
	Proceed to Step <b>22</b> .		YYYY	
<b>13</b>	Date of Incident:			
	Was the incident more than six months ago?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
	If YES, did you attach a separate sheet with an explanation for the late filing?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>14</b>	State agencies or employees against whom this claim is filed:			
	<input type="text"/>			
<b>15</b>	Dollar amount of claim:			
	If the amount is more than \$10,000, indicate the type of civil case:		<input type="checkbox"/> Limited civil case (\$25,000 or less)	
			<input type="checkbox"/> Non-limited civil case (over \$25,000)	
	Explain how you calculated the amount:			
	<input type="text"/>			

<b>16</b>	Location of the incident:
<b>17</b>	Describe the specific damage or injury:
<b>18</b>	Explain the circumstances that led to the damage or injury:
<b>19</b>	Explain why you believe the state is responsible for the damage or injury:
<b>20</b>	Does the claim involve a state vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If YES, provide the vehicle license number, if known:

### **Auto Insurance Information**

<b>21</b>				
<i>Name of Insurance Carrier</i>				
<i>Mailing Address</i>		<i>City</i>	<i>State</i>	<i>Zip</i>
Policy Number:		Tel:		
Are you the registered owner of the vehicle? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
If NO, state name of owner:				
Has a claim been filed with your insurance carrier, or will it be filed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
Have you received any payment for this damage or injury? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
If yes, what amount did you receive?				
Amount of deductible, if any:				
Claimant's Drivers License Number:			Vehicle License Number:	
Make of Vehicle:		Model:	Year:	
Vehicle ID Number:				

### **Notice and Signature**

<b>22</b>	I declare under penalty of perjury under the laws of the State of California that all the information I have provided is true and correct to the best of my information and belief. I further understand that if I have provided information that is false, intentionally incomplete, or misleading I may be charged with a felony punishable by up to four years in state prison and/or a fine of up to \$10,000 (Penal Code section 72).
<div style="display: flex; justify-content: space-between;"> <span><i>Signature of Claimant or Representative</i></span> <span><i>Date</i></span> </div>	

<b>23</b>	Mail the original and two copies of this form and all attachments with the \$25 filing fee or the "Filing Fee Waiver Request" to: Government Claims Program, P.O. Box 3035, Sacramento, CA, 95812-3035. Forms can also be delivered to the Victim Compensation and Government Claims Board, 630 K Street, Sacramento.
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### **For State Agency Use Only**

<b>24</b>		
<i>Name of State Agency</i>		<i>Fund or Budget Act Appropriation No.</i>
<i>Name of Agency Budget Officer or Representative</i>		<i>Title</i>
<i>Signature</i>		<i>Date</i>

## Government Claims Program Fee Waiver Request Packet

California Victim Compensation and Government Claims Board  
P.O. Box 3035  
Sacramento, CA 95812-3035

1-800-955-0045 • [www.governmentclaims.ca.gov](http://www.governmentclaims.ca.gov)



## Information and Instructions

### Filing Fee for Government Claims Program

Beginning August 17, 2004, anyone wishing to file a government claim for money or damages against the state must pay a \$25 filing fee unless the person qualifies for a fee waiver. (Gov. Code, § 905.2(b).)

**To request a fee waiver, you must fill out the attached  
Affidavit for Waiver of Government Claims Filing Fee and Financial Information Form.**

Step	Instructions for filling out each step on the attached form. The form begins on page 3 of this packet.
1	On the attached form, provide the full name of the person requesting the fee waiver.
2	Provide a daytime telephone number.
3	If you already have a claim number and you know what it is, write it in this space.
4	Provide complete contact information for your employer and your spouse's employer, if applicable.
5	If you are an inmate in a correctional facility, please attach a certified copy of your trust account balance, provide your Inmate Identification Number, and skip to steps 23 and 24 and complete them.
6	Complete this section if you are receiving financial assistance under Supplemental Security Income (SSI), State Supplemental Payments Programs (SSPP), CalWORKS, food stamps, county relief, general relief (GR) or general assistance (GA).  If you answered <b>yes</b> in this category check all types of assistance you get, then complete step 24. You are finished.  If you checked <b>no</b> , continue to step 7.
7	Find the number of people in your household and check the box <b>only</b> if your total monthly household income is less than the amount shown. For instance, if there are five people in your household and the total monthly household income is less than \$2,294.79 or less check <b>E</b> . If there are more than 8 people in your household, calculate the income limit by adding \$331.25 for each additional person to the income level for an eight-person household. List the number of people in your household and total household income in I.  <b>If you checked any box in this step, complete steps 9 through 15 then skip to step 24.</b>
8	If you cannot pay for the common items needed for daily life, such as food, shelter, medical care and personal safety for you and your household members, check yes in this category.  <b>If you check yes to this question, fill in steps 9 through 24.</b>



- 
- 9 What is your gross monthly pay, before any payroll deductions?
- 
- 10 If your income changes each month, the amounts you report should be an average for the past twelve months.
- 
- 11 Enter the number of persons living in your home who depend on you in whole or in part for support, or on whom you depend in whole or in part for support. List their name, age, relationship to you, and their monthly income in A through F.
- 
- 12 List all other money you get each month. Specify the source and amount. Include spousal support, child support, parental support, support from outside the home, scholarships, retirement or pensions, social security, disability, workers' compensation, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest or royalty, trust income, annuities, net business income, net rental income, reimbursement of job-related expenses, and net gambling or lottery winnings.
- 
- 13 Add 12 A through F to find your **total other income** each month.
- 
- 14 Add 9 (your gross monthly income) plus 13 (your total other income) to find your **total monthly income**.
- 
- 15 Add 9 (your gross monthly income), plus 11 A through F (other household members' income) and 13 (your total other income) to find your **total gross monthly household income**.
- 
- 16 List all your payroll deductions. Payroll deductions include items like state and federal taxes, social security (FICA), Medicare, health insurance and retirement contributions
- 
- 17 Add 16 A through H to determine your **total monthly payroll deductions**.
- 
- 18 Subtract 17 (total payroll deductions) from 9 (gross monthly pay) to find your **take home pay**.
- 
- 19 Add 18 (your take home pay) to 13 (your total other income) to find your **net monthly income**.
- 
- 20 List all the property you own or have an interest in. If you have other personal property such as jewelry, furniture, furs, stocks, or bonds, list them separately on another piece of paper.
- 
- 21 List all your monthly expenses. Use additional paper if needed. In J specify what your installment payments are for, such as a credit card or bank loan. In K specify what the wage assignment, earnings withholding, or garnishment is for.
- 
- 22 Add 21 A through M to determine your **monthly expenses**.
- 
- 23 If you answer yes to this question, make sure that your name or your claim number is on each sheet you attach.
- 
- 24 Sign and date the form in this space.
- 

Mail this form to: Government Claims Program, P.O. Box 3035, Sacramento, CA, 95812-3035. Forms can also be delivered to the Victim Compensation and Government Claims Board, 630 K Street, Sacramento. Call the Government Claims Program at 1-800-955-0045 if you have any questions.

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**AFFIDAVIT FOR WAIVER OF GOVERNMENT CLAIMS  
FILING FEE AND FINANCIAL INFORMATION FORM**

*(Request for Permission to Proceed In Forma Pauperis)*

California Victim Compensation and Government Claims Board  
P.O. Box 3035  
Sacramento, CA 95812-3035

1-800-955-0045 • www.governmentclaims.ca.gov

State of California

For Office Use Only

Claim No.:

***I request a fee waiver so that I do not have to pay the \$25 fee to file a government claim with the Victim Compensation and Government Claims Board. I cannot pay any part of the fee.***

**Claimant Information**

<b>1</b>	Last name	First Name	MI	<b>2</b>	Tel: <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
<b>3</b>	Claim Number (if known): <input type="text"/>				

**Employment Information**

<b>4</b>	My occupation:			
	My employer:			
	Employer's Mailing Address	City	State	Zip
	My spouse's or partner's employer:			
	Employer's Mailing Address	City	State	Zip
<b>5</b>	If you are an inmate in a correctional facility, please attach a certified copy of your trust account balance, enter your inmate identification number below and skip to step <b>23</b> .			
	Inmate Identification Number:	<input type="text"/>	<input type="text"/>	<input type="text"/>

**Financial Information**

<b>6</b>	I am receiving financial assistance from one or more of the following programs. <input type="checkbox"/> Yes <input type="checkbox"/> No			
	If no, proceed to step <b>7</b> . If yes, check all that apply, then skip to step <b>24</b> .			
	<input type="checkbox"/> SSI and SSP: Supplemental Security Income and State Supplemental Payments Programs			
	<input type="checkbox"/> CalWORKS: California Work Opportunity and Responsibility to Kids Act			
	<input type="checkbox"/> Food Stamps			
	<input type="checkbox"/> County Relief, General Relief (GR), or General Assistance (GA)			
<b>7</b>	Number in my household and my gross monthly household income, if it is the following amount or less:			
	Number	Monthly family income	Number	Monthly family income
	<b>A</b> <input type="checkbox"/> 1	\$969.79	<b>F</b> <input type="checkbox"/> 6	\$2,626.04
	<b>B</b> <input type="checkbox"/> 2	\$1,301.04	<b>G</b> <input type="checkbox"/> 7	\$2,957.29
	<b>C</b> <input type="checkbox"/> 3	\$1,632.29	<b>H</b> <input type="checkbox"/> 8	\$3,288.54
	<b>D</b> <input type="checkbox"/> 4	\$1,963.54	<b>I</b> <input type="checkbox"/>	There are more than 8 people in my family
	<b>E</b> <input type="checkbox"/> 5	\$2,294.79		Add \$331.25 for each additional person.
			Number:	<input type="text"/> Total Income: <input type="text"/>
	If you checked a box in step <b>7</b> A through I, complete steps <b>9</b> through <b>15</b> . Then skip to step <b>24</b> .			
<b>8</b>	My income is not enough to pay for the common necessities of life for me and the people in my family, and also pay the filing fee. <input type="checkbox"/> Yes <input type="checkbox"/> No			
	If yes, fill in steps <b>9</b> through <b>24</b> .			

### Monthly Income and Expenses

<b>9</b>	My gross monthly pay is: \$	<b>10</b>	My income changes each month: <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>11</b>	Number of persons living in my home:	<b>12</b>	Other money I get each month
	Name	Age	Relationship
<b>A</b>			
<b>B</b>			
<b>C</b>			
<b>D</b>			
<b>E</b>			
<b>F</b>			
	Monthly Income		Source:
<b>A</b>		<b>A</b>	
<b>B</b>		<b>B</b>	
<b>C</b>		<b>C</b>	
<b>D</b>		<b>D</b>	
<b>E</b>		<b>E</b>	
<b>F</b>		<b>F</b>	
<b>15</b>	My total gross monthly household income:	<b>13</b>	Total other money:
<b>16</b>	My payroll deductions are:	<b>14</b>	My monthly income:
<b>A</b>		<b>E</b>	
<b>B</b>		<b>F</b>	
<b>C</b>		<b>G</b>	
<b>D</b>		<b>H</b>	
	<b>17</b>	My total payroll deduction amount is:	
<b>18</b>	My monthly take home pay is	<b>19</b>	My net monthly income:
<b>20</b>	I own or have interest in the following property:		
<b>A</b>	Cash	<b>C</b>	Cars, other vehicles, and boats (List make and year)
<b>B</b>	Checking and savings (List banks):		Property
	1)		Value
	2)		Loan Balance
	3)		
	4)		
		<b>D</b>	Real estate (List addresses)
			1)
			2)
<b>21</b>	My monthly expenses are:		
<b>A</b>	Rent or house payment	<b>J</b>	Installment payments (specify)
<b>B</b>	Food and household supplies		1)
<b>C</b>	Utilities and telephone		2)
<b>D</b>	Clothing		3)
<b>E</b>	Laundry and cleaning		Total installment payments:
<b>F</b>	Medical and dental	<b>K</b>	Wage assignment or withholdings
<b>G</b>	Insurance	<b>L</b>	Spousal or child support
<b>H</b>	School, child care	<b>M</b>	Other:
<b>I</b>	Transportation and auto expenses		1)
			2)
			Total other expenses:
<b>22</b>	Total monthly expenses:		
<b>23</b>	I have attached other information that supports this application on a separate sheet. <input type="checkbox"/> Yes <input type="checkbox"/> No		

### Signature Section

<b>24</b>	I declare under penalty of perjury under the laws of the state of California that the information on this form and all the attachments is true and correct.	

Signature of Claimant

Date



# Requesting Public Records

If you need to obtain copies of documents held by government agencies you would need to make a request for the information through the Freedom of Information Act (FOIA), the Privacy Act or the California Public Records Act.

## Freedom Of Information Act (FOIA) (5 U.S.C. § 552)

The Freedom of Information Act (FOIA) provides that any person has the right to request access to **federal agency records** (for example, the Department of State, the Federal Bureau of Investigation (FBI) and the Department of Justice), except those records that are protected from disclosure by any of the nine exemptions under the law or by one of three special law enforcement record exclusions. Each agency is required to have a written policy on how to access information.

The nine exemption categories are:

1. Classified information for natural defense or foreign policy;
2. Internal personnel rules and practices;
3. Information that is exempt under other laws;
4. Trade secrets and confidential business information;
5. Inter-agency or intra-agency memoranda or letters that are protected by legal privileges;
6. Personnel and medical files;
7. Law enforcement records or information;

8. Information concerning bank supervision; and,
9. Geological and geophysical information.

The three law enforcement exclusions deal with sensitive law enforcement and national security matters. For a more detailed listing and description of the exemptions, see 5 U.S.C. § 552(b).

Record request letters can be sent to any federal agency. The request letter should describe the records you want in as much detail as possible and should also contain identifying information such as the name of the document and other information. Once the agency receives your request, it has 20 working days to respond with its decision of whether to grant the request. If the request or any part of it is denied the agency must give reasons for the denial by the 20-day deadline. If the request is granted, the records do not have to be delivered within the deadline, but must be delivered promptly.

The agency is supposed to provide the records in any form or format requested if the record can be easily reproduced in that form or format. The agency will make reasonable efforts to search for records in electronic form or format, except when that will interfere with the operation of the agency's information system.

Fees are determined in the following ways:

- If the records are for commercial use, reasonable fees are assessed for document search, duplication, and review;
- If the records are not for commercial use and are requested by an educational or scientific institu-

tion or a member of the media, fees are limited to reasonable standard charges for document duplication except that there are no charges for the first 100 pages;

- For all other requests, fees are limited to reasonable standard charges for document search and duplication except that there are no charges for the first 100 pages of reproduction and the first two hours of search time.

Fees are not collected until after the request has been processed unless charges will be more than \$250 in which case an advance payment may be required. By making a FOIA request, the person requesting the records agrees to pay all applicable fees up to \$25.00. If the agency estimates that the search costs will exceed \$25.00, it will notify the requester and offer an opportunity to change the request to meet the requester's needs at a lower cost. The request will not be processed until the requester agrees to pay the estimated cost.

To make a FOIA request write a letter to the appropriate federal agency with as many details as possible about the records you are seeking. Don't forget to include your name, address, and phone number or e-mail address so the agency can contact you if needed. Requests may be made by mail, fax or electronically if you have access to the internet.

## Privacy Act (PA) Requests

If you are trying to access **personal records**, you will have to make a request under the Privacy Act (PA). The Privacy Act provides safeguards against the invasion of personal privacy through the misuse of records by Federal agencies. Under the PA you have the following rights:

1. To see records about yourself, subject to a PA exemption;
2. To request the amendment of records that are not accurate, relevant, timely or complete; and,
3. To be protected against the unwarranted invasion of your privacy resulting from the collection, maintenance, use, and disclosure of personal information.

The procedures for making a request under the Privacy Act are the same as for filing a FOIA request, with the following additional requirements:

1. You must be a **U.S. citizen** or an immigrant who is a **lawful permanent resident** of the U.S. to request PA records;
2. Requests must be made in writing and sent by mail;
3. The request must have the person's **original signature** that has been either notarized or submitted under penalty of perjury by adding the following statement: *"I [declare, certify, verify, or state] under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct."* This statement must be signed, dated, and bear an original signature; copies or facsimiles are not accepted.
4. Requests should include the following:
  - a. The individual's full name (including maiden name if appropriate) and any other names used.
  - b. Present mailing address and zip code.
  - c. Date and place of birth.
  - d. Offices or posts originating or receiving the records.
  - e. Particular event or circumstance that led to the creation of the record(s).
  - f. An original signature (see number 3 above).
  - g. Any other information that might help in identifying the record.

## Things To Remember When Filing A Freedom Of Information Act (FOIA) Or Privacy Act (PA) Request

- There are no forms to fill out; all it takes is a letter that clearly states what information you are trying to obtain.
- Determine what federal agency might have the information you are seeking.
- Provide your name, address and if possible your

phone number and e-mail address so the agency can follow-up with your request.

- Provide as much detail as possible about the records you want. Indicate whether you want the information in a form/format other than paper (for example, do you want photographs or another form/format).
- In your letter, state that you are willing to pay any fees and how much you are willing to pay as an advance authorization (for example: "I am willing to pay any fees and will pay up to \$25.00 for the records." If the fees are \$25.00 or below your request will be processed; if the fees will be more than \$25.00 someone from the agency will contact you with an estimate of what the total fees will be). If you are indigent, or cannot afford the fees, state why it is necessary for you to have the information and how it will benefit you in as much detail as possible.
- If you are mailing the request, clearly mark the envelope with "FOIA Request" or "Privacy Act Request." If you are filing your FOIA via e-mail or fax, mark the subject line "FOIA Request."
- Remember that a Privacy Act Request **must be sent by mail** and has additional requirements on what must be in your letter of request (see Privacy Act section above).

## California Public Records Act (CPRA) (Government Code §§ 6250-6276.48)

The Public Records Act gives the public access to information in the possession of public agencies. All state and local agencies are covered by the CPRA, including any officer, bureau, or department. In addition, any board, commission or agency created by the state/local agency is covered including advisory boards. Local agencies include the city, county, school districts and municipal corporations. Nonprofits that are legislative bodies of a local agency are also covered. Many state and regional agencies are required to have written public record policies.

The following agencies are not covered by the California Public Records Act:

- Courts (except itemized statements of total expenditures and disbursements; see §§ 6252(a) and 6261).
- The Legislature (but see the Legislative Open Records Act, Government Code §§ 9070-9080).
- Private non-profit corporations and entities.
- Federal agencies (see FOIA section above and U.S.C. 5 § 552).

The term "records" include all communications related to public business and include pictures, letters, words, sounds, symbols, or combinations of any of those regardless of how that information is stored. Writings include anything handwritten, typed, printed, photocopied, e-mailed, or faxed.

Public records are open to inspection at all times during the office hours of the agency and agencies may not adopt rules that limit the hours records are available for viewing and inspection. When copies of records are requested, the agency has 10 days in which to determine whether the requested records can be disclosed and must notify the requester about its decision and the reason for its decision.

Records that are exempt from disclosure include the following:

- Attorney-client discussions; if the agency is the client, the agency (not the lawyer) may waive secrecy;
- Preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the normal course of its business, if the public interest in withholding the records outweighs the public interest in disclosure;
- Personnel, medical, or similar files, which if disclosed would constitute an invasion of personal privacy;
- Home addresses held by the Department of Motor Vehicles, voter registration files, public housing, local utility and public employee records, and the addresses of certain crime victims;
- Police incident reports, rap sheets and arrest records; however, information from the "police blotter" (time and circumstances of calls to police,

name and details of arrests, warrants, charges, hearing dates, etc) must be disclosed unless the disclosure would endanger an ongoing investigation or the life of an investigator. Investigative files can be withheld even after the investigation is over. Evidence Code § 1043 provides special procedures for obtaining misconduct complaints and identifying data in police personnel records.

- Financial data submitted for licenses, certificates, or permits, or given in confidence to agencies that oversee insurance, securities, or banking firms;
- Tax records, welfare records, and family/birth/adoption records.

Please note that this is only a partial list of what records are exempt from disclosure. For a complete list see sections 6254(a)-(z) and sections 6275-6276.48 of the Government Code.

There are never any fees for inspecting/viewing records. If you want copies of records a fee may be charged to cover the cost of copying. Copy costs are limited to the "statutory fees" set by the Legislature or the "direct cost of duplication" and are usually ten (10) to twenty-five (25) cents per page. Fees may not be charged for searches, reviews, or deletions.

If your request is denied you should:

1. Ask the agency if it will waive the exemption and release the records.
2. Insist that the agency explain **in writing** why the exemption applies to the records you've requested.
3. Request the release of any non-exempt portions of the record.
4. State your rights and ask to speak with a higher agency official.
5. Write a letter to the editor about the denial.
6. Consult with a lawyer about filing a lawsuit to enforce your rights; if you are successful, the agency will be required to pay your costs and legal fees.

## Points To Remember

- Plan your request and know what exemptions might apply.
- If you want to inspect (view) records, go to the agency during the agency's office hours and ask to inspect the records.
- The agency must provide assistance by helping you to identify records and information relevant to your request.
- A written request is not required, but may help especially if your request is complex or if you anticipate trouble. A written request will also provide you with a "paper trail" of your efforts.
- Put date limits on any search so you don't end up with information you don't need.
- Don't ask the agency to create a record or list.
- If the agency tells you that the records don't exist, ask what files were searched and offer any search clues you may have.
- Only pay for copying costs.
- Demand a written response from the agency within 10 days.
- Ask to inspect the records before you ask for copies because this will give you the opportunity to view the information and may reduce your copying costs.
- If your request is denied, keep a log of to whom you speak and the stated reason for the denial.





*"I used to feel that no one had the pain I had, or the sadness.  
Now I feel I can help other families of prisoners."*

## Tips on Communication with Elected Officials

**E**lected officials are there to serve the people who elected them. Use your right to make your concerns known to the people who make the laws by asking for a meeting, and going in a small group to voice those concerns. You can do this in your local area, or in Sacramento. You can do it in a joint effort, for example, in a lobbying day activity, or any time you have a pressing issue. You can locate your legislators and stay current on the status of bills by going to the front of your telephone book, and looking under the "Government Officials" section. You can also use the internet by going to this address: [www.leginfo.ca.gov/yourleg.html](http://www.leginfo.ca.gov/yourleg.html).

Issues affecting the prison system are often taken up in these two legislative committees: The California Senate Public Safety Committee and the California State Assembly Committee on Public Safety. We suggest going to the above website to find out who makes up those committees so your advocacy efforts will be focused on those who make the policy.

### Tips on Face-to-Face Meetings with your Elected Officials and Their Representatives

It is common to meet with a legislator's staff member (aide) instead of the legislator herself. Don't feel slighted. This is often as effective as meeting with the elected official directly. Let the aide know what you want to discuss, and tell them if you are representing a group. Remember to:

- Make an appointment beforehand.
- Go with a specific purpose in mind, and focus on one or two topics.
- Prepare before you go: select a main spokesperson, bring information like a fact sheet or articles from the press. Statistics can be especially helpful as you make your case.
- Outline the problem clearly, and say how you'd like to see it be resolved.
- Expect questions, try to think what they may be before you go.
- Offer to assist them with more information if you can't answer everything.
- Make it clear that you want a response, and follow up with a letter and/or a phone call.
- Report back to other people in your network, and give yourself a pat on the back for making your voice heard.



## Tips on Writing to Your Policymakers

- Keep your letter short, one page at most.
- Keep a copy of every letter you write
- Type it if at all possible.
- Try to avoid form letters.
- Keep to one issue in your letter.
- State your purpose at the beginning; give the bill number if it's about legislation.
- Identify yourself as a constituent, and identify your organization, if you're part of one.
- Say you're from their district if you are.
- Clearly give your reasons for supporting or opposing the bill, if it's about legislation.
- Enclose supporting materials, such as news articles.
- Thank them in writing if they are supporting your issue.

## Tips on Calling Your Elected Officials and Their Representatives

Telephoning your legislator is another important way to make your voice heard. Phone calls for or against a specific bill are tracked by the legislator's office. Usually a staff person will note your opinion and pass it on.

- Keep the call simple. Usually cover only one subject in a phone call.
- Introduce yourself as a constituent (voter), giving your name and address.
- Be clear about what you are asking the legislator to do.
- Ask when you might expect a response.

## Testifying Before Legislative Committees

One of the most important ways family members can make their voices heard is by giving testimony before committees in the state legislature, during investigative hearings or when bills are being heard.

- Keep your testimony focused on one or two specific issues.
- Try not to "read" your statement. Take your time and speak from your heart.
- Have a signed copy of your letter or statement with you when you testify, so that you can submit it to the committee if necessary.

Following this page are examples of testimony given by family members in support of legislation and a sample letter supporting a specific piece of legislation.



## Testimony given to the California State Legislature to support SB396, a bill designed to improve medical care in prisons

### Statement Regarding Gina Marie Muniz's Struggle for Medical Care

*By Grace Ortega, mother*

My name is Grace Ortega. My daughter, Gina Marie Muniz, was 27 years old when she was diagnosed with cervical cancer while she was on trial. Treatment was given and sentencing was delayed because of her treatment. While incarcerated at Twin Towers County Jail, she was scheduled for an operation to remove the cancer. Gina Marie was sentenced on June 12, 2000, and arrived at Chowchilla on June 14, 2000. She had not received her scheduled operation.

When she arrived at CCWF in Chowchilla, she told the screening staff about the cancer. They were aware that she was a cancer patient, that she was being treated while at the county jail, and that treatment had not been completed. Then the medical staff at CCWF simply disregarded Gina Marie Muniz. She was not referred to a cancer specialist and went without treatment for five months. They locked her up, ignored her medical needs, and when she did complain about the pain caused by the cervical cancer, she was given Motrin and Metamucil. Dr. Reeves at CCWF told me personally that cancer did not cause pain. They were housing my daughter and put her medical file on a shelf. None of the doctors cared for Gina Marie Muniz, because if they did she would be here today. Not one of those doctors lifted a finger for Gina.

Gina Marie Muniz was hospitalized on September 8, 2000. The failure to continue her medical treatment resulted in her cancer spreading very fast. Two weeks later she was determined to be terminal. My heart was broken.

We fought very hard for her compassionate release and Gina was finally released from the hospital and came home on November 27, 2000. She died at home with our family on November 29, 2000 at 12:45 pm. My daughter had made me promise that I would fight for the women still in Chowchilla. That is why I am here today. How many more Gina's have to die before the medical care is changed? Gina's daughter, Amanda, my granddaughter, doesn't understand why her mother had to die.

## Testimony given to California Legislature to support a compassionate release bill for dying prisoners

Date: April 7, 2000

To: The State of California Legislation

From: Deborah Teczon

Re: Compassionate Release

Hello, I'm writing this letter on behalf of California State Prisoners and their families. My sister was incarcerated at California Correctional Women's Facility in Chowchilla, California. My sister died February 10, 1999 from Breast Cancer and Medical Neglect while incarcerated. Tina was not a violent offender, my sister was a very good person with a very bad habit, which caused her to do some bad things in her lifetime. Due to her drug addiction, she caused herself more harm than I believe she caused anyone else.

I stood by my sister even though I didn't agree with the way she chose to live her life. I know that when my sister became ill, the prison waited so long to act on her behalf that it was their NEGLIGENCE that ultimately caused her DEATH. I feel that the CDC could have been more compassionate to my sister and our family since she was so close to death. Dealing with the whole situation was one of the hardest battles I've had to take on in my lifetime.

When we first found out my sister was so ill, we didn't know where to go or whom to turn to. It was very frustrating. When someone you love is dying and incarcerated, there's no one to turn to, and no one who cares or wants to give any information. Once we knew about Compassionate Release, we started to research what needed to be done in order to obtain one for my sister, so we as a family could be with her when she was dying. It was so unthinkable that she was dying and that we would have no control over what was going to happen to her. We talked before she died and she asked me to do whatever it would take to get her out so she could die with her family by her side and with dignity. I didn't think that request would be so difficult to obtain. After many hours on the phone and spending countless hours pleading with the CDC and the courts, a judge finally granted the Compassionate Release. But even to the bitter end, the lawyer for the State of California stood up in court and tried to have the case continued. We were so scared she would die before we could say goodbye and that would have devastated the family even more than what we were already going through. Just to get the information to the courts and be a part of the proceedings was a battle.

Finally she was granted the release and she died one week later. My sister got her last wish. She died with her family and with her dignity. For some reason, the Lord showed favor on her and on us as a family. I think Compassionate Release shows more compassion for the family than the prisoners. I encourage lawmakers to take on the battle for Compassionate Release. It is a very good program and was the only thing to look forward to when my sister's life was coming to an end.

I am proud for the LOVE I have for my sister, and must take a stand on behalf of other California State Prisoners that are dying in prison every day. God rest your soul, Tina.

Sincerely,

Deborah D. Teczon

## Sample Letter in Support of AB2133 Legislation, re: Visiting Rights

Dear XXX,

My name is \_\_\_\_\_ and I am the family member of a prisoner. I know personally the importance of visiting for both an inmate and for his or her family.

AB 2133, authored by Assemblywoman Jackie Goldberg, would require that, prior to making changes to existing visiting regulations, the California Department of Corrections and Rehabilitation shall weigh the proposed changes against the significant benefits inmate visiting presents to prison staff, to visitors and to prisoners themselves.

Fifty years of expert research unequivocally demonstrates that visiting significantly improves inmate behavior and dramatically increases success upon parole. Many states have long recognized the value of visiting as an effective tool for accomplishing both.

As a legislator you will accomplish several very important goals by voting in favor of AB 2133. First, you would improve safety and security within the state's prisons by giving prisoners good reason to remain disciplinary-free, thereby decreasing prison violence and subsequently increasing on-the-job safety for prison guards. At the same time, you would reduce crime, fear, and tension within the communities you represent because fewer of the roughly 100,000 individuals paroled each year, would re-offend once released back into the towns and cities where your constituents reside.

Secondly, you can save your constituents and other taxpayers in the state of California millions of dollars each year by supporting this bill. Visiting allows prisoners to maintain crucial ties to the very individuals who will assist them upon parole, making it much easier for a prisoner to successfully transition from incarceration to release. The greater the success rate upon post-conviction release, the fewer the number of people we send back to prison. And with the cost of incarceration ranging from \$25,000 to \$65,000 per year per prisoner, this is a significant cost-savings, one which would help alleviate the state's current \$17 billion budget deficit. Additionally, your district can take the monies normally required to prosecute and return an individual to the corrections system and allocate those funds for greater municipal needs.

Lastly, within your district are thousands of constituents who are parents, grandparents, children, siblings, and spouses of prisoners. As law-abiding taxpayers of this state, we deserve your support and representation as well. Your support in the form of this bill will encourage loved ones of prisoners to continue to act as positive influences in the lives of prisoners during and following incarceration.

In conclusion, passage of AB 2133 is a positive step toward ensuring that visiting will continue to improve safety and security within the prisons, increase the likelihood of success upon parole, and save the state's taxpayers millions of dollars by maintaining the crucial ties between prisoners and their loved ones. As a constituent of your district I strongly urge you to support this bill.

Sincerely,

XXX





***“We have all been exposed to the injustice of our prison system in one way or another. We have to be able to talk, listen cry, and support each other... and we have to go on with our fight against this heartless system.”***

## Tips on Communicating with the Media

### Write a letter to the editor

The editorial page is one of the most widely read parts of any newspaper. The goal of the “letters to the editor” page is to have thought-provoking letters, often with contrasting views, that give a sense of how the public is feeling about important issues. It’s a place where readers often comment on articles that recently appeared in the paper. A well-written letter to the editor can change the way people view an issue. Responding to articles that raise the issues you’re concerned about is a good way to add your “two cents” to the debate. Here are some tips for getting your letter into the paper.

- Make your letter **shorter rather than longer (less than 300 words)**; it has a better chance of getting published.
- Look for a “hook”. Editors are more likely to be interested in your letter if you refer to a recent article or news story.
- Avoid a tone that’s too personal, and avoid name-calling.
- Don’t swear (even though you’d like to).
- Make personal contact with the person who reviews letters to the editor. You can call the paper and ask to speak to that person after you send in your letter to see if they are going to print it.
- Don’t give up if your letter doesn’t get in. Editors have many things they look for as they are deciding which letters to print, and it depends on what other letters they receive that day.
- Always include your contact information: name, address, and work and home phone numbers.

### Call in to radio shows to express your opinion

It’s important that talk show hosts hear from a variety of people. Don’t be afraid to pick up the phone and jump into the debate, even if your ideas may not be popular.

- Make a few notes about the point you want to make before you pick up the phone.
- Be short and to the point.

### Approach a journalist and try to get them interested in your story

Remember that your story is important, and you want to tell it the best way possible. Consider yourself an “expert” on prisons if you have someone doing time in one. Study your local paper to see which reporters write about the kinds of issues that you want to get coverage on. Identify the ones you want to approach. Learn who is on the “prison beat” of your local paper.

- **Think about what you want to say before you contact a reporter.** Make some notes of the main points you want to cover, and keep it to a few main points (but don’t “read” it to them). Try not to overwhelm them with too much in the beginning.
- Remember that we have a lot of stereotypes to overcome when talking about prisons and prisoners. Think ahead of time about what those might be before you place your call, and be prepared to speak to those things that may be an obstacle for someone listening to you. For example, a reporter might want to know why your loved one is in prison. Be prepared with a truthful answer, and don’t feel defensive.

- Call them early in the day; they get very busy in the afternoon with deadlines. Ask if they have time to talk, or if you should call them back later. Call them back promptly so you don't miss their deadline.
- Be very careful to be accurate with the reporter. They need to check their facts, and you'll lose credibility with them if your information isn't correct. Don't exaggerate.
- Remember, you are probably trying to interest them in a story that is a "human interest story". **People remember stories about people**, more than statistics and general ideas. Speak from your heart and your experience. Put a human face on the issue.
- Speak to "shared values" that you have with your audience, for example, "fairness" and a sense of justice. (For example, "Prisoners aren't sentenced to die from lack of medical care").
- Don't feel like you have to answer every question a reporter poses. It's OK to re-direct the discussion to the thing that is important to *you*.
- Is there a solution to the problem you are highlighting? If there is, speak to possible solutions as well as the problem.
- Always keep a copy of articles that speak to the issue you feel strongly about or any article you are quoted in. You may want to include copies of these if you write to your legislators.

# Don't Cut Off Prisoners From Their Families

By TERRY A. KUPERS  
and CASSIE PIERSON

**T**hree-year-old Michael regularly visits his mother in prison. He plays with her on the floor, gets reassuring hugs while sitting on her lap and kisses her goodbye when it's time to leave. But if the California Department of Corrections way, Michael his mother

## It impedes rehabilitation.

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Los Angeles Times

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lies and the communities to which most will someday return. These proposed "tough on criminals" laws would cause tremendous hardship on thousands of children's members and friends in prison.

new visiting rules, victims of "possession or manufacture" of forbidden contact year of their could particularly women prison-serve time for and at least hers. In addition included, criminal are being prison-crimes, holding laps

stated by the United Nations Committee Against Torture. It is cruel to deny them visits with friends and loved ones."

How much punishment is enough?

There is strong consensus among mental health professionals that maintaining family and community ties through visitation increases a prisoner's chance at rehabilitation.

Similarly, quality visitation between children and their parents increases the likelihood that families can heal and move beyond the prison experience.

Because of separation from their parents, children of prisoners are six times more likely to get caught up in the criminal justice system themselves. The proposed new policy would only make children's relationships with their imprisoned parents fragile.

## Prisons deepen deficit

Editor — Californians have repeatedly pointed to our state's \$5 billion prison budget when asked how the state should cut spending. Now comes word that the state's Department of Corrections has overspent its budget ("Prison costs swell deficit," Oct. 31). This time even the \$178 million of the year before, Facing the worst state budget crisis ever, corrections spent \$544 million more than it was allocated this year.

States across the country facing similar, although less severe, budget crises are reducing prison spending by a tried and true formula: reducing the number of people in prison. States are moving up parole dates and saving millions. They are closing prisons, or canceling new construction. But we are building a new \$595 million prison at Delano.

Gov.-elect Arnold Schwarzenegger has pledged to preserve funding for education and local municipalities, while he will have to look elsewhere for significant savings. Reducing the number of prisoners should be step one.

ROSE BRAZ  
Director  
Critical Resistance  
Oakland

## Get Real on Parole Policies

**L**ast fall, Jennifer Shull was arrested and sent to Chowchilla state prison. Shull had been on parole after a 1995 arrest in Marin County for dealing drugs, was employed and had stayed out of trouble for several years when she was deemed guilty of a technical parole violation. Like most in the state's correctional system, Jennifer Shull hasn't lived a model life. But she clearly is not Public Enemy No. 1. Yet the state of California is spending money to keep her incarcerated. Because she's locked up, she may even lose custody of her soon-to-be-born child, also at the public's expense.

Shull is an example of a \$5.7-billion prison and parole system fixated on the wrong priorities. It is spending too much time and money punishing people who are of little risk to the public and not enough keeping track of criminals who are dangerous.

Legislative hearings in Sacramento haven't addressed other key correctional system problems — such as a 37.2% pay raise the Legislature recently granted to prison guards. That is money that could have been used for the sort of educational, job and counseling programs that keep inmates from cycling in and out of prison.

State Sen. Gloria Romero (D-Los Angeles), who chaired last week's hearing, and State Sen. Jackie Speier (D-Hillsborough) join Romero in chairing two more prison reform bills next week, should they pass.

that hasn't yet been paid out, a step that would save taxpayers about \$518 million a year. That exceeds the \$438 million Gov. Arnold Schwarzenegger asked the prison and parole system to cut in his budget proposal released Friday.

With the state budget in the shape it's in, this is no time to be spending money foolishly. Incarcerating parolees like Shull are unlikely ever to commit violent crimes the state hundreds of millions of dollars each year. No one knows how sure because state prison officials information away from the eyes of and the media. Romero and push to remove the shroud the department has been over itself for decades.

For example, state tool called the Inmate to determine which prisoners for life earlier without details of that is should be tion.

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San Francisco Chronicle





# Telephone Calls



**T**he cost of keeping in touch with your loved one inside can be very expensive, as many of you know. People in California state prisons are only allowed to make collect calls to their family members and friends and the telephone carriers that contract with the CDCR to handle those calls often charge higher rates for those calls than they do for other calls.

The CDCR uses the Department of General Services Inmate/Ward Telephone System (IWTS) Contract that permits collect-only telephone calls from adults or juveniles incarcerated in California. An amendment to the IWTS contract was signed on May 2, 2008 and extends the contract term and *reduces* the domestic collect call rates over the next four fiscal years (through fiscal year 2010-2011). The IWTS vendor is Global Tel\*Link (GTL).

The reduction in the collect call rates is a result of the passage of Senate Bill 81, which the governor approved on August 24, 2007. SB 81 eliminated the \$26 million concession fee that GTL pays to the State General Fund, a fee that was required by the IWTS contract. The concession fee will be reduced by

\$6.5 million each fiscal year until it becomes a \$0 concession fee in fiscal year 2010/2011.

What this means for family members and friends who accept collect calls from their incarcerated loved ones is that the total cost of collect calls should be lower. For example, an 8-minute collect call under the old rates would cost \$3.76 but only \$3.26 under the new rates. A 14-minute call under the old rates would cost \$5.08 but only \$4.22 under the new rates. Detailed information on specific new rates can be found on the Department of Technology's web site at <http://www.dts.ca.gov/stnd/calnet-inmate-ward.asp>.

It is possible that some numbers may be blocked if Global Tel\*Link (GTL) does not have a billing agreement with the local telephone provider. If you are unable to receive calls from your loved one inside, you should call the GTL toll-free number 1-866-770-4896 for assistance. You might have to establish a direct bill agreement with GTL so you can receive the collect calls.





*“I’m truly not alone in my battle.”*

## Assisting a Prisoner in Applying for a Transfer

Although it is difficult for a prisoner to get transferred to another institution, Title 15 does provide some guidelines for requesting a transfer. There is no absolute right to be transferred, but a prisoner can apply for a transfer based on the following reasons:

- A **hardship transfer** is based on a prisoner’s need to be placed closer to his/her immediate family. Family members can be very helpful in this process by showing the ways they experience particular difficulties based on the distance they must travel to visit. A letter from a doctor who treats elderly, ill or disabled family members can document the hardship faced by the family member in their efforts to visit their loved one in prison. For example, the fact that someone cannot travel for more than an hour in a car is very compelling information. A letter from a psychologist or psychiatrist explaining the importance of frequent visits for a child’s well-being can support the need for a transfer. A letter from a church or community leader can outline the ways a transfer would help the family. Establishing the history of strong family ties is important in this process. “Immediate family” is defined as spouse, mother, father, sister, brother, children, grandchildren, including stepfamilies, foster and guardianship relatives.
- A **medical transfer** is based on medical needs that are not being met by the current institution that could be met by transferring to another one. Prisoners are not *guaranteed* a transfer if their current prison does not have specialists or special

programs pertaining to their medical needs, but they can request a transfer. Some types of medical conditions may require a transfer, such as pregnancy or HIV status. Doctors and other medical professionals could write letters supporting a transfer based on the specific medical condition and outlining the reasons why the current location is not appropriate.

- A transfer based on **educational or vocational training** can be requested, but it is very difficult to win a transfer based on this alone. Prisoners do not have an absolute right to vocational or rehabilitative programs.
- A transfer based on being in the same prison with a **known enemy** can be granted if a prisoner can show that being in the current prison puts her/him in physical danger.

**Prisoners must request a transfer in writing.** A “transfer packet” should include the following:

- An initial request letter to the counselor stating where the prisoner wants to be transferred
- The reasons for the transfer, including the legal citations from Title 15 (medical transfer, family hardship, etc.)
- Supporting documentation

The transfer packet can be addressed either to the correctional counselor (before an annual review or at the initial classification hearing) or submitted to the classification committee directly at a classification committee hearing. A copy of the packet should be

sent to the Warden. **The prisoner should keep a copy of everything in the transfer packet.** If the request for transfer is denied, the prisoner can file a 602 and appeal it to each level if necessary. Supporting documentation should be included with the 602.

**If all administrative remedies (602) have been exhausted, you can file a Writ of Habeas Corpus.**

On November 14, 2007, in the Sacramento County Superior Court, a judge granted the habeas petitions of four men who had each (in separate petitions) challenged their respective denials of transfer. Because each petition challenged the same administrative policy of the CDCR and posed the same legal issues, the cases were consolidated. The petitions had been brought by men incarcerated at Folsom State Prison (FSP) and Salinas Valley State Prison (SVSP). The court ordered respondents M.C. Kramer (warden at FSP), M.S. Evans (warden at SVSP), and the Attorney General of California to stop denying transfer requests based on Administrative Bulletin 91/15, "Retention of Inmates and Reductions of Transfers." The Bulletin, issued by W.A. Duncan, Deputy Director, Institutions Division of the CDCR, declared "in the effort to minimize the costs associated with inmate transfers," that no in-level transfers would be approved unless the inmate's medical or mental health, or safety and security necessitated the transfers. The court held that the administrative policy violated Penal Code section 5068 and was an

"underground regulation" that had been adopted without complying with Government Code section 11340 et seq. (Administrative Procedures Act). (In re John Steelman, No. 07F03664, Superior Court for the County of Sacramento, Nov. 14, 2007) In reaching his decision, the judge found that the CDCR continued to use Administrative Bulletin 91/15 as a reason to deny transfers despite the fact that Penal Code section 5068 provides that a prisoner shall be assigned to an institution of appropriate security level nearest to his/her home unless there are other classification factors that would make such placement "unreasonable." The court noted that the legislative history of section 5068 showed that while the Legislature recognized that it might be difficult for the CDCR to assign prisoners near their families because of a limited number of facilities, the Legislature had declared that the "maintenance of family ties and the development of familial relationships are crucial to rehabilitation efforts. It is the intent of the Legislature to facilitate the maintenance and development of family relationships by incarcerating inmates in the institution closest to the inmate's home, whenever practical and when requested by the inmate." (Steeleman, internal citations omitted.) In addition, although the court agreed that "overcrowding certainly must be considered in implementing section 5068," the CDCR's decision to deny the transfers was based on *costs*—not overcrowding. (Steeleman)

*Sample Letter #1*

June 2, 2000

Jane Smith  
1234 Main Street  
Anytown, CA 99555

Counselor Anderson  
California State Prison  
PO Box 9999  
Centerville, CA 99551

RE: Robert Jones, CDC #00001

Dear Counselor Anderson:

I am writing to advise you that it is necessary for Robert Jones to be transferred to California State Prison #2. I understand that according to California State Law, Penal Code Section 5068, prisoners should be placed in the facility closest to their home so they can maintain their relationships with family and friends. I am unable to visit regularly with Robert and I feel it is necessary to be available for regular visits. Family and friends provide support to the prisoner while he is in prison and it is very important that I am available to continue our relationship with Robert.

I am not asking for special treatment. I am asking that according to CDC policy that Robert be transferred close to home. I will look forward to hearing from you in the near future that the arrangements are being made to transfer Robert Jones to California State Prison #2.

I am sending a copy of this letter to Robert so he will know that I have contacted you and asked for your assistance.

Thank you in advance for your kind and personal attention to this matter.

Sincerely,

Jane Smith

cc: Prisoner  
Warden

*(Note: Do not put your phone number—you want a written reply. You are establishing a record if legal action must be taken.)*

*Sample Letter #2*

June 22, 2000

Jane Smith  
1234 Main Street  
Anytown, CA 99555

RE: Robert Jones, CDC #00001

Dear Warden:

This is to advise you that I have contacted the counselor assigned to Robert Jones regarding his transfer to California State Prison #2. It is difficult for me to visit Robert at his current location. It is very important that I continue my relationship and support for Robert.

According to prison policies, prisoners can request to be placed in a facility which is closest to home. California State Prison #2 is close to where I live. I know that the CDC feels that family and friends are important and consider them a priority for each prisoner.

I know that having Robert closer to home will make it possible for me to visit regularly and provide emotional support for him while he is serving his sentence. Having Robert in prison has been difficult to deal with and regular contact will make this time less stressful.

Thank you in advance for your personal attention to this matter. I will look forward to hearing from you that the transfer will be initiated for Robert Jones to be moved to California State Prison #2. I will send a copy of this letter to Robert so that he will know that I have communicated with you.

Sincerely,

Jane Smith

cc: Robert Jones, CDC #00001  
Counselor  
CDC Director

*(Note: Do not put your phone number - you want a written reply. You are establishing a record if legal action must be taken.)*

*Sample Letter #3*

November 15, 2000

Jane Smith  
1234 Main Street  
Anytown, CA 99555

John Q. Doe  
Director of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001

RE: Robert Jones, CDC #00001

Dear Mr. Doe:

This letter is being sent to you because the staff and administration at California State Prison #10 have been informed that I want to have Robert Jones moved to California State Prison #2, and they have failed to do so.

I am not asking for special treatment. I realize that the state law provides that prisoners may be placed in the prison closest to home. I know that the California Department of Corrections and Rehabilitation believes that support from family and friends plays a significant role in the management of the prisoner.

I am unable to visit regularly and provide the important support for Robert because of the distance and expense. I have severe arthritis and am not able to travel long distances. The California law, Penal Code Section 5068 stipulates that prisoners should be placed in the facility closest to home so that they can maintain their relationships with family and friends. I hope you will notify the counselor and warden to inform them that it is necessary for Robert Jones to be transferred to California State Prison #2. I understand all prisons are overcrowded; I know that consideration is given to safety and security level as necessary, however, there would be no threat to staff or to the prisoner if he were placed at California State Prison #2.

I have been trying to have Robert moved for five months. I have contacted each person who should have processed the paperwork for the transfer. I would rather not have to hire an attorney to file a legal action to have Robert moved. Such action would take more time and money, which is not available. I am asking for your help in this matter.

I am looking forward to hearing from you in the near future, that the transfer has been processed.

Sincerely,

Jane Smith

cc: Prisoner  
Warden  
Counselor

*(Note: Do not put your phone number - you want a written reply.  
You are establishing a record if legal action must be taken.)*







## Temporary Leaves and Furloughs (Title 15 Sections 3080, 3081, & 3082)

Prisoners in California have the right to request a temporary leave or furlough so that they can attend services for a deceased member of their immediate family or to visit a critically ill member of their immediate family. "Immediate family member" is defined by the CDCR as: the prisoner's legal spouse, Registered Domestic Partner, parents (including adoptive parents), stepparents/foster parents, grandparents, natural/step/foster brothers or sisters, the prisoner's natural/adopted children and grandchildren, and legal stepchildren. The CDCR does not consider aunts, uncles, or cousins as immediate family members unless there is a verified foster relationship.

A temporary leave or furlough may also be granted for pre-release planning to attend job interviews, to make residential plans or for other reasons that are closely connected to release programs. Pre-release

leaves will not normally be granted earlier than sixty-three (63) days before the prisoner has an established or anticipated release date.

These leaves or furloughs are usually for a very short period of time (not more than three days) and the prisoner must meet certain eligibility requirements. The CDCR Director may require that the person removed from the prison facility remain under custody during the leave. In addition, the prisoner may be required to reimburse the state for any expenses that the state incurs as a result of the temporary leave.

Prisoners, who are transported from the prison for medical care and treatment, are not limited to a three-day leave nor are they required to reimburse the state for costs that arise from their removal from the prison.







## Parole and Parole Transfers

(Penal Code sections 3000, 3001, & 3003)

**E**very person incarcerated in a California state prison for a term of more than one year and one day is subject to a parole term. In most cases, the parole term is set for a period of three years, but for those convicted of "violent felonies" the parole term can be up to five years. In addition, for those prisoners who received a life sentence, the initial five-year parole term can be extended for another five years if the CDCR requests an extension. The request for an extension of parole must be made no later than 180 days prior to the end of the initial five-year period of parole and a hearing on the extension must be held by the Board of Parole Hearings (BPH).

The CDCR is supposed to meet with each prisoner at least 30 days before the prisoner's release date to provide the prisoner with the conditions and length of his or her parole. The prisoner has the right to a reconsideration of both the length and conditions of parole by the BPH if the prisoner asks for a reconsideration.

Even though the length of a person's parole may have been set at three years, or even five years for violent felonies, there are provisions in the law that allow for the early discharge from parole. For example, a person with a three-year parole term who has been on parole continuously for one year since his or her release from prison, is supposed to be discharged from parole within 30 days unless the CDCR makes a recommendation to the BPH to retain the person on parole. The BPH must find "good cause" in order to retain that person on parole. For a person who was given a five-year parole term, that person can be discharged from parole after being on parole continuously for three years. Again, if the CDCR recommends that the person be retained on parole, the

BPH must find good cause in order to retain that person. The BPH must make a written record of how it reached its decision and the CDCR must give a copy of that decision to the parolee.

When prisoners are released from prison they are returned to the county of their last legal residence. However, in some instances the CDCR decides to send the person to a different county, which requires the CDCR to declare in writing its reasons for placing the parolee in a different county. The BPH considers several factors in reviewing the CDCR's decision and gives great weight to protecting the victim and the safety of the community.

You can use these same factors that the BPH relies on in your efforts to have your parole transferred to a different county. The five factors are: (1) The need to protect the life or safety of a victim, the parolee, a witness, or any other person; (2) Public concern that would reduce the chance that the prisoner's parole would be successfully completed; (3) The verified existence of a work offer, or an educational/vocational program; (4) The verified existence of family in another county with whom the prisoner has maintained strong ties and whose support would increase the chance that the parole will be successfully completed; and, (5) The lack of necessary outpatient treatment programs for parolees receiving treatment pursuant to Section 2960 (of Penal Code).

The CDCR and the BPH will always give priority to the safety of the community, witnesses and victims in determining whether a prisoner should be granted parole to a county that is not the county of a person's last legal residence. So, when requesting a transfer of parole to a different county, it is impor-

tant to stress the existence of strong family ties and support, offers of employment or more opportunities for education or vocational programs, and the availability of drug treatment programs. It may be important to point out that a transfer of parole to a different county will help insure a successful parole because the prisoner/parolee will be away from whatever influences lead to his or her imprisonment.

Letters requesting or supporting a parole transfer should be addressed to the parole agent assigned to the prisoner/parolee. The letters do not have to be long but they should address the factors listed above which are found in Penal Code Section 3003 (parole; geographic placement). You do not have to wait until the person is actually released on parole to request a transfer, in fact in many cases it is good to begin the process before the person is released. If your request for a parole transfer is denied, you should file a 602 appeal.

If you or your loved one is released before the parole transfer is granted, then it is important that you report to the assigned parole officer on time in the county you are assigned to. You can request a "travel pass" from the parole agent so that you can travel to the county where your family is living or where employment is waiting for you. Travel passes are good for 30 days and a person can be issued up to three 30 day passes but must return within each 30 day period to report to the parole office. Copies of the passes and a good report from the agent in charge can be used as documentation supporting

your parole transfer request.

Of course, maintaining a good relationship with the parole office makes this process less stressful and more likely to succeed. It is perfectly all right for a family member to go with the parolee when the person must report. If the agent can see that the family supports the parolee and is taking the necessary steps to insure the successful completion of the parole term, then that agent may be more willing to help the parolee.

Parole will probably be changing in the near future due to budget considerations. The CDCR is supposed to expand its use of pre-release planning to include a needs and risk assessment so that the parole agent will have better information as to what type of services the parolee needs. In addition, existing pre-release classes are to be improved and expanded and will be mandatory for all prisoners nearing the end of their prison term. It is expected that the pre-release classes will cover a broader range of topics and materials. Prisoners serving a parole revocation term will not be required to participate in the pre-release planning program. Another important change is that the pre-release program will be operated by the parole division with assistance from contracted social workers instead of prison employees.

If you want more information about what programs are available to people on parole and you have access to a computer, we suggest that you visit the web site for the CDCR at [www.cdcr.ca.gov](http://www.cdcr.ca.gov).



*Credit: Rosario Munoz family*

## *Sample Letter for Parole Transfer Request*

July 17, 2003

Parole Headquarters, Region 4  
Mr. John Doe, Regional Administrator  
21015 Pathfinder Road, Suite 200  
Diamond Bar, CA 91765

Re: Parole Transfer request for Robert Smith CDC #00001

Dear Mr. Doe:

I am writing on behalf of Mr. Robert Smith who is presently on parole under the supervision of the Chula Vista #4 Unit.

Mr. Smith filed a request for a transfer to the parole unit in Needles, California, immediately following his release from prison. That request was denied and Mr. Smith filed a 602 grievance on May 22, 2003. The 602 was denied on June 9, 2003, with a notation that "San Bernardino remains closed to most transfers." However, also noted under section E-Reviewer's Action of the 602 is information that the parole unit in Victorville is about two hours from Needles, which leads Mr. Smith to believe that the Victorville unit may be accepting transfers. (See copy of 602 attached).

It is imperative that Mr. Smith be transferred to either the Needles parole unit or Victorville unit. Mr. Smith's wife, Cheryl Smith, lives in Needles where she is a Resident Manager of the Orange Apartments. Because her employer recently transferred her to Needles, it is not possible for her to move to Chula Vista where her husband is currently living. In addition, Mr. Smith has been offered a position at the Orange Apartments as a Gardener/Porter and will be gainfully employed.

According to Penal Code section 3003, a person may be considered for parole to a county other than his county of residence provided he can show it would be in the best interests of the public and if he can show family ties and employment opportunities in that county.

In this case, all of Mr. Smith's past criminal activity took place in San Diego County and he has no history of criminal activity in either Needles or Victorville.

If Mr. Smith is required to remain under the supervision of the Chula Vista Unit, it will be extremely difficult for him to successfully complete his parole and become a productive member of the community. He must now live in his father's home where there is barely room for him because of the number of other family members living there. In addition, he has no job opportunities there. More importantly, if he and his wife are forced to live apart, the stability that she brings to the marriage will be missing. She needs his support as much as he needs hers as she is experiencing some health problems that do not allow her to travel extensively.

*Sample Letter for Parole Transfer Request (continued)*

Mr. Smith has already proven that he intends to make his parole a successful one. He obtained travel passes in April, May, and June so that he could visit his wife. He returned within the allotted time and has not posed any problems and his adjustment is noted as “Good.” (See copies of Visitation Permits attached). Additionally, while confined in Avenal State Prison he was disciplinary free and had no gang affiliations or enemies. (See CDC form attached.)

I urge you to seriously consider allowing Mr. Smith to transfer his parole to either Needles or Victorville so that he and his wife can be together and where it will be more likely that he will successfully complete his parole plan.

Thank you for your time and consideration. Should you wish to discuss this matter, I can be reached at the above number.

Sincerely,

Cassie M. Pierson  
Staff Attorney

cc: Robert Smith  
Chula Vista Parole Office



## Assisting Your Loved One with a Parole Hearing

Family members can play an important role in assisting an incarcerated loved one who is serving a life term and trying to obtain parole. Family members, friends and other community members can write letters, emphasizing these points:

- The strength of family ties: How often have you visited, spoken on the phone, written to each other? Give any examples of your support for your loved one
- Examples of your family's stability: Where do you work? How long have you worked there? How long have you lived at your current address? How long have you been married?
- Examples of your family's community involve-

ment: Do you volunteer at your children's schools? Are you active in a community group/organization? Do you participate in any religious community?

- Rehabilitation: How have you seen your loved one change and grow during his incarceration? What classes did he take in prison? What skills were learned? Why do you think your loved one can live successfully in the community?

Letters and other documentation of community support such as job offers must be sent to the prisoner, his/her attorney handling the parole hearing, or the BPT representative at the prison. **All letters must be submitted at least 10 days before the scheduled hearing.**





*Sample Letter from a Family Member in Support of Parole*

1263 Marguerite Street  
Atwater, CA 95301

January 24, 2004

Dear Board of Prison Terms Commissioners and Deputy Commissioners,

I am writing on behalf of my aunt, Nora Andrade, who is eligible for parole. I am very close to my Aunt Nora as I was raised by her mother since I was three years old and have known Nora all my life. She and I have a special bond because we are both the youngest of the family. She is more like a sister to me than an aunt. In all the time that we were growing up, she has always been a kind and caring person. I have great memories of when she would help me when I was in school. When I heard about her upcoming parole, I was so excited that she would have another chance at freedom.

I have visited my Aunt Nora many times in prison over the past 16 years and every time I see her, I think, why is she here, she does not belong here, she belongs with us, her family. We talk a lot at these visits and we have stayed close because of them. She tells me mostly about how she is doing things to improve herself in prison and is always trying to stay positive. She attends self help meetings, has received certificates and pursued her education. I always tell her to keep doing what she is doing, pursuing training and getting prepared to be let out. My aunt is always accepting help and is building her confidence and I am there to help her and support her. I want my Aunt Nora home, where I can visit with her in her house, where she can come over and visit me and my wife and see our kids who all love her very much. I have 5 children who miss her very much. She is ready to be an active member of society. Please help her achieve that goal.

During the course of my aunt's relationship with Federico, in addition to the emotional and mental abuse where he would be very strict with Nora and Lupe, I also saw signs of physical abuse. One time, I saw bruises on my aunt's wrist. She just tried to explain this by saying she had bumped into a table. I had also seen her eye glasses broken a couple of times and each time she would just say that she had dropped them or stepped on them. I think she was not telling us something. I think she wanted to protect Federico since he was the father of her child and she didn't want to hurt her daughter Lupe by revealing anything that might make her think badly of her dad.

In our culture, women do not tell a lot about what happens in the house. Nora was also very shy and did not like to tell us about the problems she was having because she was afraid to let anyone know the truth. She would rather act like everything was ok. Even though we knew something was wrong, that she was depressed, she would give us the idea that it was ok with her and Federico. I believe that she did not want to let us down and make us worried about her. I wish she would have told us something, we could have helped. I hope that you will consider that she was abused when you think about what she did.

*Sample Letter from a Family Member in Support of Parole—Continued*

We have been living without Aunt Nora for 16 years already. She has been in prison so long. She has done all the right things while she is in there and we are proud of her for making good decisions. My aunt knows what she did and she feels so badly, she tells me she regrets what she did. She has tried to use her time in prison to think about her crime and to improve herself. She is ready to come home now. We are waiting for her. We have been waiting for her.

So many people love my Aunt Nora. Every time I talk about her to my friends or my family, we all have wonderful things to say about her. She will be an asset to the community when she is able to join us again because she has earned three certificates. My aunt never was and continues not to be a threat to society. She is a gentle person. In fact, when she was arrested, the arresting officers found that she did not pose a threat of flight or a threat to society. Her bail was reduced from \$100,000 to \$25,000. This really means that my aunt was not a threat at the time of the unfortunate incident, and her hard work while in prison tells us that she continues not to be a threat.

My aunt was granted parole twice in the past and I hope this board will also be compassionate. In fact, I remember how happy we were the day she first got a release date, but when we found out she couldn't come home, it was like she had been put in prison again for the first time. The entire family was sad but we did not let my aunt know our disappointment so that she would remain hopeful and she has. My aunt has no history of violence or arrest. She is loving and loved. We are willing to provide any amount of support for her when she is free. My other aunt, Cleo, has lived in Aunt Nora's house all this time with my grandmother (their mother) and they also want Nora home. Aunt Nora will return to her own home and live with them. I will also be there for her and give her any support or help she needs. There are so many people waiting to see Aunt Nora and help her.

I look forward to my Aunt Nora's release and want to thank you in advance for your compassion.

Thank you,

Maxwell Peter Sanchez

*Sample Letter of an Employment Offer*

June 28, 2003

Board of Prison Terms  
1515 K Street, Suite 600  
Sacramento, CA 95814

Re: Arthur Jones (CDC # )

To Whom It May Concern:

I am writing in support of parole for Mr. Arthur Jones who is incarcerated at San Quentin State Prison. Legal Services for Prisoners with Children is offering Mr. Jones employment upon his release from prison.

Legal Services for Prisoners with Children (LSPC) has a twenty-five-year history of advocating for prisoners and their family members. As an agency that is acutely aware of the difficulties prisoners face when paroled, LSPC is in a position to assist three or four prisoners a year with employment and mentorship so that their transition back to the community is less difficult.

Mr. Jones has been a model prisoner throughout the years and has not been a discipline problem. He is the personal friend of Dorsey Nunn, Program Director of LSPC, and would be welcomed into the LSPC “family” when he is paroled.

Mr. Jones would be responsible for general clerical work at LSPC at an hourly rate of \$15.00. His duties would include: intake calls, correspondence, and filing. In addition, he would have an opportunity to participate in conferences and trainings that LSPC organizes throughout the year.

On behalf of LSPC, I urge the Board to grant Mr. Jones parole so that he can return to his community. Thank you for your attention to this important matter

Sincerely,

Cassie M. Pierson  
Staff Attorney

cc: Counselor, San Quentin State Prison

*Sample Letter from Chaplain Supporting Parole*

STATE OF CALIFORNIA—YOUTH AND ADULT CORRECTIONS AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF CORRECTIONS

Rev. Lois Woodard  
Protestant Chaplain  
California Institution for Women  
16756 Chino Corona Road  
Corona, California 92880-9508  
(909) 597-1771 Ext. 6366



"I was in prison, and ye came unto me." Matthew 25:35

1

Date: June 22, 2002

To : The Board of Prison Term

Re. : Letter of Reference for Inmate

I have known inmate \_\_\_\_\_ for approximately (4 ½) years.  
I have watched her grow to become a strong believer in the power of God.  
I appreciate her for her kindness toward me and her willingness to help in the Chapel whenever she can. Even when she is not feeling well, she still wants to be of service. As she walks in her new life as a born again believer, she is constantly seeking the will of God. She is an inspiration to all of her peers and I pray God's blessings upon her as she strives for the prize of the high calling he has upon her life.

Sincerely,

Rev. Lois M. Woodard  
Protestant Chaplain



# Voting Rights



In 2006, Legal Services for Prisoners with Children (LSPC) was one of the petitioners in the case *League of Women Voters, et al. v. Bruce McPherson, et al.* (Case number A114988) a case concerning the voting rights of prisoners in county jails and persons on probation. The court held that the only persons disqualified from voting under article II section 4 of the California Constitution were those who were in state prison and those who were on parole as a result of a conviction for a felony.

## What This Means

People who are currently incarcerated in a state prison may not vote. People who are currently on parole may not vote. But people who are incarcerated in a county jail (except those who are in jail as the result of a parole hold or parole violation or who are "out-to-court" from state prison) and people on probation may register to vote and may vote once they are registered provided that they are eighteen years of age or older. After a person is discharged from parole, all she has to do is register to vote; there are no requirements that a person get permission from parole, the registrar of voters, or the governor because voting rights are automatically restored once the person is discharged from parole.

LSPC undertook a survey of all 58 counties in California to determine whether local jails were allowing incarcerated people to register to vote and what procedures were in place to ensure that the person could cast her vote. More than half of the 58 counties responded to the survey. The information below is from a letter that LSPC sent to Corrections Standards Authority, which oversees the county jails/local detention centers in California.

1. *None of the counties have procedures in place that permit people from the community to enter the jail for the purpose of voter registration.*

We recommend that a policy be instituted that invites community people to provide voter registration and information. By allowing persons from a historically disenfranchised group to come to the jail to register others from that same group, is a way to define true democracy in action. LSPC also recommends that written materials explaining a person's voting rights be given to each person when he/she enters the jail/detention center. As an alternative to written materials, providing voters' rights materials in the form of a DVD or videotape would ensure that the incarcerated population had greater access to the information they need.

2. *Some counties have voter registration materials and absentee ballots available at the jail. However, the majority of the counties that responded require that the incarcerated person write to the county registrar or the county clerk to request registration materials and/or an absentee ballot.*

We commend the few counties that make registration materials and absentee ballots available on-site and recommend that all counties collaborate with their respective county registrars/clerks and devise a plan that makes access to registration cards and absentee ballots easier for persons confined to the jails.

3. *Some detention centers/jails require that the incarcerated person mail-in his/her voter registration card or absentee ballot in a manner consistent with "inmate personal mail." Other jails specifically state that those materials are to be treated as "confidential" mail. A few other facilities provide that designated staff hand-deliver registration cards and absentee ballots to the appropriate county office.*

LSPC recommends that in counties where materials are to be mailed that those communications be treated as "confidential" mail. It is also impor-

tant that mailed materials be processed quickly so that no one misses the deadline for submitting the registration card or absentee ballot. Where feasible, the hand delivery of materials to the appropriate county office is preferred provided that the prisoner-voter receives a "receipt" of some kind to show that his/her registration card/ballot was delivered in a timely manner.

4. *Nearly all of the responding counties use the phrase "imprisoned or on parole for a felony" in their written materials as a way to notify an incarcerated person that he/she would not be eligible to vote.*

LSPC recommends that clearer, less confusing language be used. Some examples include:

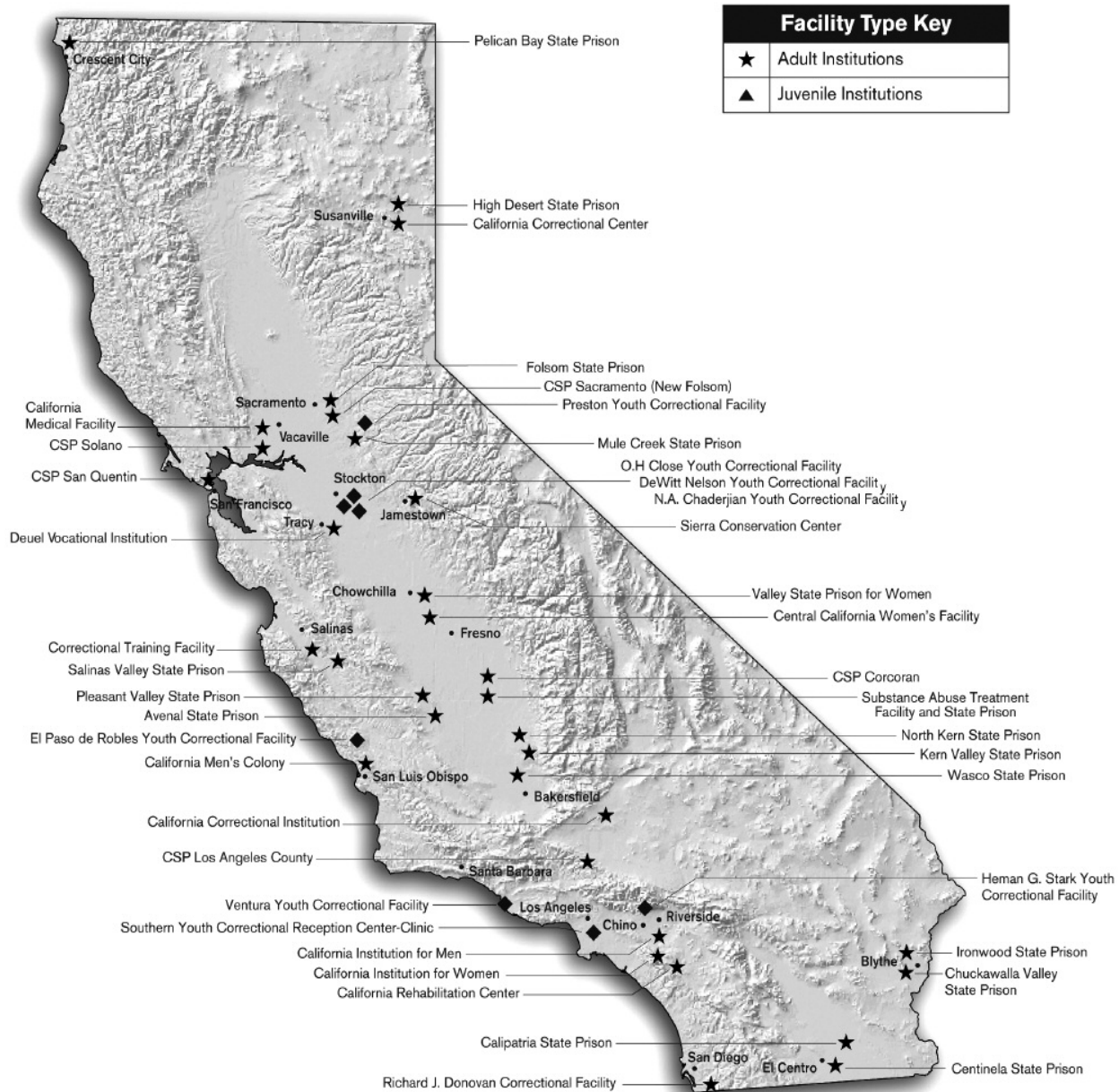
*"You are not on parole or doing state prison time."*

*"Must not be on parole."*

*"If you are here because you are on parole, out-to-court from a state prison, doing a parole violation, or have been sentenced to state prison and are awaiting transportation, you are NOT eligible to vote."*



# California's Correctional and Rehabilitation Institutions



**Published by**  
California Department of  
Corrections and Rehabilitation



# California's Correctional and Rehabilitation Institutions

## Adult Institutions

	Year Opened	Security Level	Rated Capacity
<b>San Quentin State Prison (SQ)</b> San Quentin, CA 94964 • (415) 454-1460	1852	I, II, RC, Cond	3,283
<b>Folsom State Prison (FOL)</b> P.O. Box 71, Represa, CA 95671 • (916) 985-2561	1880	I, II	2,072
<b>California Correctional Institution (CCI)</b> 24900 Highway 202, P.O. Box 1031, Tehachapi, CA 93581 • (661) 822-4402	Reopened: 1954 Original/Women's: 1933	I, II, IV, RC, SHU	2,781
<b>California Institution for Men (CIM)</b> 14901 Central Avenue, P.O. Box 128, Chino, CA 91710 • (909) 597-1821	1941	I, RC	3,078
<b>Correctional Training Facility (CTF)</b> Highway 101 North, P.O. Box 686, Soledad, CA 93960-0686 • (831) 678-3951	1946	II, III	3,281
<b>California Institution for Women (CIW)</b> 16756 Chino-Corona Road, P.O. Box 6000, Corona, CA 92878 • (909) 597-1771	1952	I, II, III, RC	1,026
<b>Deuel Vocational Institution (DVI)</b> 23500 Kasson Road, P.O. Box 400, Tracy, CA 95378-0400 • (209) 835-4141	1953	I, III, RC	1,787
<b>California Men's Colony (CMC)</b> Highway 1, P.O. Box 8101, San Luis Obispo, CA 93409-8101 • (805) 547-7900	East: 1954 West: 1961	I, II, III	3,884
<b>California Medical Facility (CMF)</b> 1600 California Drive, P.O. Box 2000, Vacaville, CA 95696-2000 • (707) 448-6841	1955	I, II, III	2,315
<b>California Rehabilitation Center (CRC)</b> 5th Street & Western, P.O. Box 1841, Norco, CA 92860 • (909) 737-2683	1962	II	2,314
<b>California Correctional Center (CCC)</b> 711-045 Center Road, P.O. Box 790, Susanville, CA 96130 • (530) 257-2181	1963 CCC Camps: Varies	I, II, III I	3,682
<b>Sierra Conservation Center (SCC)</b> 5100 O'Byrnes Ferry Road, P.O. Box 497, Jamestown, CA 95327 • (209) 984-5291	1965 SCC Camps: Varies	I, II, III I	3,926
<b>California State Prison, Solano (SOL)</b> 2100 Peabody Road, P.O. Box 4000, Vacaville, CA 95696-4000 • (707) 451-0182	1984	II, III	2,610
<b>California State Prison, Sacramento (SAC)</b> P.O. Box 29, Represa, CA 95671-0002 • (916) 985-8610	1986	I, IV	1,728
<b>Avenal State Prison (ASP)</b> #1 Kings Way, P.O. Box 8, Avenal, CA 93204 • (559) 386-0587	1987	II	2,320
<b>Mule Creek State Prison (MCSP)</b> 4001 Highway 104, P.O. Box 409099, Lone, CA 95640 • (209) 274-4911	1987	I, III, IV	1,700
<b>R.J. Donovan Correctional Facility at Rock Mountain (RJD)</b> 480 Alta Road, San Diego, CA 92179 • (619) 661-6500	1987	I, III, RC	2,200
<b>Northern California Women's Facility (NCWF)</b> 7150 Arch Road, P.O. Box 213006, Stockton, CA 95213-9006 • (209) 943-1600	Deactivated	—	
<b>California State Prison, Corcoran (COR)</b> 4001 King Avenue, P.O. Box 8800, Corcoran, CA 93212-8309 • (559) 992-8800	1988	I, III, IV, SHU	3,016
<b>Chuckawalla Valley State Prison (CVSP)</b> 19025 Wiley's Well Road, P.O. Box 2289, Blythe, CA 92226 • (760) 922-5300	1988	I, II	1,738
<b>Pelican Bay State Prison (PBSP)</b> 5905 Lake Earl Drive, P.O. Box 7000, Crescent City, CA 95531-7000 • (707) 465-1000	1989	I, IV, SHU	2,280
<b>Central California Women's Facility (CCWF)</b> 23370 Road 22, P.O. Box 1501, Chowchilla, CA 93610-1501 • (559) 665-5531	1990	I, II, III, IV, RC, Cond	2,004

## Security Levels

**Level I:** Open dormitories without a secure perimeter.

**Level II:** Open dormitories with secure perimeter fences and armed coverage

**Level III:** Individual cells, fenced perimeters and armed coverage.

**Level IV:** Cells, fenced or walled perimeters, electronic security, more staff and armed officers both inside and outside the installation.

# California's Correctional and Rehabilitation Institutions

## Adult Institutions, Continued

	Year Opened	Security Level	Rated Capacity
<b>Wasco State Prison (WSP)</b> 701 Scofield Avenue, P.O. Box 8800, Wasco, CA 93280-8800 • (661) 758-8400	1991	I, III, RC	2,984
<b>Calipatria State Prison (CAL)</b> 7018 Blair Road, P.O. Box 5001, Calipatria, CA 92233-5001 • (760) 348-7000	1992	I, IV	2,208
<b>California State Prison, Los Angeles County (LAC)</b> 44750 60th Street West, Lancaster, CA 93536-7620 • (805) 729-2000	1993	I, IV	2,200
<b>North Kern State Prison (NKSP)</b> 2737 West Cecil Avenue, P.O. Box 567, Delano, CA 93216-0567 • (661) 721-2345	1993	I, III, RC	2,692
<b>Centinela State Prison (CEN)</b> 2302 Brown Road, P.O. Box 731, Imperial, CA 92251-0731 • (760) 337-7900	1993	I, III	2,208
<b>Ironwood State Prison (ISP)</b> P.O. Box 2229, Blythe, CA 92226 • (760) 921-3000	1994	I, III	2,200
<b>Pleasant Valley State Prison (PVSP)</b> P.O. Box 8500, Coalinga, CA 93210 • (559) 935-4900	1994	I, III	2,208
<b>Valley State Prison for Women (VSPW)</b> 21633 Avenue 24, P.O. Box 92, Chowchilla, CA 93610-0099 • (559) 665-6100	1995	I, II, III, IV, RC, SHU	1,980
<b>High Desert State Prison (HDSP)</b> 475-750 Rice Canyon Road, P.O. Box 750, Susanville, CA 96127 • (530) 251-5100	1995	I, III, IV, RC	2,224
<b>Salinas Valley State Prison (SVSP)</b> P.O. Box 1020, Soledad, CA 93960-1020 • (831) 678-5500	1996	I, IV	2,224
<b>California Substance Abuse Treatment Facility (SATF)</b> 900 Quebec Avenue, P.O. Box 7100, Corcoran, CA 93212-7100 • (559) 992-7100	1997	II, III, IV	3,324
<b>Kern Valley State Prison (KVSP)</b> 3000 West Cecil Avenue, P.O. Box 6000, Delano, CA 93216 • (661) 721-6300	2005	I, IV	5,120

## Juvenile Institutions

<b>Preston Youth Correctional Facility</b> 201 Waterman Road, Lone 95640 • (209) 274-8000	1892	—	720
<b>Ventura Youth Correctional Facility</b> 3100 Wright Rd., Camarillo 93010 • (805) 485-7951	1942	—	596
<b>El Paso de Robles Youth Correctional Facility</b> P.O. Box 7008, Paso Robles 93447-7008 • (805) 238-4040	1947	—	690
<b>Southern Youth Correctional Reception Center-Clinic</b> 13200 S. Bloomfield Ave., Norwalk 90650 • (562) 868-9979	1954	—	350
<b>Heman G. Stark Youth Correctional Facility</b> 15180 S. Euclid Avenue, Chino, CA 91710 • (909) 606-5000	1960	—	1200
<b>O. H. Close Youth Correctional Facility</b> P.O. Box 213001, Stockton 95213-9001 • (209) 944-6391	1966	—	379
<b>DeWitt Nelson Youth Correctional Facility</b> P.O. Box 213003, Stockton 95213-9003 • (209) 944-6191	1971	—	433
<b>N. A. Chaderjian Youth Correctional Facility</b> P.O. Box 213014, Stockton 95213-9014 • (209) 944-6400	1991	—	600

### Security Levels

**SHU:** Security Housing Unit. The most secure area within a Level IV prison designed to provide maximum coverage.

**RC:** Reception Center. Provides short term housing to process, classify and evaluate incoming inmates.

**Cond:** Condemned. Holds inmates with death sentences.





## Glossary

*The following is a list of commonly used terms, both prison slang and jargon.*

**A-days:** flat time or day-for-day, meaning that no additional time is added to the sentence and none taken away; often heard in the context of a prisoner being punished for not working, which means that her good time credits for that day are taken away. For example, "My work supervisor did not believe that I was really sick and when I didn't show up for work, she gave me an A-day."

**books:** prisoner trust fund account from which money is withdrawn for canteen purchases, copies and postage. For many prisoners, money going onto their books is subject to a 33% restitution reduction—the state takes this reduction to pay for housing, food and victims' funds.

**canteen:** the commissary at the prison where prisoners can buy food, writing supplies, hygiene products, etc.

**CC-1:** a staff counselor

**CCCMS or Triple CMS:** Correctional Clinical Case Management Services, usually heard in the context of a mental health designation

**CCPOA:** California Correctional Peace Officer's Association, the prison guards' union in California

**CDCR:** California Department of Corrections and Rehabilitation

**C-file:** central file, institutional file in which all information about a prisoner is kept

**chrono:** permission slip granting a special privilege or right to a prisoner, often for something like a lower bunk, access to ice, special diet, no heavy lifting; usually written by a doctor

**class action lawsuit:** brought on behalf of an entire group of prisoners; seeks systemic change; does not involve money damages

**clerk:** a job assignment for prisoners, similar to a legal assistant or secretary

**CMO:** Chief Medical Officer, head doctor of a prison

**CO:** correctional officer—also known as a cop or guard. Hierarchy of COs is militarized (Sgt., Lt., Captain, etc.)

**co-pay:** \$5.00 fee charged each prisoner for each medical visit, unless the prisoner is classified as indigent, i.e. there's been no money on the prisoner's books for at least 30 days.

**DOM:** Director's Operating Manual; institutionally created rulebook

**ducat:** permission slip which allows a prisoner to move around the prison

**ERD:** Estimated Release Date

**free world:** often used in reference to non-prisoners and outside agencies

**free staff or people from the outside:** contract staff members who work in the prison but are not guards or prison administrators. Includes people who run the educational, drug rehab, and religious programs inside, construction workers, etc.

**Good time or good time credits:** time off of sentence in exchange for working/programming

**going over the wall:** refers to time when a prisoner is moved from the A yard Reception and Receiving area of the prison to the main yard

**GP:** general population; where a prisoner is typically placed if not in isolation or medical facility

**head count:** daily accounting of prisoners; happens several times a day; no movement happens within the prison during count

**Health Care Services Division:** branch of the California Department of Corrections and Rehabilitation responsible for overseeing the provision of medical care to all state prisoners

**hot meds:** controlled medication, including psychotropic medications, anti-depressants, HIV meds, and some high blood pressure meds. Each dosage is dispensed at the infirmary and requires prisoners to stand outside often in very long lines.

**ICC:** Institutional Classification Committee; administrative committee within the prison which decides how each prisoner will be classified; also determines housing, privileges, job eligibility

**in the mix:** in the thick of things in the general population; someone who hangs out in the yard during the day and participates in the prisoner community

**ISO, ISU:** Investigative Services Officer, Investigative Services Unit; the internal investigation officer and office at each prison.

**jailhouse lawyer:** prisoner who assists others in filing legal actions

**lockdown:** confinement of a prisoner to her cell; can be a disciplinary or safety measure. Sometimes an entire prison can be on lockdown.

**MAR or MARB:** Medical Authorization Review Board, the committee in charge of deciding if a prisoner will receive a particular surgery and when. Comprised of medical staff and prison administrators at each prison.

**meds:** medications

**medically disabled:** doctor approved status; prisoner excused from working and still gets good time credits; usually given to prisoners with a long-term or permanent illness or disability that prohibits them from working

**medically unassigned:** doctor approved status; prisoner excused from work but gets A-days; usually given to prisoners who are temporarily unable to work for medical reasons

**MIC or CPMP:** Mother-Infant Care program, also known as the Community Prisoner Mother Program; places mothers and their young children in half-way houses in community-based settings

**MTA:** Medical Technical Assistant—guard with Licensed Vocational Nurse (LVN) training

**MVA:** Motor Vehicle Assistant—prisoner who drives vehicles in medical emergencies

**porter:** job assignment for prisoners that is roughly equivalent to a janitor

**program/programming:** refers to a prisoner's job assignment or participation in educational programs; a means to receive good time credits, for working as a clerk, porter, going to classes

**R&R:** Receiving and Reception or A Yard, that area of the prison where prisoners are first processed and classified

**SHU:** Security Housing Unit or **Ad-Seg** (administration segregation); also known as lockdown or the hole; solitary confinement cells ostensibly used for prisoners who are discipline problems and cannot remain in general population, or who are in danger of harm from other prisoners. SHU sentences can be "indeterminate" which means the person does not leave the SHU until she paroled, snitches (called "debriefing") or dies; prisoners usually are given indeterminate sentences for alleged gang affiliation.

**SNF:** Skilled Nursing Facility at Central California Women's Facility, also known as 805 or the Treatment Center; a medical facility within the prison grounds

**Title 15:** Section 15 of California Administrative Code which governs prisons in the state of California

**115:** serious write-up by a guard for a violation of an institutional rule; goes into the C-file; prisoner has a right to appeal

**128:** less serious write-up by a guard for a violation of an institutional rule; also appealable

**602:** inmate grievance procedure; write-up performed by a prisoner as a challenge to some action committed (or omitted) by a staff member

**1824:** grievance form filed for American with Disabilities Act (ADA) violations, similar to a 602



***B**eing the mother of a daughter in prison is very hard and lonely. You feel different; it's difficult to speak about your loved one. Sometimes people don't understand; sometimes they're afraid to hurt your feelings, so they don't mention her."*

## Resources

### Legal Resources

#### *Publications*

##### **Incarcerated Parents Manual: Your Legal Rights and Responsibilities**

##### **Manual para Madres y Padres Encarcelados (Spanish version)**

Addresses various aspects of family law, including child custody, foster care, paternity, and child support. Cost: **No charge to prisoners**; \$10 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children and Prison Legal Services.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

##### **Manual for Grandparent-Relative Care givers and Their Advocates**

Addresses the issues of most concern for grandparents and other relatives. Cost: **No charge to prisoners**; \$25 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

##### **Suing a Local Public Entity**

Information and forms needed to sue a county jail official and/or other county officials. Cost: **No charge to prisoners**; \$10 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

##### **Transportation to Court**

Information and forms explaining how to get from state prison or jail to court for a hearing concerning child custody or parental rights. Cost: **No charge to prisoners**; \$10 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

##### **A Manual on SSI/SSDI For Prisoners and Their Advocates**

This manual is designed to navigate the Supplemental Security Income/ Social Security Disability Insurance process, and is designed not so much for the SSI / SSDI applicant, but rather the applicant's advocate. Cost: **No charge to prisoners**; \$10 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 522-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

##### **Pregnant Women in California Prisons and Jails: A Guide for Prisoners and Legal Advocates, third edition 2006**

Intended for use by prisoners, attorneys, and legal workers. This edition contains some general information on pregnancy that may not be specifically relevant to an incarcerated woman's experience. However, we decided to include it so that women would have access to information not readily available while in prison or jail. Cost: **No charge to prisoners**; \$10 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 522-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

**Manual On Divorce Issues for People in California Prisons and Jails, 2008**

General information on divorce in California. Cost: **No charge to prisoners**; \$10 suggested donation for family members and advocates. Produced and distributed by Legal Services for Prisoners with Children.

1540 Market St., Suite 490, San Francisco, CA 94102

p: (415) 255-7036

f: (415) 522-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

**The California State Prisoners Handbook: A Comprehensive Practice Guide to Prison & Parole Law (Fourth Edition, 2008)**

Cost: \$40 to prisoners and parolees. \$182.00, including California tax and shipping. Covering a wide range of subjects, this guide provides a summary of the law pertaining to prisoners and parolees. Includes sample pleadings and forms. Produced by The Prison Law Office

[www.prisonlaw.com](http://www.prisonlaw.com)

Distributed by Rayve Productions

P.O. Box 726

Windsor, CA 95492

**Compassionate Release for Terminally Ill and Permanently Medically Incapacitated People in California Prisons: The Nuts and Bolts Manual for Winning Compassionate Release**

By Cynthia Chandler, Co-Director, Justice Now & Johanna Hoffman, Staff Attorney.

1322 Webster St., Suite 210, Oakland California 94612

p: (510) 839-7654

f: (510) 839-7615

[www.jnow.org](http://www.jnow.org)

**A Jailhouse Lawyer's Manual: Fifth Edition**

**A Jailhouse Lawyer's Manual: Fifth Edition, 2002 Supplement**

Published in 2000; updated, 2002. Cost: \$31.00 to prisoners (\$43.00 for manual and supplement). This manual explains the rights of prisoners, legal research, federal and New York state law. Available from Columbia Human Rights Law Review.

435 West 116th St., New York, NY 10027

p: (212) 854-1601

f: (212) 854-7946

[jrnhum@law.columbia.edu](mailto:jrnhum@law.columbia.edu)

**Prison Legal News**

Reports on court decisions and current legal news.

2400 N.W. 80th St. #148

Seattle, WA 98117

[www.prisonlegalnews.org](http://www.prisonlegalnews.org)

**Protecting Your Health and Safety: A Litigation Guide for Inmates**

By Robert E. Toone. Published in 2002. Cost: \$10.00, including S&H. This is a guide to the basic rights of prisoners relating to their health and safety while incarcerated. It does not deal with criminal law. Available from the Southern Poverty Law Center.

400 Washington Ave., Montgomery, AL 36104

p: (334) 956-8200

f: (334) 956-8481

[www.splcenter.org](http://www.splcenter.org)

**Prisoners' Self-Help Litigation Manual (Third Edition)**

By Don Boston and Daniel Manville. A guide for prisoners and advocates who are challenging prison conditions. Contains information on legal research and writing.

Oceana Publications, Inc., NY, NY.

**The Jailhouse Lawyer's Handbook: How to Bring a Federal Lawsuit to Challenge Violations of Your Rights in Prison (Fourth Edition, Revised in 2003)**

Edited by Ian Head and Rachel Meeropol. This handbook is a resource for prisoners and their advocates who wish to file a Section 1983 lawsuit in federal court. Cost: Free to prisoners, family members, advocates, lawyers, and others. Published by the Center for Constitutional Rights and the National Lawyers Guild.

[www.jailhouselaw.org](http://www.jailhouselaw.org)

**Legal Help**

*Check your local Yellow Pages for Legal Services in your area.*

**California Courts Self-Help Center**

An on-line self-help center that gives free and low-cost legal help regarding family law, small claims, domestic violence, seniors needs, as well as other topics.

Judicial Council of California

Administrative Office of the Courts

455 Golden Gate Ave.

San Francisco, CA 94102

[www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

**Centro de Ayuda de las Cortes de California**

El recurso oficial de auto ayuda mas completo para informacion sobre las cortes de California.

Judicial Council of California

Administrative Office of the Courts

455 Golden Gate Ave.

San Francisco, CA 94102

[www.sucorte.ca.gov](http://www.sucorte.ca.gov)

**LawHelpCalifornia.org**

On-line self-help information, free or low-cost legal service referrals, links to legal resources regarding housing, families, public benefits, immigration, disability, elders, individual and civil rights

[www.LawHelp.org](http://www.LawHelp.org)

**Nolo Press**

Many free legal research and information resources, as well as some low-cost legal self-help products.

950 Parker St.

Berkeley, CA 94710-2524

[www.nolo.com](http://www.nolo.com)

## Advocacy and Support

### *Organizations*

**A Time For Change**

P.O. Box 5753

San Bernardino, CA 92412

p: (909) 886-2994

[www.timeforchange.us](http://www.timeforchange.us)

Since 2002 the Time For Change Foundation has operated a homeless shelter for women recovering from the effects of mental and physical abuse, substance abuse and incarceration. They provide housing, food, clothing and supportive services to women in need.

**Action Committee for Women in Prison**

1249 N. Holliston Avenue

Pasadena, CA 91104

p: (626) 710-7543

[info@acwp.net](mailto:info@acwp.net)

[www.acwp.net](http://www.acwp.net)

The mission of ACWP is to advocate for the humane and compassionate treatment of all incarcerated women everywhere. They work for the release of all women who are unjustly imprisoned, and strive to reduce the over reliance on incarceration.

**All Of Us Or None**

c/o Legal Services for Prisoners with Children

1540 Market St. Ste. 490

San Francisco, CA 94102

p: (415) 255-7036 x 337

[www.allofusornone.org](http://www.allofusornone.org)

All of Us Or None is a national organizing initiative of prisoners, former prisoners and felons, to combat the many forms of discrimination that they face as the result of felony convictions. This member-based movement organizes monthly meetings, community outreach initiatives and campaigns for voting and other human rights.

**Barrios Unidos**

1817 Soquel Avenue

Santa Cruz, CA 95062

p: (831) 457-8208

f: (831) 457-0389

[www.barriosunidos.net](http://www.barriosunidos.net)

The national office of Santa Cruz Barrios Unidos established the mission to prevent and curtail violence amongst youth within Santa Cruz County by providing them with life enhancing alternatives. Over the past twenty-five years Barrios Unidos has developed a model that seeks to reclaim and restore the lives of struggling youth while promoting unity amongst families and neighbors through community building efforts

**Books Not Bars**

344 40th Street

Oakland, CA 94609

p: (510) 428-3939

f: (510) 428-3940

[contact@ellabakercenter.org](mailto:contact@ellabakercenter.org)

[ellabakercenter.org](http://ellabakercenter.org)

Books Not Bars, a project of the Ella Baker Center in Oakland, is a statewide campaign aiming to shut down California's abusive and costly youth prisons and replace them with alternatives that work—like regional rehabilitation centers and community-based programs.

**California Coalition for Women Prisoners**

1540 Market St., Suite 490

San Francisco, CA 94102

p: (415) 255-7036 x 4

f: (415) 552-3150

[info@womenprisoners.org](mailto:info@womenprisoners.org)

[womenprisoners.org](http://womenprisoners.org)

CCWP is a grassroots racial justice organization that challenges the institutional violence imposed on women and communities of color by prisons and the criminal justice system. We are building a movement with women prisoners, family members of prisoners, and the larger communities through organizing, leadership development, and political education.

**California Prison Focus**

1904 Franklin Street, Suite 507

Oakland, CA 94612

p: (510) 836-7222

f: (510) 836-7333

[contact@prisons.org](mailto:contact@prisons.org)

[www.prisons.org](http://www.prisons.org)

California Prison Focus is an organization working to stop human rights violations, improve medical care and end long-term isolation in California prisons.



### California Prison Moratorium Project

1055 N. Van Ness Ave. Suite C

Fresno, Ca. 93728

p: (559) 266-5901

pmpvalle@sbcglobal.com

www.calipmp.org

The California Prison Moratorium Project seeks to stop all public and private prison construction in California. Throughout all their campaigns and chapters, CPMP provides research, writing and information on the myths of prison development and the forces driving prison expansion as well as organizes grassroots resistance and advocacy support.

### Center on Juvenile and Criminal Justice

440 9th St.

San Francisco, CA 94103

p: (415) 621-5661

f: (415) 621-5466

info@cjcj.org

Provides direct service, technical assistance and policy research in the field of juvenile and criminal justice. They have a number of different diversion and independent living programs and publications available.

### Centerforce

2955 Kerner Blvd., 2nd Floor

San Rafael, CA 94901

p: (415) 456-9980

f: (415) 456-2146

www.centerforce.org

The Centerforce mission is to support, educate, and advocate for individuals, families and communities impacted by incarceration. Centerforce provides services for prisoners, ex-prisoners, and family members of prisoners through direct services, its annual conference and, through consultation and training for government agencies, community-based organizations and correctional facilities across the country and internationally.

### Critical Resistance

1904 Franklin St., Suite 504

Oakland, CA 94612

p: (510) 444-0484

f: (510) 444-2177

crnational@criticalresistance.org

www.criticalresistance.org

Critical Resistance is a national prison abolition organization that seeks to build an international movement to end the Prison Industrial Complex by challenging the belief that caging and controlling people makes us safe. Instead, they work to build safe and healthy communities, where the basics are provided, such as food, shelter, and self-determination. They also work to create and promote alternatives to the current system.

### Families to Amend California's Three Strikes (FACTS)

3982 S. Figueroa, #209

Los Angeles, CA 90037

p: (213) 746-4844

f: (213) 746-4944

www.facts1.com

Our mission is to support, educate, and empower those who are striving for proportionality in sentencing and fairness and justice in the criminal justice system by building a movement based in the communities and families most affected by California's Three Strikes law.

### Family and Friends of Prisoners Support Group

Center for Nonviolence

1584 N. Van Ness

Fresno, CA 93728

p: (559) 255-9492

maria.telesco@worldnet.att.net

centerfornonviolence.org

Open to all families and friends of prisoners, no matter what their age or institution. Meets third Thursday of each month.

### Families Against Mandatory Minimums (FAMM)

1612 K St., NW, Suite 700

Washington, D.C. 20006

p: (202) 822-6700

f: (202) 822-6704

www.famm.org

Families Against Mandatory Minimums is the national voice for fair and proportionate sentencing laws. We shine a light on the human face of sentencing, advocate for state and federal sentencing reform, and mobilize thousands of individuals and families whose lives are adversely affected by unjust sentences.

### Families with a Future (FWAF)

1540 Market St., Suite 490

San Francisco, CA 94103

(415) 999-8084

(415) 552-3150

www.familieswithafuture.com

Families With A Future (FWAF) is a network of everyday people interested in minimizing the damaging effects when a parent goes to prison. We recognize the tremendous pain children suffer when they lose a parent to prison, and our mission is to render support to families and their children, specifically transportation.

**Family Advocacy Network (FAN)**

1540 Market St., Suite 490

San Francisco, CA 94102

p: (415) 255-7036 x 306 or 319

The Family Advocacy Network serves a place where family members and friends of prisoners advocate for the safety and well-being of loved ones inside. The network includes mothers, fathers, sisters, husbands, brothers, children and others who come together to heal from the damage caused by incarceration, and to make sure that their incarcerated loved ones are free from abuse, get needed medical care and are treated with the dignity and respect they deserve.

**Friends Outside**

PO Box 4085

Stockton, CA 95204

p: (209) 955-0701

f: (209) 955-0735

[www.friendsoutside.org](http://www.friendsoutside.org)

Friends Outside is a volunteer-run organization that assists prisoners and their families by acting as an intermediary between the family, the prisoner, and the criminal justice system. They help prisoners and their families locate resources available to them in the community, and provide regular support groups for ex-offenders. There are hospitality trailers staffed by Friends Outside at every California prison. There are also Friends Outside Case Managers inside the prisons that work directly with the prisoners.

**Free Battered Women**

1540 Market St., Suite 490

San Francisco, CA 94102

p: (415) 255-7036 x 6

f: (415) 552-3150

[www.freebatteredwomen.org](http://www.freebatteredwomen.org)

Free Battered Women seeks to end the re-victimization of incarcerated survivors of domestic violence as part of the movement for racial justice and the struggle to resist all forms of intimate partner violence against women and transgender people. They achieve this through community organizing, parole advocacy, public education, media campaigns, and policy work.

**Grandmothers of the Light**

P.O. Box 3443

Oakhurst, CA 93644

toll-free: (866) 484-4468

p: (559) 683-7857

f: (909) 752-5387

[www.grandmothersofthelight.org](http://www.grandmothersofthelight.org)

Grandmothers of the Light is a Christian organization that provides services and support to children with an incarcerated parent(s), as well as to parents currently inside.

**Inmate Family Council (VSPW)**

PO Box 374

Hayfork, CA 96041

p: (530)-628-1096

[www.vspw-ifc.com](http://www.vspw-ifc.com)

Inmate Family Council is a liaison organization between inmate family members and Valley State Prison of Women, assisting families and providing information regarding visitation rights.

**Justice Now**

1322 Webster St., Suite 210

Oakland, CA 94612

p: (510) 839-7654

f: (510) 839-7615

[www.jnow.org](http://www.jnow.org)

Justice Now is a prison abolition organization that provides legal services and support to women prisoners and works with prisoners and their families on political education and health campaigns with the goal of building a world without prisons.



#### **Legal Services for Prisoners with Children**

1540 Market St., Suite 490

San Francisco, CA 94102

p: (415) 255-7036

f: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

LSPC advocates for the human rights and empowerment of incarcerated parents, children, family members and people at risk for incarceration. They respond to requests for information, trainings, technical assistance, litigation, community activism and the development of more advocates. Their focus is on women prisoners and their families, and they emphasize that issues of race are central to any discussion of incarceration.

#### **A New Way of Life**

P.O. Box 875288

Los Angeles, CA 90087

p: (323) 563-3575

f: (323) 563-1889

[anewwayoflife.org](http://anewwayoflife.org)

A New Way of Life Reentry Project is a non-profit organization that provides housing and reentry support to formerly incarcerated women and their children. A New Way of Life operates a total of four sober living homes, serving 40-50 women and children per year, and offers a wide range of support services to help facilitate a successful transition back to community life.

#### **Prison Activist Resource Center**

PO Box 70623

Oakland, CA 94612

p: (510) 893-4648

[www.prisonactivist.org](http://www.prisonactivist.org)

The Prison Activist Resource Center provides progressive and radical news and other information about prisons and the prison prosecution system.

#### **Prison Law Office**

Prison Law Office (address for prisoners)

1917 Fifth St.

Berkeley, CA 94710

[www.prisonlaw.com](http://www.prisonlaw.com)

The Prison Law Office is a public interest law firm protecting the constitutional rights of prisoners. With a small staff of attorneys and support personnel, the Prison Law Office represents individual prisoners, engages in class action and other impact-litigation, educates the public about prison conditions, and provides technical assistance to attorneys throughout the country.

#### **Prisoner's Literature Project**

c/o Bound Together Books

1369 Haight St.

San Francisco, CA 94117

p: (510) 893-4648

[prisonactivist.org/plp/](http://prisonactivist.org/plp/)

Prisoner's Literature Project is an all-volunteer project that sends free books to prisoners all over the United States.

#### **Prison Reform Unity Project (PRUP)**

[www.vip-cali.com/prup](http://www.vip-cali.com/prup)

PRUP is a grassroots movement of organizations, groups, friends and families of the incarcerated demanding HUMAN RIGHTS and true justice for prisoners and their families.

#### **Project WHAT!**

1605 Bonita Avenue

Berkeley, CA 94709

p: (510) 486-2340

f: (510) 649-8239

[community\\_works@yahoo.com](mailto:community_works@yahoo.com)

[www.community-works-ca.org/programs/projectwhat](http://www.community-works-ca.org/programs/projectwhat)

Project WHAT! (PW) raises awareness about the impacts of parental incarceration on children, with the long-term goal of improving services and policies that affect these children. Project WHAT! (PW) raises awareness about the impacts of parental incarceration on children, with the long-term goal of improving services and policies that affect these children.

#### **San Francisco Children of Incarcerated Parents (SFCIPP)**

P.O. Box 293

1563 Solano Avenue

Berkeley, CA 94707

[nellbernstein@att.net](mailto:nellbernstein@att.net)

[www.sfcipp.org](http://www.sfcipp.org)

SFCIPP is a coalition of social service providers, representatives of government bodies, advocates and others who work with or are concerned about children of incarcerated parents and their families. They have created a Bill of Rights of Incarcerated Children.

**Transgender, Gender Variant and Intersex Justice Project (TGIJP)**

1095 Market St. Suite 308

San Francisco, CA 94103

p: 415-252-1444

f: 415-252-1554

[www.tgjip.org](http://www.tgjip.org)

The TGI Justice Project's (TGIJP) mission is to challenge and end the human rights abuses committed against transgender, gender variant/genderqueer and intersex (TGI) people in California prisons and beyond. TGIJP has alternative sentencing and advocacy projects as well as organizing and leadership development programs for incarcerated and formerly incarcerated transgender/intersex people and their allies.

**Transitions Clinic**

401 Keith Street

San Francisco, CA 94124

p: (415) 933-4403

[transitionsclinic@yahoo.com](mailto:transitionsclinic@yahoo.com)

[www.sfdph.org/cehp](http://www.sfdph.org/cehp)

Launched in January 2006, Transitions Clinic is a unique, community-based, patient-centered program that strives to meet the medical and social needs of the post-release prison population. The clinic provides primary care health services, refills essential medications, and offers onsite social work, substance abuse counseling, psychiatry, and laboratory services.

***Publications*****Bill of Rights of Children of Incarcerated Parents**

Distributed by San Francisco Children of Incarcerated Parents online ([sfciipp.org](http://sfciipp.org)) or at: PO Box 293, 1563 Solano Avenue, Berkeley, CA 94707. Copies of the Bill of Rights are available for \$2 per copy (SEtH included). A 12-minute video about the Bill of Rights is available for \$14, shipping included.

**Outsiders Looking In: How to Keep From Going Crazy When Someone You Love Goes to Jail**

By Toni Weymouth and Maria Telesco. (\$21.95, including SEtH.)

Available from OLINC Publishing, P.O. Box 6012, Fresno, CA 93703-6012

**The Prisoners Assistance Directory**

Cost: \$30.00. Lists local, national and international organizations that provide services to prisoners and their families. Published by the National Prison Project of the ACLU, 733 15th St., N.W., Suite 620, Washington, D.C. 20005

***Medical Resources***

*For general information on many health topics, these are two important resources:*

**Centers for Disease Control**

1600 Clifton Rd.

Atlanta, GA 30333

(404) 639-3534

800-311-3435

[www.cdc.gov](http://www.cdc.gov)

**National Institutes of Health**

9000 Rockville Pike

Bethesda, MD 20892

[www.nih.gov](http://www.nih.gov)

*Web sites for general health information:*

[www.webmd.com](http://www.webmd.com)

[www.drugdigest.org](http://www.drugdigest.org)

*For specific medical conditions, there are specific organizations you can contact for more information. This is only a partial list of organizations that address specific medical issues. Go to your phone book's yellow pages or do a web search for more information on medical issues not listed above.*

**Arthritis & Fibromyalgia****Northern California Chapter**

657 Mission St., Suite 603

San Francisco, CA 94105-4120

(415) 356-1230

1-800-464-6240

[info.nca@arthritis.org](mailto:info.nca@arthritis.org)

Southern California Chapter

4311 Wilshire Blvd., Suite 530

Los Angeles, CA 90010-3775

(323) 954-5750

[info.sca@arthritis.org](mailto:info.sca@arthritis.org)

**Asthma and Chronic Lung Disease****American Lung Association of California**

424 Pendleton Way

Oakland, CA 94621

(510) 638-LUNG

[info@californialung.org](mailto:info@californialung.org)

**Cancer****American Cancer Society**

National: 1-800-ACS-2345

[www.cancer.org](http://www.cancer.org)

**American Cancer Society**

East Bay Metro Unit

1700 Webster St.

Oakland, CA 94612

(510) 832-7012

**American Cancer Society**  
 Los Angeles Coastal Cities Unit  
 5731 W. Slauson Ave., Suite 200  
 Culver City, CA 90230  
 (310) 348-0356

**Diabetes**

**American Diabetes Association**  
 ATTN: National Call Center  
 1701 North Beauregard St.  
 Alexandria, VA 22311  
 (800) 342-2383  
[www.diabetes.org](http://www.diabetes.org)

**Prisoner Diabetes Handbook**  
 Southern Poverty Law Center  
 400 Washington Ave.  
 Montgomery, AL 36104  
 (Free to Prisoners through Prison Legal News)

**Epilepsy (Seizure Disorder)**

**Epilepsy Foundation of Northern California**  
 5700 Stoneridge Mall Rd., Suite 295  
 Pleasanton, CA, 94588-2852  
 (925) 224-7760  
 (800) 632-3532  
[www.epilepsyfoundation.org/norcal](http://www.epilepsyfoundation.org/norcal)

**Epilepsy Foundation of Southern California**  
 5777 Century Blvd. Suite 820  
 Los Angeles, Ca 90045  
 (800) 564-0445  
 (310) 670-2870  
[www.epilepsy-socalif.org](http://www.epilepsy-socalif.org)

**Hepatitis & HIV**  
 Northern California American Liver Foundation  
 870 Market St., Suite 1046  
 San Francisco, CA 94102  
 (800) 465-4837  
[www.liverlifeline.com](http://www.liverlifeline.com)

**Greater Los Angeles Chapter of the American Liver Foundation**  
 5777 Century Blvd. Suite 865  
 Los Angeles, Ca 90045  
 (310) 670-4624  
[www.liver411.com](http://www.liver411.com)

**Project Inform**  
 205 13th St., #2001  
 San Francisco, CA 94103  
 (800) 822-7422