

# 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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Creator: Donna Willmott

Editor: Cassie M. Pierson

Contributors: Susan Burton, Steve Castillo, Cynthia Chandler, Doris Mitchell, Grace Ortega, Jenny Osborne, Maisha Quint, Judy Ricci, Sean Sabo, Maxwell Sanchez, Karen Shain, Natali Smith, Heidi Strupp, Deborah Teczon

Layout and design: Design Action Collective

Photos: Legal Services for Prisoners with Children

Graphics: Jen Seron

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## Dedication

This 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*

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*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, one out of 33 African-Americans was incarcerated in April of 2000, compared with one out of 122 Latinos and one out of 205 whites (McCormack).
- 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 (CDC) policy requires that 33% of a prisoner’s commissary fund be turned over to the Victims Restitution Fund. Every time a family member sends a prisoner \$10.00, \$3.30 is automatically deducted. Over the last 10 years, \$50 million has been directed to this fund from prisoners’ accounts ([www.cdc.corr.ca.gov/VictimServices/Restitution.asp](http://www.cdc.corr.ca.gov/VictimServices/Restitution.asp)). 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—she is 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 (CDC) 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 CDC'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.

Sometimes this manual refers to prisoners as "she", sometimes as "he." We do this deliberately to avoid favoring one gender over another. The information in this manual applies to both women and men, unless where noted.

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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 will apply only to California state prisons. County jails and other detention facilities are governed by a different set of policies.

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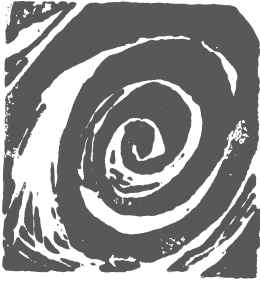
### Endnotes:

Clare Nolan, *Children of Arrested Parents*. California Research Bureau, 2003. <http://www.library.ca.gov/crb/03/11/03-011.pdf>

Erin McCormick, "Number of State Prisoners Soared in 90's: One in 33 Blacks Was Behind Bars in April Last Year," *San Francisco Chronicle* (August 9, 2001).

*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 CDC officials
- Inmate grievance process (602)
- 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 pages 29-32). 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 CDC 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 she 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, page 13.
- 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. Include copies of your correspondence with the CDC 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 a 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. (See Resources Section, page 83).
- Don't blame yourself if your efforts don't work the way you had hoped. You're up against many roadblocks! Hang in there ... it's a long road.





# MEDICAL AND MENTAL HEALTH CARE IN CALIFORNIA PRISONS

## Legal Standards for Prison Health Care

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The 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. Among the cases that govern California laws are:

*Plata v. Davis*, a statewide class action lawsuit alleging that cruel and unusual punishment was being inflicted on prisoners whose medical needs were not being met. Brought by the Prison Law Office, and settled in June 2002, *Plata* requires an overhaul of the medical practices in the CDC and provides for an independent monitoring of the CDC's progress in complying with the new standards.

*Shumate v. Wilson*, a class-action lawsuit filed by several legal advocates (Legal Services for Prisoners with Children among them) on behalf of women prisoners in two California prisons. *Shumate* challenged the inhumane medical care in the women's prisons, and legally required the CDC to meet higher standards of health care for women prisoners. The settlement, which was signed in 1997, required regular Pap tests and

pregnancy care as well as improved access to doctors and the ability to get medications on time.

*Armstrong v. Wilson* was brought by the Prison Law Office to ensure that the rights of disabled prisoners were protected. Based on the rights laid out in the Americans with Disabilities Act (ADA), this class-action lawsuit resulted in an injunction requiring the CDC to improve disabled prisoners' access to programs.

*Coleman v. Wilson* is a statewide class action brought by the Prison Law Office to challenge the unconstitutional treatment of mentally ill prisoners within the CDC. This federal case lays out standards for the treatment of mentally ill prisoners.

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

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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 his case a prisoner must show the following:

1) That a medical need is serious. In order to prove this, the prisoner must have:

- a) An injury that a doctor finds in need of treatment
  - b) A medical need that affects the prisoner's daily activities, and/or
  - c) 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 (CDC) Health Care Services

### Frequently Asked Questions

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

According to CDC 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 CDC also reserves the right to deny or limit these rights. The following is a brief summary of patients' rights according to CDC policies:

1. 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."
2. Prisoners have the right to be free from mental and physical abuse.
3. Prisoners shall not be discriminated against in their attempts to get medical attention.
4. Prisoners have the right to be treated with consideration, respect and dignity.
5. 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 CDC, except in the case of transfer to another health care facility, or as required by law or third party payment contract.
6. Prisoners have the right to obtain from prison health staff information about their health status, including diagnosis, treatment and prognosis (if known).
7. Prisoners have the right to communicate with persons outside the prison consistent with CDC policies. Prisoners also have the right to have access to an interpreter.
8. Prisoners have the right to informed consent and to refuse medical treatment.
9. Prisoners have the right to refuse convulsive treatment (electroshock).
10. Prisoners have the right to be informed about

prison rules applicable to their status as a patient and have the right to file grievances.

11. 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.

12. 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 CDC provides primary care, standby emergency care, mental health crisis care, and basic medical care in skilled nursing facilities, hospices, and correctional treatment centers. CDC 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 CDC 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 CDC 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*. Please note that these rules are being applied over a period of time at each of California's 32 prisons (except Pelican Bay) and may not yet be in place in the institution where your loved one is incarcerated.

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 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 appropriate 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 one 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 re-assigned. The prisoner may consider filing an "1824 Reasonable Modification or Accommodation Request" form which explains her attempts to resolve 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 CDC 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 and 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 an example of an Authorization to Release Medical Information that contains all of the requirements above. 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 and 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).

## 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)

\_\_\_\_\_  
(CDC 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*





*“I found out that I am not alone, and there are ways to cope.”*

## 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 CDC form prisoners use). For example, if a prisoner is having a problem with a doctor, nurse or counselor, the prisoner asks for a 602 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 medical appeals coordinator or other appropriate staff member 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 Director's Level Review (Section H) requested. The director then has 60 working days to respond to the prisoner in writing. Once a prisoner has taken a 602 through all levels of review, administrative remedies have been exhausted.

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 (CDC 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.

A prisoner or parolee who has a disability or mobility issue stemming from a health problem may file an appeal on a CDC Form 1824, Reasonable Modification or Accommodation Request. The prisoner must describe the disability or mobility impairment. For example, a prisoner might write: "I have lupus. I have a 'no sunlight chrono'. Because of this chrono, I am not supposed to walk in daylight to my job. I keep getting 115s because I don't show up for work. I am requesting a hat and sun block chrono so I can walk to my job."

After completing the form, the prisoner submits it to the institution's/facility's Appeals Coordinator Office. A decision is supposed to be made within 15 days after they receive the form and the response is written on the form and returned to the prisoner. If the prisoner is not satisfied with the decision, the 1824 must be attached to an Inmate/Parolee Appeal Form (CDC 602); section F on the 602 form must be completed and then submitted to the Appeals Coordinator within 15 days of when the original decision was received. If still dissatisfied with the response/decision, the prisoner may request a Third Level review (Director's Level) as above.

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 may 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 may 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**, 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). **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 a prisoner may file a federal lawsuit.**

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## Citizen's Complaints

A Citizen's Complaint may be filed to allege **misconduct by a departmental peace officer**. They must be filed within 12 months of the misconduct you are complaining about. You must submit a written complaint and read and sign a Rights and Responsibilities Statement (CDC Form 1858). Family members, friends, prisoners, and/or parolees may file a Citizen's Complaint.

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

The Rights and Responsibilities Statement you must sign (CDC Form 1858) should be in boldface type and must be available in multiple languages. An example follows.

**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





# 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

A. Describe Problem: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you need more space, attach one additional sheet.

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

Inmate/Parolee Signature: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

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

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

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.

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

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
-------------------------------	------------	------------	-------------	---------

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**

**DATE ASSIGNED TO REVIEWER:**  
**DATE DUE:**

**TYPE OF ADA ISSUE**

- 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

**APPEAL**  
(TITLE 15, CCR §§ 2050-2056)

NAME: CDC NUMBER: INSTITUTION: DATE SUBMITTED:	<b>CDC STAFF USE ONLY</b> LOG NUMBER: DATE RECEIVED: DATE LIFE INMATE RECEIVED TRANSCRIPT:
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<p style="text-align: center;">DECISION BEING APPEALED</p> <input type="checkbox"/> PAROLE REVOCATION <input type="checkbox"/> REVOCATION EXTENSION <input type="checkbox"/> RETAIN ON PAROLE <input type="checkbox"/> SCREENING DECISION <input type="checkbox"/> LIFE PRISONER <input type="checkbox"/> MENTALLY DISORDERED OFFENDER <input type="checkbox"/> OTHER (SPECIFY): _____ _____ _____ _____	<p style="text-align: center;">BASIS FOR APPEAL</p> DATE OF DECISION/HEARING BEING APPEALED (SPECIFY): _____ _____ <input type="checkbox"/> THE DECISION WAS BASED ON INCOMPLETE OR INCORRECT INFORMATION. <input type="checkbox"/> THE DECISION IS UNREASONABLE IN VIEW OF THE FACTS. <input type="checkbox"/> THE DECISION IS ILLEGAL. <input type="checkbox"/> THE DECISION VIOLATES THE FOLLOWING BOARD REGULATIONS OR RULES. (SPECIFY): _____ _____ _____
---	---

WHAT ACTION ARE YOU REQUESTING THE BOARD TO TAKE? \_\_\_\_\_

PLEASE STATE (TYPE OR PRINT) AND SEPARATELY NUMBER EACH BASIS FOR YOUR APPEAL.

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

SIGNATURE (All appeals must be signed.)	CDC NUMBER	INSTITUTION/REGION
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## INSTRUCTIONS

State briefly, clearly, and fully the basis for your appeal. Each basis for your appeal must be separately numbered. Additional sheets may be used to fully explain the basis for your appeal, if necessary. All grounds for appeal of the same decision or hearing must be included in the same appeal. Later appeals from the same decision will not be accepted. Your appeal must be signed at the bottom. Be concise.

### SUBMISSION

Your appeal, whether submitted by you or on your behalf, must be submitted to the Board of Prison Terms through the Classification and Parole Representative (C&PR) if you are in a state prison, or through the CDC Parole Region Appeals Coordinator if you are elsewhere. Appeals must be submitted within 90 days of receipt of written notice of the decision (15 CCR sec. 2052(c)). Appeals submitted by attorneys must be accompanied by written authorization from the parolee/prisoner.

### EXPEDITED APPEALS

If your appeal should be decided more quickly than other appeals because the outcome of the appeal may substantially affect a pending decision by an administrative or judicial agency or when there is a specific, extraordinary need for an immediate decision, you may request "expedited consideration" either in the body of your appeal or a sheet attached to your appeal. You must also attach documentation to support your need for expedited consideration (see 15 CCR sec. 2056).

### CDC STAFF ONLY

### DOCUMENTS WHICH MUST ACCOMPANY THE APPEAL

An appeal cannot be decided by the Board without sufficient documentary information to determine the issues. Until that documentation is supplied, the appeal will be held by the Board without action. The following documents are required to be submitted for the type of appeal specified.

#### PAROLE REVOCATION HEARING APPEALS

- |   |  |
|---|--|
| <input type="checkbox"/> LEGAL STATUS SUMMARY SHEET   | <input type="checkbox"/> CHARGE SHEET (CDC 1521)                           |
| <input type="checkbox"/> NOTICE OF RIGHT TO REVOCATION HEARING ACKNOWLEDGMENT (BPT 1100(a)) | <input type="checkbox"/> POLICE REPORT(S)                                  |
| <input type="checkbox"/> REQUEST FOR WITNESSES (BPT 1100(b))                                | <input type="checkbox"/> ATTORNEY DETERMINATION (BPT 1083, if applicable)  |
| <input type="checkbox"/> SUMMARY OF REVOCATION HEARING AND DECISION (BPT 1103)              | <input type="checkbox"/> COMMITMENT OFFENSE SUMMARY (CDC 112, most recent) |

#### APPEALS FROM ACCEPTED SCREENING OFFERS

- |   |   |
|---|---|
| <input type="checkbox"/> LEGAL STATUS SUMMARY SHEET                           | <input type="checkbox"/> CHARGE SHEET   |
| <input type="checkbox"/> NOTICE OF RIGHT TO REVOCATION HEARING ACKNOWLEDGMENT | <input type="checkbox"/> POLICE REPORT(S)   |
| <input type="checkbox"/> WAIVER OF REVOCATION HEARING (BPT 1101)              | <input type="checkbox"/> SUMMARY OF REVOCATION HEARING DECISION (HEARING WAIVED) (BPT 1104) |
|   | <input type="checkbox"/> COMMITMENT OFFENSE SUMMARY   |

#### APPEALS FROM REVOCATION EXTENSION HEARINGS

- |   |   |
|---|---|
| <input type="checkbox"/> LEGAL STATUS SUMMARY SHEET                           | <input type="checkbox"/> RULES VIOLATION REPORT (CDC 115) |
| <input type="checkbox"/> NOTICE OF RIGHT TO REVOCATION HEARING ACKNOWLEDGMENT | <input type="checkbox"/> REQUEST FOR WITNESSES            |
| <input type="checkbox"/> ATTORNEY DETERMINATION (IF APPLICABLE)               | <input type="checkbox"/> COMMITMENT OFFENSE SUMMARY       |
| <input type="checkbox"/> SUMMARY OF REVOCATION HEARING AND DECISION           |   |

#### APPEALS FROM RETAIN ON PAROLE

- |   |  |
|---|--|
| <input type="checkbox"/> LEGAL STATUS SUMMARY SHEET | <input type="checkbox"/> CENTRAL OFFICE CALENDAR DISCHARGE REVIEW (BPT 1130) |
| <input type="checkbox"/> PAROLE AGENT'S REPORT      |  |

#### LIFE HEARING DECISIONS

- COPY OF DECISION





**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, CA95812  
  
(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



## Where to File Complaints with the Department of Corrections

Check out the CDC's website: <http://www.corr.ca.gov>

You can find the contact information for each prison in California, including the name of the warden.

### **Director**

California Department of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
(916) 445-7688

### **Deputy Director**

Health Care Services Division  
California Department of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
(916) 323-0229

### **Assistant Deputy Director**

Health Care Services Division  
California Department of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
(p) (916) 324-0876; (f) (916) 327-0545

**Plata Implementation Coordinator** (person hired to oversee implementation of *Plata*, the statewide medical conditions lawsuit)

Health Care Services Division  
California Department of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
(916) 327-6910

### **Regional Administrator (Northern, Central, and Southern Regions)**

Health Care Services Division  
California Department of Corrections  
P.O. Box 942883  
Sacramento, CA 94283-0001  
Phone numbers:  
Northern Region—(916) 327-8677  
Central Region—(916) 327-1577  
Southern Region—(916) 327-9767 and/or (909) 715-0138

**CDC Ombudsman** (person hired to intervene to resolve disputes within the CDC)

P.O. Box 942883  
Sacramento, CA 94283-0001  
(916) 445-1773





## Where to File Complaints with other Agencies

**Office of Inspector General** (investigates allegations of misconduct by state correctional agencies)

P.O. Box 348780

Sacramento, CA 95834-8780

(916) 445-1748

Toll free: (800) 700-5952

(f): (916) 928-4667

**California Board of Corrections** (establishes standards for health and safety in jails)

600 Bercut Dr.

Sacramento, CA 95814

(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) 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

1426 Howe Avenue, Suite 54

Sacramento, CA 95825-3236

(p) 916-263-2424

Toll-Free 1-800-633-2322

Consumer Information Unit 916-263-2382

(f) 916-263-2345

**Complaints about Dentists**

Dental Board of California  
1432 Howe Ave, Suite 85  
Sacramento, CA 95825-3241  
(p) 916-263-2300  
(f) 916-263-2140

**Complaints about Registered Nurses**

Board of Registered Nursing  
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. Declarations can be used in court to communicate information about events you have witnessed. 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 and 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:

1. Only declare facts you know to be true.
2. Do not include information that someone else told you.
3. Type the declaration or print by hand in blue or black ink. Do not use pencil.
4. The declaration can be any length; number each statement on the declaration.
5. Include statement at the end that the declaration was made under penalty of perjury.
6. Sign and date the declaration.
7. Do not notarize the declaration.
8. Keep a copy.

**(SAMPLE) DECLARATION**

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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 to [ *name of warden, etc.* ] on [ *date* ]. (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



## BOARD OF CONTROL (GOVERNMENT CLAIM)

If 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 State Board of Control (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 it out. The instructions are clear and you should have little or no trouble providing the information needed to process your claim. 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. Send the original and three 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.

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 your claim is rejected by the Board 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 exhaust your administrative remedies before you file the Board of Control claim (see the section on 602 Appeals). If you fail to exhaust remedies first, your Board of Control Claim will be returned to you as incomplete.

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.



## Federal Civil Rights Claims

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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 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.

**Please read all instructions on this page before completing the claim form. You must fully complete all applicable sections of this form or your claim will be returned to you as incomplete.**

---

## Section 1 Claimant Information

Provide the full name, mailing address, and telephone number of the person(s) claiming damage/injury. (Note: All official Board notices and other correspondence will be sent to the person(s) listed in this section unless a representative's name is provided in Section 5.) If the claim is being filed on behalf of a minor, specify your relationship to the minor, and the date of birth of the minor.

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## Section 2 Claim Information

- Provide the name of the State agency(ies) that allegedly caused the damage/injury.
- State the exact date of the incident which caused the alleged damage/injury.
- Enter the total dollar amount being claimed as a result of the alleged damage/injury. If damage/injury is continued or anticipated in the future, indicate with a "+" following the dollar amount.
- If the total dollar amount exceeds \$10,000, indicate whether the claim is a limited civil case or a non-limited civil case. A limited civil case is a claim in which the amount claimed totals less than \$25,000. A non-limited civil case is a claim in which the amount claimed exceeds \$25,000.
- Provide a breakdown of how the total amount being claimed was computed. You may declare expenses incurred and/or future, anticipated expenses. Attach three copies of all bills, payment receipts, and cost estimates to your claim.
- Describe in full detail the damage/injury that allegedly resulted from the incident.
- If applicable, provide the street address, city, county, State highways, road numbers, or post mile markers where the alleged damage/injury occurred. If the claim is scheduled for a Board hearing, and an appearance is necessary, indicate the preferred hearing location.
- Describe in full detail the circumstances that led up to the alleged damage/injury. State all facts that support your claim and why you believe the State is responsible. If known, provide the name(s) of the state agency(ies) and/or the name(s) of the state employee(s) who allegedly caused the injury, damage, or loss.

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## Section 3 Insurance Information

This section must be completed if your claim involves a motor vehicle. Indicate if a claim for the alleged damage/injury has been filed with your insurance carrier. If yes, provide the name, telephone number, and mailing address of the insurance carrier. Also include your policy number and the amount of the deductible.

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## Section 4 State Agency Information (FOR STATE AGENCY USE ONLY)

If the claim is presented by a State agency, it is imperative that the State agency provide complete and accurate funding information in the event that the claim is approved for payment. In particular, the State agency must provide the Budget Act Appropriation or Item Number and the appropriate Schedule if applicable. Include the name, title, CALNET telephone number, and signature of the agency budget officer or representative authorized to approve payment of the claim.

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## Section 5 Representative Information

If your claim is being filed by an attorney or authorized representative, provide the name, telephone number, and mailing address of the attorney/representative. (Note: If representative information is provided, all official Board notices or other correspondence will be sent to the person listed in this section.)

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## Section 6 Notice and Signature

The claim form must be signed by the claimant or the claimant's attorney or authorized representative. The Board will not accept the claim without a proper original signature.

## Filing a late claim application:

Under State law, claims relating to causes of action for death or for injury to person or personal property or growing crops (tort claims) must be presented to the Board no later than six months after the date of the incident. Tort claims relating to any other causes of action must be presented no later than one year after the incident date. Claimants are encouraged to consult with an attorney to determine if there are exceptions for your claim. Equity claims have no statutory claim filing deadlines. Please note that evidence of "presentation" includes a clear postmark date on an envelope or a certification of personal service.

When filing a tort claim (required to be presented no later than six months as specified above) beyond the six-month period, you must explain the reason for delay in filing the claim. This explanation is called an "application for leave to present a late claim". (See Government Code Section 911.6 for legally acceptable reasons for filing a late claim.) In considering your late claim application, the Board will first decide whether the late claim application should be accepted or denied. The Board will consider the merits of the claim only if the late claim application is granted.

## Claim Submittals:

A complete claim form and/or late claim application and related documentation must be filed with the Board at the mailing address indicated on the reverse side of the claim form. Claims may also be personally delivered to the Board at 630 K Street, Sacramento, CA during regular business hours (8:00 a.m. to 5:00 p.m.), Monday through Friday except holidays.

Submit the original and three copies of the completed claim form and/or late claim application and related documentation to the Board.

Requests for an endorsed copy of the claim and/or late claim application must be submitted in writing along with a self-addressed stamped envelope.

If you have questions regarding the filing of a claim with the Board, please contact the Government Claims Program at 916-323-3564, or toll free at 1-800-955-0045.



State of California  
Board of Control  
**GOVERNMENT CLAIM**

SBOC-GC-0002 (Rev. 6/00) Reverse

Submit completed claim form and three copies to:  
**STATE BOARD OF CONTROL**  
**GOVERNMENT CLAIMS BRANCH**  
P.O. Box 3035  
Sacramento, CA 95812-3035

**Section 3: Insurance Information** (must be completed if claim involves a motor vehicle)

Has the claim for the alleged damage/injury been filed or will it be filed with your insurance carrier? <input type="checkbox"/> Yes <input type="checkbox"/> No	Policy Number	Telephone number (include area code) (    )	
Mailing Address	City	State	Zip Code
Name of insurance carrier	Amount of Deductible \$		
Are you the registered owner? <input type="checkbox"/> Yes <input type="checkbox"/> No	Make: _____ Model: _____ Year: _____		

**Section 4: FOR STATE AGENCY USE ONLY** (must be completed by the State agency presenting claim)

Name of State agency	Budget Act Appropriation or Item Number and the appropriate Schedule if applicable.		
	Name of fund or account		
Name of agency budget officer or representative	Title	CALNET Number	
Signature of agency budget officer or representative	Date		

**Section 5: Representative Information** (must be completed if claim is being filed by an attorney or authorized representative)

Name of Attorney/Representative	Telephone Number (include area code) (    )		
Mailing Address	City	State	Zip

**Section 6: Notice and Signature**

Section 72 of the Penal Code provides that "every person who, with intent to defraud, presents for allowance or for payment to any State Board or Officer, or to any county, town, city, district, ward, or village, board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony."

Signature of Claimant \_\_\_\_\_ Date \_\_\_\_\_

Signature of Attorney/Representative \_\_\_\_\_ Date \_\_\_\_\_





*“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:

<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.

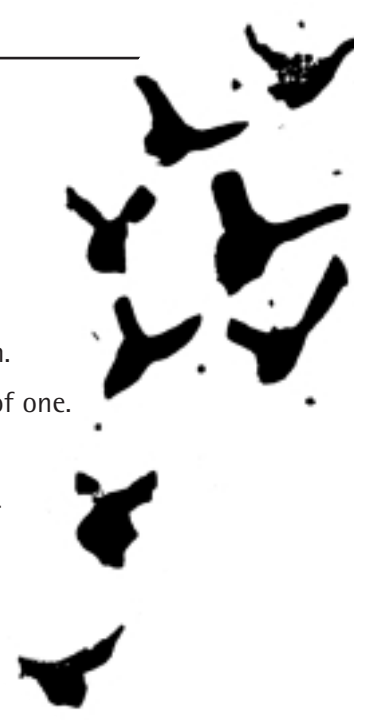
### Tips on Face-to-Face Meetings with your Elected Officials and Their Representatives

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

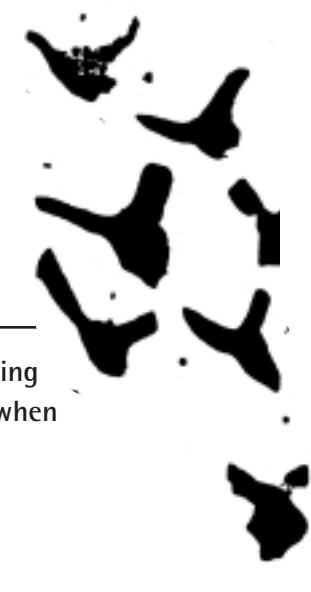
- Keep your letter short, one page at most.
- Keep a copy of every letter you write.
- Type it if at all possible.
- Try to avoid form letters.
- Keep to one issue in your letter.
- State your purpose at the beginning; give the bill number if it's about legislation.
- Identify yourself as a constituent, 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 actual 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

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### 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

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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 NEGLECT 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.

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 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.
  - 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

Three-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 were to cut off Michael from his mother,

It impedes rehabilitation.

lies and the communities to which most will someday return. These proposed "tough on criminals" laws would cause tremendous damage on thousands of children and their families.

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 more fragile.



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## Get Real on Parole Policies

Last 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 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.

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.

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 once again the Department of Corrections has overspent its budget ("Prison costs swell deficit," Oct. 31). This time it's not \$69 million, as it was last year, or 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.

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 for 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.

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. Costs the state hundreds of millions of dollars each year. No one knows how to ensure because state prison officials push information away from the eyes of the media. Romero and the department has been push to remove the shroud over itself for decades.

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.

State Sen. Gloria Romero (D-Los Angeles), who chaired last week's hearing, and state Sen. Jackle Speler (D-Hillsborough), who chaired last week's hearing, should join Romero in chairing two more prison reform next week, should two-thirds of the raise

For example, state Gov.-elect Arnold Schwarzenegger has pledged to preserve funding for education and local municipalities, while not raising taxes. To keep those pledges, he will have to look elsewhere for significant savings. Reducing the number of prisoners should be step one.

ROSE BRAZ  
Director  
Critical Resistance  
Oakland

San Francisco Chronicle





*“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.

While compassionate release is permitted for many prisoners, it is not guaranteed. Prison doctors are often reluctant to issue the chrono necessary to begin the process. Family members can play a crucial role in obtaining compassionate release for their loved one.

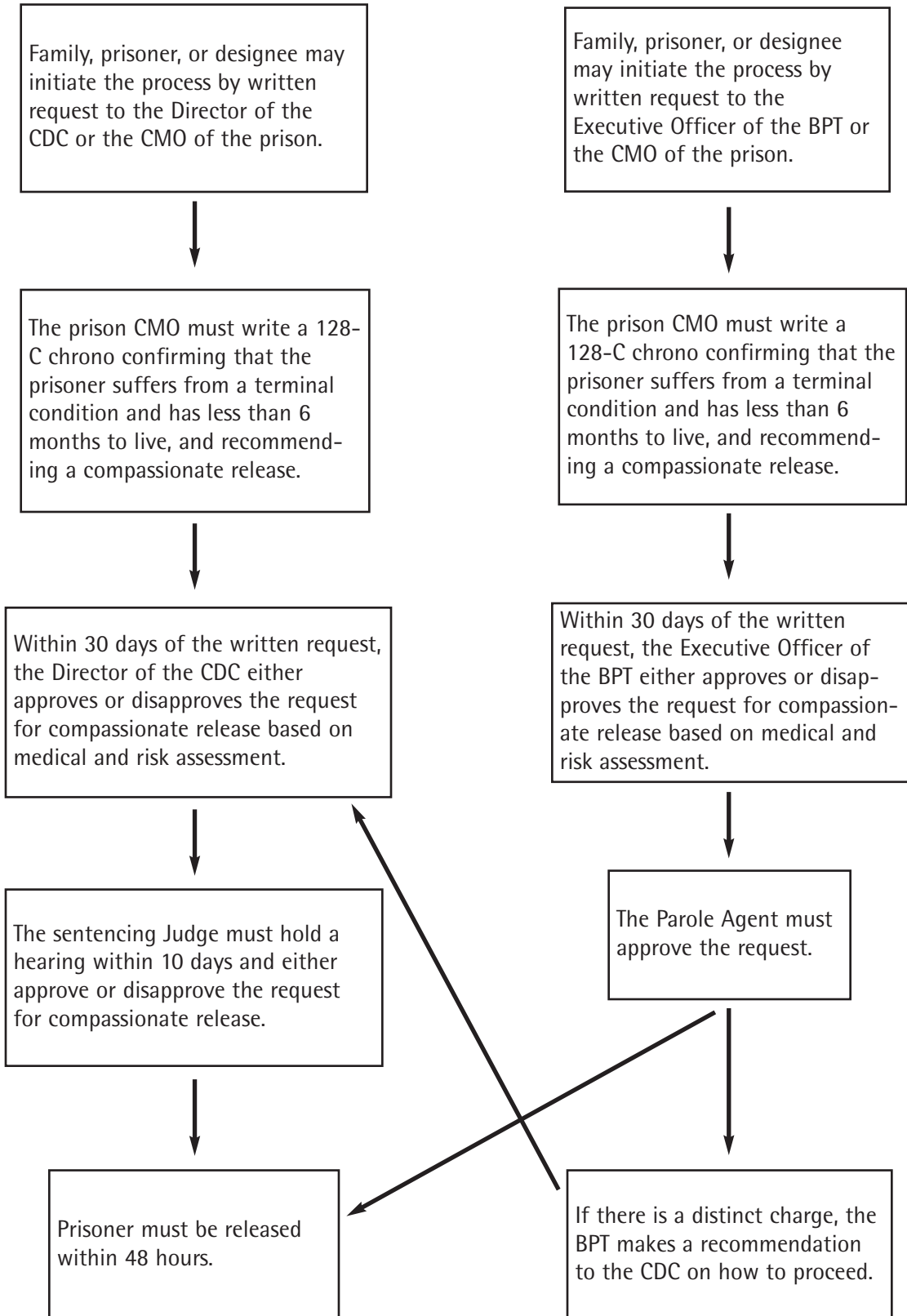
Being aware of a prisoner’s deteriorating condition and writing letters of advocacy urging that a terminally ill prisoner be issued a “six-months-or-less-to-live” chrono in a timely way can help to make her release possible. Developing a release plan, which may include locating a hospice that will accept the dying prisoner upon release, is a crucial step in the area. 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.

The following section, excerpted from Justice Now’s manual “Compassionate Release for Dying Prisoners,” provides an overview 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. See our Resources section for more information about their work.



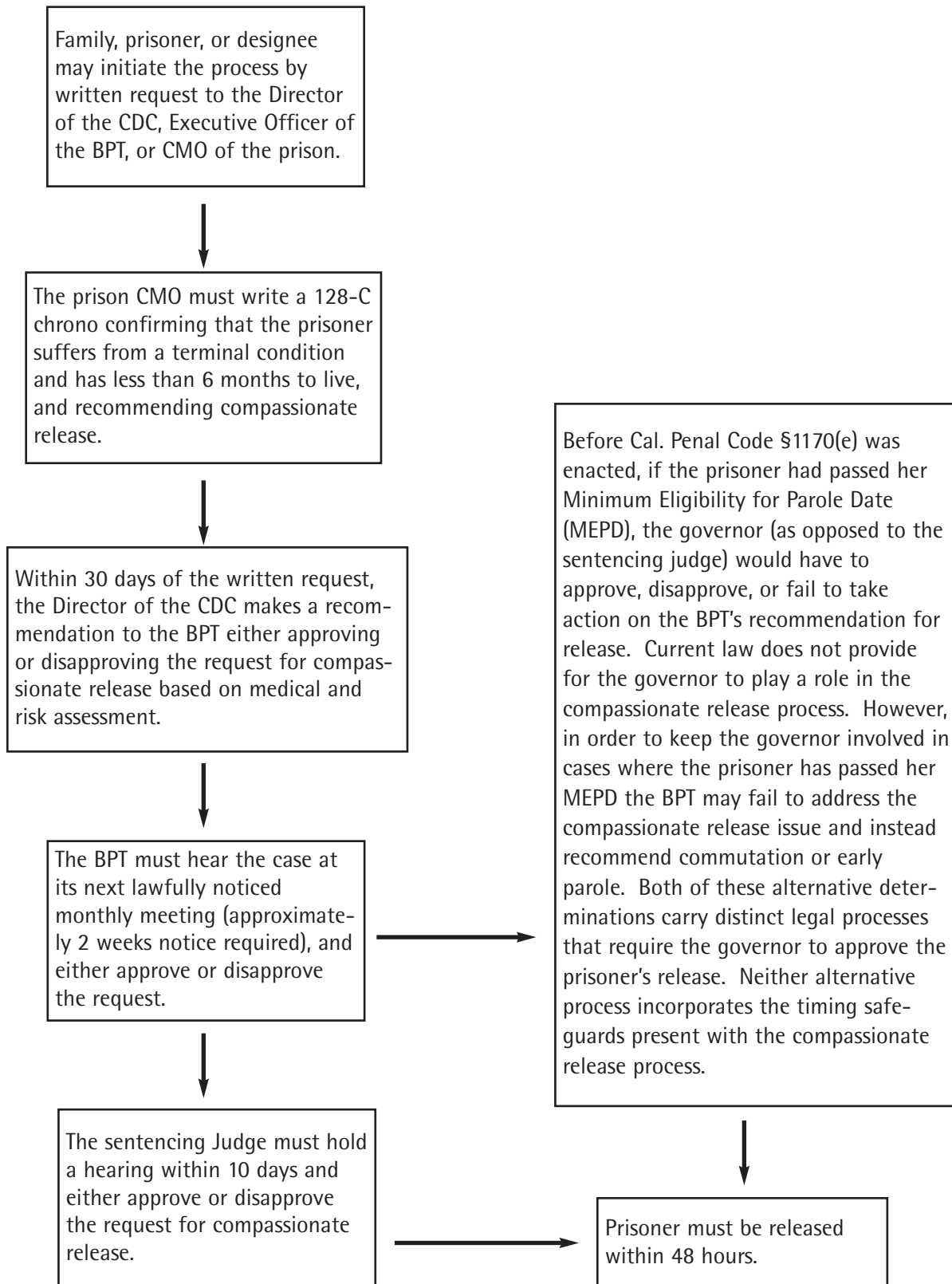
### A. Determinate Sentence

### B. Parole Violation



From "Compassionate Release for Dying Prisoners" by Justice Now.

## C. Indeterminate Sentence



From "Compassionate Release for Dying Prisoners" by Justice Now.

## Sample Report in Support of Compassionate Release\*

### I. MS. MONTGOMERY'S HEALTH HAS SIGNIFICANTLY DETERIORATED AND THEREFORE WARRANTS HER COMPASSIONATE RELEASE

Medical evaluations conducted within the last three weeks demonstrate that Ms. Montgomery's medical condition has significantly deteriorated since her last compassionate release hearing. These reports were prepared by Dr. Anne S DeGroot, Brown University, and Dr. Juan J. Tur, Chief Medical Officer, CCWF, and are provided in Attachment A.

Ms. Montgomery suffers from severe wasting syndrome and has lost over 10% of her body weight over the past 9 months. She currently weighs less than 65% of the normal weight for her height.

Ms. Montgomery's ambulatory condition has also significantly deteriorated since her last hearing as well. She is now bedridden. She has only one limb that remains functional – her left arm. She cannot walk, and she can only use a wheelchair minimally as she is

easily fatigued and has to push the chair with the assistance of only her one functioning arm.

Ms. Montgomery's severe weight loss and low T-cell count have left her vulnerable to cancer and infection. HIV specialist Dr. Anne S. DeGroot estimates that Ms. Montgomery will die within the next few weeks to three months.

Since both Dr. DeGroot and Dr. Tur's medical evaluations were completed, Ms. Montgomery's medical condition has deteriorated further. On Friday, April 4, 1997, Ms. Montgomery suffered a series of severe seizures. Since suffering these seizures, Ms. Montgomery has remained bedridden. The events of Friday, April 4, 1997, are documented in a letter dated April 7, 1997 from Ms. Karen Shain, Legal Assistant, Legal Services for Prisoners with Children (see Attachment B).

### II. MS. MONTGOMERY'S RELEASE POSES NO SECURITY THREAT TO SOCIETY

Ms. Montgomery does not pose a threat to society. She is substantially physically incapacitated – having the use of only one limb, her left arm. Additionally, she suffers from severe fatigue. She cannot physically pose a threat to society.

Moreover, Ms. Montgomery is not a violent person. She is extremely remorseful for her commitment offense. This remorse is reflected in the initial probation report completed at the time of Ms. Montgomery's prosecution. It is further expressed in Ms. Montgomery's Personal Statement. Moreover, Ms. Montgomery does not have a single conviction for a violent offense other

than her commitment offense, and she played only a limited role in her commitment offense. Ms. Montgomery has not had any disciplinaries against her for violent incidents other than the one suicide attempt which involved violence against herself, not another. That her commitment offense was circumstantial in nature and not indicative of violent tendencies is supported by a 1994 Diagnostic Study and Evaluation by the CDC under the Provisions of Penal Code 1170 (d) in which CIW Warden Susan Poole concludes that "the nature of the commitment offense seems to be situational and not likely to reoccur" (see Attachment A, p.2).

### III. MS. MONTGOMERY HAS A COMPREHENSIVE AND SUPPORTIVE RELEASE PLAN

Ms. Montgomery has secured a placement at Catholic Charities' Belmont House, a hospice located in San Mateo, CA. Belmont House provides housing and hospice care for low-income persons in the last stages of AIDS. Belmont House has agreed to admit Ms. Montgomery upon her release from CCWF. Belmont House will provide Ms. Montgomery with the following services: full hospice care, nursing case management, and spiritual and psychological counseling.

Moreover, Belmont House has had experience accepting another inmate from CCWF as a compassionate

release placement. That inmate died within weeks of being admitted to Belmont House, but was enabled by Belmont House to die in dignity with her family's support and comfort.

Belmont House's commitment to taking in Ms. Montgomery upon her release and providing her with the aforementioned services is documented in letters from Deborah Rogers, Program Director, Belmont House, and Mary Gaspar, Director of Nursing, Belmont House. Both letters are provided in Attachment D.

\* From "Compassionate Release for Dying Prisoners" by Justice Now.

#### IV. MS. MONTGOMERY'S RELEASE PLAN ENJOYS STRONG COMMUNITY SUPPORT

Numerous HIV/AIDS organizations are prepared to welcome Ms. Montgomery to San Mateo and the greater San Francisco Bay Area. They are committed to providing their agencies' support upon her release to the San Francisco Bay Area. These agencies provide a guaranteed healthy and strong support network for Ms. Montgomery upon her release.

Agencies guaranteeing their support to Ms. Montgomery include: The HIV/AIDS in Prison Project of Catholic Charities of the East Bay; Women's AIDS Network; Women Organized to Respond to Life-Threatening Diseases (WORLD); San Francisco AIDS Foundation, and the AIDS Legal Referral Panel (see Attachment E).

#### PERSONAL STATEMENT OF MS. M. MONTGOMERY

My name is M. Montgomery. I am 34 years old and I am expected to die any day from AIDS. I have been in prison for the last eleven years. During that time I have reflected at length on my past actions. My declining health has forced me to reflect even more seriously during the last few years so that I can die understanding myself and my actions. I am submitting this written statement to the Board of Prison Terms to assure you that I have changed immeasurably, and that I will never engage in illegal activities again. I hope that the written statement will somehow communicate who I am now, how I have changed, and why I should be allowed to die with dignity at Belmont House.

I was raised as a young child on an Apache Reservation in Mexico. I was one of a set of quintuplets. The five of us had nine older siblings, and two sets of younger twin siblings. My father was physically violent toward all of us, and drank from the time he awoke until the time he fell asleep with a bottle in his hand. Money was scarce, and my mother struggled to care for us.

I went to school until I was nine years old when my mother and youngest sister were killed in a car accident. Our father abandoned us after the accident and remarried. The nine older children had left home in their young teens, and therefore my same aged siblings and I had to leave school to care for the youngest children.

When I was twelve, I was able to go back to school. No one requested or demanded that I go; I went because I wanted to learn. But when I turned thirteen, my family arranged for me to marry a 15 year old man whom I did not know and who later was one of the codefendants in the crime for which I am imprisoned. I was forced to quit school so that I would have time to be a good wife and mother and to care for my husband and to have his children. I had my first son when I was almost fourteen. My son died after being hit by a car when he was two and a half. I had twins, a boy and a girl, when I was seventeen. My son and daughter will

be fifteen soon, and they are currently cared for by one of my sisters in Mexico.

My husband was very cruel and violent. More than once he threatened to kill me with a baseball bat. When I was pregnant with our twins he threw me down a flight of stairs. He was extremely jealous, and any time I would disagree with him he would hurt me. I began to understand how violent he was within the first 6 months of our marriage. At that time I tried to throw him out of the house but my family insisted I maintain the arranged marriage. Faced with no family support, and being only thirteen years old and pregnant, I let him return.

I allowed my husband to intimidate me into doing many things I now regret. I wish I had had the strength then that I have now to understand how I could have made better decisions and led a more productive life. However, because of my age, limited experience, and my family's insistence on maintaining the marriage, I believed at the time that I was trapped in the marriage. I did not have the education or family support which I needed to find a constructive way out of the relationship. Instead, feeling trapped, I allowed my husband to get me involved in situations that I knew were dangerous and wrong.

I began drinking soon into the marriage in order to block out the pain and feeling of being trapped. Later I began using marijuana and heroin. I now know that reliance on these substances made it even more difficult for me to take responsibility for myself and to live productively.

In addition to turning to drugs and alcohol, I also allowed my husband to convince me to come to the United States. When he posed the idea, I was afraid that he would hurt me if I refused. Furthermore, I naively thought that by being away from my family I might find a way out of the marriage. I now wish that

I had stayed behind in Mexico. I could have finished school, gotten a job, and cared for my children. I could have led a more productive life. Instead, I found myself in a country where I did not know the language and where my primary family was my violent husband. This unfortunate decision led to the crime for which I am now in prison.

The day of the crime, I had once again regrettably allowed my husband to bring me into a situation from which no good would come. I had finally told my husband that our relationship was over, but he wanted to meet to discuss reconciliation. I met with him and his friend to talk. His friend was a heroin user and suggested that they find someone to rob in order to get money for drugs. By going along with them, I put myself in a situation where they used me as a decoy when they eventually stole a television set. I didn't have time to say anything before they grabbed the television set out of the victim's arms. My husband's friend then hit the victim in the head and she fell to the ground.

I learned months later that the victim died from pneumonia in connection with the head injuries caused by the blow. I have always felt deeply sorry that she died, and am sincerely remorseful for the role I played in her death. I confessed and cooperated fully with the police when I learned that she had been killed.

During the past ten years in prison, I have engaged in deep reflection and introspection about my actions. I have never considered myself to be a violent person, and I am truly saddened that I allowed myself to be led into such a dangerous, violent and illegal situation. I made a bad decision to remain with my husband, and I knew he repeatedly got me involved in situations that were wrong. I take full responsibility for not finding a constructive way to remove myself from the relationship and to lead a productive non-violent life. I wish I could have had the strength to find the means to make better choices before anyone was injured.

When I arrived in prison I began trying to correct the obstacles that led to my failure to leave my husband, and to allowing myself to be used in the robbery as a decoy. I needed to become clean and sober. I needed to cut all ties with my husband. I needed to learn English so that I could communicate and ask for advice and assistance. And I needed to develop a healthy support network through which I could receive the assistance and support my family failed to provide. I have accom-

plished these goals.

I have been clean and sober for ten years. I divorced my husband in 1987 upon arriving in CIW. I have completely distanced myself from him, and I have ensured my children's safety from him by placing them in the custody of one of my sisters in Mexico.

I began teaching myself to speak and read English by talking with others and reading child-care books in the library in CIW. For approximately a year, I have been too ill to leave my bed in the infirmary, and I therefore have not been able to access books as well as I have in the past. However, I continue to study English by studying television shows. I am now able to speak and read English fluently. I will never be trapped by not being able to communicate again.

My understanding of my actions and my commitment to never again engage in illegal activities has been heightened by my understanding that I have come to the end of my life. I have had epilepsy all my life, and now I have full-blown AIDS. I have been HIV-positive since 1984, and I became disabled from its symptoms in March, 1992. Since that time I have suffered extreme pain as a result of AIDS' debilitating symptoms.

I have wasted down to 79 pounds, and despite the fact I know I need to eat, I am almost always nauseous and eating is extremely difficult. I lost my front teeth during an epileptic seizure and this has made eating all the more difficult. I am watching myself waste away. I have extreme pain throughout my body, particularly in my legs. And my legs are so weak I cannot lift them and I require the use of a wheelchair. I hurt my right shoulder in a bad fall in November, 1996. Since then, I have not been able to use my right arm. It is now so weak I cannot even use it to push my wheelchair. Getting out of bed is now very difficult because I have to pull my body into the chair using just my left arm. I have been spending almost all day in my bed.

I know I will not live much longer. I want to make the time I have left as productive as possible given my health. I have no time to waste on foolishness. All I want to do is spend my remaining days giving love and being loved back – being a productive part of a community. The support I will receive at Belmont House and from others in the San Francisco Bay Area will allow me to do this. I hope you will assist me in my efforts to live and die in peace and allow me to do so at Belmont House.

*Sample Letter from a Family Member in Support of Compassionate Release\**

May 15, 2001

To whom it may concern:

Re: Patricia Stewart (\*\*\*\*\*)

It has come to my attention that my sister, Ms. Stewart, has been denied the request for compassionate release from prison. I visited with my sister in March of this year and became painfully aware of her terminal condition. The doctors at that time estimated that she had less than six months to live.

Since that time, we have done everything we possibly could to get her released. I fully understand that she committed a crime and should be made to pay, but under these circumstances, I beg you to release her and allow her to die with some dignity outside of prison walls.

My family and I have made arrangements for her care once she is released. In her condition, she poses no threat to society. I have eight other brothers and sisters who would like to visit with her while she can still recognize them. They have a need to visit with her to say their good-byes. I have two sisters who live in the Pasadena area that we could stay with while visiting her. Please help us to bring some dignity to our sister in her last days. Release her so that she can die in a comfortable place surrounded by people who love her.

Sincerely,

Rebecca Stewart

\* From "Compassionate Release for Dying Prisoners" by Justice Now.

*Sample Letter from a Hospice in Support of Compassionate Release\**

April 8, 2000

Mr. John Doe  
Acting Exec. Officer  
Board of Prison Terms  
428 J Street Sixth Floor  
Sacramento, CA 95814

Dear Mr. Doe,

My name is Louise Donahue. I am the Director of Nursing at the Community Charities Osbourne House. Osbourne House is a hospice facility which offers palliative care, emotional and spiritual counseling, and nurse case management to people in the final stages of AIDS. We at the Osbourne House are willing to take in Ms. Gaines upon her compassionate release from Chowchilla's Women's Facility.

Please find enclosed a brochure which details the services available to residents of the Osbourne House. If you have any further questions or concerns, please feel free to reach me at my numbers listed below.

Sincerely,

Louise Donahue, RN, PHN

\* From "Compassionate Release for Dying Prisoners" by Justice Now.

*Sample Letter from a Sentencing Judge in Support of Compassionate Release\**

June 10, 1998

Cal Terhune  
Director, Department of Corrections  
1515 "S" Street  
Sacramento, CA 94283

Re: Compassionate Release for Ms. Gaines  
Superior Court Case No. \*\*\*\*\*  
CDC \*\*\*\*\*

Dear Mr. Terhune,

I am writing to you at the request of the Public Defender's Office, to address the question of a compassionate release for Ms. Gaines. As the sentencing judge, I remember the circumstances of Ms. Gaines' case and the conduct which resulted in her commitment to the Department of Corrections. Having reviewed the information that has been provided to me by the Public Defender it appears that your medical staff has determined that her medical condition is terminal and that she has less than six months to live. She apparently is suffering from active myelogenous leukemia, is bedridden, receives oxygen and is fed through a feeding tube. Based on this information it appears that she would not pose a threat to society if she were to be granted a compassionate release.

If you reconsider Ms. Gaines' case, based on the above information, I would not oppose a compassionate release in this case. Additionally, John Gilligan, who is the Deputy in Charge of the District Attorney's Office here, has indicated that he is not opposed to a compassionate release in this matter and that he does not believe that in her current state Ms. Gaines would pose a threat to the safety of others. If there is any question or problem, please feel free to contact me. The direct phone number to my court is (\*\*\*) \*\*\*-\*\*\*\*.

Sincerely,

Jane Doe  
Judge of the Municipal Court  
Sitting on the Superior Court by Assignment

\* From "Compassionate Release for Dying Prisoners" by Justice Now.







*“I’m truly not alone in my battle.”*

## Assisting a Prisoner in Applying for a Transfer

**A**lthough 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 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 step-families, 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 profes-

sionals may 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 in physical danger.

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

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

*SAMPLE 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 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 CDC as: the prisoner's legal spouse, 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 CDC 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 CDC 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)

Every 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 CDC 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 Prison Terms (BPT).

The CDC 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 BPT 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 CDC makes a recommendation to the BPT to retain the person on parole. The BPT 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 CDC recommends that the person be retained on parole, the BPT must find good cause in order to retain that person. The BPT must make a written record of how it reached its decision and the CDC 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 CDC decides to send the person to a different county which requires the CDC to declare in writing its reasons for placing the parolee in a different county. The BPT considers several factors in reviewing the CDC's decision and gives great weight to protecting the victim and the safety of the community.

You can use these same factors that the BPT 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 CDC and the BPT state that they 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 important 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 ensure a successful parole because the prisoner/parolee will be away from whatever influences led to his 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 he report to the assigned parole officer on time in the county he is assigned to. He can request a "travel pass" from the parole agent so that he can travel to the county his family is living in or where employment is waiting for him. 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 ensure the successful completion of the parole term, then that

agent may be more willing to help the parolee.

Parole may be changing in the near future due to budget considerations. The CDC 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.

Finally, the use of Police and Corrections Teams (PACTS) which are partnerships between the CDC, local law enforcement, and community service providers, have been expanded to all 25 parole districts, with funding for a Community Resource Coordinator in each. The coordinator is a liaison between the parole office and the service providers and recruits their participation in the PACT Parolee Orientation. This orientation will be mandatory for all parolees and is expected to provide the parolee with a better opportunity to take advantage of resources within the community such as housing, health, and employment services.



*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

**F**amily 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 involvement: 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 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.

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

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

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

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 want  
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,

A handwritten signature in cursive script that reads "Rev. Lois M. Woodard".

Rev. Lois M. Woodard  
Protestant Chaplain



*Informational Chrono (Laudatory) from Correctional Officer in Support of Parole*

NAME and NUMBER -

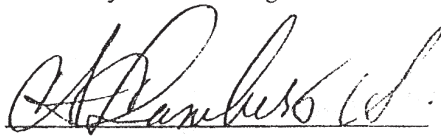
BB 1127 L

OC 123456789

INFORMATIONAL ( LAUDATORY )

This informational documentation is to inform you that over the many years that I have been an employee here at the California Institution for Women, your growth and ability to overcome some of the distressing situations that you have been in, has proven that there is truly rehabilitation. I have observed you in several vocational programs over the years and during those times you were always respectful towards staff and your direct supervisors. During the most recent years, when your health was declining I had many opportunities to communicate with you about your own mortality and you shared very openly your fears. This however did not stop you from wanting to understand what was going on with your physical body as well as your mental capacity due to the many medications that you were given for treatment. These were very trying times and even the strongest of persons may not have been able to endure some of the hardships that you were facing. What I wish to express is that I for one am convinced that you are striving to become the individual that you never thought you could be.

DATE: 6/23/02 *F/M*



C. A. Chambers, Correctional Lieutenant GENERAL CHRONO

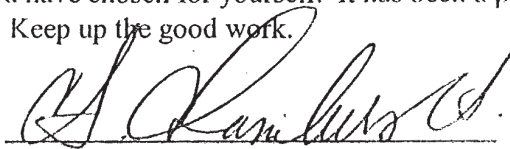
NAME and NUMBER Continued Page ( 2 )

BB 1127 L

OC 123456789

I have seen you many times, encouraging other women who have been diagnosed with cancer in an effort to be a support to them. This illustrates to me that you are reaching out to help others. You have put many of your past problems and issues behind you and are still hopeful for a brighter future. You constantly express your desire to make a difference even though you are uncertain of where it may be. You refuse to give up and somehow know how to remotivate yourself. This has been evidenced over and over again with the constant surgeries and medical procedures you have gone through. You have tried to stay in contact with who you really are regardless of what others may think. I would like to take this opportunity to express to you that I appreciate all the efforts you have made and the results that you are showing. You have come a long way, and I want to encourage you to keep on the positive path you have chosen for yourself. It has been a pleasure working with you and being able to learn from you as well. Keep up the good work.

DATE 06/23/02



Lt. C.A. Chambers

GENERAL CHRONO

CALIFORNIA'S  
**CORRECTIONAL FACILITIES**





# CORRECTIONAL FACILITIES

May 2003

## Security Levels

Level I	Level II	Level III	Level IV	SHU	RC	Cond
Open dormitories without a secure perimeter.	Open dormitories with secure perimeter fences and armed coverage.	Individual cells, fenced perimeters and armed coverage.	Cells, fenced or walled perimeters, electronic security, more staff and armed officers both inside and outside the installation.	Security Housing Unit. The most secure area within a Level IV prison designed to provide maximum coverage.	Reception Center. Provides short term housing to process, classify and evaluate incoming inmates.	Condemned. Holds inmates with death sentences.

FACILITY	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> PO. Box 71, Represa, CA 95671 • (916) 985-2561	1880	I, II	2,072
<b>California Correctional Institution (CCI)</b> 24900 Highway 202, PO. 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, PO. Box 128, Chino, CA 91710 • (909) 597-1821	1941	I, RC	3,078
<b>Correctional Training Facility (CTF)</b> Highway 101 North, PO. 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, PO. Box 6000, Corona, CA 92878 • (909) 597-1771	1952	I, II, III, RC	1,026
<b>Deuel Vocational Institution (DVI)</b> 23500 Kasson Road, PO. Box 400, Tracy, CA 95378-0400 • (209) 835-4141	1953	I, III, RC	1,787
<b>California Men's Colony (CMC)</b> Highway 1, PO. 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, PO. Box 2000, Vacaville, CA 95696-2000 • (707) 448-6841	1955	I, II, III	2,315
<b>California Rehabilitation Center (CRC)</b> 5th Street & Western, PO. Box 1841, Norco, CA 92860 • (909) 737-2683	1962	II	2,314
<b>California Correctional Center (CCC)</b> 711-045 Center Road, PO. Box 790, Susanville, CA 96130 • (530) 257-2181	1963 CCC Camps: Varies	I, II, III I	3,682

FACILITY	YEAR OPENED	SECURITY LEVEL	RATED CAPACITY
<b>Sierra Conservation Center (SCC)</b> 5100 O'Byrnes Ferry Road, PO. 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, PO. Box 4000, Vacaville, CA 95696-4000 • (707) 451-0182	August 1984	II, III	2,610
<b>California State Prison, Sacramento (SAC)</b> PO. Box 29, Represa, CA 95671-0002 • (916) 985-8610	October 1986	I, IV	1,728
<b>Avenal State Prison (ASP)</b> #1 Kings Way, PO. Box 8, Avenal, CA 93204 • (559) 386-0587	January 1987	II	2,320
<b>Mule Creek State Prison (MCSP)</b> 4001 Highway 104, PO. Box 409099, Ione, CA 95640 • (209) 274-4911	June 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	July 1987	I, III, RC	2,200
<b>Northern California Women's Facility (NCWF)</b> 7150 Arch Road, PO. Box 213006, Stockton, CA 95213-9006 • (209) 943-1600	Deactivated		
<b>California State Prison, Corcoran (COR)</b> 4001 King Avenue, PO. Box 8800, Corcoran, CA 93212-8309 • (559) 992-8800	February 1988	I, III, IV, SHU	3,016
<b>Chuckawalla Valley State Prison (CVSP)</b> 19025 Wiley's Well Road, PO. Box 2289, Blythe, CA 92226 • (760) 922-5300	December 1988	I, II	1,738
<b>Pelican Bay State Prison (PBSP)</b> 5905 Lake Earl Drive, PO. Box 7000, Crescent City, CA 95531-7000 • (707) 465-1000	December 1989	I, IV, SHU	2,280
<b>Central California Women's Facility (CCWF)</b> 23370 Road 22, PO. Box 1501, Chowchilla, CA 93610-1501 • (559) 665-5531	October 1990	I, II, III, IV, RC, Cond	2,004
<b>Wasco State Prison (WSP)</b> 701 Scofield Avenue, PO. Box 8800, Wasco, CA 93280-8800 • (661) 758-8400	February 1991	I, III, RC	2,984
<b>Calipatria State Prison (CAL)</b> 7018 Blair Road, PO. Box 5001, Calipatria, CA 92233-5001 • (760) 348-7000	January 1992	I, IV	2,208
<b>California State Prison, Los Angeles County (LAC)</b> 44750 60th Street West, Lancaster, CA 93536-7620 • (661) 729-2000	February 1993	I, IV	2,200
<b>North Kern State Prison (NKSP)</b> 2737 West Cecil Avenue, PO. Box 567, Delano, CA 93216-0567 • (661) 721-2345	April 1993	I, III, RC	2,692
<b>Centinela State Prison (CEN)</b> 2302 Brown Road, PO. Box 731, Imperial, CA 92251-0731 • (760) 337-7900	October 1993	I, III	2,208
<b>Ironwood State Prison (ISP)</b> PO. Box 2229, Blythe, CA 92226 • (760) 921-3000	February 1994	I, III	2,200
<b>Pleasant Valley State Prison (PVSP)</b> PO. Box 8500, Coalinga, CA 93210 • (559) 935-4900	November 1994	I, III	2,208
<b>Valley State Prison for Women (VSPW)</b> 21633 Avenue 24, PO. Box 92, Chowchilla, CA 93610-0099 • (559) 665-6100	May 1995	I, II, III, IV, RC, SHU	1,980
<b>High Desert State Prison (HDSP)</b> 475-750 Rice Canyon Road, PO. Box 750, Susanville, CA 96127 • (530) 251-5100	August 1995	I, III, IV, RC	2,224
<b>Salinas Valley State Prison (SVSP)</b> PO. Box 1020, Soledad, CA 93960-1020 • (831) 678-5500	May 1996	I, IV	2,224
<b>California Substance Abuse Treatment Facility (SATF)</b> 900 Quebec Avenue, PO. Box 7100, Corcoran, CA 93212-7100 • (559) 992-7100	August 1997	II, III, IV	3,324





# Glossary

*The following is a list of commonly used terms, and includes 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

**CDC:** California Department of Corrections

**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

**CIW:** California Institution for Women, located in Corona in Southern California

**class action lawsuit:** brought on behalf of an entire group of prisoners; seeks systemic change; does not always 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 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 medical procedure 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 Code of Regulations 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



**“**Being 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*

*The California State Prisoners Handbook: A Comprehensive Practice Guide to Prison and Parole Law (Third Edition, 2001)*

Cost: \$40 to prisoners. \$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 and distributed by The Prison Law Office, General Delivery, San Quentin, CA 94964. (p) (415) 457-9144; (f) (415) 457-9151  
[www.prisonlaw.com](http://www.prisonlaw.com)

*Compassionate Release for Dying Prisoners: The Nuts and Bolts Manual for Winning Compassionate Release*  
By Cynthia Chandler, Co-Director, Justice Now  
1322 Webster St., Suite 210, Oakland California 94612  
(p) (510) 839-7654; (f) (510) 839-7615  
[www.jnow.org](http://www.jnow.org)

*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, 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)

*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)

*Manual for Grandparent-Relative Caregivers and Their Advocates (Spanish version also available)*

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)

*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.



*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)

*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)

*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)

**Legal Help**

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*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)

**Advocacy and Support**

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*Organizations***Action Committee for Women in Prison**

1249 N. Holliston  
Pasadena, CA 91104  
(p) (626) 398-0105  
[ACWIP@yahoo.com](mailto:ACWIP@yahoo.com)

**California Coalition for Women Prisoners**

1540 Market St., Suite 490  
San Francisco, CA 94102  
(p) (415) 255-7036 Ext. 4; (f) (415) 552-3150  
[info@womenprisoners.org](mailto:info@womenprisoners.org)

**California Prison Focus**

2940 16th St., B-5  
San Francisco, CA 94103  
(p) (415) 252-9211; (f) (415) 252-9311  
[info@prisons.org](mailto:info@prisons.org)

**California Prison Moratorium Project**

PO Box 339  
Berkeley, CA 94701  
(p) (510) 893-4648  
[califpmp@igc.org](mailto:califpmp@igc.org)

**Center on Juvenile and Criminal Justice**

1622 Folsom St.  
San Francisco, CA 94103  
(p) (415) 621-5651  
[info@cjcj.org](mailto:info@cjcj.org)

**Centerforce**

2955 Kerner Blvd., 2nd Floor  
San Rafael, CA 94901

(p) (415) 456-9980; (f) (415) 456-2146  
[www.centerforce.org](http://www.centerforce.org)

**Critical Resistance**

1904 Franklin St., Suite 504  
Oakland, CA 94612  
(p) (510) 444-0484; (f) (510) 444-2177  
[www.criticalresistance.org](http://www.criticalresistance.org)

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

3982 S. Figueroa, #207A  
Los Angeles, CA 90037  
(p) (213) 746-4844  
[www.facts1.com](http://www.facts1.com)

**Families of Prisoners Support Group**

Center for Nonviolence  
985 N. Van Ness  
Fresno, CA 93728  
(p) (559) 237-3223  
[www.fresnoalliance.com](http://www.fresnoalliance.com)

**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](http://www.famm.org)

**Families with a Future (FWAF)**

1540 Market St., Suite 490  
San Francisco, CA 94102  
(415) 255-7036, Ext 320

**Family Advocacy Network (FAN)**

1540 Market St., Suite 490  
San Francisco, CA 94102  
(415) 255-7036, Ext 306 or 319

**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.

National Office  
PO Box 4085  
Stockton, CA 95204  
(p) (209) 955-0701; (f) (209) 955-0735  
[www.friendsoutside.org](http://www.friendsoutside.org)

**Free Battered Women**

1540 Market St., Suite 490  
San Francisco, CA 94102  
(415) 255-7036 Ext. 6  
[www.freebatteredwomen.org](http://www.freebatteredwomen.org)

**HIV/Hepatitis C in Prison Committee of California  
Prison Focus**

(510) 665-1935  
[hipcomm@excite.com](mailto:hipcomm@excite.com)

**Inmate Family Council** (liaison organization of inmate family members and prison officials)  
Each prison with a council has information about how to get connected to it.

**CCWF Inmate Family Council**

[CCWFInmateFamilyCouncil@hotmail.com](mailto:CCWFInmateFamilyCouncil@hotmail.com)

**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)

**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)

**Prison Activist Resource Center**

PO Box 339  
Berkeley, CA 94701  
(p) (510) 893-4648; (f) (510) 893-4607  
[www.prisonactivist.org](http://www.prisonactivist.org)

**Prison Literature Project**

Grassroots House  
2022 Blake Street  
Berkeley, CA 94704  
(415) 553-4580  
[www.bapd.org/gpract](http://www.bapd.org/gpract)

**Prison Unity Reform Project (PRUP)**

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

**Publications**

*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 S&H.) 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**

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*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  
 1-800- 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)

**Two 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 below*

**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  
[contact@californialung.org](mailto:contact@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  
 1-800-342-2383  
[www.diabetes.org](http://www.diabetes.org)

### *Epilepsy (Seizure Disorder)*

Epilepsy Foundation of Northern California  
1624 Franklin St., Ste. 900  
Oakland, CA 94612-2824  
(510) 893-6272  
(800) 632-3532  
[www.epilepsy-socalif.org](http://www.epilepsy-socalif.org)

Epilepsy Foundation of Southern California  
5777 Century Blvd. Suite 820  
Los Angeles, Ca 90045  
(800) 564-0445  
[sos@epilepsy-socalif.org](mailto:sos@epilepsy-socalif.org)

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  
1-800-822-7422

### *Hepatitis & HIV*

Northern California American Liver Foundation  
870 Market St., Suite 1046  
San Francisco, CA 94102  
1-800-465-4837  
[www.liverlifeline.com](http://www.liverlifeline.com)

