

EXECUTIVE REPORT ON PARDONS, COMMUTATIONS OF SENTENCE, AND REPRIEVES

**DECISIONS FOR THE PERIOD
JANUARY 1, 2020 THROUGH DECEMBER 31, 2020**



BY GOVERNOR GAVIN NEWSOM



OFFICE OF THE GOVERNOR

MESSAGE CONCERNING CLEMENCY

To the Members of the Senate and Assembly of the State of California:

In accordance with article V, section 8 of the California Constitution, Penal Code section 4807, and Government Code section 12017, I submit to you a report on the pardons, commutations of sentence, and reprieves I issued in 2020. I pardoned 41 people, granted commutations of sentences to 55 people, and granted reprieves to 4 people.

This report includes the pardon, commutation, and reprieve certificates, and the pardon and commutation application forms submitted for each.

My constitutional authority to grant clemency in criminal cases in the form of pardons, commutations of sentence, and reprieves is an important part of California's criminal justice system that can promote accountability, rehabilitation, public safety, make jails and prisons safer, and correct unjust results in the legal system.

The report may be found at www.gov.ca.gov/clemency, or, for a printed copy, contact the Governor's Office at 916-445-2841. Crime victims and survivors who would like information about parole and clemency notification, restitution, and referral and support services can call 1-877-256-6877, email victimservices@cdcr.ca.gov, or visit www.cdcr.ca.gov/victim-services. Californians who would like information about how to apply for clemency can visit www.gov.ca.gov/clemency.

I look forward to our continued partnership in ensuring a fair criminal justice system for all Californians.

Sincerely,

A handwritten signature in black ink, which appears to read "Gavin Newsom", is written over a horizontal line.

Governor Gavin Newsom

PARDON CERTIFICATES AND APPLICATIONS 2020

Governor Newsom's 2020 Pardon Grants Index

Last Name	First Name	Pardon Date
Aranjo	Ray	11/10/2020
Arechiga	Melissa	6/26/2020
Avedano	Jesus	6/26/2020
Barajas-Meraz	Efrain	11/10/2020
Bohannon	Steven	6/26/2020
Castaneda	Carlos	6/26/2020
Chevis	John	11/10/2020
Choum	Saengsavan	11/10/2020
Clarke	Scott	11/10/2020
Conklin	Tina	6/26/2020
Crosson	Jason	11/10/2020
Do	Tung	11/10/2020
Flores	Laura	11/10/2020
Frize	Stephen	6/26/2020
Gamez	Richard	6/26/2020
Garcia	Gabriel	3/27/2020
Henderson	Violet	11/10/2020
Ibanez	Brenda	3/27/2020
Ilgenfritz	Robert	6/26/2020
Jordan	Timothy	11/10/2020
Lao	Chheng	6/26/2020
Martinez	John	11/10/2020
Morrison	Richard	6/26/2020
Nguyen	Duc	11/10/2020
Nguyen	Nhan	11/10/2020
Nixon	Michael	11/10/2020
Nourn	Ny	6/26/2020
Om	Sophea	6/26/2020
Osborn	Christopher	6/26/2020
Ramos-Reyes	Oscar	11/10/2020
Rodriguez	Sarah	11/10/2020
Rustin	Bayard	2/4/2020
Salgado Espinal	Nicholas	11/10/2020
Sands	Nicole	11/10/2020
Thai	Tri	3/27/2020
Thomas-Bland	Shannon	3/27/2020
Thongsy	Somdeng	11/10/2020
Tijani	Monsuru	3/27/2020
Vasquez	Martin	11/10/2020

Vasquez Salazar	Carlos Arturo	11/10/2020
Villotti	Daniel	11/10/2020
Yuhara	Kapiolani	3/27/2020

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

PARDON

BAYARD RUSTIN

The California Legislative Black and LGBTQ Caucuses requested posthumous pardon of Bayard Rustin, a humanitarian and civil rights icon.

On January 22, 1953, the Los Angeles County Superior Court convicted 41-year-old Mr. Rustin of a misdemeanor violation of Penal Code section 647.5 (vagrancy). The court sentenced Mr. Rustin to 60 days in jail and ordered him to register as a sex offender.

California, like much of the nation, has a disgraceful legacy of systematically discriminating against the LGBTQ community. This discrimination has taken many forms including social isolation and shaming, surveillance, intimidation, physical violence, and unjust arrest and prosecution. Mr. Rustin was sentenced pursuant to a charge commonly used to punish gay men for engaging in consensual adult sexual conduct. His conviction is part of a long and reprehensible history of criminal prohibitions on the very existence of LGBTQ people and their intimate associations and relationships.

Mr. Rustin, a visionary champion for peace, equality, and economic justice was a key strategist and organizer behind the 1963 March on Washington. He worked closely with Dr. Martin Luther King, Jr. to organize the March and the Montgomery Bus Boycott. He was fundamental in integrating nonviolent direct action into the civil rights movement.

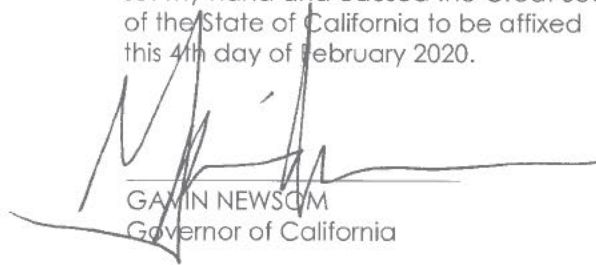
Mr. Rustin, a native of New York, traveled around the country and world to promote civil and human rights, and trained hundreds of people on nonviolence. While in California in 1942, he visited Japanese Americans imprisoned in the Manzanar internment camp and reported on the camp's humanitarian conditions. On August 8, 2013, President Barack Obama posthumously awarded Mr. Rustin the Presidential Medal of Freedom, the highest award in the United States, describing him as "an unyielding activist for civil rights, dignity, and equality for all."

Mr. Rustin was criminalized because of stigma, bias, and ignorance. With this act of executive clemency, I acknowledge the inherent injustice of this conviction, an injustice that was compounded by his political opponents' use of the record of this case to try to undermine him, his associates, and the civil rights movement.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that Mr. Rustin merits this posthumous pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Ruslin a full and unconditional posthumous pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of February 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

January 21, 2020

The Honorable Gavin Newsom
Governor of the State of California
State Capitol, First Floor
Sacramento, CA 95814

Dear Governor Newsom:

On behalf of the California Legislative LGBTQ Caucus and the California Legislative Black Caucus, we write to request that you posthumously pardon Bayard Rustin, who passed away in 1987. Please note that Los Angeles County District Attorney Jackie Lacey has informed us that she supports this pardon request.

Mr. Rustin was a confidante to Martin Luther King, Jr., he was one of the key organizers of the 1963 March on Washington for Jobs and Freedom, and he was integral in various other nonviolent movements, boycotts, and protests to end racial discrimination.

Despite Mr. Rustin's heroic contributions to the civil rights movement, he fell victim to California's homophobic criminal justice system. On January 21, 1953, Mr. Rustin was visiting Pasadena as part of a lecture tour on the topic of anti-colonial struggles in West Africa. Shortly after his speech, Mr. Rustin was arrested after being discovered having sex with two men in a parked car. Mr. Rustin was cited for vagrancy — a common charge against gay men for engaging in consensual sexual behavior — for which he served fifty days in Los Angeles County jail and was ordered to register as a sex offender. Mr. Rustin served his time without incident, and traveled back to his home state of New York shortly after his release.

Mr. Rustin's arrest, prosecution, conviction, and placement on the sex offender registry, tragically, was not unique. For all of human history, LGBTQ people have been criminalized, pathologized, and subjected to: the death penalty, jail time for having sex, jail time for gathering together, jail time for having HIV, lobotomization, electric shock therapy, conversion therapy, permanent sex offender registry status (which can lead to poverty, homelessness, and suicide), and other punishments.

To be clear, the criminalization of the LGBTQ community has never been about preventing harm to anyone, but rather an effort to eradicate and erase LGBTQ people from the face of the planet. Mr. Rustin's arrest and prosecution was purely about this tragic history.

Similar to many other civil rights icons of the era, Mr. Rustin was no stranger to time behind bars. He was also incarcerated for violating dehumanizing and racist segregation laws and was even beaten for refusing to move from the "whites-only" section of a bus. Additionally, while Mr.

Rustin's public LGBTQ activism came later in his life, he did not shy away from discussions about his sexual orientation, and those in his inner circle knew he was gay. However, this incident in Pasadena embarrassed many of Mr. Rustin's religious and political colleagues and led to his immediate removal from the Fellowship of Reconciliation, an interfaith peace organization where Mr. Rustin was secretary for student and general affairs.

Mr. Rustin lived during a period of time in our nation's history where his identity was under constant assault. Racial tensions were at a heightened state, segregation was in full effect, and Jim Crow laws were being enforced in various states throughout the country. This was also a time when homosexuality was criminalized, and LGBTQ people across the country were under a constant threat of violence and targeting. Indeed, President Dwight D. Eisenhower had just issued an executive order banning the employment of LGBTQ individuals in the federal government at the time of Mr. Rustin's conviction.

Notably, during the height of Mr. Rustin's involvement with the Civil Rights Movement and in an effort to discredit that movement, his arrest in Pasadena was pushed into the spotlight when Senator Storm Thurmond of South Carolina read Mr. Rustin's entire Pasadena arrest file into the Congressional record. Subsequently, many civil rights leaders began distancing themselves, at least publicly, from Mr. Rustin and his courageous activism.

Since 1953, our state has made immense progress in civil rights, LGBTQ rights, and criminal justice reform. While much work remains, California has repealed many discriminatory laws that targeted Black and LGBTQ individuals, including the sex crime for which Mr. Rustin was convicted. Yet, we must acknowledge and make amends for the harm that California's past actions have had on so many people. Pardoning Mr. Rustin will be a positive step toward reconciliation.

Mr. Rustin's conviction and registered sex offender status haunted him for the rest of his life, and it continues to tarnish his name, despite his death thirty-three years ago. Indeed, California's treatment of Mr. Rustin tarnishes our entire state.

On behalf of our respective caucuses, we ask that you right this wrong by pardoning this historic civil rights and LGBTQ icon.

Please do not hesitate to reach out to either of us to discuss this request. In addition, your staff can reach out to the LGBTQ Caucus [REDACTED] or the Black Caucus [REDACTED].

We thank you for considering this request.

Sincerely,



Senator Scott Wiener
Chair
California Legislative LGBTQ Caucus



Assemblymember Shirley Weber
Chair
California Legislative Black Caucus

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Gabriel Garcia

Gabriel Garcia, a resident of California, has submitted an application for executive clemency.

On April 15, 1987, Mr. Garcia was convicted of selling a controlled substance and taking a vehicle without the owner's consent. He was sentenced to three years of probation and 66 days in jail. On July 12, 1988, Mr. Garcia was convicted of selling a controlled substance. He was sentenced to 16 months in prison.

Mr. Garcia has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On June 29, 2018, the Superior Court of California, County of Placer granted Mr. Garcia a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Garcia's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Garcia be granted a full pardon.

Mr. Garcia's pardon application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Garcia merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Garcia a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Garcia, Gabriel R Name on Prior Application (if different): June 29, 2018

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

CDCR Number: D91235 Name of Facility/Prison: Richard J Donovan Correctional Institution

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

I previously submitted:

- ☐ Application for Commutation of Sentence
- ☒ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

On or about October 10-11, 2018, I was contacted by Melody Smith, CDCR Investigator. Ms. Smith mentioned that she was assigned to conduct the background investigation associated with my application for a Governor's Pardon. In addition to expressing my remorse for past transgressions, we discussed an abbreviated chronology of the past 30-years as this pertains to my commitment to living a drug free life, including achieving more than 20-years in State Service at the Headquarters of the Employment Development Department, in Downtown Sacramento. My current assignment is that of a Staff Services Manager I, as part of the team that manages statewide federal funded employment and training programs. After arriving to Sacramento more than 20 years ago, in addition to my day job with the State, I moonlighted as an Instructor for the Spanish Language DUI Programs in Placer County. My first home purchase was a single person, since then I have married and my wife Kimberly and I have together made two home purchases and live quietly and comfortably in [REDACTED]

Applicant Signature

April 30, 2019

Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF

Placer

Applicant's County of Residence

RECEIVED
JUL 06 2018
GOVERNOR'S OFFICE
LEGAL AFFAIRS

In the Matter of the Application of

Gabriel Robin Garcia

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number 62-159934

Date of Birth

CII Number

Criminal Case Number(s)

AO6412086

A820625, A820721

A815697, A816262

FILED

Superior Court of California
County of Placer

JUN 29 2018

Jake Chatters
Executive Officer & Clerk
By: S. Ziegelmann, Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Gabriel Robin Garcia, presently residing

at [REDACTED] before filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on this 29 day

of June, 2018 and proof having been made to the

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on 11/29/89, that, where appropriate, petitioner has

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 4

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

29 day of June 2018

day of

June 2018

Garen Horst

Judge of said Superior Court - TYPED or PRINTED

[Signature]

Judge of said Superior Court - SIGNATURE

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

PARDON

Brenda Ibanez

Brenda Ibanez, a resident of California, has submitted an application for executive clemency.

On August 28, 2000, Ms. Ibanez was convicted of robbery. She was sentenced to a five-year prison term, which was suspended, and five years of probation. On May 25, 2006, Ms. Ibanez was convicted of obtaining money by false pretenses and forging an official seal. She was sentenced to five years and four months in prison.

Ms. Ibanez has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On February 8, 2018, the Superior Court of California, County of Los Angeles granted Ms. Ibanez a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Ibanez's petition for a Certificate of Rehabilitation, the court has recommended that Ms. Ibanez be granted a full pardon.

Ms. Ibanez's pardon application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Ibanez merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Ibanez a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Ibanez, Brenda Patricia Name on Prior Application (if different): Brenda Patricia Talleh

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

CDCR Number: X18698 Name of Facility/Prison: Central California Womens Facility

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

I previously submitted:

- ☐ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

Yes, CR-2589-18 I attended the Board of Parole Hearings that was scheduled for me on August 20, 2019 at 10:00 a.m. Later that day, I received an email notification that my pardon had been granted by the Commissioners with a vote of 15 out of 17.

Applicant Signature

08/23/19

Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Brenda Patricia Ibanez

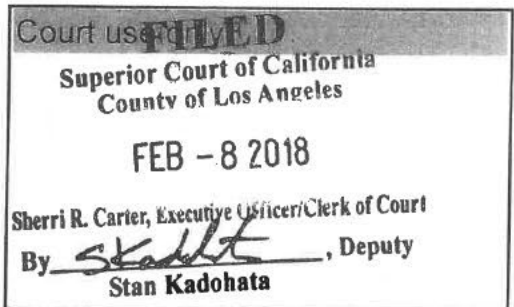
Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

CII Number A10287343

Certificate Case Number KA073546

Criminal Case Number(s) KA073546 KA046957



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Brenda Patricia Ibanez presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on February 8, 2018

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on Paroled June 24, 2010

Granted Probation August 28, 2000

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 2 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 8 day of FEBRUARY 2018
Day of the Month Month, Year

SCOTT M. GORDON

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Judge of said Superior Court -



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Tri Thai

Tri Thai, a resident of California, has submitted an application for executive clemency.

On July 7, 1994, Mr. Thai was convicted of receipt of stolen property. He was sentenced to three years of probation and four months in jail. On March 4, 2002, Mr. Thai was convicted of assault with a firearm, second-degree burglary, and attempting to dissuade a witness.

Mr. Thai submitted a formal application for executive clemency in the form of a gubernatorial pardon. He has demonstrated that he is living an upright life and has demonstrated his fitness for restoration of civic rights and responsibilities. Mr. Thai has also presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

Mr. Thai's pardon application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Thai merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Thai a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) **If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Tri Thai Date of Birth: [REDACTED] E-mail Address: [REDACTED]
Address: [REDACTED] Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Assault with Firearm PC 245A	10/09/1998	Santa Clara	9 years prison
Threats Commit Crime PC 422	10/09/1998	Santa Clara	same
Burglary 2nd Degree PC 459/460b	10/09/1998	Santa Clara	same

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):

My friend and I went to a restaurant for dinner. When we got inside, my friend came over to another table of someone he knew. At first it was just a casual conversation; however, it escalated an argument. At one point, my friend pulled out a firearm. As soon as I saw that, I ran over to deescalate the situation. Nothing else happened and everyone left the restaurant. Due to this incident, I was charged with above offenses.

3. Explain why you are requesting a pardon (attach additional pages as necessary):

Due to aggressive immigration enforcement policies, I am facing risk of deportation. I hope that the pardon will prevent deportation. (See more in attached pages)

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):
Please see attached pages

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

To: Mr. Governor of California

1. Explain why you want a pardon.

I am writing this letter today to Mr. Governor of California to ask for a pardon because of my conviction in 1998 and because of that reason I lost my rights as a citizen and I lived and grew up on this country and I want to live here in the United States for the rest of my life.

Your forgiveness will allow to stay back on this land that I love and grew up. My mom became a citizen and still lives in [REDACTED], my wife also became a citizen. I am terrified once I am free. After the 45th presidents of the United States, Mr. Trump was appointed, so that made me extra scared, I have never been scared in my life until today and I do not know when ICE will bring me back to Vietnam. A country that is not in my memory anymore. I am afraid because nobody will take care of my family, because I am the pillar that holds up my family.

2. Explain why you think you should be granted a pardon

I should be granted and pardon because without one, I cannot get U.S. citizenship, and I will remain estranged from my family and banished from the country which I love. I chose not to give up or live in resentment, because that would only be hurting me more, but that doesn't change the fact that my removal was unjust, which to me is unamerican.

I do have some minor criminal record; except for the one I'm convicted in 1998. I receive an 8-year sentence, lost at trial and did not appeal it to 9th circuit court. So, I ended up paying a debt to society that I did not owe. Serving the sentence would have been the end of it. For any other American who committed their crimes, even worst crimes. After I was released in 2006 from Solano state prison, I thought it was behind me. I wasn't deported on my released, instead I was transferred any detaining for almost 4 months in ICE detention in Eloy, Arizona.

After I was released from ICE, because Vietnam denied and does not accept anyone with criminal record who have come to America before 1995, The signed agreement between two countries.

After I was released, it was not what I had imagined. It was not anything I set my goals towards. Through rough times, despite all the difficulties, nothing cannot knock me down. Because to me the conception of life is whenever at the end of the road, I saw the light at the end of the road.

I'm struggling for a while, everybody looking down on me because I just got out from the prison and I'm an ex-convict.

I found a job for a restaurant in Los Altos as a bus boy. I have to leave my house at 6:30 A.M. to catch the bus and transfer to several times to get to my workplace by 9:30 AM. I worked as a busboy for 2 years and I found a job that runs from Monday to Friday, and I also found a job at a gas station as a cashier from Saturday to Sunday from 6:30 AM to 2:00 PM.

In May 2009, life began to change I was accepted to work for DIRECTV and I am currently working there until today. I am frustrated, I like to help my neighbors, friends and to fix houses. Attend some more classes training.

To me, after about 13 years of freedom, I am satisfied, from being empty handed, I have turned around and only went up from there. Right now, I currently have a family, a car, and a home.

Also, within the past 13 years I have not been associated with the law and I am an ex-convict and have proven to society and everyone that not every criminal is a bad person. I have already proven that.

I am proud of myself for trying to live a decent live, after every that happened.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Tri Thai, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Santa Clara with notice of my intent to apply for a pardon.
(Name of County*)

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

Dec - 20 - 2018
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

PARDON

Shannon Thomas-Bland

Shannon Thomas-Bland, a resident of California, has submitted an application for executive clemency.

On September 13, 1991, Ms. Thomas-Bland was convicted of possession of a controlled substance for sale. She was sentenced to three years of probation and 180 days in jail. On March 10, 1993, Ms. Thomas-Bland was convicted of possession of a controlled substance for sale. She was sentenced to three years in prison.

Ms. Thomas-Bland has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On October 4, 2012, the Superior Court of California, County of Los Angeles granted Ms. Thomas-Bland a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Thomas-Bland's petition for a Certificate of Rehabilitation, the court has recommended that Ms. Thomas-Bland be granted a full pardon.

Ms. Thomas-Bland's pardon application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Thomas-Bland merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Thomas-Bland a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Thomas-Bland, Shannon Louise Name on Prior Application (if different): Same

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

CDCR Number: [REDACTED] Name of Facility/Prison: [REDACTED]

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

- I previously submitted:
- ☐ Application for Commutation of Sentence
 - ☐ Certificate of Rehabilitation
 - ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I have spoken with several departments but never was given a case number that I know of. I was interviewed by the Board of Parole please advise

Shannon Louise Thomas-Bland
Applicant Signature

5/17/19
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Shannon Louise Thomas

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

CII Number A08731765

Certificate Case Number BA059731

Criminal Case Number(s) BA059731 GA006186 GA005197

Court use only

FILED

LOS ANGELES SUPERIOR COURT

OCT 04 2012

JOHN A. CLAYTON, Clerk
BY B. Perez Deputy
Blanca Perez

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Shannon Louise Thomas presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on October 4, 2012

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on

Paroled March 28, 1994

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 3 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 4 day of OCTOBER 2012
Day of the Month Month, Year

PATRICIA SCHNEGG

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Patricia Schweg

Judge of said Superior Court -



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Munsuru Tijani

Munsuru Tijani, a resident of California, has submitted an application for executive clemency.

On August 1, 1986, Mr. Tijani was convicted of perjury and grand theft of property. He was sentenced to three years of probation and 100 days in jail. On January 27, 1987, Mr. Tijani was convicted of insufficient funds. He was sentenced to 16 months in prison. On December 23, 1991, Mr. Tijani was convicted of false financial statements. He was sentenced to two years and four months in prison. On July 13, 1999, Mr. Tijani was convicted of false financial statements. He was sentenced to nine years in prison.

Mr. Tijani has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On August 21, 2015, the Superior Court of California, County of Contra Costa granted Mr. Tijani a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Tijani's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Tijani be granted a full pardon.

Mr. Tijani has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

Mr. Tijani's pardon application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Tijani merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Tijani a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF CONTRA COSTA

Applicant's County of Residence

In the Matter of the Application of

Monsuru Olasumbo Tijani

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

Date of Birth

Month Day, Year

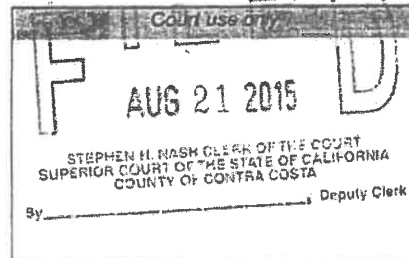
CII Number

A08241732

Criminal Case Number(s)

A471035, 190134

List applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Monsuru Olasumbo Tijani, presently residing

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

at

Type Applicant's Street Address, City, State, and ZIP Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this 21st day

Day of the Month

of August 2015 and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;

and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are

true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from

custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on 04/09/2003, that, where appropriate, petitioner has

Month Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been three (3)

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 21st day of AUGUST, 2015

Day of the Month

Month, Year

JUDGE TERRI A. MCKLER

Judge of said Superior Court - TYPED or PRINTED

Signature of Judge of said Superior Court

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Kapiolani Yuhara

Kapiolani Yuhara, a resident of California, submitted an application for executive clemency, which was granted on August 17, 2018. This pardon corrects an error on the pardon certificate issued on that date.

On March 31, 1999, Ms. Yuhara was convicted in the Superior Court of California, County of Santa Clara, for the crimes of possession of controlled substance for sale, transporting a controlled substance, possession of controlled substance paraphernalia, and use or under the influence of a controlled substance. She was sentenced to two years in prison.

Ms. Yuhara has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On January 13, 2017, the Superior Court of California, County of Santa Clara granted Ms. Yuhara a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Yuhara's petition for a Certificate of Rehabilitation, the court has recommended that Ms. Yuhara be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Yuhara merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Yuhara a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

In the Matter of the Application of

Kapiolani Rebecca Yuhara

Type Applicant's Full Name - First, Middle, Last and Suffix, if applicable

Certificate Number **CR215605**

Date of Birth

[REDACTED]

Month, Day, Year

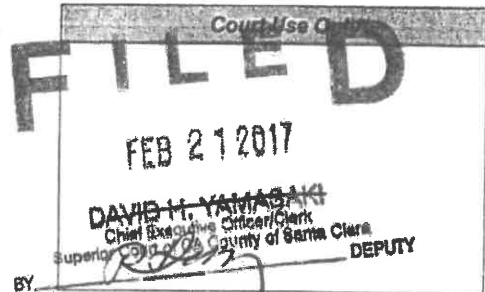
CII Number

A12090660

Criminal Case Number(s)

C9899810, C9897024, CC116297

List Applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of **Kapiolani Rebecca Yuhara**

Type Applicant's Full Name - First, Middle, Last and Suffix if applicable

, presently residing

at

[REDACTED]

Type Applicant's Street Address, City, State and Zip Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on this **13th** day of **January, 2017**

Day of the Month

Month, Year

and proof having been made to the

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on **October 2002**, that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been **3**

Month, Day and Year

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, and this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this **13th** day of **January, 2017**

Day of the Month

Month, Year

David A. Cena

Judge of said Superior Court - TYPED or PRINTED

[Signature]
Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Melissa Arechiga

Melissa Arechiga, a resident of California, has applied for executive clemency.

On June 20, 1996, 21-year-old Ms. Arechiga was convicted in the Superior Court of California, County of Los Angeles, for carjacking and accessory after the fact. She was sentenced to three years and eight months in prison.

Ms. Arechiga has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On January 10, 2019, the Superior Court of California, County of Los Angeles, granted Ms. Arechiga a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Arechiga's petition for a Certificate of Rehabilitation, the court has recommended that Ms. Arechiga be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Arechiga merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Arechiga a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Melissa Mary Arechiga

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

CII Number A09114782

Certificate Case Number BA122904-02

Criminal Case Number(s) BA122904-02

Court use only **FILED**
Superior Court of California
County of Los Angeles

JAN 10 2019

Sherri R. Carter, Executive Officer/Clerk
By Jessica Castellanos, Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Melissa Mary Arechiga presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on January 10, 2019

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on Paroled January 22, 1998

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 10 day of JANUARY 2019
Day of the Month Month, Year

SAM OHTA

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Judge of said Superior Court -

Sam Ohta



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Jesus Avendano

Jesus Avendano, a resident of California, has applied for executive clemency.

In the Superior Court of California, County of Los Angeles, 24-year-old Mr. Avendano was convicted for maliciously setting fire to property on June 5, 1998, which was modified to arson of property on December 13, 2018. He was sentenced to three years of probation.

Mr. Avendano has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On March 28, 2019, the Superior Court of California, County of Los Angeles, granted Mr. Avendano a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Avendano's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Avendano be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Avendano merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Avendano a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read "Alex Padilla", written over a horizontal line.

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Jesus Alfredo Avedano akas Freddy Avedano - Jesus Alfredo Avedano

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

AMENDED

CII Number A12044120

Certificate Case Number VA047652

Criminal Case Number(s) VA047652

Court use only

FILED

Superior Court of California
County of Los Angeles

MAR 28 2019

Sherri B. Carter, Executive Officer/Clerk

By Jessica Castellanos, Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13,

JESUS ALFREDO AVENDANO

The petition of Jesus Alfredo Avedano akas Freddy Avedano presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on March 7, 2019

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on **Granted Probation June 5, 1998**

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 28th day of March, 2019
Day of the Month Month, Year

Sam Ohta

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Judge of said Superior Court



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Steven Bohannon

Steven Bohannon, a resident of California, has applied for executive clemency.

On November 4, 1994, Mr. Bohannon was convicted in the Superior Court of California, County of Imperial, for grand theft. He was sentenced to three years of probation and 180 days in jail.

Mr. Bohannon has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On March 1, 2019, the Superior Court of California, County of Stanislaus, granted Mr. Bohannon a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Bohannon's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Bohannon be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Bohannon merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Bohannon a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF STANISLAUS

Applicant's County of Residence

In the Matter of the Application of

BOHANNAN, STEVEN G

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number CR-19-000251

Date of Birth [REDACTED]

CII Number A10788749

Criminal Case Number(s) 16469

DMV: N3736481

List applicable Criminal Case Number(s)

Court use only

FILED

01 MAR 2019

CLERK OF THE SUPERIOR COURT
COUNTY OF STANISLAUS

[Signature] DEPUTY

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of STEVEN G BOHANNAN

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

at [REDACTED]

Type Applicant's Street Address, City, State, and ZIP Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this 1ST day

Day of the Month

of MARCH, 2019 and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;

and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are

true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from

custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on DECEMBER 2, 1997, that, where appropriate, petitioner has

Month, Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been one (1)

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 1ST

Day of the Month

Ricardo Cordova

Judge of said Superior Court - TYPED or PRINTED



March, 2019

Month, Year

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Carlos Castaneda

Carlos Castaneda, a resident of California, has applied for executive clemency.

On August 6, 1995, 21-year-old Mr. Castaneda was convicted in the Superior Court of California, County of San Diego, for possession of marijuana for sale. He was sentenced to three years of probation and 12 days in jail.

Mr. Castaneda has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On January 9, 2019, the Superior Court of California, County of San Bernardino, granted Mr. Castaneda a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Castaneda's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Castaneda be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Castaneda merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Castaneda full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN BERNARDINO

Applicant's County of Residence

In the Matter of the Application of

Carlos Castaneda

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

Date of Birth

Month Day, Year

CII Number

Criminal Case Number(s)

SF 097656

List applicable Criminal Case Number(s)

~~For Use Only~~
SUPERIOR COURT
COUNTY OF SAN BERNARDINO
VICTORVILLE DISTRICT

JAN 09 2019

BY

Shirley Jauregui

SHIRLEY JAUREGUI, DEPUTY

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Carlos Enrique Castaneda, presently residing
at [REDACTED], heretofore filed, praying for
a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
of the State of California, came on regularly for hearing on this 9 day
of January 2019 and proof having been made to the
satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;
and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are
true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from
custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-
ole or probation on August 8, 1998, that, where appropriate, petitioner has
obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the
course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship
(except as provided in Penal Code Section 4852.15); and that petitioner has been ONE (1)
time(s) convicted of a felony;

Total Number of Felony Convictions

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge,
and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of
citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court
recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

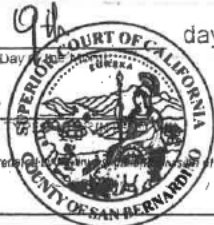
9th

day of

January 2019

TONY RAPHAEL

Judge of said Superior Court -



[Signature]

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Tina Conklin

Tina Conklin, a resident of the State of Washington and former resident of California, has applied for executive clemency.

On February 5, 1987, 23-year-old Ms. Conklin was convicted in the Superior Court of California, County of Santa Clara for possession of marijuana for sale. She was sentenced to two years of probation.

Ms. Conklin has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. She has provided evidence that she is living an upright life and has demonstrated her fitness for restoration of civic rights and responsibilities.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Conklin merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Conklin a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Tina Conklin

Date of Birth: [REDACTED]

E-mail Address: [REDACTED]

Address: [REDACTED]

Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
<input checked="" type="checkbox"/> Health & Safety code 11359	9-25-96	Santa Clara	90 Days Jail, fine, Counseling & Probation
<input checked="" type="checkbox"/> DUI	8-26-2002	Santa Cruz	fine, school, probation, 3 days Jail?

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):

please See Attachment

3. Explain why you are requesting a pardon (attach additional pages as necessary):

please See Attachment

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):

please see attachment

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

Names I have been know as: Tina Renee Rushing, Tina Laffey, Tina Ramirez, Tina Conklin.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon:

On September 25, 1986 I had called a close friend/neighbor requesting that they come to my house as I had just slammed the door on a person who had a gun and tried to enter my home. At the time I had turned off all my house lights so the person would not see my silhouette and shoot at me. My friend came by the town-home and was afraid because they saw that all the lights were out. He then called the police who came to my door. I let the officers in, as they were worried that the person could be hiding in my home. Upon searching they found some marijuana plants that were in the closet under my stairs. I was then placed under arrest and taken to jail to be booked. While the drugs were not directly mine they were in my home, so I accepted responsibility for having them.

I was charged with possession of marijuana for sales, Health and Safety Code section 11359, in Santa Clara County. On March 27, 1987 I was sentenced to 90 days jail time, restitution of \$100.00 and a lab fee in the amount of \$50.00. I was also sentenced to attend a drug/narcotics class and was placed on 2 years formal probation. The court recommended that I serve my time in a public service program (PSP) in lieu of jail. (please see attached record of said sentence). I completed all the conditions of my sentence. Part of the sentence was employment/training so I decided to take courses at De Anza College in the Administration of Justice Paralegal program. I graduated On March 29, 1991 with an Associates in Arts Degree (see attached copy of transcripts). I am proud to say that I was the first in my family family to receive a college degree.

On April 15, 1995 I applied for a record expungement pursuant to California Penal Code section 1203.4. The request was granted but I do not have any paperwork regarding the dismissal. While I did receive the dismissal all my rights were not restored.

Additionally, I was informed, by the court, that case number C8676360 is associated with this case. I am not sure if this is regarding the expungement that I applied for.

3. Explain why you are requesting a pardon:

I would like to restore all my rights as a law-abiding citizen and be whole again. I would like to be able to apply for county jobs without having to worry about this on my record. It has been a thorn in my side for so many years and I would love to have it removed. I have never felt whole since I made this mistake and regret it then and now. I was a notary public for two terms in California and then the third term I was rejected and had to appeal their decision in order to be a notary again.

4. Provide a brief statement explaining why you should be granted a pardon:

I believe I should be granted a pardon because I have paid for the mistakes that I made over 30 years ago. I attended school and received my associates degree and was steadily employed in California in many law offices.

I did make a mistake on my walk though. In August ²¹⁰ of 2002 I was pulled over in Watsonville, California due to a burnt out tail light. I had a few glasses of wine, which I am sure the officer

smelled, and ended up with a dui. I felt so ashamed of myself. A appeared in court and took my punishment , which was a good size fine, a class, loss of my driver's license for a year and three work weekends in Santa Cruz. The case number was W04997. I am so sorry for that incident. That was the only time I did something that was out of character and I really thought I was fine. I have been and am still am a law-abiding citizen.

I found Jesus in 2004. I started attending church regularly in San Jose, California. My husband and I decided to moved to Washington to try to purchase a home with my son and my daughter-in-law as California became to expensive to live. We are all employed and now own a beautiful three bedroom home on almost an acre of land. I am employed at Peace Health St. Joseph Hospital making 18.85 hourly with an additional \$1.25 hourly differential for working evenings for a total of \$20.10 per hour.

Additionally, I attend church at Father's House in Longview, Washington and I am an active member of my church and community since moving to Washington. They have been informed of my past as I am a volunteer in welcome team and child care and my husband is in Security and the welcome team. We volunteer for other events the church holds as well. We both attend a Catalyst group twice a month and my husband and I attend bible study once a week as well.

Additionally, we tithe our church 10% of our income every Sunday and my husband and I are researching and meeting different people to try to implement a plan and obtain land to begin a tiny home community for people who are transitioning, to become productive law-abiding citizens, and/or for people that just need a place to stay while they search for a job to get back on their feet again and become self-sufficient.

If you have any questions of me, please do not hesitate to contact me. Thank you for your time in reviewing this request.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Stephen Frize

Stephen Frize, a resident of California, has applied for executive clemency.

On October 31, 1997, 24-year-old Mr. Frize was convicted in the Superior Court of California, County of Orange, for exhibiting or drawing a firearm and carrying a loaded firearm. He was sentenced to three years of probation and 365 days in jail.

Mr. Frize has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On October 12, 2018, the Superior Court of California, County of Orange, granted Mr. Frize a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Frize's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Frize be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Frize merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Frize a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
700 CIVIC CENTER DRIVE WEST
POST OFFICE BOX 22024
SANTA ANA, CA 92702-2024

In the Matter of the Application of
Stephen Patrick Frize

Petitioner's full name – First Middle Last and Suffix, if applicable

Date of Birth: [REDACTED]

CII Number: A11605660

Criminal Case Number(s): 96HF1097B

For Court Use Only

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

OCT 12 2018

DAVID H. YAMASAKI, Clerk of the Court

BY: *R. Peace*
R. PEACE, DEPUTY

CERTIFICATE OF REHABILITATION
(Penal Code § 4852.13)

CERTIFICATE NUMBER:

M - **M-17516**

The petition of **Stephen Patrick Frize**

, presently residing

at [REDACTED]

Type Applicant's Street Address, City, State, and ZIP Code

RECEIVED
SUPERIOR COURT OF CALIFORNIA
CENTRAL JUSTICE CENTER

APR 30 2018

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
of the State of California, was heard on **OCT 12 2018**

Date

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on

October 31, 2000

Month Day, Year

, that, where appropriate, petitioner has obtained relief pursuant to Penal

Penal Code section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15); and that the that petitioner has been Two time(s) convicted of a felony;

Total Number of Felony Convictions

The Certificate of Rehabilitation is granted. ~~The Court~~ declares the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15), and this Court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Dated: 10/12/18



Judicial Officer - TYPED or PRINTED

Judicial Officer - SIGNATURE

JUDGE ELIZABETH GUERRERO MACIAS

This form was prepared under the direction of the Office of the Attorney General of the State of California

CERTIFICATE OF REHABILITATION

Optional Use
Form: L-410.2 [Rev. July 15, 2011]

Penal Code § 4852.13

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Richard Gamez

Richard Gamez, a resident of California, has submitted to this office an application for executive clemency.

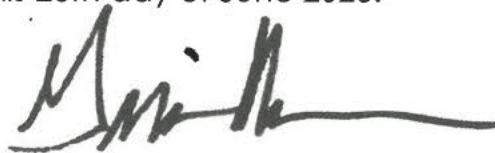
On October 11, 1995, 21-year-old Mr. Gamez was convicted in the Superior Court of California, County of Sacramento, for presenting a false claim for payment of a loss or injury. He was sentenced to five years of probation and six months in jail.

Mr. Gamez has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On February 27, 2019, the Superior Court of California, County of El Dorado, granted Mr. Gamez a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Gamez's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Gamez be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Gamez merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Gamez a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State

SUPERIOR COURT OF CALIFORNIA, COUNTY OF EL DORADO 2850 Fairlane Ct Dept 7 Placerville, CA 95667-4100	<i>For Court Use Only</i>
In the Matter of the Application of Richard Gamez <i>Petitioner's full name – First Middle Last and Suffix, if applicable</i> Date of Birth: [REDACTED] CII Number: n/a Criminal Case Number(s): 95F05594 (Sacramento #)	<div style="text-align: center;"> FILED FEB 27 2019 </div> EL DORADO CO. SUPERIOR COURT BY: <u>[Signature]</u> (DEPUTY)
<div style="text-align: center;"> CERTIFICATE OF REHABILITATION (Penal Code § 4852.13) </div>	CERTIFICATE NUMBER:

The petition of Richard Gamez, presently residing
 at [REDACTED], requesting a
 a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
 of the State of California, was heard on 2/27/19
 and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as
 required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true,
 and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of
 the term to which the petitioner was sentenced, or upon the release on parole or probation on
July 26, 1995, that, where appropriate, petitioner has obtained relief pursuant to Penal
 Penal Code section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to
 exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15); and that the
 that petitioner has been one (1) time(s) convicted of an eligible offense;
Total Number of Felony Convictions

The Certificate of Rehabilitation is granted. This Court declares the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15), and this Court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Dated: 2/27/19

MARK A. RALPHS

Judicial Officer



[Signature]
 Judicial Officer - SIGNATURE

MARK A. RALPHS

This form was prepared under the direction of the Office of the Attorney General of the State of California

CERTIFICATE OF REHABILITATION

Optional Use
 Form: L-410.2 [Rev. July 15, 2011]

Penal Code § 4852.13

43 - 2020 Executive Report on Clemency

CERTIFIED COPY

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Robert Ilgenfritz

Robert Ilgenfritz, a resident of California, has submitted to this office an application for executive clemency.

On August 20, 2009, 21-year old Mr. Ilgenfritz was convicted in the Superior Court of California, County of Los Angeles, for possession of a controlled substance. He was sentenced to two years in prison.

Mr. Ilgenfritz has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On January 24, 2019, the Superior Court of California, County of Los Angeles, granted Mr. Ilgenfritz a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Ilgenfritz's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Ilgenfritz be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Ilgenfritz merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Ilgenfritz a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Robert Chaiwat Ilgenfritz

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

CII Number A29060521

Certificate Case Number KA087283

Criminal Case Number(s) KA087283

Court use only

FILED
LOS ANGELES SUPERIOR COURT

JAN 24 2019

Sherri R. Carter, Executive Officer/Clerk

By B. Perez Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Robert Chaiwat Ilgenfritz presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on January 24, 2019

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on Paroled August 10, 2010

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 24 day of JANUARY 2019
Day of the Month Month, Year

SAM OMTA

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Judge of said Superior Court -



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Chheng Lao

Chheng Lao, a resident of California, has applied for executive clemency.

On February 27, 1996, 21-year-old Mr. Lao was convicted in the Superior Court of California, County of Los Angeles, for the crime of first-degree residential robbery. He was sentenced to six years in prison.

Mr. Lao has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On February 26, 2019, the Superior Court of California, County of Los Angeles, granted Mr. Lao a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Lao's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Lao be granted a full pardon.

Mr. Lao has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Lao merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Lao a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Lao/Chheng/Chhun Name on Prior Application (if different): aka Michael Chhun Lao

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

CDCR Number: J98721 Name of Facility/Prison: California Mens Colony

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

I previously submitted:

- ☐ Application for Commutation of Sentence
- ☒ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:


Applicant Signature
Dickran Sevljan, Attorney for Applicant

04/30/2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

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

FILED
Superior Court of California
County of Los Angeles

FEB 26 2019

Sherri R. Carter, Executive Officer/Clerk
By Jessica Castellanos, Deputy

IN THE MATTER OF THE APPLICATION OF:

Type Applicant's Full Name – First, Middle, Last and Suffix, if applicable

Chheng Chhun Lao
aka Michael Lao

Date of Birth:

CII Number: A11106296

Certificate Case Number: GA026582

Criminal Case Number(s): GA026582

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petitioner is presently residing at:

Heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California came on regularly for hearing on February 26, 2019

And proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on Jan 18, 2001.

That, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 26 day of Feb, 2019

SAM OHTA

Judge of the Superior Court – TYPED or Printed

[Signature]
Judge of the Superior Court - SIGNATURE



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Richard Morrison

Richard Morrison, a resident of Colorado and a former resident of California, has applied for executive clemency.

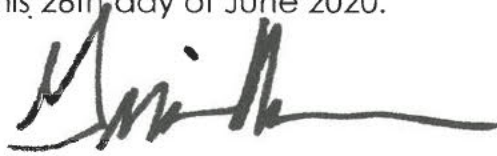
On August 8, 1994, 22-year-old Mr. Morrison was convicted in the Superior Court of California, County of San Diego, for the felony crime of attempted second-degree burglary. He was sentenced to three years of probation and 120 days in jail. In 2004, this conviction was reduced to a misdemeanor pursuant to Penal Code section 17, subdivision (b)(3).

Mr. Morrison has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. He has provided evidence that he is living an upright life and has demonstrated his fitness for restoration of civic rights and responsibilities.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Morrison merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Morrison a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Morrison, Richard Alan Name on Prior Application (if different): _____

Date of Birth: _____ Social Security Number: _____

CDCR Number: n/a Name of Facility/Prison: n/a

Residence Address: _____

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☐ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

#D-1934-17. I also received the Notice of Intent For and Pardon Applicant Questionnaire in December 2018

Richard Morrison
Applicant Signature

5/9/19
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Richard Alan Morrison Date of Birth: [REDACTED] E-mail Address: [REDACTED]
Address: [REDACTED] Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Attempted Vehicle Burglary 120 days Custody, 1992. 12 Fines and Fees.	4/1/1994	SAN DIEGO	3 years Probation

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):

I plead Guilty to Willfully and Unlawfully attempted to enter a Locked Motor Vehicle, the property of Another, with the intent to Commit theft.

3. Explain why you are requesting a pardon (attach additional pages as necessary):

I am requesting the Pardon to expand on my Career in Law Enforcement. The Pardon would Allow me to become POST Certification Eligible. I Have already had the Conviction Reduced to a Misdemeanor, Expunged and dismissed.

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):

I Have been a Law abiding productive Citizen of Society. I Have maintained full-time Employment Since my Conviction in 1994. For the last 5 years I Have Worked For the New Mexico Corrections Department as a Correctional Officer and Probation Parole Officer.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Ny Nourn

Ny Nourn, a resident of California, has applied for executive clemency.

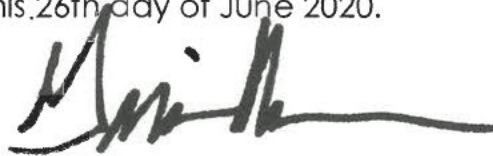
On January 27, 2003, Ms. Nourn was convicted in the Superior Court of California, County of San Diego, for first-degree murder and arson of property. On January 18, 2008, Ms. Nourn was resentenced to second-degree murder. She was sentenced to 15 years to life in prison. She committed this crime when she was 18 years old.

Ms. Nourn has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. She has demonstrated that she is living an upright life and has demonstrated her fitness for restoration of civic rights and responsibilities. Ms. Nourn has also presented evidence that a collateral consequence of her conviction, namely, her impending deportation and permanent separation from her family and removal from her community, further justifies this exercise of executive clemency.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by her good conduct in the community, Ms. Nourn, merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Nourn a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR PARDON

Complete this application to request a gubernatorial (governor's) pardon. This application is for a direct pardon; do not complete this form if you have been granted a Certificate of Rehabilitation. If you have submitted a pardon application in the last three years or if you have obtained a Certificate of Rehabilitation, please complete a re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to your application. If the Governor grants you a pardon, some information from your application will appear in a public report about clemency submitted to the California Legislature each year. Learn more about the pardon application process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary)

Name (Last/First/Middle): Nourn, Ny

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a pardon.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PC 187(a)	12/5/2007	San Diego	15 years to Life

Were you under 26 years of age at the time of the crime(s) for which you are seeking a pardon? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court:			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
PC 451(d)	1/27/2003	San Diego	3 years
The PC 451(d) conviction was from the same case but was reversed on appeal.			

2. Describe the circumstances of your crime(s).

See attached declaration

3. Describe how a pardon may impact your life (e.g., immigration consequences, employment opportunities, impact on family members, civic participation).

See attached declaration

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, arrests, and new convictions; insight about past conduct; and future goals).

See attached declaration

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

N/A

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent to Apply for Clemency.

I, Ny Nourn, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or delivered) my notice of intent to apply for clemency on the District Attorney of the County of San Diego.
(Name of County or Counties)
Served on District Attorney by counsel.



Applicant Signature

12/6/19

Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a pardon.

DECLARATION OF NY NOURN

I, Ny Nourn, declare under penalty of perjury that the following is true and correct to the best of my knowledge:

Childhood

1. I was born on [REDACTED], in a refugee camp in Thailand. When my mother was 18, she fled across the border into Thailand to escape the genocide in Cambodia under the Khmer Rouge. The rest of her family was killed or separated from her. In the refugee camp, a group of soldiers gang raped my mother forcing her to flee to another camp. The elders decided that to be safe from rape that she needed to marry someone. They forced her to marry my biological father in the refugee camp. Shortly after I was born, my father abandoned my mother. I have no memory of my father. I came to the United States with my mother, as a refugee, when I was five-years-old. After a year, we settled in San Diego, California where I grew up.
2. My mother met my stepfather when I was around six-years-old. From their relationship, I have a younger half-brother who is 7 years younger than me, and half-sister who is 12 years younger than me. My stepfather was Vietnamese and had been a South Vietnamese soldier. He had fought against the Communists, still had shrapnel in his neck, and was a prisoner of war. When we met him, he worked as an auto mechanic. Later on, my mother and stepfather delivered newspapers for a living. We moved about seven times before my mother and stepfather bought a home in San Diego when I was about 13-years-old.

Domestic Violence at Home

3. My stepfather had a short temper and my mother was submissive to him. They fought frequently over family issues, money, and my behavior. My stepfather was verbally and physically abusive towards her, and my mother would try to fight back in self-defense. My first memory of domestic violence was when I was 7-years-old. My stepfather hit my mother in the forehead with a hammer. She was bleeding and came running towards me. I started crying. My stepfather slammed the hammer on a glass coffee table, shattering it. My mother often suffered bruises and bleeding from my stepfather's attacks. I also witnessed my mother being raped by my step-father when I was little, but she did not say anything. He would threaten her with deportation if she reported the abuse.
4. On one occasion, when I was 18 years old, I screamed at my brother to call the police because their fighting had gotten so violent. Sometimes, I would hide my younger siblings in another room so they did not see it. As I grew older, sometimes I tried to physically intervene. When I intervened, my mother would make me mediate between them, which I hated. Regardless, the abuse continued throughout my childhood. We were all scared of my stepfather.

5. I tried to reach out to my mother about the domestic violence. When I tried, she would push me away and shut down the conversation. Unable to connect with my mother, I became distant from my mother and hid in my room. I desperately wanted to escape my chaotic and violent home, but I was a child and had nowhere to go.
6. My stepfather only hit me two times but was verbally abusive. My mother was the one who usually disciplined me. She was strict and overprotective, prohibiting me from socializing with anyone outside of school, even throughout high school. She would hit me with her hands, appliance cords, and tree branches for not listening or not completely complying with her controlling behavior. She often left welts and marks on my body. When I was 7 years old, I refused to call my stepfather "dad." My mother beat me until I agreed to call him "dad." After that incident, my trust in my mother broke down. I felt extremely hurt because it felt like my mother always chose my abusive stepfather over me. Consequently, I did not have a close, loving relationship with my mother or stepfather. They felt distant. The only time my mother talked to me a lot was when she drank. She would say that I did not love her. As an adult, I now have a better understanding that they were two people thrown together while struggling with an enormous amount of unspoken trauma from the war, but as a child, it was deeply painful to witness and experience so much violence.
7. When I was 15-years-old, I started spending time in internet chatrooms. I escaped into the internet to get away from violence. I longed for affection, acceptance, and positive affirmation from strangers that I never got at home growing up. When I was 16-years-old, I started sneaking out of the house to meet much older men I met in internet chatrooms. As a child, I was not thinking clearly about how risky this was. Of course, the relationships were not healthy and did not provide the support that I actually needed. Having grown up surrounded by domestic violence, I did not have a healthy model for a relationship.
8. Despite the problems at home, I still did well in school and attended "gifted" or "advanced" classes until high school. By high school, I wanted to be in regular classes because I felt the advanced classes were too difficult for me. In high school, I played tennis, soccer, and badminton and maintained good grades. That all changed when I met [REDACTED]

Meeting [REDACTED]

9. I met [REDACTED] online in August 1998, just before my senior year of high school. I was 17-years-old. He was 34-years-old. He also said his name was [REDACTED] and claimed to be a wealthy single playboy in his twenties who lived with his mom in La Jolla. Months later, I learned that none of this was true. At the time, I was flattered that unlike the other men, [REDACTED] sent me a lot of emails, wanted to spend time with me, and pursued me. I felt like I finally felt the love that I had been missing. After three weeks of chatting online and exchanging emails, we agreed to meet.

10. After meeting, the relationship was immediately intense. After our first date, we saw each other every day. On our second date, he told me that he loved me, and I said it back. While the intensity was a little unsettling, it also felt good and validating. I felt like he actually wanted to be in a serious relationship with me. He promised that after I finished high school, he'd buy me a car and we would get an apartment together. However, within a few days, the relationship became controlling and abusive.

Early Abuse by [REDACTED]

11. [REDACTED] constantly questioned me about everything, including my school and home situation, and my parents' financial matters. [REDACTED] insisted on knowing where I was at all times. He gave me a pager and required me to immediately call back when he paged me. He had me give him a key to my family's house. He didn't let me see my friends from school outside of school. He would secretly enter my room at night to make sure that I was there. He controlled where I went and who I spoke to at all times. I either had to be at school, work, with him, or have his permission to go anywhere. He would show up at my workplace to make sure that I was not talking to anyone else. He told me that he had people spying on me at home, school, and work. He constantly accused me of sleeping with my boss.
12. [REDACTED] constantly questioned me about everything, including my school and home situation, and my parents' financial matters. [REDACTED] insisted on knowing where I was at all times. He gave me a pager and required me to immediately call back when he paged me. He had me give him a key to my family's house. He didn't let me see my friends from school outside of school. He would secretly enter my room at night to make sure that I was there. He controlled where I went and who I spoke to at all times. I either had to be at school, work, with him, or have his permission to go anywhere. He would show up at my workplace to make sure that I was not talking to anyone else. He told me that he had people spying on me at home, school, and work. He constantly accused me of sleeping with my boss.
13. I quickly learned to fear disobeying him. I had classmates sign my senior yearbook without his permission. When he saw that boys had signed my yearbook, he made me rip the pages out of my yearbook. It was clear that his retribution for a less minor transgression would be more serious. He told me that I could not leave him until he said so, or he would kill me. He showed me the guns he had in his possession, which terrified me. Whenever he showed me a gun, I told him I didn't want to see it and asked him to put it away. I even saw him making a silencer out of a plastic pipe.
14. While he carefully controlled every minute of my life, I knew almost nothing about him. A couple weeks into the relationship, I learned that he had a 4-year-old son. He told me that his son was from a past relationship. When he would bring his son, [REDACTED] with us on dates, he made me dress like a boy. He said it was

because he did not want any problems with his ex-girlfriend. This happened about ten times. I wanted to get out of the relationship after a few weeks once I realized he had lied about his age and having a child. ██████ made it clear that leaving the relationship was not an option and that he would kill me if I left.

15. I later learned that he was much older than he had claimed, that his name was fake, that he was not wealthy, and that he was still married. When I asked questions about his life or did not strictly obey his rules, he would become furious. He blamed me for not trusting him. He would threaten to kill himself or kill me and my family whenever I questioned him or he thought I might want to leave him. He would often tell me stories about being part of the mafia, his ties to gangsters, and having killed other women he had been with.
16. A few months into our relationship, ██████ pretended to be my stepfather and applied for credit cards under my stepfather's name. As part of the scheme, I signed up as a co-creditor on the cards. ██████ assured me that he would pay the credit card bills so that the plan would never involve my stepfather, personally. The cards and statements were mailed to a P.O. box. ██████ controlled the credit cards and used them to buy things for his wife and child. I was not allowed to see the credit card statements.
17. Being a child, I did not have the perspective or guidance to understand that this was not normal or healthy. Still, I was not happy in the relationship and felt afraid. During this time, I started working at a dating service because the job was closer to home and the pay was better than my previous job working at Panda Express. ██████ wanted me to maintain a part-time job because he didn't want me to spend too much time with my family. It was also easier to monitor me at work than at home. David Stevens, my boss at work, was 38-years-old and divorced. In contrast to ██████ he seemed kind. He started giving me more attention than my co-workers and asked me out on a date one evening. I said yes, and we went out.
18. As I drove up to my house after the date, I saw ██████ waiting in his car. He had checked to see if I was home. I didn't think he would check this early in the evening because he usually came later while my parents were at work delivering newspapers. When I saw him, I knew I was in trouble. He asked me where I had been. I initially lied and said I had been at the store. He became angry and refused to believe me. I was afraid that if ██████ stayed angry, he'd harm or kill me. I knew that he would never let me leave him. He had threatened to kill me if I ever left him. I told him that I was forced to have sex with my boss, David. He said I had been "violated" and called me "used goods." I didn't think he believed that I was raped because he called me a slut. He slapped me and made me perform oral sex on him. Then, he pulled me into the backseat and raped me. He said it was best that he kill me and my family. Then, he said he would kill David and threatened to leave me. From his past threats that he would kill me if I left him, I felt I had to appease him. I begged him not to leave me. ██████ said he wanted to confront David. I begged ██████ to please not hurt David.

David's Murder

19. I thought [REDACTED], at most, wanted to confront David, because [REDACTED] was constantly jealous of my male friends at school and former boss, but had never hurt any of them. [REDACTED] had told me that he wanted to kill my former boss because he thought he had a crush on me, but never acted on it. However, I was terrified that [REDACTED] would hurt or kill me. I had experienced his abuse and controlling behavior. That night, he was furious and had previously told stories about killing women he had dated. I did what he said without really thinking in order to stay alive for as long as possible. I had never been around anyone who was killed. None of it felt real.
20. [REDACTED] and I drove to David's apartment with a plan for [REDACTED] to confront David. I followed his instructions unsure of what was going to happen next, but too fearful to defy him. As part of the plan, I told Stevens that I needed help with my car. David and I drove together in David's car, and [REDACTED] followed us in his car. When [REDACTED] flashed his lights, I asked David to pull over, which he did. Then, I told David to follow [REDACTED] car and told him that [REDACTED] was my brother. [REDACTED] led us to a residential area and stopped. I introduced [REDACTED] to David as my brother. [REDACTED] got in the backseat of David's car. [REDACTED] told David to drive so that we could look for my car together. Then, [REDACTED] grabbed David by the neck and held the gun to his head. [REDACTED] said, "How does it feel to sleep with someone's girlfriend?" David pled, "Don't do this." I said, "No, No." Then, [REDACTED] shot David in the head. I got out of the car and ran, but [REDACTED] was cursing at me. I eventually got back in the backseat of David's car. After seeing [REDACTED] kill David, I was even more fearful of him and realized he was capable of killing me.
21. [REDACTED] said he would kill me if I didn't help him burn the body. [REDACTED] made me accompany him while he bought gasoline. Then, we drove David's car to La Jolla and parked, and [REDACTED] set David's car on fire. During this time, I was terrified and did what [REDACTED] told me to do. I was convinced that he would kill me if I did not go along with the plan. Later that night, we parked at a drive-in-movie. [REDACTED] said that I was his forever now and that if I tried to leave him, he would kill me and my family. Then he forced me to lick his burn wounds to prove to him that I loved him.

Ronald's Abuse Worsens

22. After the murder, [REDACTED] became more abusive. When I was ironing his pants one day, I found two driver licenses in his pocket, one for [REDACTED] and the other for [REDACTED]. When I asked him about his use of two different names, he became furious, took the iron and burned me with it. This is how I found out that [REDACTED] was a fake name he used. On New Year's Eve in 1998, [REDACTED] beat me because he said I wasn't dressed sexy enough. He kicked my stomach and my back. In January 1999, I discovered I was pregnant. [REDACTED] forced me to get an abortion. He said if I didn't abort the baby, he would kill me. He kept saying that

if he let me live, I would betray him. He wanted me to cut my left pinky off to prove that I wouldn't betray him. I agreed to cut it off because it was better than him killing me. However, after I showed I was willing to cut it off, he didn't make me do it.

23. I graduated high school in June 1999. Around this time, I moved with [REDACTED] to Fort Worth, Texas without telling my parents where I was going. My parents didn't know about [REDACTED]. I didn't tell them because I wanted to protect them from [REDACTED]. I lived with [REDACTED], his son [REDACTED], and a new baby who he said was his godson. He passed me off as the sister of his ex-girlfriend. While living in Texas, he continued to physically and verbally abuse me.
24. While living in Texas, I found [REDACTED]'s wedding video. When I confronted him about it, he choked me until I passed out. Shortly before Christmas of 1999, [REDACTED] and I had a fight. I was tired of the abuse and our constant fighting. In response, he told me to go kill myself. At the time, I contemplated suicide. I left, contacted the police, and told them I was a runaway. I was taken to a homeless shelter where I called my mother. I also called [REDACTED] to tell him that I was leaving him. He threatened to find me and kill me. After this call, I returned to [REDACTED] because I was terrified he would follow through on his threat. Surprisingly, after I went back to him, he said I should go to San Diego to spend Christmas with my family. My parents bought me a ticket to San Diego, and I went. I didn't tell my parents about the abuse because I was afraid [REDACTED] would harm them. I later realized [REDACTED] wanted me out of the house so that his wife could move in.
25. In January of 2000, [REDACTED] picked me up from San Diego, and I returned to Texas with him. I believed that [REDACTED] would hurt my family if I did not go with him. He made me steal \$4,000 from my stepfather before I left with him. By this time, [REDACTED] was living with his wife and kids. [REDACTED] told me that there wasn't enough room in the house for me; therefore, I lived in cheap motels and eventually [REDACTED]'s car for a time. At one point, I stayed with [REDACTED]'s cousin, [REDACTED], for a few nights. [REDACTED] and [REDACTED] were close.
26. I felt like a prisoner. When [REDACTED] had me stay in motels, I was not allowed to leave the room. He told me that he was watching. He would also put tape on the door so that he would know if I left the room. He'd stop by occasionally to sexually assault me and drop off some food.
27. Eventually, I became frustrated and complained to [REDACTED] that I felt like a toy for him and not his girlfriend. [REDACTED] was furious that I had challenged him. He left and came back to the motel room with a large garbage bag and zip ties. He hogtied me with the zip ties and held a knife to my throat. He was planning to slit my throat and dump my body in the trash bag. I begged for forgiveness and for him to not kill me. I promised to never question him again. He relented. I suspect that seeing me beg and going to the brink of killing me made him happy and aroused him.

28. In the summer of 2000, [REDACTED] moved me, his wife, and children back to San Diego. I continued to stay in motels for a while in San Diego. Then, he said I was going to live with his family and pass me off as the daughter of a friend he was doing a favor for. [REDACTED]'s wife and I frequently witnessed each other being beaten by [REDACTED]. [REDACTED] closely monitored and restricted my communication with his family, making sure that I never engaged in anything more than casual small-talk with them.
29. During this time, I realized that [REDACTED]'s relationship with his wife was not just a formality. When I brought this up with [REDACTED], he drove me to Miramar, a sparsely populated neighborhood in San Diego. [REDACTED] pointed a gun at me and fired a shot next to my head. I begged for my life and told him I wouldn't question him again. On other occasions, he threatened to slit my throat and bury me in the desert.
30. On another occasion, [REDACTED] said he was tired of me contacting my family. He drove me to a desolate ravine. He forced me to kneel and stood behind me with a gun pointed at the back of my head. I kneeled as he debated killing me. Again, I begged him not to shoot me. He did not shoot me but told me never to contact my family again. In total, he put a gun to my head on at least five occasions. I cannot begin to remember or recount every time he beat me, raped me, or threatened to kill me. The incidents that stand out are the times that I felt like I was about to die.
31. In San Diego, [REDACTED]'s wife and I both worked at a mortgage company. [REDACTED] did not work. I became friends with two co-workers. They regularly saw bruises on my legs and arms and a burn on my chest. They saw the bruises on my legs from being beaten by an aluminum baseball bat on two occasions. They also saw a knife wound from [REDACTED]. I gradually confided in them about being abused by [REDACTED]. My friends urged me to obtain a temporary restraining order against [REDACTED]. Around this time, I tried to run away from him. My parents told me that someone had broken into their home. The intruder had left their window wide open. When I asked [REDACTED] whether it was him, he said it was. He said that he saw my younger brother and sister sleeping and wanted to slit their throats but did not because he wanted me to watch him do it. I reached my breaking point. I was willing to live with his abuse but could not take him harming my little brother and sister. I filed a temporary restraining order on November 2001. Two days later, [REDACTED] forced himself into my parents' house, held a knife against my stomach, and told me that if I did not get rid of the order, he would kill me and my younger siblings. He had brought a can of gasoline with him to burn the house down.

Going to Police

32. The thought of him harming my family terrified me. I confided in my co-workers about David's murder, and I confessed to the police disclosing the murder and abuse. I was arrested and charged with murder. [REDACTED] was arrested shortly after me. A few days after my arrest, a Latina woman that I did not know came to visit

me in jail. She told me that I needed to take full and sole responsibility for the murder and that [REDACTED] had sent her. After the preliminary hearing, in February 2002, [REDACTED] put a contract out on my family and my defense counsel. [REDACTED] because he thought I was having an affair with [REDACTED] also blamed me for turning him over to law enforcement. [REDACTED] was making these arrangements for murders while incarcerated in San Diego County Jail. Someone placed in the same module as [REDACTED] named [REDACTED] became involved in the arrangements. [REDACTED] and [REDACTED] exchanged letters written in code to make further plans. [REDACTED] was supposed to make arrangements for someone outside to kidnap and potentially murder my family. However, [REDACTED] eventually got cold feet and backed out of the plan. [REDACTED] told his Public Defender that [REDACTED] was talking to him about arranging "hits" on [REDACTED] [REDACTED] who testified in my appeal trial, also said [REDACTED] planned to kidnap my family members and hold them hostage until I took full responsibility for the murder of David. If I refused to do this, [REDACTED] planned to have my family murdered. [REDACTED] provided the names, ages, address, and car information of my family members to [REDACTED] so that the person [REDACTED] hired could find them. The plan was that [REDACTED] would help two other guys who had picked up guns and ski masks kidnap and hold my family hostage.

33. In 2003, I was convicted of first-degree murder while lying in wait, and arson of property. I was sentenced to life without the possibility of parole. I appealed, and my sentence was amended to 28 years to life with the possibility of parole. In December 2006, my writ of habeas corpus was granted. My case went to court again in 2007 and my conviction was reversed based on ineffective assistance of counsel in failing to investigate three psychologists' conclusions that I had suffered Battered Women's Syndrome in relation to David's murder. I was acquitted of first-degree murder and convicted of second-degree murder. I was sentenced to 15 years to life.
34. During my trial, I learned that [REDACTED] had kidnapped someone in the summer of 1997. At gunpoint, [REDACTED] forced his victim into a vehicle, blindfolded him and taped his mouth shut. [REDACTED] forced him to stay in the trunk of a car for two days and two nights. The victim was released somewhere in Mexico, and [REDACTED] demanded \$30,000 from the victim's family.
35. I also learned during my trial that [REDACTED] had hired people to assault me in jail to pressure me into exonerating him. By coincidence, the jail had moved me into protective custody just before the assault because of media attention related to the trial. The DA and Sheriff investigated the attempt to assault me but did not tell me.
36. I have and will live in constant fear that [REDACTED] will find a way to kill me. For part of my time in prison, I was extremely fearful and socially withdrawn.

37. In July 2014, a few months before I was eligible for parole, I received a letter from [REDACTED]'s cousin, [REDACTED]. During the period when [REDACTED] made me stay in cheap motels and sleep in his car, I spent a few days living on [REDACTED] couch. Prison rules prohibited me from having direct or indirect contact with [REDACTED] or his family. All of our mail is monitored. The letter carefully did not mention [REDACTED] or how he knew me. It was clear however that he knew where I was and might be aware that I was eligible for release. He seemed to be fishing for information about me and pretended to be concerned about me. I did not respond to the letter and notified my criminal defense attorney. The letter left me disturbed and terrified. I believe [REDACTED] was keeping tabs on me through his family.
38. I tried to make the most of my time in prison, focusing on developing personal responsibility for my actions, self-improvement and my education. During my time in prison, I've participated in numerous workshops and classes, which taught me how to make better choices resulting in positive changes in my life, including greater personal responsibility, accountability and improving relationships. I made donations to the Veteran's Support group to honor the men and women who serve the United States and to women housed in a Skilled Nursing Facility to honor them on Mother's Day. Further, for the last four years, I participated in the Celebrate Recovery program, which is a 12-step self-help program that addresses recovery of life issues such as substance abuse, co-dependency, domestic violence and physical/sexual abuse. The recovery group allowed me to continue to work through the abuse I've endured throughout my life. Further, I am a trained substance abuse counselor for individuals who are recovering from substance addictions. Additionally, in 2012, I earned my Associate's Degree and have received paralegal training.
39. After serving 15 years, I was given an initial parole hearing. I tried to do my best to explain what had led to my conviction and the work I had done since then. The commissioners asked about the abuse I suffered but felt that I was using that as an excuse and not taking responsibility. A court later overturned that decision and found that they had not properly considered the impact of intimate partner violence on me. I was given a new parole hearing and found suitable. In May 2017, Governor Brown granted me parole.

Immigration Detention

40. On my release date from CCWF, I was arrested by ICE agents in the release area. I was taken to an ICE office, placed in removal proceedings, and driven several hours to the Yuba County Jail which rents space to ICE.
41. My time in ICE custody was some of the hardest I had done in 16 years. I spent six months in the Yuba County Jail without seeing the sun. Anxiety and fear at wondering if I'd ever be free and if I'd be deported to a country that I'd never set foot in before filled me. Decades in prison and decades of abuse had forced me to

be resilient, but it caused me to break down sometimes. Luckily, I had a community behind me to support me.

42. People I had known in prison with the California Coalition for Women Prisoners and other organizations wrote me and visited me. At my immigration court hearings, they filled every seat in the courtroom, every seat in the waiting room, and spilled out of the building onto the sidewalk. People wrote me letters every day encouraging me to keep fighting.
43. I began doing advocacy for myself and others while in ICE detention. I spoke with reporters about our unjust immigration policies and the criminalization of domestic violence survivors. I started speaking on panels on immigration and prison by calling in from the phone in the pod even though the automated recording would interrupt me every few minutes reminding the room that I was incarcerated. I appreciated the opportunity to advocate for change to the system and for all the people I'd left behind in prison.
44. Eventually, I got a hearing in immigration court. Because of my conviction, the judge couldn't consider that I came as a refugee, what led to my conviction, or my rehabilitation. The judge was required to and did order me deported. However, the judge could decide if an international treaty, the Convention Against Torture (CAT), prohibits executing the order to Cambodia because I would likely be tortured.
45. I told the judge that [REDACTED] had promised to kill me repeatedly, had attempted to hire people to execute my family and assault me when I was in jail, and had family in Southeast Asia. [REDACTED] had used his family's help in the past to target and attack me. Dr. Katherine Brickell, a professor who studies gender violence in Cambodia, testified that the Cambodian government would do nothing to protect me.
46. The judge eventually granted me protection under CAT. It still meant that I lost my permanent resident status and refugee status and could never get them back. It also meant that I would live life with a deportation order, without legal status, and in constant limbo. Also, the protection does not apply if another country like Thailand, my country of birth, were to issue a passport to me.
47. ICE argued that they would work on invalidating the grant by getting permission from another country for deportation. They also invoked a provision in CAT that permits them to deport me if they obtain diplomatic assurances from the Cambodian government that I would not be harmed. I do not know if they have obtained those assurances yet.
48. ICE also appealed the judge's decision and refused to release me while the appeal was pending. Eventually, I got a bond hearing while waiting on the appeal. The

judge found that I did not pose a danger or flight risk and ordered me released. ICE also appealed the bond decision.

Life After Freedom

49. Luckily, on November 9, 2017, I was able to post bond and be released while the appeals were pending. I had been locked up for 16 years and one day. I can't express how it felt to finally be free. My sister flew up to see me the next day. She was a little kid when I was arrested and didn't really remember me as a free person.
50. I was very grateful to parole to San Francisco after getting out of ICE. I enrolled in the Female Offender Treatment Education Housing Program (FOTEP) program on Treasure Island. As part of FOTEP, I took classes on re-entry skills and attended lifer support meetings organized by the parole office. After 8 months, I completed the FOTEP program. I have not had any issues with parole.
51. I also started working on my plans to complete my bachelor's degree. I had finished my associates degree while in prison. I contacted Project Rebound at San Francisco State University about enrolling. There were a number of hurdles because I no longer had a green card. Eventually, I was able to enroll. I am attending school part-time while working full-time and pursuing a degree in Sociology and maintaining a 3.42 GPA. I would like to earn my degree and use it to expand my career in the social justice realm focusing on immigrant rights and criminal justice reform.
52. I also started getting involved with community organizations and giving back to the organizations that had supported me. I became a member of California Coalition for Women Prisoners (CCWP) and began attending meetings. I also joined Survived and Punished, a group advocating for incarcerated domestic violence survivors, and Asian Prisoner Support Committee, an organization that supports Asian Pacific Islander immigrants in prison. I led trainings on domestic violence for organizations including Asian Women's Shelter, a domestic violence service provider in San Francisco. These organizations also provided support for me before, during, and after my released from prison and ICE detention which I am so very grateful for. My evenings became full of community meetings and events.
53. Shortly after being released, I gave a TED Talk on domestic violence and incarceration in San Francisco telling my story and that of other people I spent time in prison with. Some of the people I highlighted in that talk were later granted commutations and have come home. I've also spoken at numerous colleges, meetings with public officials, and conferences around the country addressing the importance of highlighting the effects of incarceration and deportation and the impact it has on people and their families and communities. I

was also honored to give the key note speech at a graduation ceremony inside San Quentin State Prison.

54. When I speak, I try to do my best to share the stories and uplift the experiences of the amazing women that I left behind in prison. They raised and shaped me since I was a kid. I hope that people see that they too deserve a second chance.
55. I've been honored by the recognition that my work has gotten. The Asian Women's Shelter honored me in 2018 with the Champion of Change award. I spoke at their annual event on how critical the work they do as a shelter provider for immigrant women is and how hard it is to escape abuse. In March 2019, I was given the Courage and Leadership award by Devata Giving Circle, a group of Southeast Asian women that raises and funds non-profit organizations.
56. In July of 2018, I was offered a position as the 2018 Yuri Kochiyama Fellow at Advancing Justice - Asian Law Caucus. The Yuri Kochiyama Fellowship is a full-time year long fellowship for formerly incarcerated immigrants to provide them leadership development and experience doing advocacy and organizing. During my fellowship I engaged with numerous Criminal Justice and Immigrant Rights organizations in collaborative work on pro-immigrant legislation and policies and work towards reforming the criminal system. In 2018, I helped lead efforts to pass AB 2845, the Pardon and Commutation Reform Act, and helped support impacted community members and their families who face deportation. Being able to help prevent many deportations of community members was a highlight of my fellowship.
57. After my fellowship ended, Asian Law Caucus hired me as a permanent community advocate. My work continues on advocating for reform to our immigration and criminal systems. In November 2019, I testified to Congress in support of the New Way Forward Act, a bill that would make changes to our deportation system.
58. Between a full time job, attending school at night and on weekends, and being a member of several community organizations, life can be hectic. I am incredibly grateful, however, to be free and to have the opportunity to give back.
59. My immigration status is a constant source of fear. I do not have immigration status and must report regularly to ICE. Given how aggressively ICE pursued my deportation and the way that they have aggressively bullied Cambodia into assisting with deportations, I feel that I am on borrowed time. Eventually, ICE will bully Thailand or another country into accepting me or get Cambodia to falsely claim that they will protect me. Then, I would be deported.
60. Before I was released from prison and ICE detention I always wanted to make sure that I got to reconnect with my mom, brother, and sister. Since I've been able to reconnect with my family it has been one of my greatest blessings. There were times when I was in prison and especially in ICE detention that I thought I would

never get to remain in the States and remain at home with my family and community because of my immigration status. Though I get to spend time with my family and community, I still have that fear that one day ICE may come to arrest me and deport me.

61. I've never set foot in Cambodia and have no living family there. I do not know anyone in Cambodia. I cannot read or write Khmer and have been learning to speak but still struggle to hold a conversation. I have no idea how I would survive if deported and would be in danger from [REDACTED]'s family.
62. I've been living in the U.S. since I was 5 years old and America is the only home I've ever known and wish to remain in. Deporting me would go against everything that I had worked so hard for while in prison and out here. And deporting me would put my safety at risk from harm and death threats from my abuser. I ask that the Governor take everything into account what I've done in prison and out here to better myself and support for my community. I believe I am an asset to my home here and ask that he grant me a pardon so that I can remain in the United States and continue to serve my community.
63. I'm not the person I was as a hurt 17-old-child seeking affection anymore. I wish that I had not had to go through the abuse and that it had not harmed so many other people including David. I've worked to heal myself and also make amends by giving back through work in the community. I hope that with a pardon that I can continue to do so.

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



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EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Sophea Om

Sophea Om, a resident of Cambodia and former resident of California, has applied for executive clemency.

On March 10, 2006, 23-year-old Ms. Om was convicted in the Superior Court of California, County of Los Angeles, for acquisition of an access card. She was sentenced to two years in prison.

Ms. Om has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. She has demonstrated that she is living an upright life and has demonstrated her fitness for restoration of civic rights and responsibilities. Ms. Om has also presented evidence that a collateral consequence of her conviction, namely, her deportation to Cambodia resulting in separation from her family, further justifies this exercise of executive clemency.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Om, merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Om a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Om/Sophea Name on Prior Application (if different): _____

Date of Birth: _____ Social Security Number: _____

CDCR Number: X16975 Name of Facility/Prison: Leo Chesney Center

Residence Address: _____

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☐ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

No, I have not received any correspondence or been interviewed. I first applied in March 2018 and reapplied in November 2018.

Sophea Om

Applicant Signature

05/21/2019

Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) **If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Sophea Om Date of Birth: [REDACTED] E-mail Address: [REDACTED]

Address: [REDACTED] Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
CPC 484(A) - Theft of Property	8/4/2005	Los Angeles	Community Service
CPC 484E(D) - Acquisition of Access Card	3/10/2006	Los Angeles	2 years in prison

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):
(See attached.)

3. Explain why you are requesting a pardon (attach additional pages as necessary):
(See attached.)

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):
(See attached.)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Not applicable.

DECLARATION OF SOPHEA OM

I, Sophea Om, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I make this declaration from my personal knowledge and if called to testify to these facts, could and would do so competently.
2. After my family fled the Khmer Rouge, I was born in a refugee camp in Thailand on [REDACTED]. As an 18-month-old infant, I moved to the United States with my family. California became my home in 1988, and where we celebrated my sixth birthday. I grew up in Long Beach, California, and graduated from high school there.
3. The United States is the only home I know, but I currently am barred from returning because of mistakes I made as a young woman.
4. In 2005, I was out of money, between jobs, and I just didn't have enough to get by. As a single mother with a two-year-old son, we lived with my mom. When I needed detergent and a pair of shoes, I just grabbed the two items at Walmart and impulsively walked out the door. I knew what I was doing was wrong, but I was desperate and my mind was clouded with all my worries at the time. Security officers stopped me at the door, and called the police. I was arrested and charged with misdemeanor petty theft. I was released by a judge the next day on my own recognizance.
5. In 2006, I used three checks that had been issued in another person's name. I would withdraw about a few hundred dollars each time, and use the money to buy clothing and food for my son and me. With the third check, the money was never deposited to my account.
6. I was given a two-year prison sentence for acquisition of access card, and served half the time. During my year in prison, I felt like I had lost everything and everyone because of terrible choices I had made. All I could think about was how I was going to reconnect with my family once I released.
7. After prison, I was not able to go straight home to see my mother and the rest of my family. ICE took me into their custody and I was given no idea about how much longer I would be incarcerated. I could not stand it anymore. I was advised by other detainees that Cambodia was not accepting deportations. Even though I had options to fight my deportation in immigration court, I was told that I should simply waive my rights and take an order of removal to get released.
8. In 2007, I took that advice and was ordered removed when I was able to see an immigration judge three months after my transfer to ICE custody. Nine months later, I walked out of an ICE detention facility in Arizona. I surprised my family, showing up on their doorstep after almost two years away from them. They welcomed me with open arms and we were so thankful for the time we could spend together.
9. I re-enrolled in Long Beach City College in accounting and business classes and started full time work at a mini-mart across the street from where I lived. I ran the cashier, managed the inventory, and did anything that needed to be done. I worked twelve-hour shifts from 9 am – 9 pm, six days a week. The hours were long, but I was in a productive rhythm, and I felt better making money in an honest way. I worked at the mini-mart for about two years, and I started a second job at TJ Maxx as a part-time sales associate. After a

month, I was doing so well that I was offered a promotion to sales coordinator. However, when I told them about my felony, I was not given the promotion but allowed to work full-time with a small raise.

10. I hadn't known what to do with my life before, but I knew education would help me figure it out. I also was busy taking care of my mom since her health was already poor at the time. I would help her get to the bathroom, run errands, clean the home. My son [REDACTED] was five years old then, and I tried to spend as much time as I could with him.
11. Every three months, I reported to my ICE officer in Los Angeles. Each time, I was told that I shouldn't worry about being deported because I was a refugee from Cambodia.
12. Four years passed and the nightmare started again when ICE agents came to redetain me one morning from my home. This time around, my younger brother [REDACTED] got me an attorney to represent me, and the lawyer filed a motion to reopen and an emergency stay of removal for me. I was only able to see my lawyer twice.
13. The motion to reopen was quickly denied for lack of new evidence and two weeks later, I was put on a deportation flight to Cambodia.
14. After being deported in November 2011, I was devastated and in shock. I had never been here before, and suddenly I was trapped. I had no luggage and only about \$150 in my pocket. I had no possessions at all. I was given a document that had my name and deportee status, but I only found this out later because it was entirely in Khmer. Like many Cambodian American deportees, I cannot read or write in Khmer.
15. My family was scared for me, and we had no idea when we would see each other again. I had been ripped away from them, and I felt like my heart was fracturing to pieces. I am lucky that my father still has some relatives here in Cambodia and they sent someone to pick me up from the immigration office. I had never met this side of this family before.
16. Before releasing me, the immigration officer asked for some "lunch money" for his time. We paid the small bribe. We went straight to Kampong Chhang province where my dad's relatives welcomed me, but I was distracted and distant. I was constantly thinking about how much I missed my family in the United States. For a few weeks, all I could do was cry.
17. Everything was so different. I had to learn to cook on a wood fire, wash clothes by hand, burn my trash, etc.. I felt so overwhelmed with how different this world was. I knew I didn't fit in. I spoke Khmer like a foreigner, and I could not find work. My family in the United States had to send me money to live on.
18. To get my Cambodian identity documents, I had to have a birth certificate made that said I was born in Cambodia. All the forms had to be completed in Khmer and they asked for information about my family that I did not know.
19. The application for identity documents has to be done with authorities located in the province where your family was originally from. For me, Kampong Chhang province is two hours by bus from Phnom Penh, and I imagine that other deportees have to travel even farther. I am so glad my niece and other relatives were able to help me through the complicated process of getting my identity documents, but I know most deportees are not so fortunate.

20. After being deported, the only thing keeping me from going crazy was talking with my family back home. Family members also try to visit when they can, but it is always a bittersweet reunion. It is an absolute joy to be reunited, only to be separated again when they have to return to the United States.
21. After leaving Cambodia three decades ago, my mother only came back once in August 2012. Her sole reason was to visit me after my deportation. She had never wanted to return because Cambodia held so many traumatizing memories for her: the war, the murder of her parents under the Khmer Rouge regime, the separation from her siblings, all the horrible memories she would rather forget. She could never have imagined that her daughter, the one she escaped with, would be cast back into the same place.
22. I lost my mother in March 2016. As she was slipping away, I was filled with despair because I was on the other side of the world and could not be there with her. I wanted to hold her hand and kiss her cheek one last time. There is no sorrow like losing someone you love without being able to grieve or mourn properly with your family.
23. My sisters tried to keep me updated, even into the wee hours of the night. On a tiny screen, I watched the decision to not resuscitate my mother at the hospital. It was surreal, watching the funeral and the memorial services without my family to grieve with. When the video was off, I was suddenly alone again with my pain and worries about how I would go on. I am lucky to have friends here in Cambodia, people I asked to keep me company through this difficult time. I was too heartbroken to be left with my own thoughts.
24. I now teach Cambodian kids in a school in Phnom Penh, but the children often make me think about how I'm not raising my own teenage son. My son knows I love him, but I can tell that he gets upset with me for not being there for him. My heart breaks over and over again when I miss milestones in his life.
25. Family ties across thousands of miles can be hard to maintain, and I want to come home to my son [REDACTED] in the United States.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. Executed on March 13, 2018 in Phnom Penh, Cambodia.



Sophea Om

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Christopher Osborn

Christopher Osborn, a resident of California, has applied for executive clemency.

On September 13, 2002, 21-year-old Mr. Osborn was convicted in the Superior Court of California, County of Orange for possession of marijuana for sale and selling or transporting marijuana. He was sentenced to three years of probation and 180 days of jail.

Mr. Osborn has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On March 5, 2019, the Superior Court of California, County of Los Angeles granted Mr. Osborn a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Osborn's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Osborn be granted a full pardon.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Osborn merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Osborn a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Christopher Morton Osborn

AKA: TOPHER OSBORNE

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

CII Number A22150835

Certificate Case Number BA464525

Criminal Case Number(s) 01CF1821

Court use only

FILED
LOS ANGELES SUPERIOR COURT

MAR 05 2019

Sherri R. Carter, Executive Officer/Clerk

By B. Perez Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Christopher Morton Osborn presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on March 5, 2019

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on **Granted Probation September 13, 2002**

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Topher Osborn

Done in open court this 5 day of MARCH 2019
Day of the Month Month, Year

SAM OHTA

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Judge of said Superior Court -



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Ray Aranjó

Ray Aranjó, a resident of California, has applied for executive clemency.

On March 15, 2005, Mr. Aranjó was convicted in the Superior Court of California, County of Fresno, of possession of marijuana for sale. He was sentenced to 3 years of probation and 90 days in jail.

Mr. Aranjó has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On February 1, 2019, the Superior Court of California, County of Fresno, granted Mr. Aranjó a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Aranjó's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Aranjó be granted a full pardon.

Mr. Aranjó has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Aranjó does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Aranjó merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Aranjó a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF FRESNO

Applicant's County of Residence

In the Matter of the Application of

Ray Fernando Aranjó

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number **18CRRP684605**

Date of Birth

Month Day, Year

CII Number **A21578743**

Criminal Case Number(s) **CF04908898,**

List applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of **Ray Fernando Aranjó**, presently residing

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

at [redacted], heretofore filed, praying for

Type Applicant's Street Address, City, State, and ZIP Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this 1st day

Day of the Month

of February 2019 and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on March 15, 2008, that, where appropriate, petitioner has

Month Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been 1

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 1st day of February 2019

Day of the Month

JONATHAN B. CONKLIN

Judge of said Superior Court - TYPED or PRINTED

[Signature]

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Efrain Barajas Meraz

Efrain Barajas Meraz, a resident of California, has applied for executive clemency.

On October 9, 2013, Mr. Barajas Meraz was convicted in the Superior Court of California, County of Tulare, of possession of marijuana for sale, planting or cultivating marijuana, and transportation or sale of marijuana. He was sentenced to 3 years of probation and 270 days in jail.

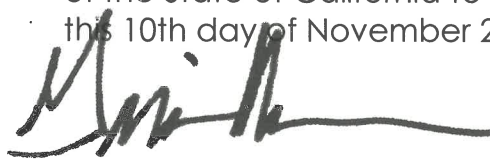
Mr. Barajas Meraz has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. He has demonstrated that he is living an upright life and has demonstrated his fitness for restoration of civic rights and responsibilities. Mr. Barajas Meraz has also presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Barajas Meraz does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Barajas Meraz merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Barajas Meraz a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State





Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR PARDON

Complete this application to request a gubernatorial (governor's) pardon. This application is for a direct pardon; do not complete this form if you have been granted a Certificate of Rehabilitation. If you have submitted a pardon application in the last three years or if you have obtained a Certificate of Rehabilitation, please complete a re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to your application. If the Governor grants you a pardon, some information from your application will appear in a public report about clemency submitted to the California Legislature each year. Learn more about the pardon application process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary)

Name (Last/First/Middle): **Efrain Barajas Meraz**

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a pardon.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
CA H&S CODE 11358	10/09/2013	TULARE	NO JAIL TIME
CA H&S CODE 11359	10/09/2013	TULARE	270 DAYS JAIL
CA H&S CODE 11360	10/09/2013	TULARE	NO JAIL TIME

Were you under 26 years of age at the time of the crime(s) for which you are seeking a pardon? ☐ YES ☒ NO

List all prior conviction(s) in California, any other state or country, or in federal court:			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
NONE.			

2. Describe the circumstances of your crime(s).

Please see Attachment 2.

3. Describe how a pardon may impact your life (e.g., immigration consequences, employment opportunities, impact on family members, civic participation).

Please see Attachment 3.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, arrests, and new convictions; insight about past conduct; and future goals).

Please see Attachment 4.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

Peter Singh, Esq., [REDACTED] Private Attorney, \$1,500.00

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent to Apply for Clemency.

I, Efrain Barajas Merez, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or delivered) my notice of intent to apply for clemency on the District Attorney of the County of TULARE.
(Name of County or Counties)

Efrain Barajas Merez
Applicant Signature

October 23, 2019
Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a pardon.

Governor Gavin Newsome - State of California

Application for Pardon

Attachment 2: Describe the circumstances of your crime.

I was formally charged with violations of California Health and Safety Code Sections 11358, 11359 and 11360 on September 24, 2012 by the Tulare County District Attorney's office under Tulare County Superior Court case number VCM273470A. I was very confused at that time because I had been legally prescribed medical marijuana by a medical doctor for my severe arthritis, and had what I believed to be a legal prescription to grow marijuana plants. I have been a very proud lawful permanent resident of the United States since 1990 and had never committed any crimes until I was charged with the above crimes in 2012. Still believing myself to be innocent under the legal medical prescription I possessed, I chose to fight this case and ended up taking the case to trial in September 2013. The jury found me guilty on all three counts, and I was sentenced to 270 days in jail. After listening to the evidence brought against me in the trial process, I came to understand that I had violated the law by not honoring the terms of my marijuana prescription by growing more marijuana plants than I was allowed to have. It broke my heart to come to the realization that I had truly broken the law, but I take full responsibility for the crimes I committed and I remain as remorseful to this day for violating the law as I was throughout my trial and conviction. I truly understand the serious nature of the crimes of which I was convicted and I am truly sorry for the trouble I caused. I faithfully complied with all of the terms and conditions of my probation, I have paid all restitution owed in this matter and I have been successfully terminated from probation with no violations. This is my one and only criminal case. I have no criminal convictions of any kind outside of this one Tulare County Superior Court case in that or any other jurisdiction.

Attachment 3: Describe how a pardon may impact your life

I am now in jeopardy of losing my lawful permanent resident status as the United States Citizenship and Immigration Service/Federal Immigration Court have filed proceedings against me to revoke my lawful permanent resident status and subject me to deportation based on my past convictions. As stated above, I have been a very proud lawful permanent resident of the United States since 1990. I have always prided myself on being a hard working, tax paying, law abiding person while in this country and in this great state. I have always maintained employment since I have been in a lawful permanent resident, and have operated my own successful farming business at my home/farm in Reedley, California for over seven (7) years now. I am leasing/farming 10 acres of land under contract with an option to buy; and I plan to expand my farming business after I acquire full ownership of this farming property. It broke my heart knowing that I violated the law and was convicted of serious crimes, knowing that the convictions could possibly subject me to deportation. I have remained 100% crime free since my conviction and have had no contact with law enforcement whatsoever, not even for a minor traffic violation. If I were granted this Governor's Pardon, I would have a chance to challenge the revocation of my lawful permanent resident status and fight the current efforts by the United States government to have me deported. My family depends on me as I am the sole income provider for my family with my farming business. If I were deported, it would severely and negatively affect my family, and will possibly mean we would lose our farm, home and farming business. In as few words as possible, the impact this pardon would have on my life would be earth-shatteringly life altering for me and my entire family.

Attachment 4: Describe your life since your conviction

I have been married to my beautiful wife [REDACTED] for 28 years and have two (2) beautiful adult children, [REDACTED] age 30 and [REDACTED] age 22. My life since my conviction has been focused on my wonderful family, my successful farming business and maintaining an absolutely 100% law abiding existence. I learned extremely valuable lessons from my experience of being convicted of my past serious crimes. My experience has taught me that every single second of this life we get on this Earth and in this wonderful country is precious. I have been blessed with the most wonderful, beautiful family a man could ever ask for; I have been blessed with the ability to work and operate a successful farming business. I have been blessed beyond measure and I have spent my life since my conviction making every effort to give back to the community I let down with my past criminal convictions. I work hard to be a good moral example for my children and try to show them that one should always work hard, strive forward and never give up under any circumstances despite one's past transgressions.

Based on the above, and on any other documents or information requested of me in this process which I will be more than happy to provide, it is my sincere hope that you will look into my full past, consider my future, and consider granting my application and request for a Governor's Pardon.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

John Chevis

John Chevis, a resident of California, has applied for executive clemency.

On March 28, 1990, 23-year-old Mr. Chevis was convicted in the Superior Court of California, County of Los Angeles, of burglary. He was sentenced to 3 years of probation and 365 days in jail.

Mr. Chevis has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On March 1, 2019, the Superior Court of California, County of San Bernardino, granted Mr. Chevis a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Chevis's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Chevis be granted a full pardon.

This act of clemency for Mr. Chevis does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Chevis merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Chevis a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BERNARDINO

Applicant's County of Residence

In the Matter of the Application of

JOHN ROMERO CHEVIS

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

Date of Birth

CII Number

Criminal Case Number(s)

KAD001566

List applicable Criminal Case Number(s)

FILED
SUPERIOR COURT
COUNTY OF SAN BERNARDINO

MAR 01 2019

BY

Raul Rodriguez
RAUL RODRIGUEZ, DEPUTY

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of JOHN ROMERO CHEVIS, presently residing

at [REDACTED], heretofore filed, praying for

Type Applicant's Street Address, City/State, and ZIP Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this 1st day

Day of the Month

of March, 2019 and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;

and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are

true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from

custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on 3-28-1989, that, where appropriate, petitioner has

Month, Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

1st day of

March 2019

Day of the Month

Month, Year

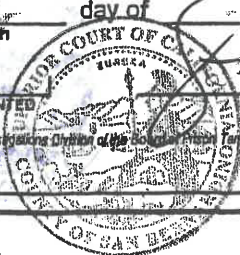
STEVE MALONE

Judge of said Superior Court - TYPED or PRINTED

Judge of said Superior Court - SIGNATURE

FORM 3 (Revised 12/5/01)

This form was prepared by the Investigations Division of the California Department of Corrections pursuant to Penal Code Section 4852.18.



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Saengsavan Choum

Saengsavan Choum, a resident of California, has applied for executive clemency.

On June 28, 1999, Mr. Choum was convicted in the Superior Court of California, County of Contra Costa, of voluntary manslaughter. 21-year-old Mr. Choum drove the car from which his crime partner fatally shot a rival gang member. Mr. Choum was sentenced to four years in prison.

Mr. Choum has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On October 12, 2018, the Superior Court of California, County of Orange, granted Mr. Choum a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Choum's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Choum be granted a full pardon.

Mr. Choum has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Choum does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Choum merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Choum a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
700 CIVIC CENTER DRIVE WEST
POST OFFICE BOX 22024
SANTA ANA, CA 92702-2024

In the Matter of the Application of
SAENG SAVAN CHOUM

Petitioner's full name - First Middle Last and Suffix, if applicable

Date of Birth: [REDACTED]
CII Number: A10978521
Criminal Case Number(s): 980290-1

For Court Use Only

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

OCT 12 2018

DAVID H. YAMASAKI, Clerk of the Court
BY: *R. Peace*
R. PEACE, DEPUTY

CERTIFICATE OF REHABILITATION
(Penal Code § 4852.13)

CERTIFICATE NUMBER:
M - 980290-1

The petition of **Saeng Savan Choum**

, presently residing

at [REDACTED]
Type Applicant's Street Address, City, State, and ZIP Code

RECEIVED
SUPERIOR COURT OF CALIFORNIA
CENTRAL JUSTICE CENTER

AUG 21 2018

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
of the State of California, was heard on **OCT 12 2018**

Date

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on

October 17, 2004

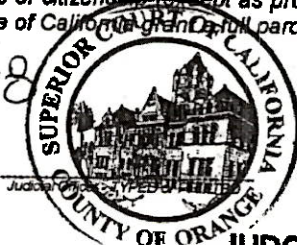
Month Day, Year

, that, where appropriate, petitioner has obtained relief pursuant to Penal Code section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15); and that the that petitioner has been ONE (1) time(s) convicted of a felony;

Total Number of Felony Convictions

The Certificate of Rehabilitation is granted. This Court declares the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15), and this Court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Dated: 10/12/18



[Signature]

Judicial Officer - SIGNATURE

JUDGE ELIZABETH GUERRERO MACIAS

This form was prepared under the direction of the Office of the Attorney General of the State of California

CERTIFICATE OF REHABILITATION

Optional Use
Form: L-410.2 [Rev. July 15, 2011]

Penal Code § 4852.13

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Scott Clarke

Scott Clarke, a resident of California, has applied for executive clemency.

On August 7, 2007, Mr. Clarke was convicted in the Superior Court of California, County of Los Angeles, of possession of a controlled substance for personal use. He was sentenced to 3 years of probation and 45 days in jail.

Mr. Clarke has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On February 22, 2018, the Superior Court of California, County of Los Angeles, granted Mr. Clarke a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Clarke's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Clarke be granted a full pardon.

This act of clemency for Mr. Clarke does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Clarke merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Clarke a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Clarke, Scott Aaron Name on Prior Application (if different): _____
Date of Birth: [REDACTED] Social Security Number: [REDACTED]
CDCR Number: _____ Name of Facility/Prison: LA County Jail
Residence Address: [REDACTED]
Mailing Address (if different): _____
Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

I previously submitted: ☐ Application for Commutation of Sentence
☒ Certificate of Rehabilitation
☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I served no time in prison so I do not have a CDCR number. I have recieved a Certificate of Rehabilitation and would like a pardon.
I never recieved any information after I recieved the Certificate. Please let me know if there is anything else I need to do on my side.
Thank you very much.

[Signature]
Applicant Signature

6-21-19

Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Scott Aaron Clarke

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

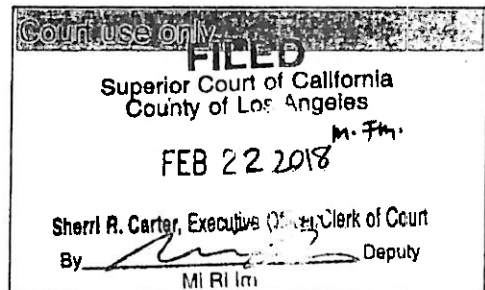
Date of Birth

CII Number A07416981 - image

Certificate Case Number MA039215

Criminal Case Number(s) MA039215

03



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Scott Aaron Clarke presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on February 22, 2018

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on Granted Probation August 7, 2007

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 22 day of FEBRUARY 2018
Day of the Month Month, Year

SCOTT M. GORDON
Judge of said Superior Court - TYPED or PRINTED
SIGNATURE SCOTT M. GORDON

Judge of said Superior Court -



161 03142018

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Jason Crosson

Jason Crosson, a resident of California, has applied for executive clemency.

On December 1, 1987, 19-year-old Mr. Crosson was convicted in the Superior Court of California, County of Orange, of possession of a controlled substance. He was sentenced to three years of probation and six days in jail.

Mr. Crosson has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On June 14, 2019, the Superior Court of California, County of Orange, granted Mr. Crosson a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Crosson's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Crosson be granted a full pardon.

This act of clemency for Mr. Crosson does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Crosson merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Crosson a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE PO Box 1138 Santa Ana, CA 92702-1138	<i>For Court Use Only</i> <div style="text-align: center;"> FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE CENTRAL JUSTICE CENTER JUN 14 2019 DAVID H. YAMASAKI, Clerk of the Court BY: <i>Monica Johnson</i> </div>
In the Matter of the Application of Jason Crosson <i>Petitioner's full name – First Middle Last and Suffix, if applicable</i> Date of Birth: [REDACTED] CII Number: A08074621 Criminal Case Number(s): C-66300	CERTIFICATE NUMBER: <div style="text-align: right; font-size: 1.2em;">M-17971</div>
<div style="text-align: center;"> CERTIFICATE OF REHABILITATION (Penal Code § 4852.13) </div>	

The petition of Jason Crosson, presently residing
 at [REDACTED], requesting a
Type Applicant's Full Name, First Middle Last and Suffix, if applicable
Type Applicant's Street Address, City, State, and ZIP Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
 of the State of California, was heard on 6-14-19
Date

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as
 required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true,
 and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of
 the term to which the petitioner was sentenced, or upon the release on parole or probation on

December 1, 1987, that, where appropriate, petitioner has obtained relief pursuant to Penal
Month Day, Year
 Penal Code section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to
 exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15); and that the
 that petitioner has been one (1) time(s) convicted of an eligible offense;
Total Number of Felony Convictions

*The Certificate of Rehabilitation is granted. This Court declares the petitioner has been rehabilitated and is fit to exercise
 all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15), and this Court recommends
 that the Governor of the State of California grant a full pardon to said petitioner.*

Dated: 6/14/19

JUDGE ELIZABETH GUERRERO MACIAS
Judicial Officer - TYPED or PRINTED



Judicial Officer - SIGNATURE

This form was prepared under the direction of the Office of the Attorney General of the State of California

CERTIFICATE OF REHABILITATION

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Tung Do

Tung Do, a resident of California, has applied for executive clemency.

On April 21, 2000, Mr. Do was convicted of possession or purchase of cocaine base for sale. He was sentenced to three years of probation and four months in jail. On September 16, 2003, Mr. Do was convicted of attempting to receive stolen property. He was sentenced to 2 years of probation and 90 days in jail. On March 17, 2006, Mr. Do was convicted of conspiracy to commit a crime. He was sentenced to 3 years of probation and 365 days in jail. In 2019, his convictions for attempting to receive stolen property and conspiracy to commit a crime were reduced to misdemeanors pursuant to Penal Code section 17, subdivision (b)(3).

Mr. Do has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. He has demonstrated that he is living an upright life and has demonstrated his fitness for restoration of civic rights and responsibilities. Mr. Do has also presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Do does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Do merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Do a full and unconditional pardon for the above cases.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) **If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Tung Do Date of Birth: [REDACTED] E-mail Address: [REDACTED]

Address: [REDACTED] Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
11351.5	April 21, 2000	Santa Clara	4 Months jail + probation
496(A)	Sep 16, 2003	Santa Clara	90 days jail + probation
182(A)(1)	Mar 17, 2006	Santa Clara	365 days jail + probation

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):

Refer to Attachment

3. Explain why you are requesting a pardon (attach additional pages as necessary):

Refer to Attachment

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):

Refer to Attachment

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

2.

On or about December 16, 1996, I pleaded guilty to violating one infraction count of Penal Code Section 415(2) (disturbing the peace). I was granted 1-year term of probation on the following conditions: that he serve 60 hours of community service and pay standard fines and fees and fulfill all other standard terms and conditions of probation. On or about February 25, 2000, I pleaded no contest to violating Count 1, one felony count of Health and Safety Code Section 11351.5 (possession of cocaine for sale). On or about April 21, 2000 I was sentenced and granted a 3-year term of formal probation on the following terms and conditions: that I serve 4 months in county jail, pay standard terms and conditions of probation. On or about July 25, 2002, I entered a plea of no contest to a violation of Penal Code Section 664/496(a) a Felony. On or about September 16, 2003, I was sentenced to 2 years' formal probation, 90 days in county jail and was ordered to pay fines and fees. On or about March 3, 2006, I entered a plea of no contest to a violation of penal code section 182 (a) (1), a felony. On or about March 17, 2006, I was sentenced to 3 years' formal probation, 365 days in county jail and was ordered to pay fines and fees.

3.

I need this pardon because I am facing deportation. This pardon is mainly for immigration purposes. I have lived in the United States for over 25 years. I am requesting a pardon because I need a second chance. This second chance will help me with immigration purposes. I have turned to GOD for help, to guide me in the right path. My main focus is family, business and community. I am a dedicated husband and father. I am working hard every day to provide and give the best opportunities I've never had; a happy healthy family. I don't want that loving family to be torn apart because of mistakes from the past. As for my business, I diligently strive to grow and educate staff on a daily basis. When I am not with family or working on my business, I volunteer my time at St Maria Goretti Church and to the Vietnamese Community at VIVO. My mistakes have changed me to become a better man.

4.

I am and currently a law-abiding and respectful person. My prior convictions dating as far back as 20 years have caused me to lose my eligibility to become a U.S citizen and I am now facing possible deportation. For more than a decade, I am not charged with the commission of any other offense. I am truly sorry for the offense I have committed and I am extremely conscious not to make the same mistakes in the future. I have learned from my mistakes and bettered myself both personally and professionally. I have changed my life in a positive way. I am now a devoted husband, loving father to a 2-year-old boy and a successful business owner of two nail salons, known as Blossom Nail Spa the first healthy and safe nail salon in the County of Santa Clara. I have created a life in the United States. If deported, I would be sent to Viet Nam, a country I am foreign. I would be separated from my family, love ones and community that needs me. I am an asset to this country I call home. Please give me a second chance and exercise your discretion and grant my application for a pardon. Thank you for your consideration.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, TUNG DO, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Santa Clara with notice of my intent to apply for a pardon.
(Name of County*)

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Applicant's Signature

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Laura Flores

Laura Flores, a resident of the State of Washington and former resident of California, has applied for executive clemency.

On August 4, 2003, Ms. Flores was convicted in the Superior Court of California, County of Los Angeles, of possession or purchase for sale of a controlled substance. She was sentenced to 3 years of probation and 180 days in jail. She committed this crime when she was 23 years old.

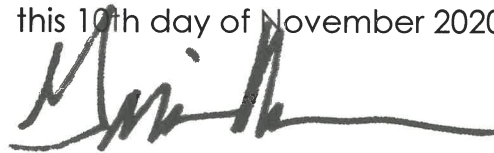
Ms. Flores has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. She has demonstrated that she is living an upright life and has demonstrated her fitness for restoration of civic rights and responsibilities. Ms. Flores has also presented evidence that a collateral consequence of her conviction, namely, possible deportation and permanent separation from her family and removal from her community, further justifies this exercise of executive clemency.

This act of clemency for Ms. Flores does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Flores merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Flores a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State





Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Flores, Laura Name on Prior Application (if different): N/A
Date of Birth: [REDACTED] Social Security Number: [REDACTED]
CDCR Number: N/A Name of Facility/Prison: N/A
Residence Address: [REDACTED]
Mailing Address (if different): N/A
Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: None
I previously submitted: ☐ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

No, I did not receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding my application.

No, I have not been interviewed regarding my application.

Laura Flores
Applicant Signature

4-26-19
Date



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Laura Flores Date of Birth: [REDACTED] E-mail Address: None

Address: [REDACTED] Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Felony Possession for Sale	2002	Los Angeles County	3 year probation, 180 days county jail.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):

I am requesting a pardon of my 2002 felony possession for sale conviction, Los Angeles Superior Court
Case No: GA051348.

Please see the attached "Circumstances of Offense." Attached as Exhibit A.

3. Explain why you are requesting a pardon (attach additional pages as necessary):

Please see the attached "Why I am Requesting a Pardon." Attached as Exhibit B.

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):

Please see the attached "Why I Should Be Granted a Pardon." Attached as Exhibit C.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

I was assisted by Anthony Pullara, Esq.; [REDACTED]; \$2,000.00

Laura Flores
Date of Birth: [REDACTED]
Application for Gubernatorial Pardon

Circumstances of Offense

On November 1, 2002, I was caught in the middle of a drug transaction, sitting in a car as a lookout and holding approximately 8 grams of heroin. Attached as Exhibit "D" is a copy of the police report of my arrest.

I accepted responsibility for my conduct, pleaded guilty and was sentenced to serve 180 days in county jail. Attached as Exhibit "E" is a copy of the Los Angeles Superior Court docket for this conviction, Case No. GA 051348.

At the time of my arrest, I was involved in a physically abusive relationship that led to my downward spiral and helped create the circumstances for my terrible mistake. Ironically, I began a relationship with the person who was arrested with me at that time (although he was never charged with an offense). He became my life partner and we went down a path of recovery together, raising a family and turning our lives around.

I complied with the terms and conditions of my probation. I have had no violations in the past 15 years and my case was expunged on September 26, 2017. Attached as Exhibit "F" is a copy of the court order expunging this conviction.

Laura Flores
Date of Birth: [REDACTED]
Application for Gubernatorial Pardon

Why I am Requesting a Pardon

I acknowledge my past mistakes and since being convicted have devoted myself to my family and my church. I am requesting a gubernatorial pardon to help ensure I will be able to remain in the United States to care for my 6 young children, especially my 7-year-old daughter, who is in remission for B-cell Non-Hodgkin's Lymphoma. Attached as Exhibit "G" is a letter from Seattle Children's Hospital regarding my daughter's diagnosis and remission.

I came to the United States from Mexico in 1994 when I was 16 years old. I am undocumented but am informed by my immigration attorney Henry Cruz that a Gubernatorial Pardon would help me attain legal status. Attached as Exhibit "H" is a letter from Mr. Cruz detailing the immigration benefit of a gubernatorial pardon.

I am requesting this pardon because I want to ensure I will be present to care for my children.

Laura Flores
Date of Birth: [REDACTED]
Application for Gubernatorial Pardon

Why I Should be Granted a Pardon

Since the time of my arrest, my common-law husband and I have built a beautiful life. My most cherished role is that of “mom”. We have six children who we are raising to be hardworking, kind, compassionate and spiritual. They are the loves of my life. I have maintained gainful employment cleaning rooms as a housekeeper. Our lives are centered around our family and our church, Iglesia Tacoma. Iglesia Tacoma has provided us community and support; and we are involved in many volunteer church activities. I typically volunteer every Sunday to watch parishioner’s children during services, singing, teaching the children songs and scripture. Attached as Exhibit “I” are letters from friends, family and fellow parishioners.

I came to the United States in 1994, when I was 16 years old. My uncle brought me to the border and I crossed alone. I have lived in the United States for the past 23 years.

My concern, should I be deported, is not for myself, but for the well-being of my six young children (5 girls, 1 boy – ages 3, 4, 5, 7, 8 and 11).

My most critical concern is for my 7-year-old daughter, [REDACTED] who was diagnosed with B-cell Non-Hodgkin’s Lymphoma at the age of 4. She received chemotherapy at Seattle Children’s Hospital from age 4 – 6 years old and needs continued medical monitoring every 3 months until at least July 2021. I have received training on how to monitor [REDACTED] and what symptoms need to be watched for. According to her physicians at Seattle Children’s Hospital, any recurrence of her cancer must be identified immediately or she risks severe relapse.

Laura Flores
Why I Should be Granted a Pardon
Page 2

I am very fearful of being separated from any of my children, but leaving [REDACTED] after she has gone through so much yet still relies upon me is my greatest fear. Attached as Exhibit "G" is a letter from Seattle Children's Hospital detailing [REDACTED]'s diagnosis, treatment and future monitoring.

With humility and acceptance of my past mistakes, I request this extraordinary relief.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Violet Henderson

Violet Henderson, a resident of California, has applied for executive clemency.

On November 14, 1974, Ms. Henderson was convicted in the Superior Court of California, County of Contra Costa, of conspiracy to commit a crime. She was sentenced to state prison. Ms. Henderson was 18 years old at the time of the crime.

Ms. Henderson has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On October 13, 2009, the Superior Court of California, County of Alameda, granted Ms. Henderson a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Henderson's petition for a Certificate of Rehabilitation, the court has recommended that Ms. Henderson be granted a full pardon.

This act of clemency for Ms. Henderson does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Henderson merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Henderson a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR PARDON

Complete this application to request a gubernatorial (governor's) pardon. This application is for a direct pardon; do not complete this form if you have been granted a Certificate of Rehabilitation. If you have submitted a pardon application in the last three years or if you have obtained a Certificate of Rehabilitation, please complete a re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to your application. If the Governor grants you a pardon, some information from your application will appear in a public report about clemency submitted to the California Legislature each year. Learn more about the pardon application process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary)

Name (Last/First/Middle): Henderson, Violet

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

Residence Address: [REDACTED]

Mailing Address (if different): [REDACTED]

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a pardon.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PC 182.1	12/5/1974	Contra Costa	6 mos -10 years prison

Were you under 26 years of age at the time of the crime(s) for which you are seeking a pardon? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court:			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
please see attached			

2. Describe the circumstances of your crime(s).

I was very young when these crimes were committed and was an underage teenager when I first got in trouble.

I was influenced by a man I later married who was 24 years my senior.

3. Describe how a pardon may impact your life (e.g., immigration consequences, employment opportunities, impact on family members, civic participation).

Receiving a pardon would demonstrate to my family that goals are achievable over time. With a pardon, I would be able to apply for licenses, such as a notary license, which I was previously denied.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, arrests, and new convictions; insight about past conduct; and future goals).

After my conviction, I got married and had two children. I removed myself from people I was associated with and divorced my first husband. I went back to college and worked in the building trades and city government. I am now retired and living out my dream of earning both a Bachelor of Arts and Bachelor of Science degree at UC Berkeley. I am conducting independent research on the health effects of illegal dumping of trash in Oakland and am preparing to enroll in graduate school.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent to Apply for Clemency.

I, Violet Henderson, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or delivered) my notice of intent to apply for clemency on the District Attorney of the County of Contra Costa.
(Name of County or Counties)

Violet Henderson
Applicant Signature

11 Jun 2019
Date

Submit this completed 2-page form to the Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a pardon.

Prior Convictions of Violet Henderson

Crime	Date of Conviction	Location of Conviction	Sentence
PC 647(B)	3/4/1970	Alameda County	12 months probation, 30 days jail
PC 647(B)	2/26/1970	Alameda County	30 Days Jail, suspended sentence
PC 647(B)	5/25/1972	Alameda County	24 months probation 45 days jail
PC 487	8/12/1974	Alameda County	6 months. – 5 years prison
PC 647(B)	5/30/1974	San Francisco County	18 months probation, 95 days jail

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF Alameda

Applicant's County of Residence

In the Matter of the Application of

Violet L. Henderson

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number _____

Date of Birth _____

Month Day, Year

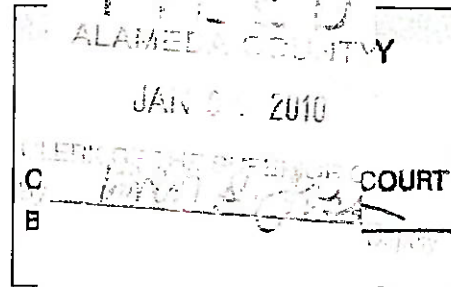
CII Number _____

A04010711

Criminal Case Number(s) _____

57236, 16857

List applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Violet L. Henderson

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

, presently residing

at _____

Type Applicant's Street Address, City, State, and ZIP Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on this _____ day

Day of the Month

of _____ and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on May 27, 1976, that, where appropriate, petitioner has

Month Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been _____

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this _____ day of _____

Day of the Month

Month, Year

MORRIS JACOBSON

Judge of said Superior Court - TYPED or PRINTED

[Signature]

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Timothy Jordan

Timothy Jordan, a resident of California, has applied for executive clemency.

On June 6, 2005, 25-year-old Mr. Jordan was convicted in the Superior Court of California, County of Los Angeles, of burglary. He was sentenced to two years in prison.

Mr. Jordan has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On November 28, 2018, the Superior Court of California, County of Kern, granted Mr. Jordan a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Jordan's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Jordan be granted a full pardon.

This act of clemency for Mr. Jordan does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Jordan merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Jordan a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Jordan, Timothy, Lee Name on Prior Application (if different): _____

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

CDCR Number: T51652 Name of Facility/Prison: Adelanto

Residence Address: [REDACTED]

Mailing Address (if different): _____

Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]

I previously submitted:

- ☐ Application for Commutation of Sentence
☒ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

Timothy L Jordan
Applicant Signature

8-24-19
Date

**SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.**

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF Kern

Applicant's County of Residence

In the Matter of the Application of

Timothy Jordan

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

Date of Birth

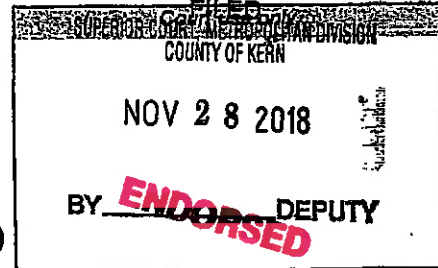
Month Day, Year

CII Number

Criminal Case Number(s)

A12312842
YA 060306 (LA case#)

List applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Timothy Jordan, presently residing
at [REDACTED] heretofore filed, praying for
a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
of the State of California, came on regularly for hearing on this 28 day
of November 2018 and proof having been made to the
satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;
and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are
true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from
custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-
ole or probation on June 6, 2005, that, where appropriate, petitioner has
obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the
course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship
(except as provided in Penal Code Section 4852.15); and that petitioner has been one (1)
time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge,
and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of
citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court
recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

28

day of

November 2018

Day of the Month

Month, Year

Michael Busch

Judge of said Superior Court - TYPED or PRINTED

Busch

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

John Martinez

John Martinez, a resident of California, has applied for executive clemency.

On March 11, 2004, Mr. Martinez was convicted in the Superior Court of California, County of Contra Costa, of robbery. He was sentenced to two years in prison.

Mr. Martinez has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On May 3, 2019, the Superior Court of California, County of Contra Costa, granted Mr. Martinez a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Martinez's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Martinez be granted a full pardon.

This act of clemency for Mr. Martinez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Martinez merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Martinez a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF CONTRA COSTA**

This document is a correct copy
of the original on file in this office.

In the Matter of the Application of

John Robert Martinez

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number _____

Date of Birth _____

Month Day, Year

CII Number _____

A23851378

Criminal Case Number(s) _____

5-040077-0

List applicable Criminal Case Number(s)

Applicant's County of Residence

MAY 08 2019

K. BIEKER CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA

Court use only

FILED
MAY 03 2019

K. BIEKER CLERK OF THE COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA

By _____

J. Arnold, Deputy Clerk

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of John Robert Martinez

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

, presently residing

at _____

Type Applicant's Street Address, City, State, and ZIP Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this 3 day

Day of the Month

of May 2019 and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;

and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are

true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from

custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on 06/29/2008, that, where appropriate, petitioner has

Month Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been 1

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 3 day of May 2019

Day of the Month

Month, Year

PATRICIA M. SCANLON

Judge of said Superior Court - TYPED or PRINTED

Patricia M. Scanlon

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Nhan Xuan Nguyen

Nhan Xuan Nguyen, a resident of California, has applied for executive clemency.

On July 21, 1997, 18-year-old Mr. Nguyen was convicted in the Superior Court of California, County of Santa Clara, of burglary, and buying, receiving, concealing, or withholding stolen property. He was sentenced to two years in prison.

Mr. Nguyen has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On July 24, 2019, the Superior Court of California, County of Alameda, granted Mr. Nguyen a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Nguyen's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Nguyen be granted a full pardon.

Mr. Nguyen has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Nguyen does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Nguyen merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Nguyen a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

Hrg Date:

Inst:

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

Applicant's County of Residence

In the Matter of the Application of

Nhan Xuan Nguyen

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

18-CR-017666

Date of Birth

[REDACTED]

Month Day, Year

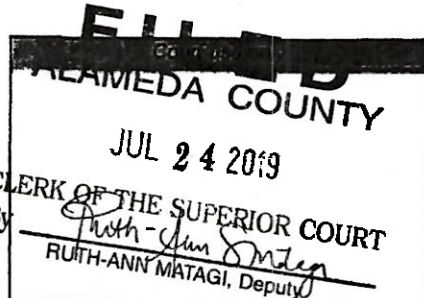
CII Number

A11584711

Criminal Case Number(s)

Santa Clara County Docket 196549

List applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Nhan Xuan Nguyen

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

, presently residing

at

[REDACTED]

Type Applicant's Street Address, City, State, and ZIP Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this

24th

day

Day of the Month

of

July 2019

Month, Year

and proof having been made to the

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;

and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are

true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from

custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on

March 9, 2003

Month Day, Year

, that, where appropriate, petitioner has

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been

1

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

24th

day of

July 2019

Day of the Month

Month, Year

MARK MCCANNON

Judge of said Superior Court - TYPED or PRINTED

Judge of said Superior Court - SIGNATURE

FORM 3 (Revised 12/5/01)

This form was prepared by the Investigations Division of the Board of Prison Terms pursuant to Penal Code Section 4852.18.



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Duc Nguyen

Duc Nguyen, a resident of California, has applied for executive clemency.

On May 5, 2003, Mr. Nguyen was convicted in the Superior Court of California, County of Santa Clara, of voluntary manslaughter. Mr. Nguyen and his crime partners got into a fight and his crime partner fatally stabbed the victim. He was sentenced to 14 years in prison. He committed this crime when he was 16 years old.

Mr. Nguyen has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On November 27, 2019, the Superior Court of California, County of Santa Clara, granted Mr. Nguyen a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Nguyen's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Nguyen be granted a full pardon.

Mr. Nguyen has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Nguyen does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Nguyen merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Nguyen a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State



**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA**

In the Matter of the Application of

Duc Nguyen

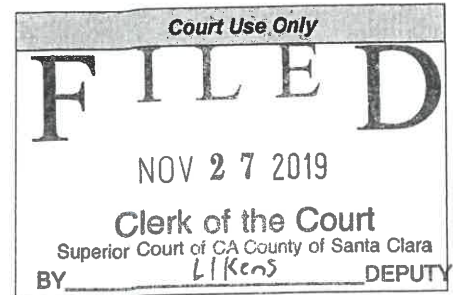
Type Applicant's Full Name – First, Middle, Last and Suffix, if applicable

Certificate Number **C1917603**

Date of Birth **[REDACTED]**
Month, Day, Year

CII Number **A22382236**

Criminal Case Number(s) **CC125665**
List Applicable Criminal Case Number(s)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of **Duc Nguyen**, presently residing
Type Applicant's Full Name – First, Middle, Last and Suffix if applicable
at **[REDACTED]**, heretofore filed, praying for
Type Applicant's Street Address, City, State and Zip Code

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
of the State of California, came on regularly for hearing on this **Twenty-second** day
Day of the Month
of **November, 2019** and proof having been made to the
Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and
from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and
that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due
to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation
on **March 2016**, that, where appropriate, petitioner has
Month, Day and Year
obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course
of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except
as provided in Penal Code Section 4852.15); and that petitioner has been **1**
Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, and this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this **22nd** day of **November, 2019**
Day of the Month Month Year

Hon. David A. Cena

Judge of said Superior Court – TYPED or PRINTED

David A. Cena
Judge of said Superior Court – SIGNATURE



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Michael Nixon

Michael Nixon, a resident of California, has applied for executive clemency.

On May 15, 1975, 23-year-old Mr. Nixon was convicted in the Superior Court of California, County of Santa Cruz, of transporting or selling a controlled substance. He was sentenced to 3 years of probation and 120 days in jail.

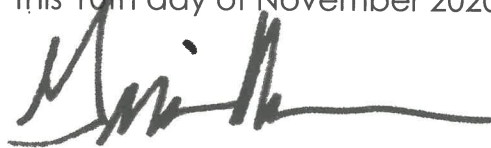
Mr. Nixon has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On January 4, 2019, the Superior Court of California, County of Tulare, granted Mr. Nixon a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Nixon's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Nixon be granted a full pardon.

This act of clemency for Mr. Nixon does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Nixon merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Nixon a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF Tulare

Applicant's County of Residence

In the Matter of the Application of

Michael Nixon

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

Date of Birth

Month Day, Year

CII Number

A05746659

Criminal Case Number(s)

54859

List applicable Criminal Case Number(s)

Court use only

FILED

TULARE COUNTY SUPERIOR COURT
VISALIA DIVISION

JAN 04 2019

STEPHANIE CAMERON, CLERK

BY: *[Signature]*

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Michael Nixon

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

, presently residing

at

Type Applicant's Street Address, City, State, and ZIP Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this Jan 4 2019 day

Day of the Month

of _____ and proof having been made to the

Month, Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law;

and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are

true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from

custody due to completion of the term to which the petitioner was sentenced, or upon the release on par-

ole or probation on 05-15-1975, that, where appropriate, petitioner has

Month Day, Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been 1

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

Day of the Month

day of

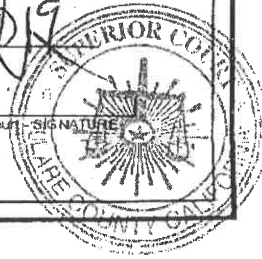
Month, Year

[Signature: Gary Boden]
Judge of said Superior Court - TYPED or PRINTED

[Signature: Gary Boden]
Judge of said Superior Court - SIGNATURE

FORM 3 (Revised 12/5/01)

This form was prepared by the Investigations Division of the Board of Prison Terms pursuant to Penal Code Section 4852.18.



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Oscar Ramos-Reyes

Oscar Ramos-Reyes, a resident of California, has applied for executive clemency.

On February 14, 1994, Mr. Ramos-Reyes was convicted in the Superior Court of California, County of Los Angeles, of shooting at an inhabited dwelling. He and fellow gang members fired shots into a house. No one was injured. He was sentenced to five years in prison. Mr. Ramos-Reyes was 18 years old at the time of the crime.

Mr. Ramos-Reyes has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On July 10, 2018, the Superior Court of California, County of Los Angeles, granted Mr. Ramos-Reyes a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Ramos-Reyes's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Ramos-Reyes be granted a full pardon.

This act of clemency for Mr. Ramos-Reyes does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Ramos-Reyes merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Ramos-Reyes a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.

APPLICANT INFORMATION

Name (Last/First/Middle): Ramos, Oscar aka Reyes Oscar Ramos Name on Prior Application (if different): _____

Date of Birth: _____ Social Security Number: _____

CDCR Number: _____ Name of Facility/Prison: California Youth Authority

Residence Address: _____

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☐ Application for Commutation of Sentence
☒ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

No

Oscar Ramos
Applicant Signature

7/2/19
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

New 2016
Re-Application Form, Page 1 of 1

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

IN THE MATTER OF THE APPLICATION OF:

Oscar Ramos aka Oscar Ramos Reyes

Type Applicant's Full Name – First, Middle, Last and Suffix, if applicable

Oscar Ramos aka Oscar Ramos Reyes

Date of Birth:

[REDACTED]

CII Number:

A 10259125

Certificate Case Number:

LA 015523

Criminal Case Number(s):

LA 015523

FILED
LOS ANGELES SUPERIOR COURT

JUL 10 2018

Sherri R. Carter, Executive Officer/Clerk

By B. Perez Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petitioner is presently residing at:

[REDACTED]

Heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California came on regularly for hearing on July 10, 2018.

And proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on June 1, 1999.

That, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 10th day of July, 2018

SCOTT M. GORDON

Judge of the Superior Court – TYPED or Printed

Judge of the Superior Court - SIGNATURE



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Sarah Rodriguez

Sarah Rodriguez, a resident of California, has applied for executive clemency.

On October 21, 2002, 18-year-old Ms. Rodriguez was convicted in the Superior Court of California, County of Madera, of first degree robbery. She was sentenced to four years in prison. Ms. Rodriguez drove her crime partners to a location and waited in the car while the crime partners committed a robbery.

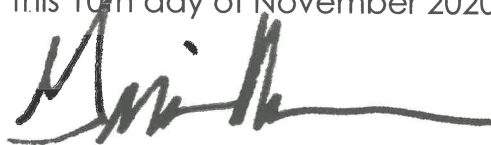
Ms. Rodriguez has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On January 21, 2014, the Superior Court of California, County of Madera, granted Ms. Rodriguez a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Rodriguez's petition for a Certificate of Rehabilitation, the court has recommended that Ms. Rodriguez be granted a full pardon.

This act of clemency for Ms. Rodriguez does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Rodriguez merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Rodriguez a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Rodriguez, Sarah, Rian Name on Prior Application (if different): Sarah Bassett
Date of Birth: [REDACTED] Social Security Number: [REDACTED]
CDCR Number: W97446 Name of Facility/Prison: Valley State Prison for Women
Residence Address: [REDACTED]
Mailing Address (if different): [REDACTED]
Home/Cell Phone: [REDACTED] Work Phone: [REDACTED] Email: [REDACTED]
I previously submitted: ☐ Application for Commutation of Sentence
☒ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

Just a letter stating that because I had submitted my certificate of Rehabilitation with a prior Governor I needed to send back a Re-application for commutation and Pardon. No I have not been interviewed regarding my application.

Sarah Rodriguez
Applicant Signature

July 29, 2020
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF Madera

Applicant: County of Madera

In the Matter of the Application of

Sarah Rinn Bassett

Type Applicant's Petitioner - Felon/Parolee (see also Civil, if applicable)

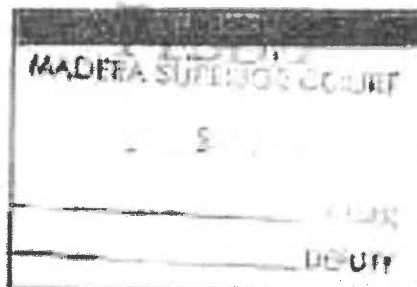
Certificate Number MC78047538

Date of Birth [REDACTED]

CII Number A23609070

Criminal Case Number(s) CR11838A

(all applicable Criminal Case Numbers)



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of Sarah Rinn Bassett, presently residing

at [REDACTED], heretofore filed, praying for

Type Applicant's Petitioner - Felon, Parolee, etc., Civil, and CP Case

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this 11th day

Day of the Month

of December 2013 and proof having been made to the

Month Year

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and

from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true,

and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody

due to completion of the term to which the petitioner was sentenced, or upon the release on parole or pro-

bation on September 11, 2009 that where appropriate, petitioner has

Month Year

obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the

course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship

(except as provided in Penal Code Section 4852.15); and that petitioner has been

Total Number of Felony Convictions

time(s) convicted of a felony;

WHEREFORE, it is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 21 day of January 2014

Day of the Month

DALE J. BUEA

Judge of said Superior Court - TYPES or PRINTES

Dale J. Buea

Judge of said Superior Court



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Nicolas Salgado Espinal

Nicolas Salgado Espinal, a resident of Wisconsin and former resident of California, has applied for executive clemency.

On June 23, 2003, Mr. Salgado Espinal was convicted in the Superior Court of California, County of Fresno, of possession of a controlled substance for sale. He was sentenced to 3 years of probation and 39 days in jail.

Mr. Salgado Espinal has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. He has demonstrated that he is living an upright life and has demonstrated his fitness for restoration of civic rights and responsibilities. Mr. Salgado Espinal has also presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Salgado Espinal does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Salgado Espinal merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Salgado Espinal a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR PARDON

Complete this application to request a gubernatorial (governor's) pardon. This application is for a direct pardon; do not complete this form if you have been granted a Certificate of Rehabilitation. If you have submitted a pardon application in the last three years or if you have obtained a Certificate of Rehabilitation, please complete a re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to your application. If the Governor grants you a pardon, some information from your application will appear in a public report about clemency submitted to the California Legislature each year. Learn more about the pardon application process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

(Attach additional pages as necessary)

Name (Last/First/Middle): **SALGADO ESPINAL, Nicolas**
Date of Birth: [REDACTED] Social Security Number: [REDACTED]
Residence Address: [REDACTED]
Mailing Address (if different): **Same as above**
Home/Cell Phone: [REDACTED] Work Phone: **N/A** Email: [REDACTED]

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a pardon.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
H&S Code 11378	06/23/2003	Fresno	39 days - Jail
			Probation - 3 years

Were you under 26 years of age at the time of the crime(s) for which you are seeking a pardon? ☐ YES ☒ NO

List all prior conviction(s) in California, any other state or country, or in federal court:			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
Receive stolen property/grand theft	01/18/1991	Hollister, CA	unknown

2. Describe the circumstances of your crime(s).

I was caught with another individual with 2.7 ounces of meth in my car and \$817. I have regretted what happened and have worked hard to become a better father, partner, father, and a productive member of society.

3. Describe how a pardon may impact your life (e.g., immigration consequences, employment opportunities, impact on family members, civic participation).

a pardon would correct a manifest injustice as I was wrongly advised. I was advised that pleading guilty to H&S Code 11378 would not affect my immigration status. That was wrong because Immigration and Customs Enforcement has placed me in removal proceedings. I am detained in Minnesota, and my deportation proceedings are pending. I believe my 6th Amendment Rights were violated.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, arrests, and new convictions; insight about past conduct; and future goals).

Since my conviction, I have been a person of good moral character. I have not been arrested or convicted of any crimes in 2003. I have been working hard to provide for my partner and United States citizen children. My daughter [REDACTED] and [REDACTED] both have developmental delay. My family has suffered mentally and emotionally since my detention.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

My attorney, Khanh Ngoc Nguyen, has been working on my immigration case. I have paid him so far \$2315 for my defense.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent to Apply for Clemency.

I, Nicolas Salgado Espinal, declare under penalty of perjury under the laws of the State of _____
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or delivered) my notice of intent to apply for clemency on the District Attorney of the County of Fresno.
(Name of County or Counties)

Nicolas Salgado
Applicant Signature

8/6/2020
Date

Submit this completed 2-page form to the Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a pardon.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Nicole Sands

Nicole Sands, a resident of California, has applied for executive clemency.

On February 2, 2003, 19-year-old Ms. Sands was convicted in the Superior Court of California, County of Los Angeles, of possession of a controlled substance for sale. She was sentenced to three years of probation.

Ms. Sands has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On May 15, 2019, the Superior Court of California, County of Los Angeles, granted Ms. Sands a Certificate of Rehabilitation on evidence that she has been living an upright life. By granting Ms. Sands a petition for a Certificate of Rehabilitation, the court has recommended that Ms. Sands be granted a full pardon.

This act of clemency for Ms. Sands does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of her sentence and good conduct in the community, Ms. Sands merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Ms. Sands a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

IN THE MATTER OF THE APPLICATION OF:

NICOLE MARIE SANDOS

Type Applicant's Full Name – First, Middle, Last and Suffix, if applicable

Date of Birth:

CII Number: A11699653

Certificate Case Number: GA051160

Criminal Case Number(s): GA051160

FILED

Superior Court of California
County of Los Angeles

MAY 15 2019

Sherri B. Carter, Executive Officer/Clerk
By Jessica Castellanos, Deputy

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petitioner is presently residing at:

Heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California came on regularly for hearing on 5/15/19.

And proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on 06/23/05.

That, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been time(s) convicted of a Felony;

WHEREFORE, It is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 15th day of May, 2019

SERGIO C. TAPIA II

Judge of the Superior Court – TYPED or Printed

Judge of the Superior Court - SIGNATURE

SERGIO C. TAPIA II



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Somdeng Thongsy

Somdeng Thongsy, a resident of California, has applied for executive clemency.

On August 6, 1997, Mr. Thongsy was convicted in the Superior Court of California, County of San Joaquin, of second degree murder and attempted second degree murder. Mr. Thongsy and his crime partners fought with rival gang members, and Mr. Thongsy shot at them, killing one victim and injuring two others. He was sentenced to 27 years and 4 months to life in prison, including 15 years to life for second degree murder, 7 years for attempted murder, and a sentence enhancement. Mr. Thongsy was 17 years old at the time of the crime.

Mr. Thongsy has submitted to this office a formal application for executive clemency in the form of a gubernatorial pardon. He has demonstrated that he is living an upright life and has demonstrated his fitness for restoration of civic rights and responsibilities. Mr. Thongsy has also presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Thongsy does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by his good conduct in the community, Mr. Thongsy merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Thongsy a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Thongsy, Somdeng "Danny" Name on Prior Application (if different): _____

Date of Birth: [REDACTED] Social Security Number: [REDACTED]

CDCR Number: K67283 Name of Facility/Prison: San Quentin State Prison

Residence Address: [REDACTED]

Mailing Address (if different): _____

Home/Cell Phone: [REDACTED] Work Phone: _____ Email: [REDACTED]

I previously submitted:

- ☐ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

My application for a pardon was submitted to Governor Brown's office on October 19, 2018. I did not receive a case number or any correspondence from Governor Brown's office after filing this application, and I have not been interviewed regarding my pardon application.

[Signature]
Applicant Signature

04-25-19
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR GUBERNATORIAL PARDON

Complete this application to request a pardon from the Governor. A pardon is the forgiveness of a crime. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Somdeng Danny Thongsy Date of Birth: [REDACTED] E-mail Address: [REDACTED]
Address: [REDACTED] Phone Number: [REDACTED]

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Penal Code Section 187	October 6, 1996	San Joaquin	15 years to life, plus 1 year, 4 month enhancement
Penal Code Section 664/187(a)	October 6, 1996	San Joaquin	7 years, plus 4 year enhancement

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon (attach additional pages as necessary):

Answer Attached.

3. Explain why you are requesting a pardon (attach additional pages as necessary):

Answer Attached.

4. Provide a brief statement explaining why you should be granted a pardon (attach additional pages if necessary):

Answer Attached.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 807.2):

N/A

2. Briefly Describe the circumstances of the crime(s) for which you are requesting a pardon:

Twenty-two years ago, on October 6, 1996, I fired a gun at rival gang members. That senseless act, fueled by my inability to cope with my older brother's death and my misguided desire to fit in, resulted in the death of Mr. Kham Kounlamit, and injury to Mr. Soulinheth Thatsana and Mr. Thongmith Oupasong. I was seventeen at the time and, instead of turning myself in, my cowardice took over and I fled the state. Less than a month later, I came to terms with the gravity of my conduct, and I returned to California to take responsibility for my actions. I live with the guilt, shame, and regret for the harm I caused every day.

3. Explain why you are requesting a pardon:

There are two major reasons I am requesting a pardon. First, a pardon would allow me to stay in the United States with my family. Without a pardon, I face imminent deportation. I was born in a refugee camp in Thailand after my parents fled Laos, their home country, to escape the political unrest and wars plaguing the country at the time. I spent the first two years of my life in Thailand before my family resettled in California. Because of my convictions, the Department of Homeland Security has determined that I am deportable, and a pardon is the only thing that can help assure that I remain here without the fear of deportation. California is where I grew up, it is where my remaining immediate family lives, and it is the only home I have ever known.

I cannot understate the tremendous impact a pardon will have on my family. A pardon will allow me to remain with my sister. During my time in prison, my mother and my step-father both passed away. Although I have extended family members throughout the United States, my sister is the last immediate family member still in my life. And I am the last immediate family member in her life as well. I stayed in touch with my sister while I was in prison, and since my release we have become a regular part of each other's lives. We are hoping to move in together next year. She plans to have a major, life-changing surgery next month and losing me again would devastate her. Having been released from prison, I want to be here for her now.

Second, a pardon will allow me to continue on the positive path that I started while I was in prison, which has resulted in me becoming an advocate for criminal justice reform and immigrants' rights. During my incarceration, I sought every opportunity to better myself. I did this by continuing my education, surrounding myself with positive influences, and taking self-help courses that helped me reflect on my upbringing and the role that the traumas caused by the refugee resettlement process had on my life. This self-reflection allowed me to better empathize with others, and I trained to be a facilitator for the self-help groups offered in prison. I also joined a group, Kid Creating Awareness Together, where I was able to advocate for the passage of legislation that gives juveniles sentenced to lengthy or life sentences an opportunity for parole. My own experience made me strongly appreciate the power of rehabilitation, and I want to make sure that others are afforded the same opportunity for positive change.

Because of that, since my release from prison, I immediately continued my advocacy and community service efforts. As part of my role as the Yuri Kochiyama Fellow at Asian Americans Advancing Justice – Asian Law Caucus, volunteering with the Asian Prisoners

Support Committee, serving on the advisory board for Prison to Employment Connection, speaking about my experience at a variety of events, as a Next Generation Fellow (selected by the Center on Juvenile and Criminal Justice), and, now, working at Oakland Rising, I have been able to continue advocating for criminal justice reform and immigrants' rights, and working to better my community. I believe this same work may subject me to persecution in Laos, and that I would not be able to continue this work there.

I have devoted and continue to devote my life to advocacy for positive change, and—in addition to keeping me together with my family—a pardon will allow me to continue this work here.

4. Provide a brief statement explaining why you should be granted a pardon:

Although I will always carry the pain and suffering my actions caused, my experience has taught me that the mistakes I made do not define who I am. I have changed and, although I cannot change the past and will forever be indebted to my victims and their families, I can at least try to make amends through my work. Because of my experience, I feel it is my responsibility to be a force for good, and if I am granted a pardon I will continue my advocacy and community work for as long as I can.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Carlos Vasquez Salazar

Carlos Vasquez Salazar, a resident of California, has applied for executive clemency.

On December 11, 1990, Mr. Vasquez Salazar was convicted in the Superior Court of California, County of Sonoma, for the crime of possession of transporting or selling a controlled substance. He was sentenced to 3 years of probation and 365 days in jail. He was 21 years old at the time of the crime.

Mr. Vasquez Salazar has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On December 20, 2018, the Superior Court of California, County of Sonoma, granted Mr. Vasquez Salazar a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Vasquez Salazar's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Vasquez Salazar be granted a full pardon.

Mr. Vasquez Salazar has presented evidence that a collateral consequence of his conviction, namely, his impending deportation and permanent separation from his family and removal from his community, further justifies this exercise of executive clemency.

This act of clemency for Mr. Vasquez Salazar does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Vasquez Salazar merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Vasquez Salazar a full and unconditional pardon for the above case.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SONOMA

In the Matter of the Application of

CARLOS ARTURO VASQUEZ SALAZAR

Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Certificate Number

Date of Birth

Month Day, Year

CH Number

A09519375

Criminal Case

Number(s)

SCR-17667-1

List applicable Criminal Case Number(s)

DMV: A5521950

Applicant's County of Residence

Court use only

FILED

DEC 20 2018

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SONOMA

By [Signature] DEPUTY CLERK

CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Section 4852.13

The petition of

CARLOS ARTURO VASQUEZ SALAZAR

, presently residing

at

Type Applicant's Street Address, City, State, and ZIP Code

, heretofore filed, praying for

a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code

of the State of California, came on regularly for hearing on this

20th

day

Day of the Month

of

December, 2018

Month, Year

and proof having been made to the

satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on

December 11, 1993

Month Day, Year

, that, where appropriate, petitioner has obtained relief

pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been

2

time(s) convicted of a felony;

Total Number of Felony Convictions

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this

20th

day of

December, 2018

Day of the Month

Month, Year

Dana Beernink Simonds

Judge of said Superior Court - TYPED or PRINTED

Judge of said Superior Court - SIGNATURE

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Martin Vasquez

Martin Vasquez, a resident of California, has applied for executive clemency.

On February 11, 2004, Mr. Vasquez was convicted in the Superior Court of California, County of Los Angeles, of possession for sale of a narcotic or controlled substance. He was sentenced to 3 years of probation and 180 days in jail.

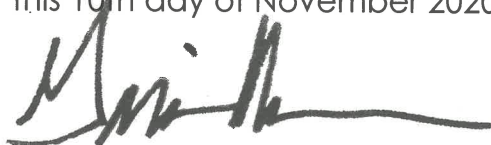
Mr. Vasquez has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On December 20, 2018, the Superior Court of California, County of Los Angeles, granted Mr. Vasquez a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Vasquez's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Vasquez be granted a full pardon.

This act of clemency for Mr. Vasquez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Vasquez merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Vasquez a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF LOS ANGELES

In the Matter of the Application of

Martin Vasquez

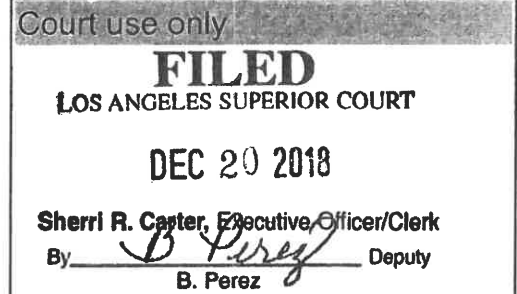
Type Applicant's Full Name - First Middle Last and Suffix, if applicable

Date of Birth

CII Number A23301778

Certificate Case Number SA050824

Criminal Case Number(s) SA050824



CERTIFICATE OF REHABILITATION

Pursuant to Penal Code Sections 4852.13

The petition of Martin Vasquez presently residing at

heretofore filed, praying for a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code of the State of California, came on regularly for hearing on December 20, 2018

and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true, and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of the term to which the petitioner was sentenced, or upon the release on parole or probation on Granted Probation February 11, 2004

that, where appropriate, petitioner has obtained relief pursuant to Penal Code Section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15); and that petitioner has been 1 time(s) convicted of a Felony;

WHEREFORE, It Is Ordered, Adjudged, and Decreed, And this court does hereby order, adjudge, and decree the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code Section 4852.15), and by virtue thereof, this court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Done in open court this 20 day of December 2018
Day of the Month Month, Year

SERGIO C. TAPIA II

Judge of said Superior Court - TYPED or PRINTED
SIGNATURE

Judge of said Superior Court -



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PARDON

Daniel Villotti

Daniel Villotti, a resident of California, has applied for executive clemency.

On July 26, 1993, Mr. Villotti was convicted in the Superior Court of California, County of Orange, of possession of a controlled substance. He was sentenced to 3 years of probation and 180 days in jail.

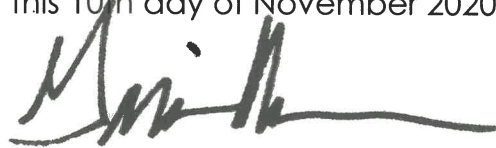
Mr. Villotti has complied with the provisions of California Penal Code sections 4852.01 through 4852.22, which provide a procedure after completion of sentence to seek restoration of civic rights and responsibilities. On May 31, 2019, the Superior Court of California, County of Orange, granted Mr. Villotti a Certificate of Rehabilitation on evidence that he has been living an upright life. By granting Mr. Villotti's petition for a Certificate of Rehabilitation, the court has recommended that Mr. Villotti be granted a full pardon.

This act of clemency for Mr. Villotti does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

By the laws of this state it is proper that I, as Governor of the State of California, give testimony that, by completion of his sentence and good conduct in the community, Mr. Villotti merits this pardon.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant to Mr. Villotti a full and unconditional pardon for the above case.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California



ATTEST:



ALEX PADILLA
Secretary of State

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE CENTRAL JUSTICE CENTER 700 CIVIC CENTER DRIVE WEST POST OFFICE BOX 22024 SANTA ANA, CA 92702-2024	<i>For Court Use Only</i> <div style="text-align: center;">FILED</div> SUPERIOR COURT OF CALIFORNIA COUNTY OF ORANGE CENTRAL JUSTICE CENTER <div style="text-align: center;">MAY 31 2019</div> DAVID H. YAMASAKI, Clerk of the Court BY: MONICA JOHNSON , DEPUTY
In the Matter of the Application of <div style="text-align: center;">DANIEL BRUCE VILLOTTI</div> <hr/> <i>Petitioner's full name – First Middle Last and Suffix, if applicable</i> Date of Birth: [REDACTED] CII Number: Criminal Case Number(s): <u>C-94533</u>	CERTIFICATE NUMBER: M - 17835
<div style="text-align: center;"> CERTIFICATE OF REHABILITATION (Penal Code § 4852.13) </div>	

The petition of DANIEL BRUCE VILLOTTI, presently residing
Type Applicant's Full Name - First Middle Last and Suffix, if applicable
 at [REDACTED], requesting a
Type Applicant's Street Address, City, State, and ZIP Code
 a Certificate of Rehabilitation pursuant to the provisions of Chapter 3.5, Title 6 of Part 3 of the Penal Code
 of the State of California, was heard on _____
Date
 and proof having been made to the satisfaction of the Court that notice of the time of hearing has been regularly given as
 required by law; and from satisfactory proof taken at said hearing the Court finds that all allegations of said petition are true,
 and that the required period of rehabilitation has elapsed since petitioner's date of discharge from custody due to completion of
 the term to which the petitioner was sentenced, or upon the release on parole or probation on
7/26/1993, that, where appropriate, petitioner has obtained relief pursuant to Penal
Month Day, Year
 Penal Code section 1203.4, and that petitioner has demonstrated by the course of conduct his/her rehabilitation and fitness to
 exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15); and that the
 that petitioner has been one time(s) convicted of a felony;
Total Number of Felony Convictions

The Certificate of Rehabilitation is granted. This Court declares the petitioner has been rehabilitated and is fit to exercise all the civil and political rights of citizenship (except as provided in Penal Code section 4852.15), and this Court recommends that the Governor of the State of California grant a full pardon to said petitioner.

Dated: 5/31/19
JUDGE ELIZABETH GUERRERO MACIAS
Judicial Officer - TYPED or PRINTED



Judicial Officer - SIGNATURE

This form was prepared under the direction of the Office of the Attorney General of the State of California

CERTIFICATE OF REHABILITATION

COMMUTATION CERTIFICATES AND APPLICATIONS 2020

Governor Newsom's 2020 Commutation Grants Index

Last Name	First Name	Commutation Date
Allen	Dwayne	6/26/2020
Aradoz	Andrew	6/26/2020
Baker	Kathy	6/26/2020
Banks	Carl	6/26/2020
Belmontez	Isaac	6/26/2020
Blehm	Kristopher	3/27/2020
Bradley	Steven	3/27/2020
Bryant	Jason	3/27/2020
Calvin	Louis	6/26/2020
Cambero	Yesica	6/26/2020
Castaneda	Sandra	11/10/2020
Chen	Yu	6/26/2020
Cristobal	Enrique	11/10/2020
David	Casey	11/10/2020
Dean	Michael	3/27/2020
Diaz	David	11/10/2020
Dixon	Paris	6/26/2020
Dyer	Rosemary	3/27/2020
Eldredge	Samuel	3/27/2020
Figgers	Fanon	3/27/2020
Flowers	Richard	3/27/2020
Glass	Robert	3/27/2020
Gray	Theodore	9/13/2019 & 3/27/2020
Harris	James	3/27/2020
Heard	James	6/26/2020
Jacobs	James	11/10/2020
Jassy	David	3/27/2020
Johnson	Dominic	3/27/2020
Johnson	Suzanne	3/27/2020
Knox	Ed	3/27/2020
Lamar	Shyrl	3/27/2020
Leach	Patrick	11/10/2020
Ledesma	Jose	3/27/2020
Lord	Tyler	11/10/2020
Marquez	Frank	6/26/2020
Martinez	Duncan	6/26/2020
Martinez	Jose	6/26/2020
McNeal	Rodney	3/27/2020

Murillo	Fernando	11/10/2020
Nava	Jarad	3/27/2020
Parks	Joann	3/27/2020
Pedroza	Francis	11/10/2020
Phillips	David	6/26/2020
Pierce	Cedric	3/27/2020
Pillsbury	Jered	6/26/2020
Ponce	Richard	6/26/2020
Quiroz	Adolfo	6/26/2020
Richardson	Ellen	11/10/2020
Roberson	Gary	11/10/2020
Rodriguez	Ramon	3/27/2020
Roldan	Doris	9/13/2019 & 6/15/2020
Ruiz	Miguel	6/26/2020
Saeteurn	Chan	11/10/2020
Thao	Cindy	6/26/2020
Villa	Anna	11/10/2020
Wajeel	Issa	6/26/2020
Waterbury	Thomas	6/26/2020

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Kristopher Blehm

In 2006, Kristopher Blehm and his crime partner confronted Kenneth Sosa, a romantic rival of Mr. Blehm's crime partner. Mr. Blehm's crime partner shot Mr. Sosa several times, killing him. On December 3, 2009, the Superior Court of California, County of Santa Barbara, sentenced Mr. Blehm to 25 years to life for murder.

Mr. Blehm was 22 years old at the time of the crime. He is now 35 and has been incarcerated for 12 years. Since entering prison, Mr. Blehm has dedicated himself to his rehabilitation. Mr. Blehm has maintained a perfect disciplinary record in prison. He earned his GED and participated in extensive self-help programming. He has resided in the Progressive Programming Facility. Mr. Blehm currently participates in New Life K9s, a service dog training program. Mr. Blehm was commended for his work by a correctional lieutenant.

Mr. Blehm's application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Blehm participated in a serious crime that took the life of Mr. Sosa. Since then, Mr. Blehm has committed himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Blehm's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I concluded that Mr. Blehm is ready to be released on parole.

This act of clemency for Mr. Blehm does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Kristopher Blehm to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read 'Alex Padilla', written over a horizontal line.

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814



RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Blehm, Kris, Michael Name on Prior Application (if different): _____

Date of Birth: 1984 Social Security Number: _____

CDCR Number: AB9529 Name of Facility/Prison: CMC West Facility

Residence Address: 628-14, PO Box 8103 San Luis Obispo CA 93409

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I was interviewed July 2018 by Mr. Atchinson. It was less than a 30 minute interview. I was very nervous and looking back I wish I would have expounded more. I was instructed by Mr. Atchinson to send him any new Chronos or Certificates and I have done that. I am unaware of any case number. The only correspondence I have received from the governor's office is to fill out this form if I wish my application to still be reviewed.

[Signature]
Applicant Signature

5/5/2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Kristopher Blehm Date of Birth: 1984 Inmate ID: AB9529

Address: P.O. Box 8103, San Luis Obispo, CA 93409 Facility: CMC West Facility G28-13

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Please see attached			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On November 27th 2006, Joe Gastelum and I were in his car, following his wife Lisa to the carwash. As we drove, we came across Kenny Sosa parked in his car. Joe parked next to him, got out of the car and shot Kenny Sosa with the gun I had given him. After we drove away, I took the gun from him and offered to dispose of it.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

First and foremost, I know there is nothing that can undo the injury imposed upon the Sosa family, and for that I am deeply sorry. I am requesting a commutation of my sentence because despite my past, it is my desire to use the rest of my life to help protect, heal, and bring good to other people's lives. I would like to join the military or become a firefighter so that I can serve my country and community. I would also like to spend time with and raise my children as soon as possible; I've lost several years with them and desperately (cont'd on attached)

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I am not the same person I was when I first came to prison almost ten years ago. While incarcerated, I became a Christian and have been living my life as a man of God. This life change has motivated me to preach and teach on the yards, sharing what I have learned with other inmates. I have no disciplinary actions against me and have maintained good behavior throughout my entire time in prison. (cont'd)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Kristopher Blehm, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Santa Barbara with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

12/10/17
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Santa Barbara County: Please take notice that I, Kristopher Blehm,
was convicted of the crime of Murder,
committed in Santa Barbara County, California, on the date of 07/31/2009.

I will submit this application to the Governor of the State of California.



Applicant's Signature

12/10/2017

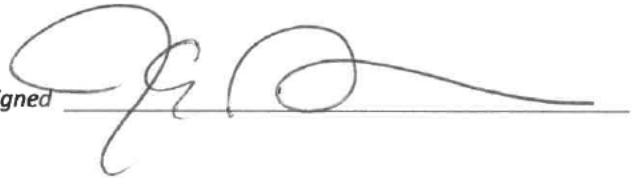
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Joyce E. Dudley, District Attorney of the County of Santa Barbara,
do hereby acknowledge receipt of notice from Kristopher Blehm,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed



Date

1-2-18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Application for Commutation of Sentence (continued)

Question 1. Conviction Summary

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
187 Murder	07/31/2009	Santa Barbara County	25 Years to Life
12316(b)(1)	07/31/2009	Santa Barbara County	16 months-run concurrently
32 Accessory after the fact	07/31/2009	Santa Barbara County	2 years-run concurrently
11378H&S Possession of a controlled substance for sale	03/08/2007	Santa Barbara County	5 years (30 days served, remainder suspended)
647(f)PC Public intoxication	01/14/2004	Santa Barbara County	\$200 fine
626.10 Bringing or possessing weapons on school grounds	07/09/1999	Los Angeles County	90 days juvenile camp

Question 3. Explain why you are requesting a commutation (continued from application)

... want the opportunity to be a better father and example to them.

Question 4. Provide a brief statement explaining why you should be granted a commutation (continued from application)

I consistently enroll in classes and workshops that give me the tools to be a better man, father, brother and son. In addition to completing college courses and taking positive parenting workshops, I've been a dog trainer with Paws for Life (at Lancaster) and New Life K9s (here at CMC) since 2015. I have a strong family that will help support me in successfully transitioning out of prison life and help me get back to becoming the productive member of society that I know I can be. I humbly ask for leniency and completely appreciate your consideration for commutation.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Steven Bradley

In 1987, Steven Bradley killed Claude Baker, a gas station employee, during a robbery. On September 12, 1988, the Superior Court of California, County of Kern, sentenced Mr. Bradley to life without the possibility of parole for murder with a two-year sentence enhancement.

Mr. Bradley was 24 years old at the time of the crime and is now 56. He has been incarcerated for 32 years. Mr. Bradley has expressed sincere remorse for his crime.

While serving a sentence without hope of release from prison, Mr. Bradley devoted himself to his rehabilitation. He has participated in self-help programming and completed vocational training. Mr. Bradley has been commended by prison staff for his good work ethic and diligence. According to the investigation conducted by the Board of Parole Hearings, various institutional staff described Mr. Bradley as respectful, trustworthy, and a hard worker who requires little supervision. A correctional officer who supervised Mr. Bradley wrote, "[H]e has shown great integrity and displays a high degree of competence, dependability, and trustworthiness." The officer commended him for his "helpful demeanor as he continues to be a positive influence on those around him." Other work supervisors have described Mr. Bradley as a trusted, willing, and able worker, who leads by example.

Mr. Bradley committed a serious crime that ended the life of Mr. Baker. Over the last three decades, Mr. Bradley has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Bradley's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Bradley merits an opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Bradley does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Steven Bradley to 32 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Com 2940-16

RECEIVED

NOV 07 2016

GOVERNORS OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, CA 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Bradley, Steven Date of Birth: [REDACTED] 63 Inmate ID: D-96534
Address: P.O. Box 3471 Corcoran, Ca- 93212 Facility: CSP- Corcoran

1. Conviction Summary:

List all prior convictions, including in any other states or countries. Attach additional pages as necessary.

Offense(s):	Date of offense(s):	County of Conviction(s):	Sentences(s):
1st Degree Murder	9-7-87	Kern	LWOP

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

While under the influence of Cocaine and Heroin I robbed white lane Shell gas station in Bakersfield and shot and killed the attendant working there Claude Dallas Baker

3. Explain why you are requesting a commutation (attach additional pages as necessary):

30 years is a long time and I no longer have a drug problem. I most deffently understand the serious nature of my crime and truly wish to be allowed a chance to be a productive person outside and make amends to the public

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages as necessary):

I have been here almost 30 years and have learned many things, having lots of time to reflect on my crime. While I have had some issues (no violence) the last 13 years have been disciplinary free with an extensive work history.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list the name, address, and amount paid or given (required by penal code section 4807.2):

No

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Steven Bradley, declare under penalty of perjury under the laws of the State of
(Print Full Name)
California that I have served the District Attorney of Kern with notice of my intent to
(Name of County*)
apply for a commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Steve Bradl
Applicant's Signature

10-31-16
Date

* If applicable, list additional counties here (send Notice of Intent to Apply for Executive Clemency to all counties listed)

Com 1940-16

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

RECEIVED

To the District Attorney of Kern County:

Please take notice that I Steven Bradley, was convicted of the crime of 1st degree murder, committed in Kern County, California on the date of 9-7-87. I will submit this application to the Governor of the State of California.

Steve Bradley
Applicant's Signature

10-31-16
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Mark Pafford, chief deputy District Attorney of the County of Kern do hereby acknowledge receipt of notice from Steven Bradley, that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed [Signature]

Date 11/6/16

District Attorney: Please return this notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Jason Bryant

In 1999, Jason Bryant and his crime partners committed several armed robberies that culminated in the shooting death of the victim, Vincent Fontecchio. Mr. Bryant was not the shooter. On April 18, 2000, the Superior Court of California, County of Shasta, sentenced Mr. Bryant to 26 years to life for murder with a sentence enhancement.

Mr. Bryant was 20 years old at the time of the crime and is now 40. He has been incarcerated for 20 years. While incarcerated, Mr. Bryant has dedicated himself to his rehabilitation. Mr. Bryant has earned a master's degree, two bachelor's degrees, an associate degree, a paralegal certificate, and has become a certified alcohol and drug counselor. He has participated in extensive self-help programming.

A warden recommended Mr. Bryant for a commutation. Mr. Bryant's rehabilitation efforts also have been recognized by numerous prison staff. Two correctional educators praised Mr. Bryant for his commitment to programming. One educator wrote, "Mr. Bryant's personal commitment to building a better community inside and outside of the walls is obvious and pervasive in his life." A self-help facilitator commended Mr. Bryant for his work as a mentor in anger management and criminal thinking classes. Another self-help facilitator commended Mr. Bryant on his commitment to a leadership program, noting that "he has become one of my most reliable and effective inmate trainees and supports me regularly as an inmate co-facilitator." Additionally, numerous correctional officers, an academic instructor, and an office technician praised Mr. Bryant for his positive attitude, work ethic, and ability to work well with staff and inmates.

Mr. Bryant committed a series of serious crimes, including the one that took the life of Mr. Fontecchio. Since then, Mr. Bryant has worked to transform himself into a law-abiding and productive citizen. I have carefully considered and weighed the evidence of Mr. Bryant's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Bryant is ready to be released on parole.

This act of clemency for Mr. Bryant does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Jason Bryant to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

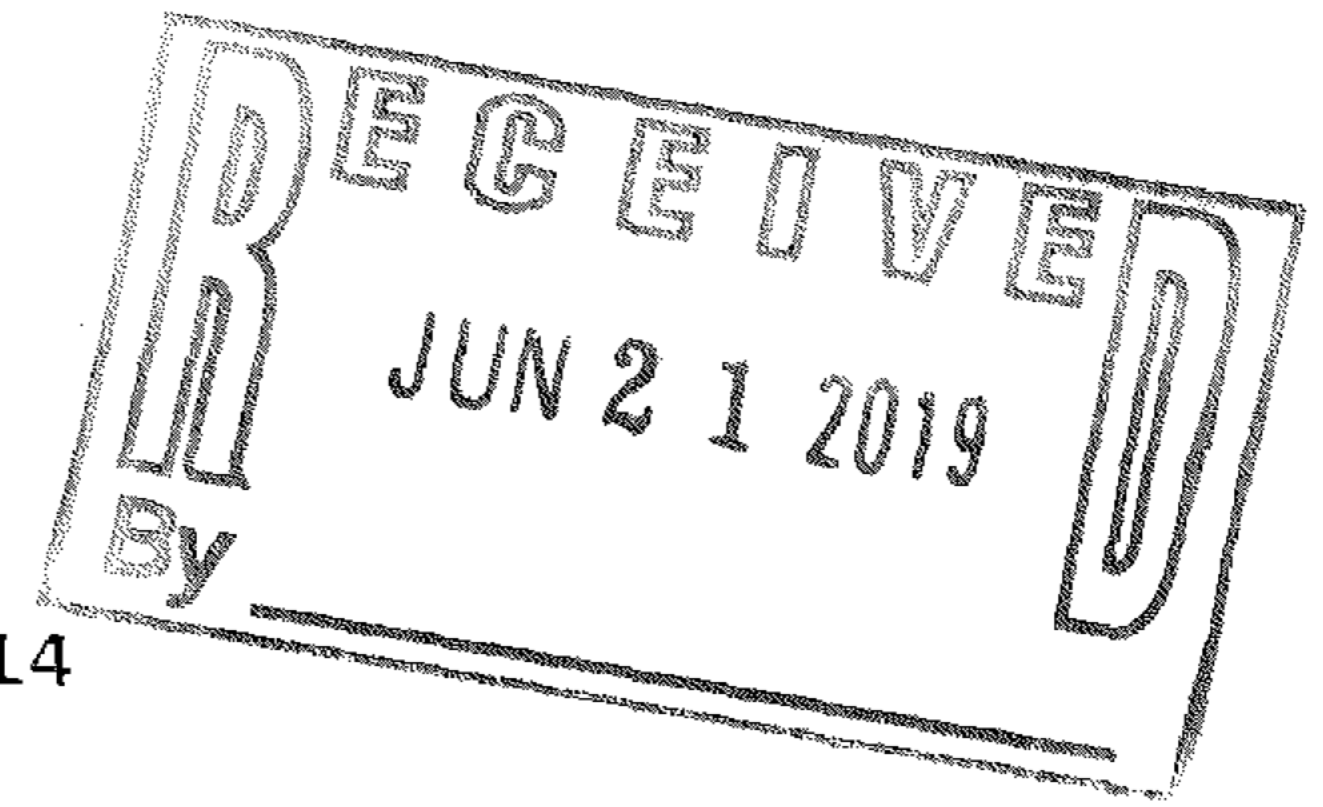
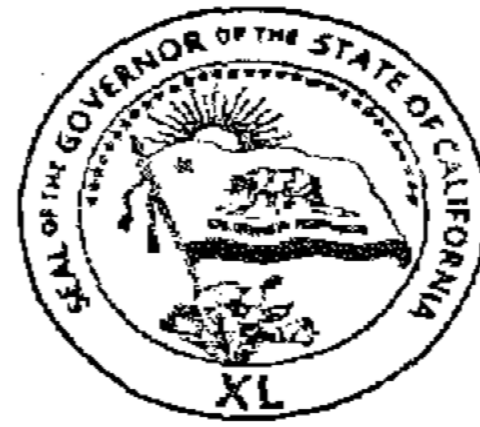
GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

CTF

OM 7018-18



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.

APPLICANT INFORMATIONName (Last/First/Middle): Bryant, Jason, R. Name on Prior Application (if different): _____Date of Birth: 1979 Social Security Number: _____CDCR Number: P-75550 Name of Facility/Prison: Correctional Training FacilityResidence Address: FW-306U, P.O. Box 689, Soledad, CA 93960

Mailing Address (if different): _____

Home/Cell Phone: _____ (wife) Work Phone: _____ Email: _____

I previously submitted: ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I did not receive any correspondence from the Governor's Office.

Applicant Signature

Date

06/04/19**SUBMIT COMPLETED FORM TO:****THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.****DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.**



COM 7018-18

RECEIVED

JUN 05 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Jason Rinaldo Bryant Date of Birth: [REDACTED]/79 Inmate ID: P-75550Address: P.O. Box 689, Soledad, CA 93960 Facility: CTF-Central FW-306U

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
187(A) 1st Degree Murder	12/03/99	Shasta	25 years-to-life
12022(A) Armed w/Firearm	12/03/99	Shasta	1 year

(please see attached)

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On November 28, 29, and December 3 of 1999 I participated with two codefendants in one burglary and three home invasions. During an attempted robbery on 12/03/99, Mr. Vincent T. Fontecchio was murdered. I was charged with Felony Murder as a non-shooter.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am respectfully requesting a commutation of sentence for the following two reasons:

1) for 18½ years I have intently focused on my rehabilitation and, as a result, I no longer pose a threat to public safety, and 2) while I have thoughtfully identified the poor choices I made that led to my involvement in these crimes, there are several (see att.)

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Over the course of my incarceration I have worked very hard to rehabilitate myself through higher education and relevant self-help programming. In terms of my educational progress, I have earned a Bachelor of Arts in business administration from (see att.)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Not Applicable

APPLICATION FOR
COMMUTATION OF SENTENCE
(Continued)

APPLICANT INFORMATION

Name: Jason Rinaldo Bryant Date of Birth: [REDACTED]/79 Inmate ID: P-75550
Address: P.O. Box 689, Soledad CA, 93960 Facility: CTF - Central

1. Conviction Summary(cont.)

List all prior convictions, including any in other states or countries.

Offense	Date	County	Sentence
(4) 212.5(A) Attempted Robbery	12/03/99	Shasta	concurrent
(1) 597(A) Cruelty to Animals	12/03/99	Shasta	concurrent
(8) 212.5(A) 1st Degree Robbery	11/29/99	Shasta	concurrent
(1) 459 1st Degree Burglary	11/28/99	Shasta	concurrent

3. Explain why you are requesting a commutation(cont.)

mitigating factors regarding my degree of culpability in the murder of Mr. Vincent T. Fontecchio.

1) Since my incarceration in 1999, I have spent countless hours identifying the contributing factors (i.e. my isolation at home growing up and my ethnic difference from other children at school), the causative factors (e.g. ways I thought about myself and the surrounding environment that guided my choices), and the distorted thinking patterns (i.e. my intrigue with violence and reckless behavior that I used to gain approval), which ultimately resulted in my criminal behavior. Raised in a household where both of my parents held full-time jobs, I decided at a young age that the violent characters depicted on television and movies represented how a man was supposed to behave. So when faced with conflict, I would employ aggressive and impulsive behaviors in an attempt to appear "tough" or "cool." This distorted perception and dangerous attitude progressed throughout my adolescence and teenage years as I actively sought people who seemed to possess the "tough guy" attributes I desired. Sadly, I continued this pattern of choosing aggressively criminal associates up until the series of crimes I committed in 1999.

These insights have been intensified by my sober recognition of, and ongoing sorrow for, the devastation that I imposed upon my victims and the community. While I cannot express the sum of my remorse in mere words, I have come to grasp the magnitude of my crimes. I am deeply remorseful for the pain and suffering I caused my victims, their families, first responders, members of the judicial process, and the community members of Shasta County. My sober comprehension of the impact of my crimes has inspired a personal commitment to live in amends by being of service to others.

With the exception of one non-violent rules violation for a selfish and impulsive decision to possess a cell phone in 2008, I have remained free from violence for my entire term of incarceration. Since that rule infraction, I have participated in, co-facilitated, and helped to develop an abundance of rehabilitative programs as an expression of my contrition and dedication to change. These programs, combined with my efforts in formal education, have helped me to address my criminogenic factors and prompted my transition into becoming a principled human being.

APPLICATION FOR
COMMUTATION OF SENTENCE
(Continued)

APPLICANT INFORMATION

Name: Jason Rinaldo Bryant Date of Birth: [REDACTED] 79 Inmate ID: P-75550
Address: P.O. Box 689, Soledad CA, 93960 Facility: CTF - Central

2) I was a 20-year-old first time offender when I committed these crimes. By that period of my life I had already developed a distorted perception of masculinity and struggled with resisting impulse and peer pressure. Since my incarceration, however, I have examined and corrected those unhealthy perceptions through diligent work. Combining focused effort with a strong and healthy support network I have considerably developed in maturity and responsibility over the last 18½ years. Moreover, while the circumstances regarding my mitigated culpability in the actual homicide of Mr. Fontecchio are documented in police and probation reports, I ask that you please look upon the support letter submitted by retired Deputy Chief Probation Officer of Shasta County, Mr. Louis J. Rizzo.

In sum, I humbly present that based on my concentrated efforts to rehabilitate myself over the last 18½ years and my mitigating factors concerning the murder of Mr. Fontecchio, I do not pose a threat to public safety.

4. Provide a brief statement explaining why you should be granted a commutation.(cont.)

Adams State University, a Master of Arts in philosophy from California State University Dominguez Hills, and I am on schedule to earn a Master of Science in psychology from California Coast University by the end of 2018. I have also earned an advanced certification as an Alcohol and Other Drug Counselor and have been awarded a certificate of Senatorial Recognition from Sacramento Mayor Darrell Steinberg for completing the California Association of Addiction Recovery Specialist Program. In addition to this, several correctional staff, work supervisors, and group sponsors have submitted laudatory chronos and letters of recognition expressing that I have carried myself in an honest, helpful, and upright manner while exhibiting good moral character.

Outside of my considerable amount of educational work and development of character, I have also contributed to the production of notable programs that serve inmate's rehabilitative efforts and the local community such as: Inside Solutions Alcohol and Other Drug Counseling Program, Phoenix Alliance self-help programs, and the "We Care" youth deterrent program. Moreover, I have aided in the development of collaborative restorative justice programs with non-profit organizations in the community, including: the Palma School "Men Built for Others" scholarship, Hartnell Community College "Leadership for Life" program and Ethnic Studies scholarship, and the Crop Organization's Alcohol and Other Drug Internship program. Administrators of these organizations have expressed support for my eventual release and enthusiasm about the prospect of my contributions as a free person.

These outward achievements and acknowledgments pale, however, in comparison to the inward change that I have undergone as a repentant person who is authentically dedicated to add value to the world. I hope that you find my self-help/rehabilitative efforts, academic, and vocational accomplishments combined with my collaborative work with students, schools, and non-profit organizations within the community indicative of my commitment to live as a responsible, productive, and contributing member of society. I am beyond grateful for your consideration of my request and I vow to live in service of my community while doing my best to continually grow in virtue.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Michael Dean

In 2001, Michael Dean committed a string of armed robberies. No one was injured during the crimes. On June 12, 2002, the Superior Court of California, County of Los Angeles, sentenced Mr. Dean to 11 years for multiple counts of robbery plus 30 years of sentence enhancements, a total prison term of 41 years.

Mr. Dean is now 50 years old and has been incarcerated for 18 years. Mr. Dean wrote in his application for clemency, "I truly understand as to why I had to be removed from society, with the choices and dangerous lifestyle that I was living; I truly believe that prison was the right thing, saved my life and regrettably saying, possibly the [lives] of others. I take 100% responsibility on who I was, who I am now and who I can be in society."

While incarcerated, Mr. Dean has demonstrated a strong commitment to his rehabilitation and has maintained an excellent disciplinary record. Mr. Dean has completed extensive vocational training, participated in self-help programming, and received exceptional work ratings from his supervisors. A supervisor commended Mr. Dean for his strong work ethic, writing, "Mr. Dean takes initiative and is always ready to help out anyone that needs help. His leadership qualities are evident, and he's focused and dedicated to the task at hand. If given the chance he will succeed anywhere he goes."

Mr. Dean committed serious crimes. Since then, he has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Dean's positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Dean merits an opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Dean does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Michael Dean to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read "Alex Padilla", written over a horizontal line.

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: MICHAEL EARL DEAN Date of Birth: [REDACTED] 1/70 Social Security Number: [REDACTED]
CORRECTIONAL TRAINING FACILITY
Address: T-60540 GW-318UP, P.O. BOX 689, SOLEDAD, CA 93960, 0689

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
POSSESSION OF MAIL MATTER 18 USC 1709	9/5/1995	SAN DIEGO	3 YRS PROBATION

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

SEE ANSWER PAGE.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

SEE ANSWER PAGE.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

SEE ANSWER PAG

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY*This notice is required by Penal Code sections 4804 and 4805.*

To the District Attorney of LOS ANGELES County: Please take notice that I, MICHAEL EARL DEAN,
 was convicted of the crime of 8 COUNTS 2ND DEGREE ROBBERY (211) FIREARM (12022.53(B)) ^{WITH USE OF}
 committed in LOS ANGELES County, California, on the date of 06-12-2002.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

☐ Pardon

☒ Commutation of sentence. Inmate Number: T-60540.

RECEIVED

MAR 09 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRSMichael E. Dean

Applicant's Signature

01/31

Date

2018**DISTRICT ATTORNEY ACKNOWLEDGEMENT***This section to be completed by the District Attorney only.*

I, Barbara Weff AD, District Attorney of the County of Los Angeles,

do hereby acknowledge receipt of notice from Michael Earl Dean,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed Barbara Weff

Date 2/22/18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, MICHAEL EARL DEAN, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of LOS ANGELES with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Michael E. Dean
Applicant's Signature

01/31 2018
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

APPLICATION FOR EXECUTIVE CLEMENCY

“Continued”

Question # 2

2. In early 2001, I was told by the child support agency that my child support payments are going to be increased at the request of my son's mother. Already faithfully paying child support for two kids and my pleas to the child support agency falling to deaf ears, in regards to my own total cost of living expenses. At the time my financial pressures, fears and worries on how I would survive myself overwhelmingly began to consume me, which lead me to do the unthinkable. I committed a robbery in which lead to a robbing spree. On June 6, 2002; I was sentenced to 41 years for a robbery spree that occurred throughout the Los Angeles County area. 8 counts 2nd Degree Robbery 211, with use of a Firearm 12022.53 (B) Case #NA049867. 11 years total for the robberies and 30 years, 4 months total in gun enhancements. Please Note: The gun was never discharged, no physical acts of violence or verbal threats of violence occurred. Yes, I do understand that the gun in itself is psychologically threatening, but I can only ask that you consider the fact that there was no physical acts of verbal threats of violence occurred in any count.

Question # 3

1.) On October 11, 2017, SB-620 was signed into law (Firearm Enhancement Crimes), which gives judges discretion over whether to use gun enhancement, instead of the old mandatory gun enhancement law. Unfortunately SB-620 is not retroactive and does not apply to me. 2.) I am not a lifer therefore I will never have the “privilege” to go to the board and fight for early freedom. 3.) There were errors in my sentencing but because of the Anti Terrorism Law and the errors where not discovered until well pass the 1 year to file dead line. I am unable to go through the courts successfully.

I am slated to do 36 years of the 41 year sentence, with 17 years remaining on my sentence. The time off that I get through milestones are minimal compared to my time remaining. I am not asking for a pardon, because I am guilty of all crimes that I am charged with and take full accountability of my past actions, but only asking the Governor for a commutation of parts of, if not at all remaining enhancements.

Because all enhancements together are about 3x's greater than the total of the actual crimes.

Question # 4

In the fall of September 1988, I enlisted into the United States Marine Corps through September 1992. Not only did I serve my country receiving an Honorable Discharge, I fought in actual combat (Desert Storm).

I am a first term inmate, non gang member, non sex offense, non escape, non arson, with no juvenile history, no prior history of acts violence, no acts of physical or verbal threats of violence while committing robberies, nor any acts of violence while incarcerated, with only (1) Rules Violation Report (RVR), possession of a cell phone in the 16 years incarcerated.

At the age of 48 years, the level of growth and maturity I've gain over the years, compared to the controlling and irrational thinking person that I was has change. Through an ongoing and continuous evaluation of self through various that specifically address anger issues, irrational thoughts and the understanding that everyday life involves unforeseen circumstances and how to deal with them. Groups such Alternative to Family Violence (AFV), Criminal & Gang Anonymous (CGA), Anger Management, Veterans Insight Therapy, that I gain tremendous insight into my own character defects. I truly understand as to why I had to be removed from society, with the choices and dangerous lifestyle that I was living; I truly believe that prison was the right thing, saved my life and regretfully saying, possibly the life's of others.

I'm currently employed as a warehouse lead man for Prison Industry Authority (PIA) where I inventory, plan, delegate work, ship and receive side by side with staff supervisors. I am thoroughly trained in the Enterprise Resource Planning System (ERPlx), computer program in shipping and receiving, a system the still in use in society today. Fulfill purchase orders by receiving, inspecting, tagging and entering information into ERPLX programming system. I've acquired an "Overton" forklift operator license (forklift class 1-7), one of major forklift training companies in America.

I have the drive, a good work ethic; work well with others, a fast learner with the potential to succeed and truly will become an asset to society if released. I take 100% responsibility on who I was, who I am now and who I can be in society. I have no desire to live off the state through social security, unemployment, etc., but

intend to be a hard worker, paying taxes, voting and volunteer work with organizations such as "The Red Cross", Homeless Shelters, and work the elderly, making a true contribution to society.

I was taught in the Marine Corps to protect the innocent and I never could have imagined that any circumstance could lead me to harm others. I regret feeling powerful over the innocent and taking what was not mine. I understand that to the multiple victims of my greedy, selfish and irrational acts, I couldn't even imagine the degree of emotional and psychological harm that I caused each individual.

I do understand that in life there are going to always be struggles, pressures and unforeseen obstacles, but with groups such as "Veterans Insight Therapy". I know now about refuting irrational ideas and recognize how thoughts can influence my feelings and behavior.

Throughout my years in prison, I've grown tremendously and my every day actions, navigating through an abnormal environment without conflict with inmates or staff alike, going to work on time as scheduled and receiving only high marks in work performance and continued education through vocational courses and rehabilitative self help groups.

If given this chance to enter society early, you would look back at your decision and smile knowing that you let a truly rehabilitated one go home early. I truly am ready, mind body, and soul, to ad, assist society in any and every way to make this California, this Country, our America a beautiful place to live. If you have any questions in regards to my plea, please contact me and I will provide you with the necessary information immediately, I truly look forward to your response, Thank you.

Respectfully Submitted

Michael E. Dean
T-60540

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Rosemary Dyer

In 1985, Rosemary Dyer shot and killed her husband David Lichty. On October 20, 1988, the Superior Court of California, County of Los Angeles, sentenced Ms. Dyer to life without the possibility of parole for murder plus a two-year sentence enhancement.

Ms. Dyer was 33 years old at the time of the crime. She is now 67 years old and has been incarcerated for more than 33 years. While serving a sentence with no hope of release, Ms. Dyer has demonstrated commitment to rehabilitation and self-improvement. She has regularly received exceptional work ratings. A supervisor praised Ms. Dyer, writing, "She is always willing to go beyond her responsibilities. She is very precise in her work, responsible, diligent, creative, and dependable." A correctional lieutenant commended Ms. Dyer for her positive behavior and attitude, noting that "[Ms. Dyer] has been an asset to the prison community and I believe she would be an asset to any community she might reside in if she were granted her freedom. She has much to share." An educator praised Ms. Dyer for her "exceptional clerical duties" and wrote that she "has always provided excellent service to our staff and has ensured our assignments are to the highest level. She is always very courteous, helpful and very pleasant." In addition, Ms. Dyer has received commendations by a correctional sergeant and two correctional officers. Ms. Dyer has participated in a rescue kitten program since 2017 and cared for cats through the prison Cat Care Program.

Ms. Dyer committed a serious crime that took the life of Mr. Lichty. Since then, Ms. Dyer has dedicated herself to her rehabilitation. I have carefully considered and weighed the evidence of Ms. Dyer's positive conduct in prison and her good prospects for successful community reentry. I have concluded that Ms. Dyer is ready to be released on parole.

This act of clemency for Ms. Dyer does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Rosemary Dyer to release her on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Rosemary Dyer Date of Birth: [REDACTED]/52 Inmate ID: W# 30483
Miller A 08 low
Address: 16756 Chino-Corona Road, Corona CA 92880 Facility: CIW

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
* 187 PC	07/26/85	Los Angeles	LWOP

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):
After years of physical/emotional/sexual abuse from my husband, David A. Lichty, I shot and killed him with the same gun that he had sodomized me with earlier in the evening. After being sexually traumatized, David continued his terror by informing me that I would next have sex with his dog. I still do not remember either picking up the gun or shooting

3. Explain why you are requesting a commutation (attach additional pages as necessary):
I am an LWOP requesting a commutation of sentence because I have spent every day of the last 32+ years regretting my actions which caused the death of the man I loved. I have endeavored to improve myself by participating in groups dedicated to helping survivors of domestic violence -- which has helped my personal growth and healing -- helping me to NOT

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):
I have been incarcerated since 1986 and during that time I have endeavored to improve myself with education and therapy groups. I have gained a greater understanding of myself and what put me in the position for me to have committed my offense. (continued)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

3 pages attached **

Rev. 09/25/2013
Application for Commutation of Sentence, Page 1

David. I had never contemplated David's death -- my own, yes, for I was in fear of David keeping his word of killing me -- made on a daily basis.

I loved David -- not WHAT he had become, or his actions -- but I was still in love with who he HAD been when we met and fell in love -- and I prayed daily that the abuse would stop. I tried everything to be the wife he wanted, in order to make him happy -- but the more I tried, the worse the abuse became.

Mere words cannot express my sorrow and regret for having taken the life of the man I loved. Every day of my life has been shaped by his loss and my actions.

be the co-dependent woman that I was. I have gained education during my incarceration and am employable. I also endeavor to aid other victims of domestic violence, via the mail -- due to the documentary I participated in (Sin By Silence), I am able to lend support to other victims who write to me. I would truly like to serve society by helping other domestic violence survivors, in person. Before my arrest, there was no such help for victims of domestic violence. Such a thing was not in existence yet, so I would like to be a part of that help, now. I believe I have a lot to contribute. I have also been offered a job with the creator of Sin by Silence, as a speaker for/with the documentary, which I look forward to being able to do -- if I am ever granted parole.

Before my arrest, I was an upstanding citizen, business owner, with no criminal history. I do not pose a threat to society and I am ready to take my place in it once more. I have the full support of my family for my freedom and have a home to return to.

I am 65 years old ([REDACTED] 52) and suffer from numerous chronic medical conditions, including (but no limited to) Congestive Heart Failure with a 20% refraction (heart function percentage) which is greatly debilitating; severe COPD with asthma; a mobility impairment due to a needed hip replacement due to a fall -- but unable to have the surgery due to the 20% refraction of my heart (doctors are afraid that I would expire during the surgery); and Essential Tremors (E.T.) associated with Parkinson's. All of these conditions have a profound effect on my daily life.

I am requesting this commutation because I would like to live out my remaining days, a 'free' woman. Although I will never be truly 'free' because not a day goes by that I don't think of David. I am the one who took his life. It does not matter that I feel I did it because I feared for my own life. It only matters that I took his life. I alone killed the man I loved. I wish every day, that the past could be changed -- but it can't be, so I must live with the guilt and remorse forever, so no, I will never be truly 'free' -- but I am asking that my physical person be given the opportunity to return to society and I be given the chance to prove I am worthy of that freedom and to somehow make amends for my sins.

I thank you for this consideration

I have completed several psychotherapy groups dealing specifically with Abusive Bonding & Behaviors, Domestic Violence, Co-dependency, etc. I was an original member of Convicted Women Against Abuse, a self-help group dealing with domestic violence, growth, and healing. I participated in the documentary "Sin by Silence" to help bring awareness and education about Domestic Violence to the public. Due to this documentary I receive much mail from viewers -- both encouraging me and confiding their own personal trauma and needing someone 'safe' to talk to. I am a 'safe' confidant.

I believe I have found my 'calling' in aiding these survivors -- I can help the only way I can by providing them with information so they can seek the professional help they need. I feel I make a difference in lives -- and it is gratifying to know that I can give back by helping these women. I would like to continue this 'calling' to help battered women and children, in person. I want to continue to be an advocate -- a more active advocate, for battered women and children.

I am no longer the co-dependent woman who was arrested 32 years ago. I believe I owe a great portion of my growth and healing to CDCR and the groups and programs that have been made available throughout the years. I know that I am a worthwhile person now -- I didn't think I was worthwhile before my arrest. I am grateful for my healing and growth. I am grateful to be alive. I feel I have much to offer society and would like that opportunity before I die.

I mention dying, only because my health issues put my life span into question. I suffer from numerous chronic medical conditions, as I have previously mentioned. I am almost 66 years old, and I would truly like NOT to die in prison. I want to somehow contribute what I am able to, to society, by helping other victims of domestic violence and by helping educate the public to bring awareness to domestic violence and its repercussions.

I still have family who want me to return home, and friends who also support me. I have a home to return to and I have been offered employment, upon my release. I am ready to be a productive member of society again -- I am ready to prove my worth and be a help to others.

I thank you for this consideration.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Samuel Eldredge

In 1994, Samuel Eldredge shot and killed Robert Bennett. On December 1, 1995, the Superior Court of California, County of Humboldt, sentenced Mr. Eldredge to life without the possibility of parole for murder with a firearm enhancement.

Mr. Eldredge is now 61 years old and has been incarcerated more than 25 years. He has expressed sincere remorse for Mr. Bennett's death and wrote in his application for clemency, "I accept responsibility for my actions, ill-conceived life choices and decisions."

While serving a sentence with no hope of release, Mr. Eldredge dedicated himself to his rehabilitation. Mr. Eldredge has maintained an exemplary disciplinary record while in prison. He has completed self-help programming and lived on the Progressive Programming Facility, an honor yard, for almost a decade. Mr. Eldredge also participated in the Paws for Life service dog training program.

Mr. Eldredge has earned the commendation of prison staff. A correctional officer praised Mr. Eldredge on his work as a housing unit tutor, writing, "I have observed [Mr. Eldredge] undertake and complete his job assignment with a high degree of knowledge and skill. [Mr. Eldredge's] work as a tutor has had a positive impact not only upon [the unit] but the Progressive Programming Facility as a whole." A second correctional officer commended Mr. Eldredge for his work ethic, noting that he "complete[s] job assignments with a high degree of knowledge and skill."

Mr. Eldredge committed a serious crime that took the life of Mr. Bennett. Since then, Mr. Eldredge has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Eldredge merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Eldredge does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Samuel Eldredge to 30 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



RECEIVED

MAR 21 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Samuel Gardner Eldredge Date of Birth: /1958 Social Security Number:

Address: CSP-Los Angeles County, 44750 60th Street West, Lancaster, CA. 93536-7619

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
NO PRIOR CRIMINAL RECORD			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

I shot and killed Robert Kanui Bennett and illegally disposed of his body by cremation.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

I have served 22+ years in prison, 21+ years have been disciplinary free. I have completed Anger Management, Cage Your Rage, and Breaking Barriers, while earning many laudatory chronos and taking charge of my own rehabilitation. I have the privilege of participating in the Paws For Life Program.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

I accept responsibility for my actions, ill-conceived life choices and decisions. I truly regret that my actions and choices have harmed so many people, including my family, myself, and my health.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Samuel Gardner Eldredge declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Humboldt with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Samuel Gardner Eldredge
Applicant's Signature

March 15, 2017
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

Com 3068-17

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY
This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Humboldt County: Please take notice that I, Samuel Gardner Eldredge,
was convicted of the crime of First Degree Murder, P.C. 187 (A),
committed in Humboldt County, California, on the date of April 25, 1994.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

- ☐ Pardon
- ☒ Commutation of sentence. Inmate Number: J87214

RECEIVED

MAR 13 2017
GOVERNOR'S OFFICE
LEGAL AFFAIRS

Samuel Gardner Eldredge
Applicant's Signature

February 27, 2017
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT
This section to be completed by the District Attorney only.

I, Maggie Fleming, District Attorney of the County of Humboldt,
do hereby acknowledge receipt of notice from Samuel Eldredge,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed Maggie Fleming
Date 3/8/17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

RECEIVED

MAR 06 2017

DISTRICT ATTORNEY

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Fanon Figgers

In 1996, Fanon Figgers and his crime partner robbed a fast food restaurant at gunpoint. On July 2, 1998, the Superior Court of California, County of San Bernardino, sentenced Mr. Figgers to 75 years to life for multiple counts of robbery and 75 years to life for multiple counts of false imprisonment, plus an additional 60 years for sentence enhancements, a total prison term of 210 years to life.

Mr. Figgers was 26 years old at the time of the crime and is now 49. He has been incarcerated for nearly 24 years. Since entering prison, Mr. Figgers has maintained an exemplary disciplinary record. He is a co-founder of a re-entry program, has participated in significant self-help programming, and completed vocational training. Mr. Figgers has earned commendations from several staff members for his efforts in rehabilitation. A correctional officer wrote that he found Mr. Figgers "to be an individual of high moral character and standards." The officer continued, "I truly feel Mr. Figgers who has been away from society now 22 years with a sentence of 210 years to life has gained the knowledge it takes to return back to society and become a law-abiding citizen." A chaplain commended Mr. Figgers and wrote, "[Mr. Figgers] stood out as someone deeply devoted to his inner growth. Mr. Figgers is an authentic and solid human being who has done his time, analyzed his crime, and now, is ready to serve others." A correctional officer praised Mr. Figgers and wrote, "His hard work ethic, positive attitude, and dedication to change are not only commensurate with the best ideals but also demonstrate that he is a reformed man. In fact, I believe that he can effectively translate the leadership qualities he's exhibited here in San Quentin to free society upon release."

Mr. Figgers's commutation application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Figgers committed a serious crime. Since then, Mr. Figgers has demonstrated a sincere commitment to his rehabilitation and self-improvement. I have carefully considered and weighed the evidence of Mr. Figgers positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Figgers is ready to be released on parole.

This act of clemency for Mr. Figgers does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Fanon Figgers to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

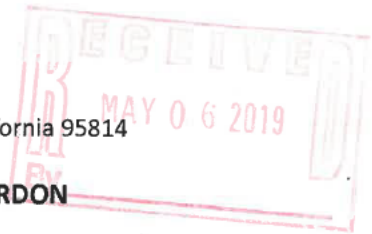
GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814



RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): FIGGERS, FANON DARNELL Name on Prior Application (if different): _____

Date of Birth: 1970 Social Security Number: _____

CDCR Number: 432262 Name of Facility/Prison: SAN QUENTIN

Residence Address: CSP-SAN QUENTIN 4-W-93 SAN QUENTIN CA 94974

Mailing Address (if different): 1 MAIN ST 4-W-93 SAN QUENTIN, CA 94974

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

ON JULY 19, 2018 I WAS INTERVIEWED REGARDING MY APPLICATION THAT I SUBMITTED JANUARY 16, 2018 UNDER GOVERNOR BROWN ADMINISTRATION. NO FURTHER ACTIONS WERE TAKEN. I WOULD HUMBLY APPRECIATE RE-OPENING AND BEING CONSIDERED FOR COMMUTATION, DUE TO MY EPD 2166 AND DESPITE OF, I HAVE REHABILITATED AND IM ALSO BEING A MENTOR TO OTHERS FROM A CHANGED HEART. WOULD LIKE THE OPPORTUNITY TO LIVE AS A FREE CHANGED MAN.

Fanon Darnell Figgers
Applicant Signature

April 30, 2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



3873-18

RECEIVED

JAN 24 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Fanon Figgers Date of Birth: [REDACTED]/1970 Inmate ID: H-32262Address: 1 Main, San Quentin, CA 94974 Facility: San Quentin

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Controlling Offense 211 KA010899 2nd Robbery-12022.5(A)	12-03-91	Los Angeles	7 years
Non-Controlling Offense 211 KA010899 2nd Robbery-12022.5(A)	12-03-91	Los Angeles	7 years

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):
See attach pages3. Explain why you are requesting a commutation (attach additional pages as necessary):
See attach pages.4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):
See attach pages.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, FARON FIGGERS, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of SAN BERNARDINO with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Faron Figgers
Applicant's Signature

January 16, 2018
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of SAN BERNARDINO County: Please take notice that I, FANON FIGGERS,
was convicted of the crime of ROBBERY 211, FALSE IMPRISON 236 CASE # FVI04600,
committed in SAN BERNARDINO County, California, on the date of JULY, 1998.

I will submit this application to the Governor of the State of California.

RECEIVED

FEB 01 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Fanon Figgers
Applicant's Signature

January 15, 2018
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, MICHAEL A. RAMOS, District Attorney of the County of SAN BERNARDINO,
do hereby acknowledge receipt of notice from FANON D. FIGGERS,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed

M. A. Ramos

Date

1-29-18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Continued Attached – Questions

Question #2:

On May 13, 1996, an accomplice and I set out to rob McDonald's restaurant at approximately 9:30 pm., I went in to order something to eat and asked for job application form, in order to stall time to wait for other customers to leave. Once they left my co-defendant came inside and we approached the count showing our guns. We jumped the counter and led the employee into back office, where there were two more employees, one on the phone and the other counting money. I got the money from the employee at the safe and my co-defendant took other employee to get the money out of cash register. Once we got the money, we led all of the employees into storage freezer. Fleeing the scene with approximately \$7,500. I was arrested May 17, 1996, and on July 1998, convicted of three (3) counts 2nd degree robbery, 5 counts false imprisonment.

Question #3:

I am requesting commutation on the basis of the lengthy determination of my sentencing. I have been incarcerated four (4) months from 22 years serving 150 to life plus 60 years total 210 years to life.

I understand the seriousness of my crime and it being violent act. Although according to law states that crime(s) committed under the same set of operative facts should be sentenced concurrently (Penal Code §1385). I was not sentenced accordingly and therefore sentenced to amount of time that will never allow me to be eligible for parole or to even be considered.

“The Board of Prison Hearings may report to the Governor the names of any, all persons imprisoned in any state prison whom in it judgment ought to have a commutation of sentence or be pardoned and set at liberty on account of good conduct or unusual term of sentence.” (Senate Bill 261). Even though I don't fall up under scope 261 (Age 25), I do fall up under the language “Good conduct (no rules violation in over 6 years), unusual term of sentence (MEPD 4-03-2166).”.

Question #4

I am no longer a threat or menace to society. No longer the selfish immature, callous young man I was 21 plus years ago with no regards or love for others or self. I have gained spiritual and moral beliefs and values as a Christian that has allowed me look beyond myself and into the Destructive Lifestyle I partook in. I strive now to be more of a giver, than a taker I once was of “Peoples Possessions and Security.” By developing a spiritual compass. I now have

insight into the emotional issues I had growing-up which played a major role in my criminal thinking and lifestyle. My foundation as a Christian has changed my heart, which in turn has changed my behavior, which has allowed me the opportunity to be a part of the Ministry here in San Quentin Garden Chapel Christian Fellowship. Where I have not only completed Bible study courses, I am also facilitator in Bible study course 'First Step for New Believers,' Minister in the Youth Ministry Program 'Graced Out Ministries (which preaches and mentors youngers inmates, here at San Quentin), I Preach the Gospel of Jesus to the Reception inmates, obtained Diploma in Ministry (CLD) Golden Gate Baptist Theological Seminary. (See attached Certificate.)

I have also taken advantage of self-help groups that has helped me look at myself and address sociological issues that I had and never dealt with in proper manner (See attached Certificates and Chrono's.) These self-help groups I participated in helped me change my mindset which has helped me change my behavior. All with only incentive was to change and rehabilitate myself because I understand that any change in my behavior would have to come from within and must be authentic from a changed mindset.

To this purpose of change that I have already began. I know giving me a commutation sentence I would be an asset to my community and family. By taking the bad and good experiences from my life to not only change the way I live my life, but to also use the rest of my life making amends by taking what I learned to help prevent others from choosing a lifestyle of crime and destructive behavior that is so harmful to society.

Striving to be a part of the solution instead of a part of the problem. I volunteer mentoring Squires Program that mentors at risk youth from ages 12 to 21. I also mentor SAMHSA program for inmates which focuses on cognitive behavior therapy, substance abuse, anger management, criminal thinking and family relations.

So with spiritual and moral compass, along with the emotional and social skills I have acquired while working on myself. I know I will never again be a perpetrator of any crime(s) against another person or society. I'm no longer the sociopathic individual I was. Today I am a pro-social man with the capability of being upstanding law abiding individual in society. Finally, granting me a commuted sentence is giving me a second chance to make amends to the society I offended and my family, as I have learned so much now and because of my life changes I have much to offer. I have also gained vocational skills giving me marketable skills and avenues for employment that will be in the useful workforce (See attached Support letters – Jericho Vocational Services).

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Richard Flowers

In 1994, Richard Flowers killed Mary Garcia during a burglary and robbery. On November 1, 1996, the Superior Court of California, County of Tulare, sentenced Mr. Flowers to life without the possibility of parole for murder.

Mr. Flowers is now 64 years old and has been incarcerated for 25 years. While serving a sentence that allowed no hope of release from prison, Mr. Flowers has committed to his rehabilitation. He has maintained a good disciplinary record and has resided on the Progressive Programming Facility, an honor yard. Mr. Flowers participated in self-help programming and maintained consistent employment throughout his incarceration, routinely receiving exceptional work ratings from his supervisors.

Mr. Flowers's rehabilitation efforts have been recognized by prison staff. A work supervisor commended Mr. Flowers for "show[ing] great leadership skills amongst his peers" and "work[ing] well with others." A correctional counselor commended Mr. Flowers for his positive attitude: "[Mr. Flowers's] behavior is indicative of a positive orientation and should be considered when evaluating his eligibility for participation in future programming opportunities." A correctional officer praised Mr. Flowers for his "positive attitude and work ethic," noting that he "has a good working relationship with staff and his peers. . . and has demonstrated skill and knowledge, genuine interest and effort in his work, teamwork and participation."

Mr. Flowers's commutation application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Flowers committed a serious crime that took the life of Ms. Garcia. Since then, Mr. Flowers has turned his life around. I have carefully considered and weighed the evidence of Mr. Flowers's positive conduct in prison and his good prospects for successful community reentry. I believe that Mr. Flowers has earned the opportunity to present his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Flowers does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Richard Flowers to 25 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

COM-3494-17



RECEIVED

OCT 27 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

C-64959

Name: RICHARD EAR FLOWERS Date of Birth: [REDACTED] / 55 Social Security Number: [REDACTED]

Address: P.O. Box 4430 LANCASTER STATE PRISON, CA. 93539

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
GRAND THEFT	5-12-74	COOK COUNTY	PRISON
BURGLARY	5-15-79	COOK COUNTY	3 YEARS
FORGERY	2-3-81	LA. COUNTY	90 DAY SUSP

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

CHARGED + FOUND GUILTY OF: 187 sub(a), 211 AND 459 WITH 10851 sub(a) AND 2 counts of 496

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

AFTER HAVING SERVED 25 YEARS OF THE PRESENT TERM AND REACHING THE AGE OF 62 I AM NOW FREE, NO LONGER A DANGER TO SOCIETY AND WANT TO HELP RAISE MY FOUR GRAND CHILDREN.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

I HAVE SERVED 25 YEARS OF MY TERM AND AM NOW 62 YEARS OLD. I HAVE BEEN DISCIPLINARY FREE AND WORKED FOR (CCR ADMINISTRATOR) FOR THE MAJORITY OF MY TERM.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, RICHARD EARL FLOWERS, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of TULARE with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Richard Earl Flowers Sr. 10/22/17
Applicant's Signature Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

RECEIVED

SEP 13 2017

CO M 3494-17

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code Sections 1804 and 1805.

To the District Attorney of TULARE County: Please take notice that I, RICHARD E. FLOWERS,

was convicted of the crime of 187 WITH SPECIAL CIRCUMSTANCES ALLEGATIONS,

committed in TULARE County, California, on the date of MAY 24, 1996.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

☐ Pardon

☒ Commutation of sentence. Inmate Number: C64959.

RECEIVED

OCT 04 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Richard E. Flowers
Applicant's Signature

9/11/17
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Douglas W. Rodgers, Deputy District Attorney of the County of Tulare,

do hereby acknowledge receipt of notice from Richard E. Flowers,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed Douglas W. Rodgers

Date 9-25-17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Robert Glass

In 1992, Robert Glass and his crime partner broke into Joe Moreno's home and tied up Mr. Moreno and his girlfriend, Elena Mendoza. Mr. Glass struck Ms. Mendoza and his crime partner fatally stabbed Mr. Moreno. On September 27, 1994, the Superior Court of California, County of Los Angeles, sentenced Mr. Glass to life without the possibility of parole for murder and attempted murder plus an additional five years of sentence enhancements.

Mr. Glass was 21 years old at the time of the crime and is now 48. He has been incarcerated for nearly 27 years. Mr. Glass has expressed deep remorse for his crime. While serving a sentence that allowed no hope of release from prison, Mr. Glass has demonstrated a commitment to turning his life around. Mr. Glass has lived on the Progressive Programming Facility, an honor yard. Mr. Glass has been an active participant in many self-help programs. A correctional officer praised Mr. Glass for his rehabilitation and wrote, "I have seen his willingness to work hard on his rehabilitation efforts, by taking advantage of the different self-help programs that are available on the Progressive Programming Facility on Facility A. [Mr. Glass] has shown good judgment, and a very good and positive attitude with both inmates and staff... It is my belief that [Mr. Glass] would be an asset to any employer, as well as being a positive and productive member of the community, as he reintegrates back into society." A group sponsor wrote, "[Mr. Glass] demonstrated excellent insight, willingness and effort to educate himself, and help others in their rehabilitative efforts. He has shown excellent improvement in his communication skills, and his commitment to effect positive changes in his life and the lives of other upon re-entry to society."

Mr. Glass's commutation application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Glass committed a serious crime that took the life of Mr. Moreno and injured Ms. Mendoza. Since then, Mr. Glass has worked to improve himself. I have carefully considered and weighed the evidence of Mr. Glass's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Glass merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Glass does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Robert Glass to 26 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



COM 3294-17

RECEIVED

JUN 15 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: ROBERT L. GLASS CDCR# J-36237 Date of Birth: 71 Social Security Number: [REDACTED]

Address: P.O. Box 4430, A3-118, Lancaster, CA 93539

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Attached as FORM "A" - PRIOR CONVICTIONS, (1) page.			

4. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

Attached as FORM "B" - COMMITMENT FACTORS, (3) pages.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

Attached as FORM "C" - WHY I AM REQUESTING A COMMUTATION OF MY CURRENT SENTENCE, (1) page.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

Attached as FORM "D" - WHY I SHOULD BE GRANTED A COMMUTATION OF MY SENTENCE (7) pages.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

I, Robert L. Glass, have prepared this document on my own behalf.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Robert L. Glass, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Robert L. Glass
Applicant's Signature

June 11, 2017
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

Com 8294-17

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Robert L. Glass,
187 PC Murder; 664/187 PC Attempted Murder; 459 PC Burglary;
was convicted of the crime of (2) Counts 664/211 PC Attempted First Degree Robbery,
committed in Los Angeles County, California, on the date of September 18, 1992.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

☐ Pardon

☒ Commutation of sentence. Inmate Number: J-36237

RECEIVED

JUL 18 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

2017 JUN 16 PM 3:34

Robert L. Glass
Applicant's Signature

June 11, 2017
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Barbara Weyf HD, District Attorney of the County of Los Angeles,

do hereby acknowledge receipt of notice from Robert Glass,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed Barbara Weyf

Date 7/3/17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

FORM "A"

PRIOR CONVICTIONS

JUVENILE HISTORY:

AGE 16 10-31-86 - LAPD - Count I: 11357 (B) (Possession of Marijuana - 28.5 Grams of Less); Count II: 148 PC (Obstructing/Resisting Public Officer).

AGE 16 2-20-87 - LAPD - Count I: 211 PC (Robbery); Count II: 242/243 (C) PC.

ADULT HISTORY

5-22-90 LAPD - Pled Nolo to 11351.5 H&S (Possession for Sale of Cocaine Base) Plus 1203.073 (B) (1) PC (Possession for Sale of More Than 28.5 Grams of Hydrochloride).. (I was arrested by LAPD Officers after admitting being the owner of 48.5 grams of Rock Cocaine and a loaded .25 caliber automatic pistol.)

DATED: June 11, 2017

Signature: Robert L. Glose

FORM "B"

COMMITMENT FACTORS

The following facts are supported by the trial transcripts and taped interview of Elena Mendoza (Case Number: NA-013344):

On September 18, 1992, Defendant Glass and his Co-Defendant Higgins entered the front door of the victim #1 (Joe Moreno) who resided at 1030 Lakme in the city of Wilmington. Defendant Higgins produced a gun and asked Moreno, "Where's Your Stuff?" Elena Mendoza, victim #2, exited the bathroom and Glass approached her and told her lay on the ground, face down. According to Mendoza's statement in a taped interview with detectives on September 22, 1992, she identified Glass as the suspect without a gun who told the gunman, Higgins, that he didn't need to hog tie Moreno. Higgins said that his reason for tying up Moreno was due to the time needed to get away. Glass refused to take part in tying up Moreno and when Higgins directed Glass to tie up Mendoza, Glass once again refused to comply with Higgins' directive. Mendoza stated that Higgins and Glass argued twice due to Glass' refusal to participate in tying up the victims.

Mendoza heard thumping noises and Moreno moaning from the bedroom, and when she began to scream someone came from behind her and hit her with something steel. Initially (during the taped interview) Mendoza believed that Glass was the person hitting her and she based this identification on seeing an arm. However, at trial Mendoza testified that she didn't see any part of the person hitting her. Mendoza told the detectives that after she was struck over the head she pretended to be unconscious and the suspect went back into the bedroom.

The detectives asked Mendoza if the hitting and noises in the bedroom was going on while she was being hit on the head and she said, "No, everything stopped in the bedroom." It is undisputed that Mendoza did not witness the act of tying

murder of Moreno in the bedroom. Mendoza told the detectives that when all the noises in the bedroom stopped, the gunman said, "Get her in here. I want to smoke 'em both."

The detectives asked Mendoza how she knew which suspect was doing the talking and she said that she knew the gunman's voice due to hearing him ask Moreno, "Where is your stuff?" Mendoza told the detectives that the gunman mostly spoke and the guy without the gun was the one who said, "I don't wanna tie her up," and "You don't need to hog tie him," like he wasn't the one calling the shots. According to Mendoza's statement, the gunman appeared to be running things.

From the facts amassed from the taped interview, Mendoza never alleged that she was attacked by both suspects simultaneously. In fact, Mendoza told the detectives that when she heard the gunman say, "I wanna get rid of her too," she thought that the gunman was going to shoot her. It was at this particular time during the taped interview that Mendoza stated that she was attacked and struggled with only one suspect. This fact is extremely important in light of Mendoza's testimony at trial.

At trial Mendoza testified that two individuals were in her immediate area at the time she was hit on the head with a weight. The prosecution asked Mendoza what caused her to believe that two people were right there in her immediate area and she said that as she was being hit on the head by someone standing behind her, she saw a knife come from her right side and grabbed the blade. The contrast of Mendoza's testimony is illustrated in the taped interview.

During the taped interview the detectives noticed that Mendoza's hand was bandaged and asked her what the cuts on her hand appeared to be from.

Mendoza said that the cuts might have come from a knife, but she didn't remember seeing a knife. So, the record is clear, in that Mendoza never mentioned seeing a knife in the taped interview, but it also clear that she never alleged that she was attacked by both suspects simulataneously.

Glass' trial counsel, Mr. Isaacson, went on record at trial and asked the Court if there was going to be any objection to playing Mendoza's tape recorded statement because he believed that there were inconsistencies about how Mendoza got the wounds on her hand.

According to the facts in the taped interview, Mendoza struggled with one suspect (who hit her with weight) and managed to free herself and flee from the apartment screaming. The Defendants Glass and Higgins fled the premise and victim Moreno died at the scene from multiple stab wounds.

On June 18, 1993, I was arrested by LAPD officers. Co-defendant Higgins was ultimately arrested on December 21, 1993 for an unrelated 211 PC (Robbery) in case number NA018198-01.

I was charged with (1) count of 187 PC murder, (1) count of 664/187 PC attempted murder, (1) count of 459 PC burglary, and (2) counts of 664/211 PC attempted robbery. I was arraigned, entered a plea of Not Guilty, and requested that the case be adjudicated by jury. Through the process of a judicial trial, I was found guilty of the above charges on August 8, 1994. On September 27, 1994, I was sentenced to a total term of Life without the possibility of parole (LWOP), plus a consecutive life sentence for attempted murder. I have remained incarcerated since June 18, 1993. I declare under the penalty of perjury in accordance with the laws of the state of California that the aforementioned information is true and correct.

DATED: June 11, 2017

Signature: Robert L. Glass

FORM "C"

WHY I AM REQUESTING A COMMUTATION OF MY CURRENT SENTENCE

The power of the Governor of California to commute sentences is set forth in Article V, Section 8, §4800 of the California Constitution, which states: "The general authority to grant reprieves, pardons and commutations of sentence is conferred upon the Governor by Section 8 of Article V of the Constitution of the State of California."

After the Briggs Initiative (Proposition 7, November 7, 1978), this statutory provision requires the jury to be instructed that a sentence of life imprisonment without possibility of parole may be commuted or modified by the Governor to a sentence that includes the possibility of parole; California Penal Code § 190.3 reads: "The trier of fact shall be instructed that a sentence of confinement to state prison for a term of life without the possibility of parole may in the future after the sentence is imposed, be commuted or modified to a sentence that includes the possibility of parole by the Governor of the State of California."

I am requesting a commutation of my sentence in accordance with the statutory provisions of California law.

I am formally appealing to the Governor of the State of California, Mr, Edmund G. Brown Jr., to review my Application for Commutation of sentence, my post-conviction record, my commitment offense case factors, and rehabilitation programs that I've been involved in for the past six years here at the Progressive Programming Facility in Lancaster, California.

The California Department of Corrections and Rehabilitation have determined through its Office of Research, California Static Risk Assessment (CSRA), that I pose a LOW-RISK to public safety and less likely to reoffend upon release from incarceration.

the special circumstance Statute, Penal Code Section 190.2, subdivision (d) (hereafter, § 190.2(d) which states that life without the possibility of parole (LWOP) sentence for an aider and abettor of felony murder is constitutionally permissible only if an aider and abettor was a "major participant" in the crime and acted with "reckless indifference to human life."

§ 190.2(d) does not, however, extend eligibility for life imprisonment without parole to every defendant exhibiting the constitutionally minimum degree of culpability for that sentence. Instead, by importing the Tison-Enmund standard, it permits such a sentence only for those felons who constitutionally could also be subjected to the more severe punishment, death. As a matter of state statute, then, the Tison-Enmund standard is applicable to all allegations of a felony-murder special circumstance, regardless of whether the People seek and exact the death penalty or a sentence of life without parole.

There are clearly mitigating factors within the circumstances of the crime(s) for which I am requesting a commutation.

Without the tape-recorded statements of Elena Mendoza, the State's key witness, it would be virtually impossible to determine individual culpability in the instant case. Due to the arguments between the two suspects, it is evident that the suspect identified as Glass felt strongly about not assisting the gunman in tying up the victims. Tying up the victims was a serious element in the felony murder because it illustrated the gunman's intent in doing so. But it also shows that the gunman, for whatever reasons, concealed his intent from his co-defendant. When told that he didn't need to hog tie Moreno, the gunman stated that his reason for tying up Moreno was due to the time needed to get away and this shows that killing Moreno was not an agreed-upon plan.

Although the prosecution was well aware that the suspect identified as Glass did not participate in tying up the victims and there was no evidence

that he participated in the killing of Morneo (Mendoza did not witness Morneo's murder in the bedroom), the prosecution still sought to downplay the mitigating circumstances in this case in order to secure a conviction.

Enquiries from the detectives in the taped interview show that the gunman was the only suspect in the bedroom when Moreno was killed. When the detectives asked Mendoza if the hitting in the bedroom was going on while she was being assaulted, they were trying to determine if the gunman was the only suspect in the bedroom. Mendoza confirmed the detectives deduction by stating that everything in the bedroom stopped while she was being assaulted.

Mendoza elaborated further in the taped interview when she stated that the noises in the bedroom finally stopped, then she heard the gunman say, "Get her in here. I want to smoke 'em both." There isn't any evidence the suspect identified as Glass complied with the gunman's directive. In fact, the record shows that it was impossible to have occurred because the gunman was the only suspect in Mendoza's immediate area after he made that statement. Mendoza told the detectives that she thought the gunman was going to shoot her after he declared his intent to kill her, but what is extremely important to note at this particular time during the taped recorded statement is that Mendoza said that she was attacked and struggled with only one suspect.

Mendoza's testimony at trial about seeing a knife (in the taped-recorded interview Mendoza told the detectives she did not remember seeing a knife) and being attacked by both suspects simultaneously was deliberately orchestrated by the prosecution to support her theory that the suspect identified as Glass acted with reckless indifference to human life. But this distortion of the facts is refuted by Mendoza's tape recorded statement. Both trial counsels for Glass and his co-defendant were shocked by Mendoza's deviation from the statement in the taped interview and addressed the Court about her inconsistent

statements (trial counsels asked the Court if there was going to be any objections to playing the tape-recorded statement). The prosecution did not object because there was no basis for her to do so.

That the gunman killed Moreno, struck Mendoza over the head with a weight, and shot her too, is evident from the record, but the prosecution told the jury that it didn't make a difference who fired the weapon into Mendoza's head because both individuals were equally responsible. The prosecution's statement is contrary to § 190.2(d), and the United States Supreme Court's long-standing recognition that, in capital cases above all, punishment must accord with individual culpability.

The gunman's statement was an admission; by saying, "I want to smoke her too," the gunman was admitting that he also "smoked" Moreno. But the gunman's admission doesn't show that the suspect identified as Glass knew Moreno would be killed, or that he could have prevented it from happening.

In light of all the reasons stated above, one must consider the state of mind of the suspect identified as Glass when he, according to the State's key witness, Mendoza, refused to take part in tying up the victims. This refusal to comply with the gunman's directives is a strong indication that he wasn't acting in concert with the gunman (this refusal to tie up the victims is also consistent with the absence of evidence that he engaged in any violence against the victims).

There was evidence from which the jury could infer that the suspect identified as Glass knew he was participating in an armed robbery. But nothing at trial supported the conclusion beyond a reasonable doubt that he knew his own actions would involve a grave risk of death.

Ernmund and Tison together demonstrate that participation in an armed robbery, without more, does not involve "engaging in criminal activities known

to carry a grave risk of death." (Tison v. Arizona, supra, 481 U.S. at p. 157.)

The law, along with the facts and evidence in the instant case tends to show that the evidence was insufficient as a matter of law to support the special circumstance, and I pray that in the interest of justice, the governor exercise his authority and find that I am statutorily ineligible for life imprisonment without parole.

(5) My age, (21) years old at the time of my commitment offense, and the factual evidence/circumstances of case should matter in determining the appropriateness of my sentence.

Recent scientific evidence on adolescent and young adult neurological development shows that certain areas of the brain, particularly those areas that affect judgment and decision making, are highly relevant to criminal behavior and culpability, and do not fully develop until the early to mid-20's. This is confirmed in the studies by Stanford University (2009), University of Alberta (2011), and the National Institute of Mental Health (2011).

The United States Supreme Court and the California Supreme Court have recognized in several recent precedent decisions that adolescents are still psychologically developing in ways relevant to their culpability for criminal behavior and their special capacity to change. Roper v. Simmons, 543 U.S. 551, 569 (2005); Miller v. Alabama, 567 U.S. (2011); Graham v. Florida 560 U.S. (2010); People v. Caballero, 55 Cal. 4th 262 (Cal. 2012); People v. Gutierrez, 58 Cal. 4th 1354 Cal. 2014.

The United States Supreme Court concluded, "the evidence presented to us in these cases indicates that the science and social science supporting Roper's and Graham's conclusions have become even stronger. See, e.g., Brief for American Psychological Association et al. as Amici Curiae 3 ("[A]n ever-growing body of research in development psychology and neuroscience continues to confirm and strengthen the Court's conclusions"); Id., at 4 ("It is increasing-

ly clear that adolescent brains are not yet fully mature in regions and systems related to higher-order executive function such as impulse control, planning ahead, and risk avoidance"); Brief for J. Lawrence Aber et al. as Amici Curiae 12-28 (discussing post-Graham studies). Miller v. Alabama, 567 U.S. (2012).

This research has been relied upon by the California Legislature through its construction and implementation of Senate Bill 261. This bill expands those eligible for a Youth Offender Parole Hearing to those who commitment offense occurred before they reached the age of 23, and who are serving a lengthy and indeterminate sentence (25 years to life and consecutive life sentences).

In sum, the conclusion of the scientific research is that, due to pervasive psychology deficiencies, at 21 years of age I was neurologically "similarly situated" to prisoners currently eligible for a Youth Offender Parole Hearing. The United States Supreme Court set the Chronological age bar at (18) years and below to qualify as a "Juvenile Offender." However, the psychological characteristics between an (18) year old, and a (21) year old human being are equally undeveloped and equally lack maturity due to age, youth, and environment. This reality cannot be ignored, and should prompt granting commutation of my sentence.

(6) In accordance with the United States District Courts for the Eastern District of California and the Northern District of California, United States District Court composed of Three Judges pursuant to Section 2284, Title 28 United States Code, RALPH COLEMAN, et al., Plaintiffs, EDMUND G. BROWN JR., et al., Defendants; MARGIANO PLATA, et al., Plaintiffs, EDMUND G. BROWN JR., et al., Defendants; **THREE-JUDGE COURT ORDER TO REDUCE THE CALIFORNIA PRISON POPULATION.**

Decades of research, empirical and statistical evidence presented by experts in "Recidivism Characteristics," and the California Department of Corrections and Rehabilitation own "Validated Risk Assessment System" have

identified me consistently as a human being who poses a LOW-RISK to public safety, and is LESS LIKELY TO REOFFEND upon my release.

Please See EXHIBIT A for Rehabilitative Achievements (Self-Help Study Programs, Laudatory Chrono documentation, & Certificates) in support of this application for commutation.

For the aforementioned reasons, I respectfully request the Governor of the State of California, MR. EDMUND G BROWN JR., to please grant commutation of my sentence from its current state, "Life Without the Possibility of Parole," to the lesser sentence of, "Life With the Possibility of Parole, all counts to run concurrently," in the interest of Judicial and Humanitarian Justice. Thank you for your time and consideration.

DATE: June 11, 2017

Signature: Robert L. Glos

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Theodore Gray

In 1999, Theodore Gray and his crime partners committed a series of robberies. During the last robbery, Mr. Gray and his crime partners broke into Vincent Fontecchio's home and exchanged gunfire. Mr. Fontecchio was shot multiple times and died from his injuries. On April 18, 2000, the Superior Court of California, County of Shasta, sentenced Mr. Gray to 25 years to life for murder with a 10-year firearm enhancement, plus five years for robbery, a total prison term of 40 years to life.

Mr. Gray was 22 years old when he committed these crimes. He is now 42 and has been in prison for 20 years. While incarcerated, Mr. Gray has turned his life around. Mr. Gray earned a bachelor's degree and became a certified alcohol and drug counselor. Mr. Gray has participated in numerous self-help programs and has facilitated many classes. He participated in a juvenile diversion program in which he talked to students about how his choices, beliefs, and behavior led to his incarceration. Mr. Gray has received commendations from correctional staff. A correctional lieutenant praised Mr. Gray for being a positive role model to other inmates and wrote, "He is a true example to other inmate participants in the self-help groups offered [at the prison]. Mr. Gray has a positive attitude that complements his leadership. I have observed Gray to take full advantage of every opportunity to better himself and others. Mr. Gray will be a positive influence when he is ultimately reconnected with his family and the community."

Mr. Gray committed several serious crimes, including the one that took the life of Mr. Fontecchio. He has expressed sincere remorse for his crimes. Mr. Gray has dedicated himself to rehabilitation and has worked hard to set a positive example for his peers. I have carefully considered and weighed the evidence of his conduct in prison. I have concluded that Mr. Gray is ready to be released on parole.

This act of clemency for Mr. Gray does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Theodore Gray to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814.

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.

APPLICANT INFORMATION

Name (Last/First/Middle): Gray, Theodore, R. Name on Prior Application (if different): Same
Date of Birth: 1/77 Social Security Number: [REDACTED]
CDCR Number: P75522 Name of Facility/Prison: CTF Soledad
Residence Address: E-Wing 201 low PO Box 689 Soledad, CA 93960
Mailing Address (if different): Same
Home/Cell Phone: N/A — Work Phone: N/A — Email: N/A —

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

The case number for my prior application is COM-7364-18. I was interviewed by Senior Investigator Gary Thumser on 9/4/18. Though I was nervous, I felt good about the interview.

Ted Gray
Applicant Signature

8/8/19
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

COM 7364-18

RECEIVED

JUN 26 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Theodore R. Gray Date of Birth: [REDACTED] 77 Inmate ID: P75522
Address: PO Box 689 Soledad, CA 93960 Facility: CTF - Facility - C

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
I have no prior felonies, however, I have two prior misdemeanors for fighting. Please see the attached form for a summary of the crimes for which I am currently serving a life sentence.			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On November 28, 29, and December 3, 1999, I participated in one burglary and three home invasion robberies. On December 3, my two co-defendants and I broke into Mr. Vincent Fanteccia's home and attempted to rob him of his drugs and money. (Please see attached pages for complete answer)

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am asking the state of California to issue trust that I no longer pose a threat to society. I believe that there are three reasons Governor Brown can make this decision in good faith. (Please see attached pages for complete answer)

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I realize that sentence commutations are reserved for inmates who have utilized their incarceration to become responsible citizens. (Please see attached pages for complete answer)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

Rev. 09/25/2013

Application for Commutation of Sentence, Page 1

Application for Commutation of Sentence
(Continued)

Application Information

Name: Theodore R. Gray **D.O.B:** [REDACTED] 1977 **Inmate ID:** P75522
Address: P.O. Box 689, Soledad CA, 9960 **Facility:** CTF – C

1. Conviction Summary:

Offenses	Date	County	Sentence
(1) 187 (A) 1 st Degree Murder	12/3/99	Shasta	25 years-to-life + 10 year gun enhancement
(1) 212.5 (A) 1 ST Degree Robbery	12/3/99	Shasta	3 Years
(1) 212.5 (A) 1 ST Degree Robbery	12/3/99	Shasta	2Years

THE SUBSEQUENT CHARGES WERE RUN CONCURRENTLY WITH THE ABOVE SENTENCE

(4) 212.5 (A) Attempted Robbery	12/3/99	Shasta	Concurrent
(1) 597 (A) Cruelty to Animals	12/3/99	Shasta	Concurrent
(8) 212.5 (A) 1 st Degree Robbery	11/29/99	Shasta	Concurrent
(1) 459 1 st Degree Burglary	11/28/99	Shasta	Concurrent

2. Briefly describe the circumstances of the crime(s) for which you are requesting commutation (attach additional pages as necessary):

On November 28, 29, and December 3, of 1999, I participated in one burglary and three home invasion armed robberies. On December 3, my two co-defendants and I broke into Mr. Vincent Fonteccio's home and attempted to rob him of his drugs and money. When I confronted Mr. Fonteccio, he fired his weapon shooting me three times, at which point myself and Jeff Dumont fired back killing him.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am asking the state of California to issue trust that I no longer pose a threat to society. I believe that there are three reasons Governor Brown can make this decision in good faith.

First, I understand that I am fully responsible for murdering Vincent Fonteccio. Between my two co-defendants [REDACTED] and myself, I am the most culpable. While they certainly each have their own share of culpability, the ideas and rationale for our crimes originated in my mind and in my heart. I firmly believe that had I been unwilling to proceed, then Jason and Jeff would have both been unwilling to go on committing these senseless acts of violence. Moreover, I understand that I am also the one responsible for the beliefs and values that I internalized throughout my adolescence and young adulthood. Looking back, there were virtues that my dad attempted to instill within me, which I ultimately decided to reject. I remember his lessons about being honest, working hard, and taking care of one's family. Had I adopted these virtues, I believe they would have tempered any of the beliefs about the effectiveness of anger, aggression, and violence that I perverted to justify being a criminal.

Second, by the grace of God, the devastating impact of the numerous destructive choices of my youth has pierced me to the core of my being. I have spent considerable time working to develop a full understanding of

Application for Commutation of Sentence
(Continued)

Application Information

Name: Theodore R. Gray **D.O.B:** [REDACTED] 1977 **Inmate ID:** P75522
Address: P.O. Box 689, Soledad CA, 9960 **Facility:** CTF – C

the unimaginable ways that the victims were affected by my horrific actions (See Appendix A). The level of contrition in my heart is difficult to express in words. I have attempted to express my remorse in letters to the Shasta County District Attorney and the Fonteccio family (See Appendix B) however; I believe the best evidence of true contrition is a transformed life. I spent my youth being a taker and I deeply regret taking the life of Vincent Fonteccio. Today, however, the posture of my heart is evident in the way I live my life.

Third, I have deep insight into the ways in which I used the circumstances of my childhood and adolescence to justify my anger, aggression, and violence (See Appendix A). For example, starting fights was forbidden, but if someone else started the fight, I was taught to finish the fight. Even as a young boy, I enjoyed the benefits of being regarded as a tough guy. I would posture as a victim (or someone who was defending a victim) to justify victimizing someone else. I continued this pattern of behavior throughout my youth, and I had eventually distorted my dad's original intention enough to justify robbing drug dealers and murdering Vincent Fonteccio.

I continued to think and behave this way throughout the first years of my incarceration. I was initially unwilling to hope for a second chance in society. My earliest possible parole date was 40 years away and I was surrounded by people who believed that lifers were fated to die in prison. Many inmates would regurgitate a quote they attributed to then Governor Gray Davis that said, "The only way murderers will ever leave prison is in a body bag." I am not even certain these words belonged to the Governor, but the truth is that it would not have mattered; it was enough for me to justify "doing what I had to do to survive in prison." This attitude earned me four disciplinary write-ups from 2002 to 2004 (See Appendix C).

Finally, as a youth offender (as defined under SB261), it is true that I often acted impulsively. It is also true that I lacked the discipline to fully consider the consequences of my actions. I am on record with the Shasta County detectives saying, "I thought that he (Vincent Fonteccio) would submit to our show of force." That of course, was an absurd rationale, but it was how I thought at the time. Today, I would give anything to go back and undo all of the pain and tragedy I have caused, unfortunately I cannot. Since 2007, however, I have done everything in my power to become a decent human being. Below, in my response to question #4, I hope you will discover that I have made considerable progress toward that end.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I realize that sentence commutations are reserved for inmates who have utilized their incarceration to become responsible citizens. Initially, I squandered my time in prison adhering to the criminal norms of the prison culture. By the fall of 2007, after attending a 3-day Alternative to Violence Workshop (See Appendix D), I made the decision that I would no longer allow my choices to be governed by the criminal norms of my environment. I was still facing a minimum eligible parole date of 2039 and I had no way of knowing that I would eventually benefit from future youth offender legislation. It was in spite of that bleak future that I determined to change my life. I understand there is nothing I can do to atone for murdering Mr. Vince

Application for Commutation of Sentence
(Continued)

Application Information

Name: Theodore R. Gray **D.O.B:** [REDACTED] 1977 **Inmate ID:** P75522
Address: P.O. Box 689, Soledad CA, 9960 **Facility:** CTF – C

Fonteccio, but I have done everything in my power to become a man of character and to make amends for the destructive choices of my youth.

With the unwavering support of my father, I have been able to earn a college education. In 1995, I graduated high school at the bottom of my class (ranked 162 out of 176). In 2016, I graduated Cum Laude with a 3.5 GPA and a Bachelor of Science in Health Care Administration from California Coast University (See Appendix E). Moreover, I am on schedule to complete a Master of Arts in Organizational Leadership in the fall of 2018. In 2014, I earned a professional credential as a Certified Alcohol and Drug Counselor (CADC) with the California Consortium of Addiction Programs and Professionals (CCAPP) (See Appendix F). It was for this achievement that I received a Certificate of Recognition from then Senator Pro-tem Darrell Steinberg (See Appendix G). In 2016, I was able to upgrade my certification to a CADC II. From 2011 to 2012, I earned certificates of career preparation as an Alcohol and Drug Studies Specialist I & II from Palo Verde Community College. In 2011, I also earned a Victims Advocacy Certification from Adams State University.

I currently serve as the Chairman of the Phoenix Alliance Inmate Activity Group (See Appendix H). It has been our vision to transform the culture of prison, by which I mean to create a culture wherein we expect each other to honor our highest commitments i.e. to be faithful sons, brothers, husbands, fathers, and citizens. Together, we have built meaningful community partnerships with Palma School, Hartnell Community College, and the Crop Organization. Palma is a prestigious all boys Catholic college preparatory school in Salinas. Through working with Palma in various capacities for the past few years, we developed a deep appreciation for the opportunities they afforded their students. With this in mind, we created the *Men Built for Others Scholarship* to provide a young man from a gang-stressed community with the opportunity to attend Palma. In the past 15 months, we have raised more than \$21,000 to provide Syon Newsom-Green with this opportunity (\$12,000 has been donated by inmates from within CTF and with the support of the Crop Organization we have raised more than \$9,000 from our outside community partners). We have also raised more than \$10,000 to provide at-risk youth with financial aid to attend Hartnell Community College. It was in recognition of our transformational initiatives that Hartnell asked us to deliver our Leadership4Life Seminar to their students. Hartnell has since incorporated this seminar into their Ethnic Studies curricula and we deliver the seminar at least once per semester.

Finally, I have totally immersed myself in the Christian and self-help community. I have done this for two reasons: first, I recognize that I must remain committed to my own personal development. Second, I enjoy the camaraderie of being part of a culture of people who have discovered the significance of living their lives committed to a cause bigger than themselves. Should you grant my request for commutation, you can be confident that I no longer pose a threat to society and that I am prepared for a successful transition into the community as a gainfully employed citizen (See Appendix J). More importantly, you can depend on me to return to the California Department of Corrections and Rehabilitation as soon as I am permitted in order to continue the mission of transforming the culture of prison.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Theodore R. Gray, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Shasta with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Theodore R. Gray
Applicant's Signature

5/29/18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

James Harris

In 1988, James Harris and his crime partner shot and killed Alvin Crockett and Karen Lee during a drug-related kidnapping. On December 14, 1994, the Superior Court of California, County of Los Angeles, sentenced Mr. Harris to two consecutive terms of life without the possibility of parole for two counts of murder.

Mr. Harris was 25 years old at the time of the crime and is now 57. He has been incarcerated for more than 30 years. In his application for clemency, Mr. Harris acknowledged his past mistakes and wrote, "Over the past 28 years in prison, I have been able to reflect on the life I once lived. I've realized that I was not living as a civil human being. My lawlessness and lack of concern for others were selfish choices triggered by greed. Now through God's grace and mercy, through self-help classes and higher education, I have developed a true respect for all life."

While serving a sentence that allowed no hope of release from prison, Mr. Harris has committed himself to his rehabilitation. Mr. Harris has maintained an excellent disciplinary record. He has resided on the Progressive Programming Facility, an honor yard. A correctional officer commended Mr. Harris for his positive attitude and wrote that he "exhibits the qualities of what is considered a model inmate," "takes personal responsibility for his actions," and "displays good conduct and emotional intelligence." Another correctional officer wrote that Mr. Harris "interacts well with others and displays consistent leadership qualities." Mr. Harris has participated in self-help programming, is currently working as a peer mentor, and is enrolled in vocational training.

Mr. Harris's commutation application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Harris committed a serious crime that took the lives of Mr. Crockett and Ms. Lee. Since then, Mr. Harris has committed himself to self-improvement. I have carefully considered and weighed the evidence of Mr. Harris's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Harris merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Harris does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of James Harris to 30 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



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RECEIVED

MAR 14 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: JAMES EDWARD HARRIS Date of Birth: [REDACTED]-63 Inmate ID: J46320

Address: 44750 60th street west, Lancaster, CA 93539 Facility: CSP-LAC-A3-2120P

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Murder	12-16-88	Los Angeles	LWOP
Murder	12-16-88	Los Angeles	LWOP
Kidnap	12-16-88	Los Angeles	6yrs.

Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

I was living in a life of crime, selling cocaine. In late November the house where I kept my drugs was robbed. I believed that Mrs. Lee and Mr. Crockett were involved. Jeffery Kaminsky called me and told me Mr. Crockett wanted to sell him some cocaine. I went to his apartment and

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am placing myself at your mercy and requesting commutation of sentence for the following reasons. Over the past 28 yrs. in prison I have been able to reflect on the life I once lived. I've realized that I was not living as a civil human being. My lawlessness and lack of concern for others were selfish

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I should receive commutation because I have worked on myself and have allowed others to help me become a decent person. I have shed that old way of life, and I only look forward to living a God fearing life. When given the

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, James Edward Harris, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

James E. Harris
Applicant's Signature

3-5-17
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

N/A

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, James E. Harris,

was convicted of the crime of murder and kidnap,

committed in Los Angeles County, California, on the date of 12-16-88.

I will submit this application to the Governor of the State of California.

RECEIVED

APR 04 2017

**GOVERNOR'S OFFICE
LEGAL AFFAIRS**

James E. Harris

Applicant's Signature

3-5-17

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Barbara Weyff AD, District Attorney of the County of Los Angeles,

do hereby acknowledge receipt of notice from James Harris,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed

Barbara Weyff

Date

2/20/17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Attachment: Conviction Summary

Q#1.) Kidnap 12-16-88 Los Angeles Co. LWOP
Assault with Firearm 10-31-84 Los Angeles Co. 3yrs.
Petty Theft 6/80 Los Angeles Co. 200 days

Q#2.) waited for Mr. Crockett to arrive. When he did I pulled out my pistol and demanded he tell me where my drugs were at. He told me at his aunt's house. I went there and retrieved the cocaine. I returned to Jeffery's apartment and removed them and shamefully murdered them.

Q#3.) Choices triggered by greed. Now through God's grace and mercy, through self-help classes and higher education, I have developed a true respect for all life. Commuting my sentence for me means that I am asking for the opportunity to show that I've got it right, I understand civil obedience and human decency, that I value human life. Commuting my sentence to me is receiving a blessing and not a free ride. It represents real work on self that can easily be noticed by others, and in their charity for life they can offer prisoners a way out of prison once he or she is connected with a new and better way of living. I am requesting commutation of sentence because I am certain that I am going to live a productive and law abiding life. I am positive that the tools and techniques that I have acquired through the many classes will help me make good choices in my life. I no longer have nor feel the need to take unlawful matters into my own hands. I am aware of the triggers that can result in bad decisions, and I am equally aware of the fact that I can avoid and or defuse

(cont. Q#3)

Attachment: Conviction Summary
those situations, those are my choices.

Q#4)

Opportunity to search myself from within, I grabbed hold of those opportunities in the form of self-help classes, jobs, vocational training and college courses. I have been consistently been apart of the work/education Privilege group since 1997 which included vocational Office Services, Vocation Painting, ADA Care giver, Culinary worker, P.I.A. metal fabrication, Bible College, and self-help classes which included AA/NA, Reformers Unanimous, Turning Point/Prep, Paving the way, Catalyst Foundation, House of healing and institutional TV programs. I have enjoyed and have been educated on positive thinking through PPF/Positive Programming Facility. I have received an amazing view and respect for all life, civil obedience, owning up to my responsibilities, good work ethics and community service. Through my salvation in Christ and grace of God, I have a strong desire to live a productive and civil life. I want to help others any way I can. I have valuable insight on troubled youth I can share, I now have the tools and mind set to be able to have empathy and sympathy for others. The reformation and transformation in my life is true. To grant me a commutation of sentence will be a stepping stone towards the life I now desire to live amongst my fellow men. I can assure you that granting my request would be greatly appreciated and shown in deeds not mere words. Thank you for your considerations.

Mr. James E. Harris

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

David Jassy

In 2008, David Jassy punched John Osnes during an altercation, then unintentionally struck him with his car when was leaving, resulting in his death. On March 4, 2010, the Superior Court of California, County of Los Angeles, sentenced Mr. Jassy to 15 years to life for murder.

Mr. Jassy is now 45 years old and has been incarcerated for 11 years. In his application for clemency, Mr. Jassy expressed deep remorse for this crime, writing, "I realize that the night I took Mr. Osnes's life I forfeited my right to freedom, and that there is no way anything I do going forward will make up for my actions."

While in prison, Mr. Jassy has demonstrated a genuine commitment to his rehabilitation. He participated in self-help programming and is currently enrolled in college courses. Mr. Jassy has been involved in San Quentin's media program and has earned the respect of correctional staff. A sponsor of the music program praised Mr. Jassy for his positive contributions to the program and his work with youthful offenders, writing, "During this time, [Mr. Jassy] has shown continued devotion, commitment, and dedication to the music program through his attendance, participation and contributions. . . He is a valued member of the music program among his fellow inmates and continues to support and encourage those around him whether through his music or personal conduct."

Mr. Jassy committed a serious crime that ended the life of Mr. Osnes. Since then, he has committed himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Jassy's positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Jassy is ready to be released on parole.

This act of clemency for Mr. Jassy does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of David Jassy to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

A handwritten signature in dark ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in dark ink, appearing to read 'Alex Padilla', written over a horizontal line.

ALEX PADILLA
Secretary of State



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@ opr

Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): JASSY/DAVID/MOSES Name on Prior Application (if different): _____Date of Birth: 1974 Social Security Number: citizen of SwedenCDCR Number: AL9202 Name of Facility/Prison: San Quentin State PrisonResidence Address: 4-W-65, S.Q.S.P., San Quentin, CA 94774

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

[Signature]
Applicant Signature

04/22/2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Gavin Newsom • State Capitol • Sacramento, California 95814

NOTICE OF INTENT TO APPLY FOR CLEMENCY

You must send notice of your intent to apply for clemency (commutation of sentence or pardon) to the district attorney when you apply. Complete and mail this form to the district attorney in the county/counties of your conviction(s) for which you are seeking a commutation or pardon when you submit your application for clemency to the Governor's Office.

To the District Attorney of Los Angeles County: Please take notice that I, David Moses Jassy
(Name of County) (Print Full Name of Applicant)
was convicted of second degree murder on the date of March 4, 2010
(Name of Crime) (Date of Conviction)
committed in Los Angeles County, California.
(Name of County)

I will submit this application for (check one) ☒ **commutation** ☐ **pardon** to the Governor of the State of California.


Applicant Signature

5/14/2019
Date

This section to be completed by the District Attorney only.
DISTRICT ATTORNEY ACKNOWLEDGEMENT

I, _____, District Attorney of the County of _____
(Name of District Attorney) (Name of County)

do hereby acknowledge receipt of notice from _____, that applicant intends to
(Name of Applicant)

apply to the Governor of the State of California for clemency.

Signed _____

Date _____

District Attorney:

Please return this Notice to the Governor's Office, Attn: Legal Affairs, Clemency, State Capitol, Sacramento, CA 95814.

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of LOS ANGELES County: Please take notice that I, DAVID MOSES JASSY,
was convicted of the crime of Second degree murder, assault and aggravated battery,
committed in LOS ANGELES County, California, on the date of November 23, 2008.

I will submit this application to the Governor of the State of California.



Applicant's Signature

Dec 18, 2017

Date

RECEIVED

JAN 11 2018


**GOVERNOR'S OFFICE
LEGAL AFFAIRS**

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Barbara Wolff HD, District Attorney of the County of Los Angeles,
do hereby acknowledge receipt of notice from David Moses Jassy,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed



Date

1/2/18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Commutation Questions

1. Conviction Summary

As a juvenile in Stockholm, Sweden, I participated as an accessory in a robbery by driving a car away from the business that was robbed. I was convicted in 1993 and sentenced to 8 months in jail. I served 4, 5 months of my sentence.

2. Briefly describe the circumstances of the crime for which you are requesting a commutation?

On the night of November 23rd, 2008, I made the worst decision of my life when I took the life of John Osnes, a man I had never met before. My girlfriend and I were in town from Sweden for work and we were leaving a nightclub in Los Angeles. I was driving an S.U.V. that I had rented and as I was pulling out of the parking lot, I drove into a crosswalk and stopped at the stop sign. A nearby pedestrian, John Osnes, saw my vehicle enter the crosswalk and came over to my car and banged his fists on the vehicle. Immediately I was filled with anger. I got out of the vehicle and punched Mr. Osnes one time and kicked him once.

As I got back in the car, another man tried to break the glass on the driver side window. I quickly put the car in gear and drove away. Coming back to my apartment, I knew I had assaulted Mr. Osnes, but I did not know that I had tragically ended his life.

The following day, police came to my apartment and arrested me. Once at the station, they informed me that when I drove away the night before, the S.U.V. had driven over Mr. Osnes and he had died. When I heard Mr. Osnes had died I was

immediately filled with remorse and wished that there was something I could do to undo the harm I had caused. Unfortunately, there wasn't anything I could do then or now that would make up for my actions. I think about Mr. Osnes daily and feel deep remorse and regret for the pain I have caused his family and friends by killing him.

3. Explain why you are requesting a commutation?

When I was 17 years old, my mother was murdered in a road rage incident while I watched in horror from the back seat. My brother and sister who were also in the car were severely injured. My father had left when I was a child, so after my mother's death I moved in with my grandparents, and tried to go on living life as normally as possible. I was filled with anger and pain but had no healthy way to express my emotions. One day, at the local youth center I participated in a music program. Standing at the microphone, I found myself finally able to start talking about the struggles I was dealing with, but I still had a hard time understanding my own emotions or even reflecting on how the trauma I had witnessed was impacting my daily behavior. At 22, I became a father to a beautiful baby boy and my life became focused on supporting him and giving him as many opportunities in life as I could.

I realize that the night I took Mr. Osnes's life I forfeited my right to freedom, and that there is no way anything I do going forward will make up for my actions. As I began to learn more about Mr. Osnes, I learned that he was also a musician and also from Scandinavia.

Coming to prison changed my life in that I have finally been taught the tools I needed to recognize the trauma I experienced, understand why I made the bad

decisions I have. I have also identified and addressed the anger and hurt stemming from the trauma I experienced in my childhood, and have learned how to express emotions in a healthy manner. I now have the tools to respond peacefully instead of react impulsively and I know I will not repeat my crime.

While in prison I've created a program to teach the youth offenders incarcerated at San Quentin how to express their pain and emotions through hip hop music. After legislative changes were made and more youth offenders began coming to San Quentin Prison, I noticed that there was a special need for programming for them and decided to start the Youth Offender Mixtape Project. Through this program I work one on one with the youth as a mentor to help them write lyrics that tell their stories without using curse words, glorifying violence, or disrespecting women. This project has received national attention and will hopefully influence non-incarcerated youth to pursue better paths than the youth on the mixtape and I have.

While the work I do in the prison is valuable to the youth here, I believe that it can be even more valuable on the outside where I can influence youth not to make the same bad decisions that I did.

If my sentence is commuted to manslaughter, I will return to Sweden where I have a job offer to run a music program for at risk youth. I want to teach them what I have learned in prison- how to identify unhealthy emotions and how to express their pain and anger in a productive way through music. I hope their music will in turn inspire other youth to work on themselves and find more productive ways to express themselves than drugs, violence, and crime.

Being granted a commutation would also give me an opportunity to return home to my son. He was ten years old when I left Sweden and while I have done my best to be a father to him while I have been in prison, it has been very hard. I know what it is like to grow up without a father in the home, and I hope that in returning home I can become a better role model for him and make up for the years of his life that I missed because of my actions, and help guide him into adulthood.

4. Provide a brief statement of why you should be granted a commutation?

I've taken accountability for my actions and I am committed to addressing the root cause of my behavior that night. I have participated in extensive prison programming through which I have learned to recognize the ripple effects of my actions, how to recognize my own triggers, how to recognize and peacefully express my anger, and how to deescalate situations around me. Not a day goes by without me thinking of the damage that I have caused Mr. Osnes and his family.

One of the first programs I participated in at Solano, focused on making us aware of the broader impact our crimes had on the community. It opened my eyes to realize how many people had been hurt by my actions. Other programming I have participated in has allowed me to both explore and process pain and trauma I experienced as an adolescent when I witnessed my mother's murder, and has given me the tools I need to process grief and anger in a healthy manner.

During my time in Solano Prison, I worked as a tutor for the G.E.D students in English and Math. When I came to San Quentin, I took advantage of the opportunity to take classes at the Prison University and participate in additional programming. While at San Quentin, I have also maintained employment in the prison media

center working as a sound engineer for the KALW radio program, San Quentin TV, the Ear Hustle Podcast, and SQPR. Additionally, I created the Youth Offender Program Mixtape described above and work hard to mentor the youth that come to San Quentin Prison.

If my sentence is commuted, I will continue my work with disadvantaged youth and music on the outside. I believe that I can make a difference in these youths lives as a mentor by giving them a productive way to channel their energy and keeping them off of the streets and out of a life of crime.

I feel humbled by the supporting letters for this commutation application from prison staff, volunteers in the prison, my family, members of the public and individuals involved with me through my work. I respectfully request the opportunity to return to my family in Sweden where I will continue my path to give back to the community and help youth.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given.

Not applicable.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Dominic Johnson

In 1999, Dominic Johnson shot and injured Hosie Houston during a gang-related shooting. On September 15, 2000, the Superior Court of California, County of Sacramento, sentenced Mr. Johnson to three years for shooting at an occupied vehicle, plus 26 years of sentence enhancements, a total prison term of 29 years to life.

Mr. Johnson was 21 years old at the time of the crime and he is now 41. He has been incarcerated for 20 years. While in prison, Mr. Johnson has demonstrated a commitment to his self-improvement and rehabilitation. He has consistently participated in self-help programming. In 2016, Mr. Johnson received the Leadership and Insight Award through his Criminals and Gang Members Anonymous class. Mr. Johnson has been commended by many prison staff members for being respectful and dependable, his leadership skills, his positive attitude, and his strong work ethic. Mr. Johnson also contributed to a book aimed at helping young people avoid the juvenile justice system. He has completed vocational training in janitorial services and is currently enrolled in vocational training for electronics.

Due to a sentence calculation error, Mr. Johnson was called before the Board of Parole Hearings and was found suitable for parole four years before he was eligible for release.

Mr. Johnson committed a serious crime that injured Mr. Houston. Since then, Mr. Johnson has committed himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Johnson's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Johnson is ready to be released on parole.

This act of clemency for Mr. Johnson does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Dominic Johnson to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about the commutation application process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary.)

Name (Last/First/Middle): Johnson, Dominic, Vernon Date of Birth: 1978
CDCR Number: P-93965 Social Security Number: [REDACTED]
Name of Facility/Prison: Folsom State Prison Facility/Prison Address: P.O. Box 715071, Represa, Ca. 95671

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
P.C. 246.1 shooting at occupied car	6-22-2000	Sacramento	3yr
P.C. 12022.53(d) Enhancement	6-22-2000	Sacramento	25yrs to Life
P.C. 186.22(b)(1) Enhancement	6-22-2000	Sacramento	1yr.

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
None			

2. Describe the circumstances of your crime(s).

On June 10th at a house party I was involved in a gang fight where I was kicked and punched by 10-12 people, and as I was leaving the scene I shot Hosie Jabae Houston in the arm while he was sitting in his car.

3. Describe how a commutation of sentence may impact your life.

A Commutation would allow me the freedom to continue mentoring and Counseling troubled Youth away from the type of mistakes that I made. It will also give me the opportunity to be a positive service to my Community, friends and my family

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

I initially Continued my negative actions, but after the death of my mother in 2010 I began taking a number of self-help groups to address my impulsive, immature and anti-social behavior. I also began mentoring teens in a Youth Diversion program and learning vocations that led me to be found Suitable by the BPH on 2-6-2019
* Please See Attachments: Exhibit A-D *

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

No, I have not.

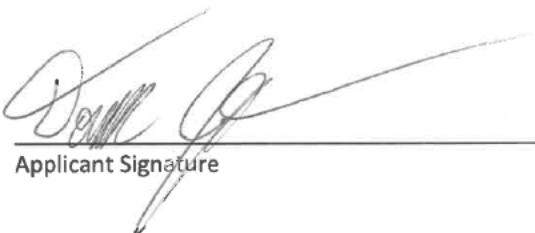
APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Dominic Vernon Johnson, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Sacramento Co.
(Name of County or Counties)


Applicant Signature

Jan 20th 2020
Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed **Notice of Intent to Apply for Clemency** to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

COMMUTATION OF SENTENCE

Suzanne Johnson

In 1997, Suzanne Johnson was arrested for the shaking death of a young child that was in her care. Ms. Johnson maintains her innocence. On April 30, 1999, the Superior Court of California, County of San Diego, sentenced Ms. Johnson to 25 years to life for assault on a child causing death.

Ms. Johnson is now 75 years old and has been incarcerated for more than 22 years. While in prison, Ms. Johnson has committed to her rehabilitation. Ms. Johnson has maintained an excellent disciplinary record. She has participated in significant self-help programming and has facilitated many classes. Ms. Johnson has resided on an honor yard for several years. A correctional officer praised Ms. Johnson for her positive behavior, writing, "[Ms. Johnson] has always been helpful, and consistent with her attitude and behavior. Along with being helpful, she practices her integrity and aside from her good deeds, [Ms. Johnson] stays focused and committed to being herself. . . [Ms. Johnson] should be commended for having a good outlook on life and for her behavior and the progress she has attained regarding her personal growth."

Ms. Johnson was convicted of a serious crime that took the life of a young child. Since then, Ms. Johnson has demonstrated a sincere commitment to her rehabilitation and self-improvement. I have carefully considered and weighed the evidence of Ms. Johnson's positive conduct in prison and her good prospects for successful community reentry. I have concluded that Ms. Johnson is ready to be released on parole.

This act of clemency for Ms. Johnson does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Suzanne Johnson to release her on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

GAVIN NEWSOM
Governor of California

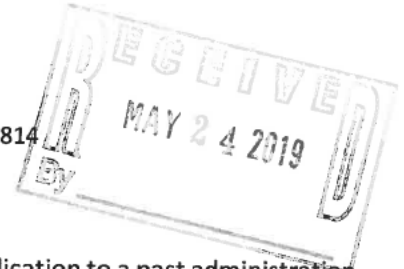
ATTEST:

A handwritten signature in black ink, appearing to read "Alex Padilla", written over a horizontal line.

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814



RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Johnson, Suzanne Name on Prior Application (if different): _____
 Date of Birth: 1944 Social Security Number: _____
 CDCR Number: W79671 Name of Facility/Prison: Central California Women's Facility
 Residence Address: 23370 Road 22, Chowchilla, CA 93610
 Mailing Address (if different): CCWF-Chowchilla; B505-6-4Low; P.O. Box 1508 Chowchilla, CA 93610
 Home/Cell Phone: Not applicable Work Phone: Not applicable Email: Not applicable

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

Ms. Johnson did not receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding her clemency/pardon application. She was not interviewed by anyone regarding the application.

Suzanne Johnson
 Applicant Signature

May 2, 2019
 Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If the pardon is granted, this application or the Certificate of Rehabilitation may be a public record; specific personal information may be blacked out before it is made available to the public.

APPLICANT INFORMATION

Name: Suzanne Johnson Date of Birth: [REDACTED] 1944 Social Security Number: _____

Address: Central California Women's Facility, 23370 Road 22, Chowchilla, CA 93610

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

Please see attached.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

Please see attached.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

Please see attached.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Alexander Simpson, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of San Diego with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



06/17/2013

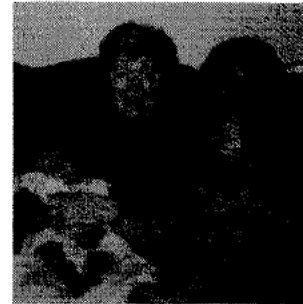
Applicant's Signature

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

THE CALIFORNIA INNOCENCE PROJECT
California Western School of Law
225 Cedar Street
San Diego, CA 92101
(619) 525-1485

April 27, 2013



The Honorable Edmund G. Brown Jr.
Governor of the State of California
Attn: Legal Affairs
State Capitol
Sacramento, CA 95814

Re: Petition for Executive Clemency on behalf of Suzanne Johnson

Dear Governor Brown:

The California Innocence Project respectfully requests the pardon of Suzanne Johnson, a woman condemned to life in prison for a crime she did not commit. Already, it has cost California tax payers over \$585,000 to house her in prison for this wrongful conviction. That number grows every day.

Suzanne's wrongful conviction rests on a false medical expert testimony given during her trial. Over fifteen years ago, Suzanne was working as a day care provider. [REDACTED] was enrolled in a YMCA-sponsored day care program the last week of May of 1997. [REDACTED] had a few minor feeding problems while she was in Suzanne's care, but no other health symptoms. However, in April or May of 1997, [REDACTED] parents placed her on a bed and [REDACTED] accidentally rolled off and fell to the floor.

On June 24, 1997, [REDACTED] fell out of her high chair near Suzanne, but appeared fine. Approximately 30 minutes later, [REDACTED] began throwing up and had difficulty breathing. Suzanne called 911. When police officers arrived, [REDACTED] appeared dead. The paramedics arrived and took [REDACTED] to the hospital. At the hospital, the doctors could feel a soft spot in [REDACTED] head. During the autopsy, the doctor discovered [REDACTED] suffered a fresh skull fracture, bleeding in her brain, and retinal hemorrhaging. The doctor also found a previous subdural hematoma that [REDACTED] suffered two to four weeks before her death. According to expert testimony at Suzanne's trial, the injuries Suzanne caused to [REDACTED] head were equivalent to injuries sustained by an infant who fell from a third story window or who was in a car accident, unrestrained. Testimony by prosecution experts showed that Suzanne used a violent slamming force to puncture and crack open [REDACTED] skull. Based on the evidence presented by the experts, Johnson waited for as many as two hours while [REDACTED] was unconscious and dying before calling 911, and [REDACTED] fatal injuries could have been caused by no one other than Johnson.

All of the prosecution's experts were wrong.

New science simply shows Suzanne does not commit the crimes for which she was convicted. The science behind Shaken Baby Syndrome has dramatically changed since Suzanne's conviction. Much of what the experts believed at the time of Suzanne's trial, which fueled the prosecution's case, is now known to be false. For example, short falls can cause fatal subdural hematomas in infants and retinal hemorrhaging can occur in the absence of shaking. Further, forensic pediatric scientists now know that lucid intervals can and do occur after sustaining a subdural hematoma, which supports Suzanne's testimony. Due to these significant recent scientific advancements, Suzanne Johnson respectfully requests clemency as her final legal option.

THE INNOCENCE MARCH: A JOURNEY OF HOPE

Executive clemency has provided the "fail safe" in our criminal justice system. It is an unalterable fact that our judicial system, like the human beings who administer it, is fallible. But history is replete with examples of wrongfully convicted persons who have been pardoned in the wake of after-discovered evidence establishing their innocence.¹

The California Innocence Project ("CIP") is a nonprofit legal organization at California Western School of Law dedicated to releasing wrongfully convicted individuals. Founded in 1999, CIP reviews more than 2,000 claims of innocence from California inmates each year. CIP staff and volunteers carefully screen all claims of innocence before accepting any for representation. This thorough screening process ensures CIP devotes its resources to those cases that truly involve the wrongfully convicted. As a result, CIP pursues only one out of every thousand cases. Suzanne Johnson's wrongful conviction is one of these cases.

Since its inception, CIP has secured the release of ten innocent inmates from prison. Unfortunately, however, not all claims have been so successful. Often, because of the age of the case, destruction of evidence or the technical limitations of the justice system, some inmates seem doomed to spend the rest of their lives in prison for crimes they did not commit. In light of this reality, CIP is embarking on an unprecedented effort in requesting that you exercise executive clemency on behalf of twelve innocent individuals.

On April 27, 2013, a group of lawyers, students, exonerees, and family members of the wrongfully convicted and others supporting the cause began a journey from San Diego to Sacramento—on foot—to march this clemency request and eleven others like it to your office. Motivated by a desire to correct these injustices, and emboldened by over 36,000 signatures on a Change.org petition, the California Innocence Project and its supporters ask you to right these wrongs and grant executive clemency to the California Twelve.

¹ The Honorable William Rehnquist, Chief Justice of the Supreme Court of the United States, *Herrera v. Collins*, 506 U.S. 390, 415 (1993) (internal citations omitted).

SUZANNE JOHNSON: AN INNOCENT WOMAN PREPARED FOR FREEDOM

A Young Suzanne: Growing Up in the Midwest

Suzanne was born in Minneapolis, Minnesota on [REDACTED] 1944. Her father was a meat cutter and her mother was a housewife until Suzanne was a teenager. She attended St. Helena's grade school and spent the summers going to her grandmother's house in the woods of northern Minnesota. There, she learned to appreciate nature, fishing, riding in her grandmother's Model T, and cooking on a wood stove.

Suzanne has two siblings: a sister, 23 months younger, and a brother, 8 years younger. Suzanne and her siblings were always very close and remain close today. Their parents took them on road trips to visit aunts and uncles in Illinois and Indiana. They also made frequent trips to visit grandparents in Iowa and Minnesota. Suzanne has fond memories of picnics and boating with her family. Suzanne and her brother love ice hockey and frequently attended local games together.

Suzanne had a traditional Midwestern upbringing. Because of this, her dream was always to get married, have children, and allow her children to have the kind of home she had and the same conservative values instilled in her by her parents. Suzanne married young and had two children, a beautiful son and daughter, by the time she was 20 years old. Unfortunately for Suzanne, her marriage did not last and she was divorced within three years. However, with the passage of time, her family grew; she now has ten grandchildren. Due to her incarceration, she has only been able to see six of her ten grandchildren and has never been able to see any of her great-grandchildren because she is not allowed visits with minors.

[REDACTED] Death: A True Tragedy, but Not Assault

[REDACTED] was born in December of 1996 to Travis and Crystal Miller. In May of 1997, Crystal enrolled [REDACTED] in the local YMCA-sponsored day care program for needy families. Suzanne was one of the licensed day care providers on the YMCA roster and [REDACTED] began attending Suzanne's day care. During the few weeks that [REDACTED] was in Suzanne's care, [REDACTED] had some feeding problems, but no other symptoms. Suzanne never seemed frustrated, angry, or hostile toward [REDACTED]. There was no evidence that Travis or Crystal ever hurt, shook, or struck [REDACTED]. However, there was an occasion in April or May when Crystal placed [REDACTED] on a bed, and [REDACTED] accidentally rolled off and fell to the floor. According to Crystal, [REDACTED] did not seem to have any injuries.

On the morning of June 24, 1997, Suzanne had a telephone conversation with the supervisor of the YMCA where Suzanne expressed concern that Crystal obtained a job and did not notify the YMCA. The supervisor told Suzanne that because of Crystal's non-disclosure there was some chance Suzanne would not be paid by the YMCA program for the hours Suzanne had [REDACTED] in her care. Suzanne spoke to Crystal and Crystal told Johnson she would "take care of it." Crystal talked to an employee of the YMCA program, who indicated there was a paperwork error and Suzanne would be paid. Crystal dropped [REDACTED] off at Suzanne's house for the day.

Suzanne called 911 at 3:09 p.m. that day and reported [REDACTED] had thrown up all over herself and was not breathing. Police officers arrived and, to them, [REDACTED] appeared to be dead. The officers assumed that [REDACTED] choked, and they asked Johnson what [REDACTED] ate. Johnson did not say [REDACTED] fell or hit her head.

The fire department captain, who was the first emergency medical worker to take care of [REDACTED] ruled out [REDACTED] vomiting as a cause of her failure to breathe. Suzanne did not tell the captain [REDACTED] fell or hit her head. The paramedics arrived and took [REDACTED] to the hospital. At the hospital, the doctors told one of the police officers to feel the back of [REDACTED] head. The officer was able to feel an abnormality, a mushy feeling, like a loose board that would move easily.

The Interrogation: A Woman Terrified of the Police and Potential Prosecution

About an hour and a half after police arrived at Suzanne's house, a detective interrogated her. In this first interrogation, Suzanne said she was holding [REDACTED] and feeding [REDACTED] when [REDACTED] suddenly threw up. [REDACTED] gasped and stopped breathing. Suzanne did her best to administer C.P.R. and called 911.

Within the next twenty-four hours, police interrogated Suzanne four more times. In the second interrogation, Suzanne gave the same account of the incident. Suzanne was asked if [REDACTED] fell or hit her head and Suzanne said "no." Suzanne said she knew nothing about the "dent" in [REDACTED] head. Suzanne did note [REDACTED] "soft spot" was located in an unusual place, toward the back of her head. In her third interrogation, Suzanne again gave the same account of what happened. However, when interrogating officers told Suzanne they thought her story could not be true, Suzanne revealed [REDACTED] fell out of her high chair earlier in the day, but had seemed fine afterward. In her fourth interrogation, Suzanne said she did not see the fall because Suzanne turned around to get [REDACTED] high chair tray. Suzanne said she accidentally tugged on the chair and caused [REDACTED] to fall out. Suzanne did not check [REDACTED] head after the fall, and proceeded to feed her. Approximately twenty-five minutes later [REDACTED] vomited. Suzanne said she did not mention this incident previously because Suzanne forgot to strap [REDACTED] into the high chair and Suzanne feared prosecution and blame for [REDACTED] death.

The Medical Opinions: Mistaken Scientific Beliefs Regarding "Shaken Baby Syndrome"

Dr. Terri Haddix testified that [REDACTED] had a contusion over her right eye, as well as behind her left ear. The facial contusion did not appear to be a result of C.P.R. efforts. There was nothing to indicate choking. [REDACTED] suffered a fresh skull fracture and bleeding in the brain tissues. Part of the fracture had a "punch-out" characteristic, indicating the surface that caused the fracture had a raised surface. There was a longer, fresh skull fracture on the other side of [REDACTED] skull. According to Haddix, The fractures were the result of one incident. [REDACTED] also had retinal hemorrhaging in both her eyes. Haddix opined there was a strong blow to the left side of [REDACTED] head, while the right side was cradled. This caused [REDACTED] death. The blow would have rendered [REDACTED] unconscious very quickly. Haddix said these injuries could not be sustained from a short fall onto the floor. Haddix also determined [REDACTED] suffered a previous subdural hematoma approximately two to four weeks before her death. Haddix testified

that these injuries were not accidental and therefore, Haddix concluded [REDACTED] death was a homicide.

The pediatric emergency physician who pronounced [REDACTED] dead told police that in her medical opinion this was a possible case of abuse. According to the physician, the injuries were not consistent with the choking incident that had been described to her and there was evidence of head trauma.

[REDACTED] well-baby pediatrician examined [REDACTED] five days before she died. At the time of the examination, [REDACTED] was unable to sit up in a high chair. [REDACTED] was also unable to turn and reach for things. The doctor did not notice anything unusual about [REDACTED] in the examination.

Dr. Jan Leestma, a neuropathologist, concluded [REDACTED] suffered at least two injuries: an older fracture two or more weeks before [REDACTED] death, which likely involved a whiplash shaking and caused a skull fracture on the right side and bleeding on the left side of the brain. The second injury was June 24th and involved impact to the left side of the head causing both a new skull fracture, brain hemorrhage, and retinal hemorrhaging. Leestma opined the June 24th injury happened probably two to three hours before [REDACTED] died. For much of that time, [REDACTED] was alive but unconscious.

Dr. Randell Alexander, a pediatrician and Shaken Baby Syndrome expert, testified he never heard of an otherwise normal child dying from a high chair fall. Alexander did not believe [REDACTED] suffered her injuries from a high chair fall. Alexander opined the retinal hemorrhages were the result of shaking, and after the impact, [REDACTED] was almost certainly unconscious. Alexander also testified that the bruise to [REDACTED] face was a high-velocity injury. A high velocity injury would have resulted from a slap or a blow with a belt, not C.P.R. efforts. Alexander believed the injuries were non-accidental.

Drs. Alexander, Haddix, and Hoeker testified that a child cannot experience a lucid interval after incurring a subdural hematoma as severe as [REDACTED] experienced. This testimony was used to support the contention that Suzanne's testimony about feeding [REDACTED] after her fall was a fabrication and Suzanne waited for two or more hours while [REDACTED] was unconscious and dying before calling 911.

Dr. Carley Ward, a biomechanical engineer, performed a variety of simulations of the event as described by Johnson. Ward was not able to create a simulation consistent with the injuries suffered by [REDACTED]. Specifically, Ward was unable to produce a hypothetical fall in which the back of [REDACTED] head was the first thing to strike the floor. Additionally, the accidental tug on the high chair, which Johnson described, could not have been forceful enough to catapult [REDACTED] out of the chair. Ward opined [REDACTED] injuries could not have resulted from a high-chair fall.

At autopsy, the medical examiner determined [REDACTED] death was due to violent shaking and blunt force trauma to the head.

Character Evidence Unrelated to the Incident

The prosecution presented two character witnesses and a physician. One of Suzanne's former clients testified when he picked up his daughter from Suzanne's care, Suzanne told him his daughter fell near a coffee table. A few hours later, the father brought his daughter to the hospital, where it was determined his daughter had a broken arm. There was another fracture in the same area. A physician testified the broken arm was not consistent with a fall by a coffee table, and the break happened one to three days before the daughter saw a physician.

Another former client of Suzanne's testified that in 1990, seven years before ██████ died, she took her child out of Johnson's care after only one or two weeks because Suzanne became angry after a misunderstanding about child care while Suzanne was hospitalized. She said although Suzanne did not yell, the incident made the witness uncomfortable, and so the former client removed her child from Suzanne's care.

The Defense: Suzanne Never Intended to Harm ██████ and the Medical Testimony Suffered Inherent Flaws

Suzanne was the primary defense witness. At the time of the incident, she was fifty-two years old, and she raised two children as a single mother. She worked various jobs, and eventually started her own child-care business, which she ran out of her home. She cared for twenty to thirty children (newborns to five years old) throughout the years she ran her business. Suzanne testified ██████ was a beautiful, sweet baby, but ██████ cried more than any other baby Suzanne ever cared for. Suzanne said on June 23rd, the day before ██████ death, ██████ was particularly fussy.

On June 24th, Suzanne said ██████ cried on and off, but things were not abnormal. Sometime between 1:00 p.m. and 2:00 p.m., Suzanne put ██████ in her high chair in the kitchen, but Suzanne failed to put the seat restraints on ██████. Suzanne turned to get the high chair tray, and her hand was on the chair itself. There was a noise, and ██████ started crying. Suzanne accidentally pulled the chair forward, tipping it, and she reflexively pushed it back sharply. Suzanne saw ██████ on the floor and Suzanne picked her up and consoled her. Suzanne did not check ██████ head. Suzanne started to feed ██████ and, suddenly, ██████ started to vomit. ██████ then went limp. Suzanne said she tried to administer C.P.R., and then called 911. Suzanne testified that she did not tell the interrogating police about the high chair fall because she was scared she would be accused of harming ██████. Suzanne testified she never struck or shook ██████.

The Defense Experts

In addition to Suzanne's testimony, the defense presented several medical experts. Dr. Janice Carter-Lourensz, a pediatrician and psychologist, specializes in child abuse cases. Lourensz noted American scientists and experts in this area tend to be insular and they pay little attention to research and opinion from outside the United States. Lourensz opined, based in part on studies from outside the United States, that retinal hemorrhaging can be caused by impact,

and not only by shaking. Additionally, it is possible for a baby to die from a fall from a short distance such as three and a half feet.

Lourensz testified it was possible [REDACTED] suffered a skull fracture and subdural hematoma when she fell off the bed at home. This injury could “re-bleed”, causing various minor symptoms Crystal and Travis noted, and finally caused [REDACTED] to fall out of her high chair on June 24th. Finally, Lourensz believed [REDACTED] pathology could be the result of a single impact.

Dr. Peter Francis is a San Diego State University professor of Mechanical Engineering and Bio-Mechanics. Francis believed the simulations of high chair falls done by Ward were completely invalid because they made far too many assumptions, which the known facts could not support. The actual manner in which Suzanne said [REDACTED] fell greatly expanded the universe of possible ways [REDACTED] could fall.

In addition to the medical experts, the defense presented ten character witnesses. These witnesses included Suzanne’s daughter, brother, granddaughter, Suzanne’s life partner, who had lived with Suzanne during all the years she owned her day care business, parents who had employed Suzanne as a day care professional, and children who had been in Suzanne’s care. Each testified that Suzanne was a loving, caring, and outstanding child care professional.

Suzanne Was Convicted After Not One, But Two Trials

After two trials, on April 30, 1999, Suzanne was convicted of assault on a child causing death, and sentenced to 25 years to life in prison. At the time of Suzanne’s conviction, the prevailing belief was when an infant died of head injuries, it was the person with the infant at the time of death who caused the injury. Experts believed the presence of three symptoms (hemorrhages in the eyes, bleeding in the brain, and swelling of the brain) always proved an infant had been violently shaken. It was also widely held—and an expert testified—that an infant could not sustain a fatal head injury from a short fall, like a fall from a highchair.

Based on the science accepted in 1999, Suzanne’s account of [REDACTED] death could not have been true, and the only explanation for [REDACTED] death was that Suzanne shook her, slammed her head against a hard object, watched for two hours as she slowly died, and called 911 only after [REDACTED] appeared to be dead. Near the end of Suzanne’s trial, the judge said she was obviously an exemplary, caring, and loving lady, but the medical science established her guilt.

Post-Trial Advancements: New Medical Research Proves Suzanne’s Claim of Innocence

Since Johnson’s trial, the understanding and science of shaken baby syndrome and non-accidental trauma has advanced and the beliefs that were held at the time of her conviction have largely been abandoned. It is now known that other conditions (such as hepatitis immunization and the effects of CPR) can result in the three symptoms previously only attributed to shaken baby syndrome. [REDACTED] received her hepatitis immunization three days before her death and was administered CPR by Suzanne, by the paramedics, and by doctors at the hospital.

It is now known that a short fall, like a fall from a high chair, can result in trauma sufficient to cause an infant's death. Additionally, death from a short fall injury is more probable when an infant has a previous skull injury. In fact, when ██████ fell from her high chair, she had an existing skull fracture that had occurred months earlier. The preexisting skull fracture was confirmed by ██████ failure to thrive, physical discomfort, feeding problems, constant crying, and by autopsy findings.

In 1999, physicians erroneously taught other physicians that a low velocity fall could not cause serious injury or death, a child with an ultimately fatal head injury does not have a period of time during which he or she appears to have a lucid interval, and retinal hemorrhage with specific characteristics indicates an ultimate cause.

The Prosecution's Own Experts Have Now Recanted Their Trial Testimony

Prosecution witness Dr. Leestma now agrees that these pre-2000 beliefs are unfounded. Contrary to belief at the time of Johnson's trial and the testimony at Johnson's trial, lucid intervals are now a well-known phenomenon and it is now known that lucid intervals cannot be classified as rare. Short falls can and do routinely cause serious injury and death in infants, and symptoms such as ██████ can be caused by a short fall. Additionally, although it was common in the 1990s for experts to compare the force necessary to produce a subdural hematoma to such occurrences as car accidents and falls from windows, there is no evidence or medical literature to support these prejudicial statements. There never has been.

In response to the new science regarding short falls, the prosecution's biomechanical expert, Dr. Carley Ward, changed her position. Dr. Ward testified at trial that ██████ could not have suffered the injuries she did from a fall of less than six feet. After reading Dr. John Plunkett's 2001 article on short falls and seeing a video of a short fall death, Dr. Ward adjusted her opinion. In a sworn deposition in an unrelated case, Dr. Ward testified that she would not feel comfortable making the same statement today, namely, that short falls cannot kill children.

Current Medical Opinion is that ██████ Died Due to Injuries that Predate Suzanne's Care

It is Dr. Janice Ophoven's opinion that ██████ died following cardiopulmonary arrest due to complications of blunt force trauma to the head. There is evidence of pre-existing injury that was most probably more than two to three weeks old and may have predated ██████ exposure to the defendant. The blunt force injuries include a chronic subdural hematoma with superimposed fresh bleeding. There are two fractures of indeterminate age but at least one fracture line appears to be older and the second may be old with new extension. The age of these injuries cannot be determined with certainty but there is obvious evidence that ██████ growth abruptly changed without explanation many weeks prior to Suzanne's exposure to ██████

Suzanne Would Not Have Been Convicted Today

Because of these scientific advancements, if Suzanne was tried today, she would not be convicted because the prosecution's experts would not testify as they did in 1997. In fact, other

than the now-discredited circumstantial scientific evidence, there would not even be a basis upon which to bring charges because there was no physical evidence linking Suzanne to [REDACTED] death and there were no eyewitnesses to the events.

Suzanne is a loving and gentle 67 year old woman. She has never committed a crime. She provided day care for dozens of children who still love her and support her and know that she could never hurt an infant or a child. Her continued incarceration is costly to us as a society. More than that, Suzanne's continued incarceration is devastating and heartbreaking, for her, her children, and her grandchildren.

The Future: Suzanne Is Prepared for a New Life Outside Prison

Suzanne has been able to maintain an extremely positive and bright attitude about her current state and the future, despite being wrongfully incarcerated for over fifteen years. She has maintained a close relationship with her large family and has become a very positive influence within the prison system. She has spent her prison time trying to cope with a totally foreign way of life. She realized the best way to understand the people surrounding her in prison was to not only join self-help groups, but become a facilitator for those groups. During the time Suzanne worked at the Catholic Chapel, she taught a number of classes and facilitated the self-help groups. She was certified and taught Rite of Christian Initiation of Adults where many women were educated on Catholicism.

Suzanne currently serves as the Senior Activities Coordinator in the Senior Living unit where she resides. She introduced many self-help groups to the unit, such as Alcoholics Anonymous, Narcotics Anonymous, Emotions Anonymous, Beyond Anger, Beyond Trauma, A woman's Way through the 12 Steps, and Criminal and Addictive Thinking. The Senior Living unit has its own library, which provides not only for the seniors, but also for the handicapped unable to access the main yard library. Suzanne is responsible for the operation, selection, and training of all senior volunteer librarians and their interaction with prison staff. In addition, in order to provide seniors and medically challenged inmates with meaningful recreation activities, Suzanne started a program for seasonal decorations and events. Her goal is to provide an uplifting environment for women in prison. In the future, Suzanne hopes to develop an exercise group or a creative writing group to enhance the positive influence the senior population. Suzanne's caring personality while in prison should not be a surprise after realizing she was a loving health care provider for decades prior to her conviction.

If Suzanne is released, she has numerous family members who can offer her housing. She can live with either of her two children, her brother, or other friends who have offered her a home. Suzanne currently has no plans to work full-time because she will be 69 years old in September and has only a high school education, but she would happily work a part-time job, volunteer in the community, and become active in a local church. Suzanne hopes to spend time with her children, grandchildren, great-grandchildren, her eighty-eight year old mother, and other remaining family and friends.

Suzanne has received numerous letters of support from family and friends in support of her clemency petition. All mention Suzanne's kindness, desire to help others, and genuinely caring attitude even during the most difficult circumstances.

Marcia Bunney has known Suzanne for 13 years and describes her as a "long-time friend and spiritual mentor." They met in prison and often worked together on collaborative projects as clerical workers. Marcia says Suzanne is patient, giving, and has a loving nature. Suzanne became Marcia's godmother in the Catholic faith and their special relationship has continued even after Marcia paroled in 2011. Marcia is prepared to offer assistance to Suzanne in any way she needs, including offering housing in her family home in San Francisco, CA.

Joy Cordes also met Suzanne in prison and for the past ten years they have been great friends. Joy considers Suzanne a reliable and trustworthy mentor. Suzanne has given Joy unwavering support and never fails to encourage her when needed. Joy greatly values Suzanne's friendship and is confident that she will "forever be a changed and better person because of Sue."

Terri Hill says Suzanne is "the nicest woman [she's] ever met." Suzanne helped Terri through her drug addiction recovery and mentions how Suzanne was always helpful not only to the other inmates, but also to the staff. Terri says Suzanne's amazingly positive attitude is unique in prison and because of her generosity and caring personality, Suzanne should be able to spend the rest of her remaining years with her family, and not in prison.

Judith Barnett has known Suzanne since the day Suzanne arrived in prison. Judith was housed in the same unit as Suzanne and was able to see Suzanne's adjustment to prison life. Suzanne immediately began taking rehabilitation classes and started working. Suzanne quickly earned a reputation of professionalism and accuracy. In 2008, Judith and Suzanne became roommates and became friends, which is rare in prison. Suzanne has proven time and time again that she is a respectful, trustworthy, positive person. Judith is confident that Suzanne will continue to enrich the lives of others if she is granted clemency. Judith wrote, "just as she tends to the disadvantaged, handicapped, and needy [in prison], she would extend that loving kindness to her relatives, co-workers, and everyone else fortunate enough to meet her."

"Suzanne is the most open and honest mentor" Jackie Skeels has ever known. Sharing time in prison together, Suzanne has shown Jackie true compassion and comfort. Jackie constantly looked to Suzanne when Jackie was feeling down. Suzanne provided healing encouragement. Jackie has been incarcerated for 31 years and has met thousands of inmates, but Suzanne is very different from any of them. Jackie knows Suzanne does not belong in prison, but with her family.

Orlagh Bewley battled metastatic cancer while in prison and was able to count on Suzanne for strength and encouragement during this difficult time. Orlagh and Suzanne prayed together, attended mass together, and became friends. Suzanne always went out of her way to help others. Suzanne has been a source of inspiration and direction to Orlagh. While Suzanne was a group leader for "A Woman's Way Through the 12 Steps," Suzanne's dedication and transparency in her teaching was able to reawaken Orlagh's desire to recover and become a better person. Orlagh sees Suzanne every day. Suzanne is tireless in her loving efforts to reach

out to those who need help and she always makes time for others. Orlagh is blessed and forever changed by having known Suzanne.

Krysten Webber entered prison at the age of 23 and admits to being angry at life. Krysten thought she was lost and hopeless. In 2006, she met Suzanne. Regardless of how angry Krysten was, Suzanne never failed to treat her with kindness. Although Krysten had never been particularly nice to Suzanne, Suzanne always greeted her with a smile. Finally, Krysten found her way to a church class, where she began to really know Suzanne. Suzanne led the class and helped Krysten learn about the Catholic faith. Suzanne helped Krysten realize life was not totally hopeless and encouraged Krysten to become a positive person. Suzanne's grace helped Krysten find herself and finally let go of her anger. Krysten believes Suzanne to be an amazing woman and an asset to any community.

Suzanne has made an incredible impact on not only Krysten's life, but also the lives of countless others. Even while in prison, one of the darkest places in our society, Suzanne has shown others nothing but gentleness, kindness, and strength. She has helped others through their most difficult times and allowed them to become productive members of their community. She has built lasting friendships by showing others she is a trustworthy, caring, honest person. Evidenced by her numerous letters of support, Suzanne is a productive, positive person who truly deserves to be granted clemency.

RECENT FINDINGS INDICATE OUR JUSTICE SYSTEM IS DEEPLY FALLIBLE

The Discredited Science of "Shaken Baby Syndrome" Has Led to Many Wrongful Convictions

Despite the two short falls ██████ experienced during her short life, the medical examiner ignored these probable explanations for her death and instead used now-disproven science to conclude that her death was the result of Shaken Baby Syndrome ("SBS").

The science used to convict Suzanne of killing ██████ has now been revealed as fundamentally mistaken. As recently as a decade ago, the consensus in the medical community was that the presence of a telltale "triad" of symptoms: retinal hemorrhages (bleeding of the inside surface of the back of the eye), subdural hemorrhages (bleeding between the hard outer layer and the spongy membranes that surround the brain), and cerebral edema (brain swelling) were not just evidence of possible abuse, but were conclusive proof of violent shaking by the caregiver present at the time the symptoms began.² It was believed that nothing else could

² See Committee on Child Abuse and Neglect, American Academy of Pediatrics, *Shaken Baby Syndrome: Rotational Cranial Injuries – Technical Report*, 108 Pediatrics 206, 206–208 (2001); Mary E. Case et al., The Nat'l Ass'n of Med. Exam'rs Ad Hoc Comm. on Shaken Baby Syndrome, *Position Paper on Fatal Abusive Head Injuries in Infants and Young Children*, 22 Am. J. Forensic Med. & Pathology 112, 112, 116, 121 (2001); *State v. Edmunds*, 746 N.W.2d 590, 593 (Wis. Ct. of App. 2008) (expert testimony explaining that it was earlier considered "fringe opinion" to question whether triad of symptoms necessarily indicated baby was shaken, because "there was not a significant debate about this issue in the

produce this triad, and other possible causes were therefore discounted.³ Furthermore, because doctors thought that infants and children with these injuries became unresponsive immediately, the caregiver present when the child became unresponsive was conclusively assumed to be the abuser.⁴

New medical findings, which the justice system has begun to accommodate, have demonstrated that the “triad” symptoms can have other causes, meaning that no traumatic injury, and therefore, no crime, necessarily ever occurred in so-called shaken baby cases.⁵ We now know that there are a number of health problems or occurrences that can produce symptoms similar to those of SBS, including the following: hypoxia (lack of oxygen to the brain), pre-natal

mid-1990’s”); *See also*, Testimony of Patrick Barnes, M.D., in Evidentiary Hearing on Motion for New Trial in *State v. Edmunds* (Jan. 25, 2007), Dane Cty., Wis., Cir. Ct. Case No. 96 CF 555 at 21:8–22:10 (describing prevalent thinking until 1998 regarding triad symptoms and shaken baby syndrome)

³ *See id.*; *see also* Joseph Shapiro, *Rethinking Shaken Baby Syndrome*, National Public Radio, Morning Edition, <http://www.npr.org/2011/06/29/137471992/rethinking-shaken-baby-syndrome> (last visited 4/27/2013) at 1-2, 3.

⁴ *See* M. Case et al., *Position Paper on Fatal Abusive Head Injuries in Infants and Young Children*, *supra*, note __ at 118; Patrick D. Barnes, *Ethical Issues in Imaging Nonaccidental Injury: Child Abuse*, 13 *Topics Magnetic Resonance Imaging* 85, 85–86 (2002); Brief of Defendant-Appellant in, *State v. Edmunds*, Wisc. Ct. of App. Case No. 2007AP000933 (July 27, 2007) (hereinafter “*Edmunds* Defendant’s Brief”) at 8–9.

⁵ *See State v. Edmunds*, 746 N.W.2d at 596, 598-599 (granting new trial based on “new evidence”, i.e., “shift in mainstream medical opinion” as to causes of head trauma in infants) (noting “that a significant and legitimate debate in the medical community has developed in the past ten years over whether infants can be fatally injured through shaking alone . . . and whether other causes may mimic the symptoms traditionally viewed as indicating shaken baby or shaken impact syndrome) (noting the “fierce disagreement between forensic pathologists, who now question whether the symptoms [infant] displayed indicate intentional head trauma, and pediatricians, who largely adhere to the science presented at [petitioner’s] trial.”); Joseph Shapiro, *Rethinking Shaken Baby Syndrome*, *supra* note __ at 1–2, 3 (noting concern of Dr. Norman Guthkelch, who is credited with discovering SBS, that medical examiners are improperly discounting other possible causes of infant death and wrongfully assuming “shaken baby” explanation); Andrew P. Sirotinak, *Medical Disorders that Mimic Abusive Head Trauma*, in *Abusive Head Trauma in Infants and Children: A Medical, Legal, and Forensic Reference* 191, 191–211 (Lori Frasier et al. eds. 2006) (listing and describing pre-natal conditions, delivery difficulties, infections, and genetic or metabolic disorders that can manifest in intracranial or retinal hemorrhage typically associated with abusive head trauma). *See also*, Testimony of Dr. Patrick Barnes in *State v. Edmunds*, *supra* note __ at 26:6–17, 27:4–17, 52:14–53:22.

conditions, delivery difficulties, infections, and genetic or metabolic disorders.⁶ However, because this triad of symptoms was thought at the time to be conclusive of SBS, the medical examiner and prosecution ignored multiple other, more plausible causes for [REDACTED] death.

CLEMENCY IS THE ONLY SOLUTION

Suzanne Has Exhausted Her Remedies

Suzanne has attempted to reverse her conviction through the appellate process. Suzanne was convicted in 1999. The Court of Appeal affirmed her conviction in full in 2000. The Petition for Review in the California Supreme Court was summarily denied in 2001.

The California Innocence Project has been working on Suzanne's case since 2011 and plans to file a petition for writ of habeas corpus on her behalf. Given the current state of the law and the nature of post-conviction habeas petitions, we are not likely to prevail to exonerate Suzanne despite scientific evidence in our favor. Clemency is her last resort.

The Governor Can Right This Wrong

Article five, section eight of the California Constitution provides that the "Governor, on conditions that the Governor deems proper, may grant a reprieve, pardon, and commutation after sentence, except in case of impeachment." This power to grant clemency is "properly left to the

⁶ See *id.* We also now know that children and infants who sustain fatal head injuries can have "lucid intervals," and be responsive for several hours after the injury. These "lucid intervals" were once thought to be impossible until they were observed first hand by medical personnel after injuries sustained in the hospital. Because of the possibility of a "lucid interval", the injury (even one caused by *someone's* abuse) did not necessarily happen at the hands of the caregiver present when the symptoms presented themselves. See Deborah Tuerkheimer, *The Next Innocence Project: Shaken Baby Syndrome and the Criminal Courts*, 87 Wash. Univ. L. Rev. 1, 18 (2009) (noting that parents and caretakers have been accused of shaking the child in their care because they were the only people present immediately before the child's loss of consciousness). See generally, Kristy B. Arbogast et al., *Initial Neurologic Presentation in Young Children Sustaining Inflicted and Unintentional Fatal Head Injuries*, 116 Pediatrics 180, 180, 184 (2005). See also Testimony of Robert Huntington, M.D., in Evidentiary Hearing on Motion for New Trial in *State v. Edmunds* (Jan. 26, 2007), Dane Cty., Wis., Cir. Ct. Case No. 96 CF 555, at 36:17–39 (discussing a documented case where an infant suffering head injuries from being beaten was hospitalized and observed by medical personnel to be in a "perfectly responsive" state for sixteen hours before her death).

conscience of the executive entitled to consider pleas” and is not governed by the rigidity of the judicial process.⁷

The executive’s prerogative to grant clemency is deeply rooted in our system of justice. As Chief Justice Marshall expounded in the first clemency case to reach the Supreme Court, “[t]he power of pardon, in criminal cases, has been exercised from time immemorial . . . [and] it is a constituent part of the judicial system.”⁸ Twenty-two years later, the Supreme Court first recognized the power of pardons to exonerate the wrongly convicted, explaining that the President’s pardon power was appropriate “particularly when the circumstance of any case disclosed such uncertainties as made it doubtful if there should have been a conviction of the criminal.”⁹

The Governor’s pardon power under the California Constitution serves a similar purpose. As the California Supreme Court has explained, the fundamental purpose of California’s pardoning power is “to enable the state to do justice in those cases where the ordinary procedure results in injustice.”¹⁰ “If at the end of court procedures there is claimed to persist a miscarriage of justice, despite all the precautions of law to the contrary, the ultimate remedy rests in an appeal to the Governor for a pardon.”¹¹ Justice Traynor of the California Supreme Court has echoed this sentiment, explaining that “strong doubts as to [the] defendant’s very guilt” may “constitute . . . strong[] grounds for mercy” through executive clemency.¹²

In light of the historical purpose of clemency to correct injustice, both the Supreme Court of the United States and the California Supreme Court have repeatedly recognized that clemency is the appropriate remedy to “correct injustices that the ordinary criminal process seems unable or unwilling to consider.”¹³ This is just such a case.

* * *

⁷ The Honorable Janice Rogers Brown, former Justice of the California Supreme Court and former Legal Affairs Secretary to Governor Pete Wilson, *The Quality of Mercy*, 40 UCLA L. Rev. 327, 328 (1992).

⁸ *United States v. Wilson*, 32 U.S. 150, 161 (1833).

⁹ *Ex Parte Wells*, 59 U.S. 307, 310 (1855).

¹⁰ *People v. Sup. Ct.*, 190 Cal. 624, 625 (1923).

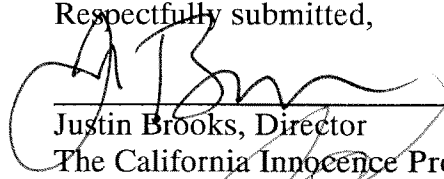
¹¹ *Ex Parte Horowitz*, 33 Cal.2d 534, 546 (1949).

¹² *Phyle v. Duffy*, 34 Cal.2d 144, 160 (1949) (Traynor, J., concurring).

¹³ *Dretke v. Haley*, 541 U.S. 386, 399 (2004); *Herrera*, 506 U.S. at 868; *Mendez v. Sup. Ct.*, 87 Cal.App.4th 791, 803 (2001) (explaining that the “remedy [for a defendant claiming innocence] . . . is to apply to the Governor for a pardon”); see also *Ex Parte Lindley*, 29 Cal.2d 709, 728 (1947) (noting that claim of innocence was an issued “for further investigation and consideration by the Governor of this State, if he be so advised”); *id.* at 729 (Schauer, J., concurring) (finding that the “remedy in . . . cases [of factual innocence] is committed by our law exclusively to the governor of the state”).

Suzanne has served over fifteen years in prison for a crime she did not commit. Imbued with the power of clemency and the spirit of justice, the Governor has the ability to finally correct this tragic error. On behalf of Ms. Suzanne Johnson and those who support her, and as citizens of California, we respectfully request that he do so today.

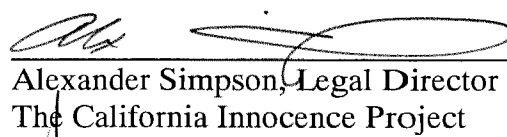
Respectfully submitted,



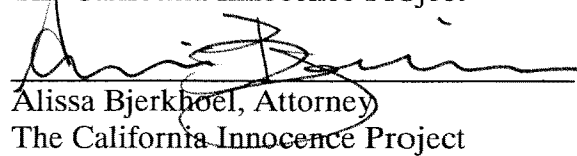
Justin Brooks, Director
The California Innocence Project



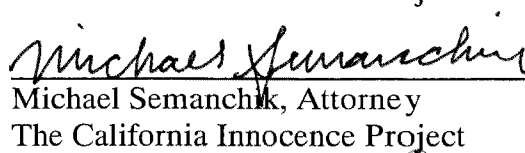
Jan Stiglitz, Co-Director
The California Innocence Project



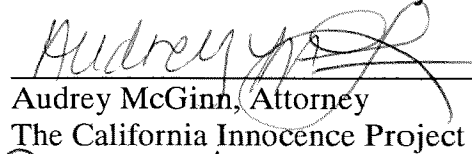
Alexander Simpson, Legal Director
The California Innocence Project



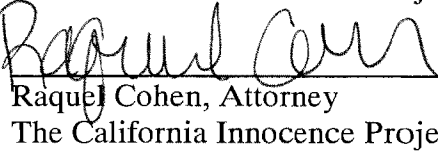
Alissa Bjerkhoe, Attorney
The California Innocence Project



Michael Semanchuk, Attorney
The California Innocence Project



Audrey McGinn, Attorney
The California Innocence Project



Raquel Cohen, Attorney
The California Innocence Project

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Ed Knox

In 2006, Ed Knox shot and injured Anthony Thompson, who was burglarizing Mr. Knox's apartment. On June 1, 2007, the Superior Court of California, County of Riverside, sentenced Mr. Knox to seven years to life for attempted murder and a 25-years-to-life sentence enhancement, a total prison term of 32 years to life.

Mr. Knox was 20 years old at the time of the crime and is now 34. He has been incarcerated for 14 years. He has expressed sincere remorse for his crime. Mr. Knox wrote in his commutation application, "I hope it brings the victims some comfort to hear that during my incarceration I took advantage of every opportunity available to better myself."

Over the past decade, Mr. Knox has demonstrated a commitment to self-improvement and his rehabilitation. He has maintained a perfect disciplinary record in prison. Mr. Knox completed vocational training in masonry, electronics, office services, and construction technology. Mr. Knox also participated in many self-help programs. A vocational instructor praised Mr. Knox for "his willingness to mentor others. . . [Mr. Knox's] example and leadership in the class was respected by the students. His enthusiasm for his job, the students, and the subject made him well suited to be in a leadership position."

Mr. Knox committed a serious crime that injured Mr. Thompson. Since then, Mr. Knox has worked hard to better himself. I have carefully considered and weighed the evidence of Mr. Knox's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Knox merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Knox does not minimize or forgive his conduct and the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Ed Knox to make him eligible for parole consideration during his 15th year of incarceration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) **If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Ed Emmanuel Knox Date of Birth: 1986 Social Security Number: _____

Address: California Men's Colony West, E-2-43up, P. O. Box 8103, San Luis Obispo, CA 93403

1. **Conviction Summary:**

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
1 Count Attempted Murder	03/27/2006	Riverside County	Total sentence:
2 Counts Assault w/a Firearm	03/27/2006	Riverside County	32 years to life/life w/the
2 Counts False Imprisonment	03/27/2006	Riverside County	possibility of parole (7 Yrs.)

2. **Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):**

Please see the attached in the Memorandum in Support of Petition for Executive Clemency

3. **Explain why you are requesting a pardon or commutation (attach additional pages as necessary):**

Please see the attached in the Memorandum in Support of Petition for Executive Clemency, Section VI, page 11 and Appendix number 1.

4. **Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):**

Please see the attached in the Memorandum in Support of Petition for Executive Clemency, Section VI, page 11 and Appendix number 1.

5. **If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):**

National Clemency Project, Inc., 3324 W. University Avenue, #237, Gainesville, FL 32607 - \$1,750.00

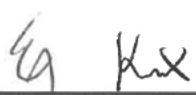
STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Ed Emmanuel Knox, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Riverside with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

June 4, 2018
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

BEFORE THE HONORABLE JERRY BROWN
STATE OF CALIFORNIA

**IN THE MATTER OF:
ED EMMANUEL KNOX
DOC NO. F-75676**

**MEMORANDUM IN SUPPORT OF
PETITION FOR EXECUTIVE CLEMENCY**

Compiled by:

National Clemency Project
3324 W. University Avenue
#237
Gainesville, FL 32607

(954) 271-2304

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I. INTRODUCTION

Ed Emmanuel Knox is a remarkable individual. As a much younger man he was involved in a horrible crime and sentenced to 32 years to life in prison. Instead of resigning himself to that life, however, he has dedicated himself to education, rehabilitation and service to others. After years of hard work and committed introspection behind bars, Mr. Knox can now present himself as a suitable candidate for commutation.

Mr. Knox is a thirty-two-year-old (32) prison inmate who has been incarcerated for over 11 years. He is presently housed at California Men's Colony – West in San Luis Obispo, California.

In his request for Executive Clemency, he is strongly supported in this effort by family and community, they all hope the Governor will agree that his incarceration has achieved the ends of justice and he has paid his “debt to society” through time and rehabilitative efforts. Mr. Knox's release poses no risk to the community, and in fact, he has shown a commitment to using his experience to prevent others from making his same mistakes. Permitting his early release, on any terms that may be appropriate, would inspire countless others to dedicate themselves to self-improvement, and give hope that true rehabilitation is possible.

II. BACKGROUND

Ed Emmanuel Knox was born in East Baton Rouge Louisiana, on [REDACTED] 1986. He is not married and has no children.

On March 21, 2007, Mr. Knox, then 21 years old, was charged and convicted of One Count of Attempted Murder, Two Counts of Assault with a Firearm, and Two Counts of False Imprisonment.¹

III. INSTITUTIONAL HISTORY AND ACCOMPLISHMENT

Throughout his prison experience, Mr. Knox has been determined to take advantage of every possible opportunity to improve himself and to be of help to the other inmates. He has participated in numerous programs designed for continuing education, spiritual growth, self-improvement, and character building. He has volunteered his time and talents whenever an opportunity presented itself. His achievement history is most commendable. A detailed list of the accomplishments of Mr. Knox while incarcerated are as follows:

¹ A more detailed account of the facts, circumstances and evidence in this matter are included in the Appendix.

Educational:

- Telecommunications Technologies – Introduction to Telecommunications
- Telecommunications Technologies – Network Cabling Specialist
- Leviton – Introduction to Network Cabling
- C-Tech – Introduction to Network Cabling/Fiber Optic Based Systems
- CETa – Associate Certified Electronics Technician
- ETA International – Membership Certificate
- State of California – NCCER Electronics Level I
- State of California – NCCER Electronics Level II
- State of California – NCCER Electronics Level III
- State of California – NCCER Electronics Level IV
- State of California – Solar Photovoltaics Fundamentals
- Granite Adult School – Keyboarding I
- Granite Adult School – Filing and Records Management
- Granite Adult School – Discovering Computers 2008
- Centinela Desert Institute – Ofc. Services & Related Technologies Level I
- Centinela Desert Institute – Ofc. Services & Related Technologies Level II
- Centinela Desert Institute – Ofc. Services & Related Technologies Level III
- Microsoft Office Specialist – Office PowerPoint 2007
- Microsoft Office Specialist – Office Word 2007
- Microsoft Office Specialist – Office Excel 2007
- Certiport – Basic Computer Hardware, Software & Internet Knowledge
- NCCER – Core Curriculum
- NCCER – Construction Technology
- NCCER – Masonry Level One
- NCCER – Masonry Level Two
- NCCER – Masonry Level Three
- NCCER – Masonry/All Levels
- NCCER – Fundamentals of Crew Leadership

Programs:

- PASS – Module for Addiction
- PASS – Module for Anger Management

- PASS – Module for Conflict Resolution
- PASS – Module for Domestic Violence
- PASS – Module for Gang Diversion
- PASS – Living With Purpose
- PASS – Nonviolent Communication
- PASS – Parenting
- PASS – Reentry into Society
- PASS – Victim Awareness
- PASS – Diploma: All ten modules
- PREP (Partnership for Reentry Program) – Turning Point II
- PREP – Domestic Violence: Parts 1, 2 and 3 (14 lessons)
- PREP – Certificate of Completion: 13 lesson course
- CRIMINON – The Way to Happiness Course
- CRIMINON – The Successful Parenting Skills Course
- CRIMINON – The Handling Suppression Course
- CRIMINON – The Communication Tools Course
- CRIMINON – The Personal Integrity Course
- CRIMINON – The Conditions of Life Course
- CRIMINON – The Learning Skills Course
- PREP – Life Skills & Self-development Modules: First – Eighth packets
- PREP – Life Skills & Self-development Modules: Ninth packet
- PREP – Life Skills & Self-development Modules: Tenth packet
- PREP – Life Skills & Self-development Modules: Eleventh packet
- PREP – Life Skills & Self-development Modules: Twelfth packet
- Centinela Desert Institute – Business Lifeskills Program
- Centinela Desert Institute – Money Management
- Quest – Anger Management and Parenting/Family Violence
- AVP California – Alternatives to Violence Project 2013
- AVP California – Alternatives to Violence Project 2015
- AVP California – Training for Facilitators Course 2016
- Centinela State Prison – Cage Your Rage Program 2013
- Centinela State Prison – Cage Your Rage Program 2014
- Centinela State Prison – Life Without a Crutch 2014
- Centinela State Prison – Life Without a Crutch 2015
- AVP California – Training for Trainers Class 2018

Extra Curricular

- Insight Certificate Program
- American Cancer Society – Making Strides Against Breast Cancer
- Prison Letters 4 Our Struggling Youth
- Book Reports
 - Insight Into Anger
 - Rehabilitation
 - Insight of Committed Offense
 - Victim Awareness
 - Domestic Violence
 - The Way to Happiness
 - Handling Suppression
 - Successful Parenting Skills
 - Internet Riches

Truly, Mr. Knox has used his time to his advantage. He has done all that would be expected of him and more. He presents an overall impressive prison record. He has been cited for any disciplinary infractions during his entire incarceration. This exceptional commitment to following the rules, in such a highly structured environment, suggests he will be able to continue his habits upon reentry.

Each day, Ed demonstrates that he is capable of re-entering free society as a productive, conscientious and law-abiding citizen. He has shown he is determined to improve himself, to become educated and to meticulously follow the rules and requirements not only of the institution where he is held, but the programs that he

voluntarily undertakes. He has developed deep concern about his fellow man, taking steps to improve the lives of the entire community. Mr. Knox demonstrates that not only is rehabilitation possible, but a prisoner may grow and mature far beyond the expectations of society.

IV. REASONS FOR GRANTING CLEMENCY

A. Maturity, Remorse, and Amendment of Life

Mr. Knox will forever live with his choices and mistakes and is burdened by the pain he caused others. Mr. Knox made an important choice about the kind of person he wanted to be when he went prison. Rather than succumbing to an institutionalized existence, he chose to give everything back to the community. The characteristics he lacked as a very young man – education, spiritual enlightenment, friendships and mentorships – he undertook to learn and develop.

Mr. Knox demonstrates his maturity and sincere amendment of life by the values he now holds dear. Not only does he understand the path he must follow to live a good life by community standards but he realizes how important it is for him to help others.

Mr. Knox is incredibly remorseful, but he realizes his shame and regret can neither change the past nor ease the pain of the victims' families. His only hope is

that his drive to mentor other misguided young men may lead to a greater good from which victims' families may benefit.

B. Institutional Adjustment and Achievement as Evidence of Ability To Act as a Responsible Person

Favorable consideration should be given to individuals who present proof of ability to act as a responsible person. Such proof may be offered through evidence of significant institutional achievement, such as work history, program participation, and educational accomplishments or by providing evidence of good institutional citizenship. Mr. Knox has certainly provided such proof. His outstanding institutional history and conduct exemplify the development of maturity, responsibility and a peaceful disposition.

Ed has made an excellent institutional adjustment and is a model inmate. He gives due respect to staff, officers, and his fellow inmates. He is following all rules and regulations to the letter, and demonstrating that he is capable of entering society as a productive citizen.

Attached hereto are numerous letters from individuals who have known him during his incarceration and support his release.²

² See letters from friends, family and community members included in the Appendix.

C. Overwhelming Family and Community Support

Ed has a large and extended support group consisting of family members and friends eager to welcome him back to his community. They have pledged their help and assistance in any way needed as he reintegrates into free society. It is evident from their letters that they have great affection for him; and now, knowing him to be the mature and responsible man he has developed into during his years of confinement. The originals of support letters for the above are included in the Appendix to this petition.

D. Disparity of the Sentence

Mr. Knox understands the severity of the crime he committed and in no way means to belittle his culpability. Too, he is well aware that this Petition is no place to argue law or facts. However, more facts are available now than at the sentencing hearing. This Petition is purely a plea for mercy and any decision should only be based on accurate and true circumstances surrounding this crime.

E. Aging Out of Violent Offenders

In an important op-ed in the New York Times in August, 2017, Marc Morjé Howard argued in favor of parole — not just for drug offenders but also for violent

offenders. It isn't an easy argument to make. But it's past time to start making it.

Prisoners whose sentences include a range of years — such as 15 to 25 years, or 25 years to life — can apply to their state's parole board for discretionary parole, but they almost always face repeated denials and are sent back to wither away behind bars despite evidence of rehabilitation. (Inmates who have served their maximum sentence are released on what is called mandatory parole.)

But are prisoners who have served long sentences for violent crimes genuinely capable of reforming and not reoffending? The evidence says yes. In fact, only about 1 percent of people convicted of homicide are arrested for homicide again after their release. Moreover, a recent “natural experiment” in Maryland is very telling. In 2012, the state's highest court decided that Maryland juries in the 1970s had been given faulty instructions. Some defendants were retried, but many others accepted plea bargains for time served and were released. As a result, about 150 people who had been deemed the “worst of the worst” have been let out of prison — and none has committed a new crime or even violated parole.

As Howard concedes, there will always be a small population of prisoners who aren't capable of rehabilitation. But the vast majority are, particularly among those in their mid-30s and older.

The story must be told.

We also incarcerate people as a deterrent — so others won't commit similar crimes. But **the research of Mark Kleiman, Professor of Public Policy at the University of California, Las Angeles, (and others) suggests that to serve as an effective deterrent, punishment needs to be swift and certain.** What we have is the opposite. We hand out *severe* punishments, but we do so inconsistently, and with long lags between the crime itself and the imposition of a sentence. (Kleiman argues — persuasively — that implementing less severe punishment more consistently and more swiftly is a formula for both less crime *and* less incarceration).

V. REENTRY PLAN

Upon release from prison, Ed Knox will reside in a transitional home designed to assist former inmates with a successful reentry into free society. He has done extensive research and plans to channel his passion for self-improvement through the resources offered such as temporary housing, food, self-help groups, community service programs and job placement. He has made advance contact with the Aletheia Christian Fellowship³ that will provide a letter of support upon

³ A copy of the letter acknowledging support from Aletheia Christian Fellowship is included in the Appendix.

receiving notice of his release. Ed's strong work ethics, habits and behaviors will be an invaluable resource in maintaining employment and seeking further opportunities. He will also reunite with his family and rebuild the relationships with all his loved ones.

VI. MR. KNOX'S OWN WORDS

Mr. Knox sincerely regrets that he will not be able to appear in person before the Clemency and Pardons Board to speak on his own behalf. He has submitted a letter, which is included in full in the Appendix.⁴ His thoughtful, remorseful and insightful words provide reflective background to his own story. He is a man of passion and of great hope. The following excerpt aptly illustrates his heartfelt remorse:

"The hardest part in asking for a commutation of my sentence is knowing that being remorseful for what I've done doesn't change what I've done. Mr. Thompson still has to live with permanent physical scarring and medical problems. Mr. Jones still has to live with the psychological trauma of watching his friend get shot with the thought he

⁴ The original of Mr. Knox's entire letter is included in the Appendix.

was going to be next. Mrs. Carter (Mr. Thompson's mom) had to stop working for more than six months in order to take care of Mr. Thompson at her home. Her family also had to be relocated from the home they loved because they feared for their safety. It brings me to tears when I think about the impact of my crime. I give all the credit to my process in prison, to my strong desire within to make amends, and most properly to God. I hope it brings the victims some comfort to hear that during my incarceration I took advantage of every opportunity available to better myself."

VIII. CONCLUSION

Few inmates, if any, have presented such extraordinary accomplishments during an 11-year prison term. Hopefully, his success will inspire other inmates to similarly strive for personal improvement and rehabilitation. Mr. Knox is not only a safe and proper candidate to be admitted back into society, but an inspiring example of a man who has taken his mistakes and turned them into dedication for the betterment of himself and his community. Mr. Knox may be one of the few

individuals who has paid a significant debt to society, and who still may be eager to continued giving back to the community each and every day. Commutation of his sentence is not only appropriate but would greatly benefit the State of ^{California}~~Tennessee~~.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Knox", is positioned above a horizontal line.

Ed Emmanuel Knox

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Shyrl Lamar

In 1986, Shyrl Lamar and her crime partner planned to rob their neighbors, Barbara Brien and William Glover. Ms. Lamar and her crime partner broke into their home while they were sleeping. During the robbery, Ms. Lamar's crime partner stabbed Ms. Brien and Mr. Glover to death. On December 12, 1990, the Superior Court of California, County of Sacramento, sentenced Ms. Lamar to two consecutive terms of life without the possibility of parole for two counts of murder.

Ms. Lamar is now 69 years old and has been incarcerated for more than 33 years. Ms. Lamar has expressed sincere remorse for her role in this crime. While serving a sentence with no hope of release, Ms. Lamar dedicated herself to her rehabilitation. Ms. Lamar has distinguished herself by her exemplary conduct and her commitment to her rehabilitation. Ms. Lamar has maintained a perfect disciplinary record. She has participated in extensive self-help programming and completed vocational training. Ms. Lamar has resided in an honor dorm for more than two decades. A correctional officer in the honor dorm praised Ms. Lamar for her "excellent [rapport] with staff as well as her peers. [Ms. Lamar] is prompt, ready, and willing to do what is needed from her. She has learned many skills since her incarceration that would make her be a valued employee once released." Another correctional officer commended Ms. Lamar on her contributions to the honor dorm, writing that she "dedicated her time in a variety of ways" and "helped foster a spirit of community and unity."

Ms. Lamar committed a serious crime that took the lives of Ms. Brien and Mr. Glover. Since then, Ms. Lamar has dedicated herself to her rehabilitation. I have carefully considered and weighed the evidence of Ms. Lamar's positive conduct in prison and her good prospects for successful community reentry. I have concluded that Ms. Lamar merits an opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Lamar does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Shyrl Lamar to 33 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

APPLICATION FOR CLEMENCY



Office of the Governor
State Capitol
Sacramento, California 95814

This Application for Clemency must be used to request:

- a commutation (reduction) of the applicant's current sentence if the applicant is presently in prison or jail, or on probation or parole;
- a pardon based upon innocence; or
- a pardon based upon rehabilitation if the applicant has completed his or her sentence but is not eligible for a Certificate of Rehabilitation under Penal Code section 4852.01.

Please complete sections I, III and IV and that portion of section II that applies to your case.

PLEASE TYPE OR PRINT IN BLUE OR BLACK INK

I.

APPLICANT INFORMATION To be completed by all applicants

LAST Name LAMAR		FIRST Name SHYRL	MIDDLE Name IRENE
Date of Birth [REDACTED]-51	Place of Birth MADERA, CA	Social Security Number [REDACTED]	Prison Number W38537

Current Residence

Address CENTRAL CALIFORNIA WOMEN'S FACILITY 23370 ROAD 22/PO BOX 1508 C512-32-03LOW		Apt, Lot, Suite, Space, etc. N/A
City CHOWCHILL	State CA	Zip Code 93610-1508

Reason for Requesting Clemency

What relief are you requesting? (Complete the corresponding portion of section II)		
<input type="checkbox"/> Pardon based on rehabilitation and not eligible for a Certificate of Rehabilitation under Penal Code section 4852.01	<input checked="" type="checkbox"/> Commutation of current sentence	<input type="checkbox"/> Pardon based upon innocence
<input type="checkbox"/> Commutation/Pardon based on Battered Woman's Syndrome	<input type="checkbox"/> Compassionate Release	<input type="checkbox"/> Other
Why are you requesting clemency? I AM NO LONGER THE PERSON I WAS APPROXIMATELY 25 YEARS AGO. TO SHOW YOU THAT I CAN MAKE THE RIGHT CHOICES AND REHABILITATION CAN BE OBTAIN IF THE DESIRE TO HAVE IT AND THAT I DO AND DID.		

Current Attorney Information

Are you currently represented by an attorney? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please provide his or her name, address and telephone number:	
First and last name:	Telephone number:
Address:	

Information Required by Penal Code Section 4807.2

Have you paid or given any money, gift or consideration to anyone for assisting you with this application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please provide his or her name, address and telephone number:	
First and last name:	Telephone number:
Address:	

II.

REQUEST FOR CLEMENCY

Please complete the section below that applies to your request.

COMPASSIONATE RELEASE

Complete this section if you are presently in prison and requesting clemency due to a medical condition.

Please explain the medical condition that warrants clemency:	
N/A	
Your current physician's name:	Physician's telephone number:
Physician's address:	
Have you applied to the Department of Corrections and Rehabilitation or the Board of Parole Hearings for a recall of your sentence pursuant to Penal Code Sections 1170? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, what was the result?	

PARDON BASED ON INNOCENCE

Complete this section if you are requesting a pardon based upon innocence.

Describe the evidence of your innocence that was discovered **after** conviction and explain its importance.

N/A

Has this new evidence been presented to the arresting agency or district attorney? If so, what was the result?

Has this new evidence been presented to the courts? If so, what was the result?

COMMUTATION/PARDON BASED ON BATTERED WOMAN'S SYNDROME

Complete this section if you are requesting clemency based upon battered woman's syndrome.

Describe the evidence of battering and its effects in the relationship between you and the victim that led to the crime.

N/A

Was this evidence presented at trial?

Have you sought a writ of habeas corpus pursuant to Penal Code section 1473.5 based upon this evidence?

NOTICE OF INTENTION TO APPLY FOR CLEMENCY

This notice is submitted pursuant to Penal Code section 4804

To the District Attorney of SACRAMENTO County:
county of conviction

Please take notice that I, SHYRL IRENE LAMAR, was convicted of the crime of
first, middle and last name of applicant

PC 187 committed in the County of SACRAMENTO, State of California,
offense and penal code section county of conviction
07-12-90 LWOP
convicted on _____ and sentenced to _____
date sentence

I will submit an application to the Governor of the State of California requesting a

- ☐ Pardon based upon rehabilitation ☒ Commutation of current sentence ☐ Pardon based upon innocence
☐ Compassionate release ☐ Commutation/Pardon based on Battered Woman's Syndrome ☐ Other

If other, briefly explain: I WILL ALWAYS REMEMBER WILLIAM/BARBARA AND CONTINUE TO BE REMORSEFUL FOR THE FACT THAT THEY NO LONGER LIVE. REHABILITATION IS A LIFE LONG PROCESS THAT I SHOULD HAVE RECOGNIZED WHEN IN SOCIETY. KNOWING THIS NOW IT SHALL BE A CONTINUOUS PART OF MY LIFE FROM HERE ON OUT. DURING MY INCARCERATION, I HAVE GAINED KNOWLEDGE TO DO THE RIGHT THINGS. NOT BEING ABLE TO CHANGE THE PAST, I HAVE LEARNED TO MAKE THE RIGHT CHOICES IN THE FUTURE. I PRAY THAT YOU WILL GIVE ME THAT OPPORTUNITY AGAIN.

Lamar, Shyrl
Full Name of Applicant – TYPED or PRINTED

Lamar, Shyrl
Applicant's Signature

4-2-12

Month, Day, Year

P.O. Box 1808 - CS12-32-3 low

Applicant's Street Address

Chowchilla, Ca. 93610-1508

Applicant's City, State, Zip Code

This Section to be Completed by District Attorney Only

State of California

County of _____ } SS.

I, _____ District Attorney of the County of _____,

State of California, do hereby acknowledge receipt of notice from _____
Name of Applicant

that he/she intends to apply to the Governor of the State of California for a Traditional Pardon.

[Signed] _____

District Attorney of the County of _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Madera

On April 2, 2012 before me, Jessica J. Imre, Notary Public

personally appeared Shyri Irene Lamar

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



Place Notary Seal Above

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Application for Clemency

Document Date: N/A (signed 4.2.12) Number of Pages: 7

Signer(s) Other Than Named Above: N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: Shyri Irene Lamar

- ☒ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: Self

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

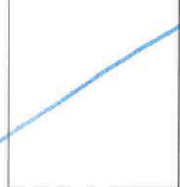


Signer's Name: _____

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing: _____

RIGHT THUMBPRINT
OF SIGNER
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EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Jose Ledesma

In 2003, Jose Ledesma shot into an occupied vehicle during a gang-related crime, injuring Johnny Nunez. On October 4, 2004, the Superior Court of California, County of Los Angeles, sentenced Mr. Ledesma to seven years for attempted murder with a 25-years-to-life sentence enhancement, plus one year for assault with a firearm on a person, a total prison term of 33 years to life.

Mr. Ledesma was 25 years old at the time of the crime and is now 42. He has been incarcerated for nearly 17 years. In his application for clemency, Mr. Ledesma expressed deep remorse for this crime and wrote, "I am ashamed and I am sorry for my actions and the destructive decisions I have made over my lifetime. I am ashamed of who I was. I have matured a great deal over the years, striving to be a better person each and every day."

While in prison, Mr. Ledesma has worked hard to better himself. He has a good disciplinary record and has participated in self-help programming. He has completed certifications in computer programming and is currently enrolled in vocational training. Mr. Ledesma has been praised by several staff members for his positive conduct and efforts at his rehabilitation. An instructor wrote that Mr. Ledesma "demonstrates a respectful and positive attitude. He stays busy on his assignments and is not a disciplinary problem. He has used his time in prison to better himself by taking college courses and various self-help courses. Inmate Ledesma has the knowledge, skills, and the ability to excel in his community upon release and will be a productive member of society and an excellent employee."

Mr. Ledesma's commutation application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Ledesma committed a serious crime that injured Mr. Nunez. Since then, he has committed himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Ledesma's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Ledesma merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Ledesma does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Jose Ledesma to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, CA 95814

COM 7390-18

RECEIVED

JUN 26 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Jose Luis Ledesma Date of Birth: [REDACTED] / 77 Inmate ID: V57720
Address: Ironwood S.P., P.O. Box 2199, Blythe, CA 92226 Facility: C - Yard

1. Conviction Summary:

List all prior convictions, including in any other states or countries. Attach additional pages as necessary.

Offense(s):	Date of offense(s):	County of Conviction(s):	Sentences(s):
<u>Please see attached letter brief.</u>			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

Please see attached letter brief.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Please see attached letter brief.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages as necessary):

Please see attached letter brief.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list the name, address, and amount paid or given (required by penal code section 4807.2):

N/A

APPLICATION FOR COMMUTATION OF SENTENCE

Conviction Summary:

Current Conviction:

Offense(s)	Date of offense(s)	County of conviction(s)	Sentence(s)
PC 664/187(Count 1)	April 14, 2003	Los Angeles	7 years/plus 25 years to life for GBI/Firearm use enhancements (12022.53 Subdivision(d)
245 (Count 2)	April 14, 2003	Los Angeles	3 years-Stayed
245-(Count 3)	April 14, 2003	Los Angeles	1 year
246-(Count 4)	April 14, 2003	Los Angeles	5 years-Stayed
Court Case#VA076424			Total Sentence: 33 years to life

Past Convictions:

Offense(s)	Date of offense(s)	County of conviction(s)	Sentence(s)
459-PC-Burglary 496(A)PC- Receiving/ETC stolen property	10-24 95	Orange County	36 months probation, 365 days in jail/restitution
Count1-2800.2 VC- EvadePeaceOfficer:Disregard Safety/Count 2-10851-Take vehicle without owners consent	3-16-93	Los Angeles	4 years-California Youth Authority (Arrived-April 8, 1993) CYA#66799
PC 487H(A) Grand theft :vehicle, vessels	9-5-92	Los Angeles	Petitioned and detained

I had other run-ins with the law for under the influence of controlled substance arrests, and grand theft: vehicle as a juvenile, however, I do not have access to those records.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation:

My case involved the shooting of Johnny Nunez, who was seated inside a green ford escort that was being driven by his sister Christine Nunez. On April 14, 2003, shortly after 6:PM, the green ford escort was stopped for a red light on Norwalk Boulevard in the city of Artesia when approximately four gun shots were fired into the vehicle, striking Johnny Nunez once in the stomach, the bullet exited his stomach and hit his elbow. Johnny Nunez pushed Christine Nunez' head down, and Christine Nunez was not physically harmed. I was

APPLICATION FOR COMMUTATION OF SENTENCE

driving a white ford explorer, I pulled up close to the driver's side of Christine Nunez' vehicle, pointed and fired a gun at them. Fortunately, Mr. Nunez survived, and Christine Nunez was not physically harmed.

I had a trial which began on October 31, 2003, and concluded one week later. A jury convicted me of one count of attempted murder, 2 counts of assault with a firearm, and one count of shooting at an occupied motor vehicle with great bodily injury and firearm use enhancements. After a retrial motion was denied, I was sentenced on October 4, 2004. As to count 1, the court sentenced me to the mid-term of 7 years, and to an additional 25 years to life for GBI/Firearm use enhancements. As to count 2, the sentence was 3 years mid-term that was stayed, and the section 12022.7 allegation was stricken. As to count 3, the court imposed 1 year, and stayed the section 12022.5 allegation. As to count 4, the sentence was 5 years mid-term that was stayed. The total sentence imposed was 33 years to life with parole.

3. Explain why you are requesting a commutation:

I am requesting a commutation of my sentence because I am no longer a threat or a danger to society or to my local community. I have come a long way and have matured tremendously, gaining insight into why I committed my life crime, and understanding and embracing my desperate need for change.

I have a lengthy sentence of 33 years to life, 8 years determinate sentence, and an additional 25 years to life for GBI/Firearm use enhancements. Without intervention, my earliest chance to go before a Board of Parole Hearings for parole consideration would be in 8 years from now in 2026. Again, I am requesting a commutation of my sentence because I am no longer a threat or a danger to society or to my community. My thoughts are different, my speech is different, my life, the way I live, is different. Though I am deserving of the sentence I received, I plea for grace and mercy, that I may be granted the opportunity to be interviewed by a Board of Parole Hearings for parole consideration and suitability sooner than what my date is now.

4. Provide a brief statement explaining why you should be granted a commutation:

Today, I have good understanding of the type of impact I had on Johnny Nunez and Christine Nunez. I take full responsibility for my actions. I have done a lot of soul searching, digging deeply into my past, getting to the root of when my problems started, when and why I started to do wrong, and how things evolved over my lifetime up to the day of my life crime. I am ashamed and I am sorry for my actions and the destructive decisions I have made over my lifetime. I am ashamed of who I was. I have matured a great deal over the years, striving to be a better person each and every day. Johnny and Christine Nunez deserve nothing less than for me to show my sincere remorse and repentance through how I live.

I am ready to be a productive member of society. I firmly believe that who I am determined to be as a free man, I should *already* be while still in prison, even considering our confined circumstances. My time in prison has not been easy. I came in with warped beliefs, and addicted to a destructive lifestyle. My hope is that you will see me, not for who I was, but rather, for who I have become.

APPLICATION FOR COMMUTATION OF SENTENCE

My transformation started January 15, 2013. I was informed that my mother had passed. I consider this day my wake up call. It was a day that changed me forever. An overwhelming conviction came over me about the life I had lived up to that point. Crying and grieving, I fell to my knees and prayed, asking God to forgive me, to change me, and to do with me as He saw fit. He answered my prayers. I got a bible, and I started doing bible study correspondence courses through The Salvation Army (The Western U.S. Territory-Long Beach, CA). Also, God gave me the Grace and courage to cut ties with my gang affiliations/associations. I knew I was done living the way I had been for so many years. I am a Christian man who strives to live by Christian principles and Christian values. I submit Exhibit A as documented evidence to my testimony of who I am today. Please know that my reason for submitting this document is not because it was determined that I wasn't a participant in this riot between Hispanics and African Americans. I submit it because I was, in fact, *not* a participant. I sat down and I prayed. Thank God He kept me from harms' way. It was one of the most difficult things I have ever done. Not participating in race riots or other things associated with criminal/gang activity could have hazardous consequences. As I stated previously, I cut ties with gang affiliations/associations. I identify myself as a Christian man following the Lordship of Jesus Christ. This doesn't guarantee my safety. However, it does mean that I am a new man determined to live a God fearing life of love, forgiveness, and compassion for other people. I pray that you will take into account the consistency of my record since my conversion to Christianity in January 2013.

I have a lengthy sentence of over three decades. I have been incarcerated since April 30, 2003. I am in my sixteenth year of incarceration. It has been a long journey. As of January, 2018, I meet the youth offender criteria pursuant to PC 3051 due to AB 1308. I pray you will take into consideration the time that has elapsed since my crime occurred, and my growth since then. Also, I have an immigration hold that I have to deal with once I'm found suitable for release. My mother brought me to this country when I was only months old. I hope to be able to stay here and be a contributor to my community. I graduated high school in 1997, I have held full time employment, I payed and filed for taxes from 1998-2003, and I was a home owner from 2001-2003 ([REDACTED]). It is likely that this immigration process could take years to resolve. In light of this, I pray you will grant me a commutation of my sentence, so that once I am found suitable, I may move on to dealing with my immigration hold.

Please take into consideration that, as it stands, my earliest chance at parole would be when I'm almost 50 years old. At 41 years old, I am the youngest of eight siblings. During my incarceration, both my mother and father have passed, an uncle, and as recently as 2017, my sister-in-law died of lung cancer at the age of 47. So much loss has helped me realize how precious and how short life is. I'm sure that the older I get, the less opportunity I'll have at gaining employment. I pray you grant me another opportunity at making a living, to give back to my community, to be able to provide for myself, and having a normal place to live.

I have strong family support despite my many failures. I am blessed to have their forgiveness and support. I have multiple job offers, as well as places of residence from which to choose depending on what suits me best

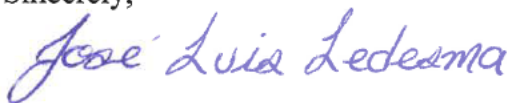
APPLICATION FOR COMMUTATION OF SENTENCE

for success. Whatever the case, they will all help whether it's a place to live, transportation, money for clothes, food, and moral support. I have an Acceptance Letter from Serving California/Prison Fellowship for transitional housing upon my release. They will send the Board of Parole Hearings an updated Acceptance Letter when I'm within a year of parole consideration. They will continue to help me in my Theology Studies. I know what I want to do. I have a vision. I am a minister of God's Word here at Ironwood S. P. My life is, and will continue to be one of Ministry and service according to the teachings of the Holy Bible. I have a strong support team, like Bob and Paula Willcutt, my TUMI instructors, and Raul Orozco and his team, Christian Ministry volunteers here at Ironwood, who will continue to mentor me, help me in my development as a Christian leader and Bible teacher, and hold me accountable upon my release. I consider them all my spiritual parents.

I am currently enrolled in The Urban Ministry Institute (TUMI), I am closing out my third year on a four year college-level seminary curriculum on Christian Leadership Studies. The topics covered consist of Biblical Studies, Christian Ministry, Urban Mission, and Theology and Ethics. I am also enrolled in Desert Oasis Adult School/Office Services & Related Technologies. I was recently certified by Microsoft for Computer Literacy. I expect to be certified by Microsoft in Word, Excel, and Power Point within the next few months.

In closing, I'd like to say that I've taken and continue to be involved with several self-help groups. They have all contributed to my transformation, but none more so than the Word of God and my biblical studies through TUMI. I am taking my recovery seriously. As I stated in the beginning, I will continue to honor Johnny Nunez and Christine Nunez by how I live. I pray that you will strongly consider granting me a commutation of my sentence so that I may continue to honor them outside of these walls. Thank you for your time and consideration.

Sincerely,



Jose L. Ledesma-V57720

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Rodney McNeal

In 1997, Rodney McNeal was arrested for the stabbing death of his pregnant wife, Debra McNeal. Mr. McNeal has maintained his innocence. On May 3, 2000, the Superior Court of California, County of San Bernardino, sentenced Mr. McNeal to two consecutive terms of 15 years to life for each murder, a total prison term of 30 years to life.

Mr. McNeal was 27 years old at the time of the crime and he is now 50. He has been incarcerated for 22 years. While in prison, Mr. McNeal has demonstrated a commitment to his self-improvement and rehabilitation. A correctional officer commended Mr. McNeal for having an outstanding attitude, writing, "I believe [Mr. McNeal] is ready to become a productive member of society." A sponsor noted Mr. McNeal's positive attitude, good behavior, and sincerity, and a social worker praised Mr. McNeal for coming to his aid during a medical emergency. A staff psychologist commended Mr. McNeal for being an asset to the prison and stated "that [Mr. McNeal] is able, capable, and willing to show the same in the community if given the opportunity." A licensed clinical social worker praised Mr. McNeal for his positive behavior and wrote: "[Mr. McNeal] is ready, in my opinion, for reentry into society and very capable [of becoming a] productive member of society upon his release." Two nurses commended Mr. McNeal for being an asset in the prison clinic and both wrote that they believed Mr. McNeal would continue to be an asset to the community if released.

Mr. McNeal was convicted of a serious crime that took the life of Debra McNeal, who was pregnant at the time. Since then, Mr. McNeal has committed himself to his self-improvement. I have carefully considered and weighed the evidence of Mr. McNeal's positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. McNeal merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. McNeal does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Rodney McNeal to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom • State Capitol • Sacramento, California 95814



RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): McNeal, Rodney Patrick Name on Prior Application (if different): _____
 Date of Birth: 1969 Social Security Number: _____
 CDCR Number: P80613 Name of Facility/Prison: California Correctional Institute
 Residence Address: 24900 Highway 202, Tehachapi, CA 9356
 Mailing Address (if different): CCI; P.O. Box 608 Tahachapi, CA 93581
 Home/Cell Phone: Not applicable Work Phone: Not applicable Email: Not applicable

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

Mr. McNeal was interviewed by Michael Mott from former-Governor Brown's office in early 2018. Mr. McNeal did not receive a case number or any other correspondence regarding his application.

Rodney Patrick McNeal
 Applicant Signature

5/01/19
 Date

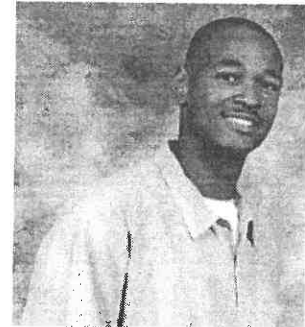
SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

com-1668-13

THE CALIFORNIA INNOCENCE PROJECT
California Western School of Law
225 Cedar Street
San Diego, CA 92101
(619) 525-1485

April 27, 2013

The Honorable Edmund G. Brown Jr.
Governor of the State of California
Attn: Legal Affairs
State Capitol
Sacramento, CA 95814



Re: Petition for Executive Clemency on behalf of Rodney Patrick McNeal

Dear Governor Brown:

The California Innocence Project respectfully requests the clemency of Rodney Patrick McNeal, a man condemned to 30 years to life in prison for a crime he did not commit. Already, it has cost California tax payers over \$540,000 to house him in prison for this wrongful conviction. That number grows every day.

Patrick's wrongful conviction is unsupported by any physical or direct evidence linking him to the crime. In fact, the known sequence of events and physical evidence at the crime scene has always suggested Patrick could not have been the perpetrator.

In 1997, Patrick came home during his lunch break to find his pregnant wife, Debra McNeal, and unborn baby lying dead in the bathtub in the master bathroom of their home. There was blood trailed throughout the house and on the walls, the furniture was in disarray, and it appeared the assailant attempted to clean up the crime scene with various cleaning supplies. Despite the bloody and disarrayed crime scene, only a small amount of blood was detected on Patrick's pants, and his clothes were absent the odor of bleach.

Based on a stormy marital relationship, a jury convicted Patrick of second degree murder. The jury chose to ignore the timeline of events, a timeline which rendered it impossible for Patrick to have murdered Debra and their unborn child. No physical evidence exists tying Patrick to the crime, and in fact, the available physical evidence points against Patrick's involvement. Despite the amount of blood throughout the house and apparent close proximity between Debra and her assailant, very little was found on Patrick's clothing, and that miniscule amount was consistent with his attempt to lift her body when he found her. More importantly, since his conviction, the true perpetrator, Jeffery Todd West, confessed to the murder.

THE INNOCENCE MARCH: A JOURNEY OF HOPE

Executive clemency has provided the “fail safe” in our criminal justice system. It is an unalterable fact that our judicial system, like the human beings who administer it, is fallible. But history is replete with examples of wrongfully convicted persons who have been pardoned in the wake of after-discovered evidence establishing their innocence.¹

The California Innocence Project (“CIP”) is a nonprofit legal organization at California Western School of Law dedicated to releasing wrongfully convicted individuals. Founded in 1999, CIP reviews more than 2,000 claims of innocence from California inmates each year. CIP staff and volunteers carefully screen all claims of innocence before accepting any for representation. This thorough screening process ensures CIP devotes its resources to those cases that truly involve the wrongly convicted. As a result, CIP pursues only one out of every thousand cases. Rodney “Patrick” McNeal’s wrongful conviction is one of these cases.

Since its inception, CIP has secured the release of ten innocent inmates from prison. Unfortunately, however, not all claims have been so successful. Often, because of the age of the case, destruction of evidence or the technical limitations of the justice system, some inmates seem doomed to spend the rest of their lives in prison for crimes they did not commit. In light of this reality, CIP is embarking on an unprecedented effort in requesting that you exercise executive clemency on behalf of twelve innocent individuals.

On April 27, 2013, a group of lawyers, students, exonerees, and family members of the wrongfully convicted and others supporting the cause began a journey from San Diego to Sacramento—on foot—to march this clemency request and eleven others like it to your office. Motivated by a desire to correct these injustices, and emboldened by over 36,000 signatures on a Change.org petition, the California Innocence Project and its supporters ask you to right these wrongs and grant executive clemency to the California Twelve.

¹ The Honorable William Rehnquist, Chief Justice of the Supreme Court of the United States, *Herrera v. Collins*, 506 U.S. 390, 415 (1993) (internal citations omitted).

RODNEY PATRICK MCNEAL: AN INNOCENT MAN WHO IS PREPARED FOR FREEDOM

A. Young Rodney Patrick McNeal

Rodney Patrick McNeal was born in Wichita, Kansas in 1969. Patrick never knew his biological father, who had died within a year of Patrick's birth—a fact Patrick does not remember. As a single parent, Patrick's mother worked as a nurse, barely making enough money to support Patrick and his siblings. She was too proud to ask for public assistance, leaving the refrigerator bare and making mayonnaise sandwiches a normal meal for her children.

Patrick's mother remarried when he was very young. Patrick's stepfather was a non-commissioned officer in the Air Force who was either stationed overseas or in different places throughout the United States. While his stepfather improved their financial situation, he failed to bond with Patrick and his siblings. Patrick remembers his stepfather calling from overseas only to speak with Patrick's mother.

Patrick and his family moved all over the United States for his stepfather's job, which is typical for military families. Unlike his siblings, Patrick embraced each move as a new adventure. They moved from Kansas to Nebraska, then to New Hampshire, and finally to San Bernardino where Patrick attended San Gorgonio High School.

Patrick decided to get a college degree even though college was never discussed in his home. With the right amount of confidence and desire, Patrick attended San Bernardino Valley College. His GPA was less than stellar, because according to Patrick, he was living by his mother's motto, "just pass, baby." So, Patrick was shocked when he was accepted to the University of Nevada, Las Vegas (UNLV). The decision to move to Las Vegas with his mother was not easy because, just before deciding to move, he found out his girlfriend Amber Long was expecting their first child. However, Patrick decided an education would only help him be a better father. Patrick moved to Las Vegas with his mother and began attending UNLV. Patrick's daughter Candace McNeal was born in February 1991, one of Patrick's happiest days. In an effort to be unlike his stepfather, when Patrick was not studying or working, he traveled from Las Vegas to California to spend time with his daughter.

On July 3, 1991, Patrick and his sister Ebony Grant received a phone call saying their mother never made it to work. After searching the house, they found their mother dead in her bathroom. Patrick attempted CPR to no avail. Ebony Grant remembers Patrick trying to stay calm for her but eventually breaking down into tears. After their mother's death, Patrick moved in with his brother's family. Patrick graduated from UNLV with a Bachelor of Arts degree in Criminal Justice. He then moved to San Bernardino with Amber Long and worked as a counselor for troubled teens. Patrick and Long had their second child, Tiana McNeal, in 1993. Unfortunately, Patrick and Long's relationship ended in 1995. They worked out a custody order where they both would receive fifty percent custody of the children.

Patrick met his wife Debra McNeal shortly after his divorce. By this time, Patrick was a probation officer with the San Bernardino County Probation Department, and the two

immediately fell in love. They decided to get married; Debra became pregnant by November 1996, and both she and Patrick were excited to welcome another child to the family. Patrick and Debra had a rocky marriage; they fought significantly and the police were even called to their house on more than one occasion. However, as Patrick explained, "despite what outside impressions may be, we were in love and enjoying each others [*sic*] company."

March 10, 1997, the day he found Debra dead, was the worst day of Patrick's life. Patrick understood the Sheriff's department had to investigate him as a suspect; naïvely, however, he believed it was simply protocol. He did not expect to be wrongfully convicted.

The Murder of Patrick's Wife: Timing Is Everything

On March 10, 1997, Patrick arrived home just before 12:30 p.m. to take his wife, Debra, to a doctor's appointment. There, he discovered Debra, who was six months pregnant, brutally murdered and submerged in water in the bathtub of the master bedroom. Patrick tried to lift Debra out of the tub, but was unable to do so. After unsuccessfully trying to find the cordless phone, he ran over to a neighbor's home and asked them to call 911. When police arrived, they discovered that the house had been trashed; furniture had been slashed, a wall unit knocked over, and a trail of blood led from the living room to the master bathroom. Police determined Debra had been beaten and stabbed, ultimately dying of manual strangulation.

Based on their rocky marriage, police arrested Patrick for Debra's murder. The theory was that Patrick and Debra had argued when he arrived home to take her to her doctor's appointment and, in a fit of rage, he killed her.

The timeline of events spoke otherwise. Based on the following phone records and eyewitness testimony, Patrick was at his office until 12:15 p.m.

Computer records show Patrick worked on a report that was last modified at 11:54 a.m. After that, six phone calls were placed from Patrick's office telephone to his home telephone number between 12:14 and 12:19 p.m., but the calls did not go through. Patrick's co-workers, Michael Paganini and Paul Callanan, estimated they left for lunch at approximately 12:10 – 12:15 p.m., and they rode down in the elevator with Patrick at that time. Paganini and Callanan recall leaving for lunch later than normal because Paganini was on the telephone. Office telephone records show Paganini placed two calls at 12:01 and 12:02 p.m., and received a call at 12:13 p.m. The incoming call lasted just over three minutes. Paganini did not recall whether he personally answered the incoming call at 12:13 p.m., but if he did not answer it, the call would have gone to an answering machine; no one else would have taken the call. When Paganini and Callanan met Patrick in the elevator, sometime soon after 12:10 p.m., they asked if he would like to join them for lunch. Patrick declined the offer, stating he was taking his wife to a doctor's appointment.

With normal lunch hour traffic, it takes approximately eight minutes to drive from Patrick's office to his home, and an additional two and one half minutes to go from his office to the parking lot. Thus, based on the timeline established by phone records and witness testimony, Patrick arrived home just before 12:30 p.m., shortly before the 911 call was placed. The first

police officers arrived at the scene at about 12:32 p.m. It would have been impossible for Patrick to kill Debra, ransack the house, and clean up the crime scene in that timeframe.

Further, the blood spatter patterns in the living room indicated that whoever beat and killed Debra would have significant amounts of Debra's blood on their clothing. Patrick had no such blood on him or his clothing. Thus, even if one assumed that Patrick was somehow able to commit this gruesome crime *and* change clothes in the mere minutes between his arrival home and the police's arrival at his door, it is unreasonable to suppose that he could have disposed of the bloody clothes. Instead, reason dictates that the bloody clothes would have been found at or near the crime scene. No such clothes were recovered, however.

Finally, there were unidentified hairs and fibers found on Debra which did not match Patrick. Unfortunately, despite all this compelling evidence of Patrick's innocence, the jury convicted Patrick and a court sentenced him to 30 years to life in prison.

The Trial: A Conviction Lacking Evidence

The only physical evidence was a small blood stain on Patrick's pant leg, which was unsurprising because Patrick attempted to lift Debra from the tub when he initially found her. The lack of physical evidence found on Patrick or his clothes is in direct conflict with the blood trailed throughout the house and on the walls. The blood spatter patterns in the living room area were consistent with a beating, stabbing, or shaking of a hand or hair with blood on it. Although the prosecution's experts opined that she would expect blood to be on the assailant's shirt, Patrick's shirt had no blood. There were bloody shoeprints in the house but there was no blood detected on Patrick's shoes.

Debra's arms had significant defensive wounds, indicating an obvious struggle between Debra and her assailant. The suspect's hair or clothing fiber would have therefore been found on Debra. However, the hair and fibers found on Debra did not originate from Patrick.

The police failed to link Patrick to the crime through physical evidence. The prosecution chose to ignore the utter lack of physical evidence, which would normally be plentiful in a bloody, messy, rushed crime. Instead, they relied on the problems Patrick and Debra faced during the course of their marriage to cover up the troubling holes at the center of their case.

Post-Trial Proceedings: The True Culprit Confesses

Setting aside the impossible timeline and lack of any physical evidence, the fact remains that we now know the identity of the true perpetrator—Patrick's half-brother, Jeffery Todd West.

After Patrick was convicted, West confessed to murdering Debra. In 2005, West pleaded guilty to an unrelated double homicide in Las Vegas, Nevada. At an evidentiary hearing, Cary McGill, a family friend, testified that West not only described the killing of Debra, but described the killing of the two men in Las Vegas. Eerily, Debra's murder had similarities to other murders Jeff had committed: upon killing his victims, he would place them in the bathtub.

In July 2006, the California Innocence Project filed a Petition for Writ of Habeas Corpus on Patrick's behalf and presented the evidence of third-party culpability—that West killed Debra. West said he was “going to kill the bitch” because Patrick had a successful career and Debra was ruining it.

At an evidentiary hearing in front of a San Bernardino Superior Court judge, witness Cary McGill, a friend of West, testified that West had described Debra's murder to him in detail. According to Cary, West said that he beat Debra until she was unconscious, then he dragged her into the bathroom. This testimony was corroborated by the evidence discovered at the scene.

Patrick's half-sister, Ebony Grant, also half-sister to West, testified at Patrick's evidentiary hearing that West had confessed to killing Debra. When questioned about why she waited so long to come forward, Ebony explained she was scared of West. When Ebony lived with West, West would abuse her for no reason. On one occasion, West threw a knife at her back. Ebony witnessed West choke his ex-wife, Janice Williams, and would often come home from middle school to see marks and bruises on Williams. West threatened Ebony and said, “that he would kill [Ebony] and lose no sleep.” In explaining why she finally decided to put her fear aside and tell the truth, Ebony said, “...I can't keep on running. I can't keep holding this in, because it's tearing me up. So I had no choice but to say something. That was the right thing to do.”

At the evidentiary hearing, Patrick called three other witnesses who testified to numerous instances of abuse they suffered at the hands of West over the course of several years. Williams, West's ex-wife, recounted various incidents of violence during the relationship. Charlotte Yazzie, West's ex-girlfriend and the mother of one of West's children, also testified that West abused her several times during the course of their relationship. On two separate occasions, West kicked Yazzie in the stomach while she was pregnant, causing a miscarriage the first time. Grant and Cary McGill both recounted an incident where West put William's dog, Licorice, in an ice chest and left it there until it died. McGill recounted that West had also confessed to him about killing two Mexicans in a drug transaction. In fact, West told McGill he drowned one of the Mexicans by putting the man in a bathtub and used his foot to hold him under the water.

When called to the stand by the California Innocence Project, West invoked his rights against self-incrimination under the Fifth Amendment to almost every question asked that related to Debra and the baby's murder. Similarly, West asserted his Fifth Amendment right when asked about the various allegations of abuse, including whether: Yazzie tried to run him over with her car; McGill ever shot at him; he ever confided in McGill; he beat Williams with a chain, or poured gasoline on her; he beat Grant, or threw a knife at her, or stated that he could kill her right now and not lose any sleep; he ever beat Grant's father and put him in the hospital; he ever beat Yazzie; he had committed the murders in Las Vegas relating to the two drug dealers; and he had spoken to Williams, Yazzie, or Grant about their testimony at Patrick's hearing.

A presentation of West's confession and his history of violence and similar acts, the lack of blood found on Patrick after allegedly committing a brutal, bloody, and rushed murder, and the fact of the impossible timeframe within which Patrick had to commit the crime and clean

himself up, was still not enough for the court. The San Bernardino Superior Court judge declined to reverse Patrick's conviction.

Like all petitioners in post-conviction matters, Patrick was faced with a big hurdle: the fact that courts view newly discovered evidence or recanting witnesses with "distrust and disfavor."² The courts presume both the defendant is trying to manipulate the criminal justice system and the witnesses supporting the inmate's claim were threatened or bribed. Unfortunately, new evidence claims and recantations usually come from troubled witnesses (those in gangs, with a criminal background, and/or with history of drug use), making it more difficult for the defendant to overcome these presumptions.³ What courts often fail to consider is, like Ebony and McGill, fear paralyzes many victims and witnesses in coming forward. In fact, the most common reason for not reporting a crime involving a weapon or injury is due to fear of retaliation.⁴ "Crimes perpetrated by someone the victim knew well...[are] more likely to go unreported than crimes committed by a stranger."⁵ Although these statistics relate to victims, the same triggers and motivations apply to McGill and Grant because they were threatened by West, a person they each know is violent and capable of murder.

The Future: Patrick Is Prepared for a New Life Outside Prison

Patrick has maintained his positive attitude and tenacious drive to be a better person in spite of being wrongfully incarcerated for almost sixteen years. He made the choice long ago to spend his prison term staying true to the saying, "Instead of serving time, let time serve you."⁶ Patrick has done just that—he has marked his time in prison with constant employment, participation in many self-help programs, and continuation of his education.⁷ Patrick's impeccable work attendance and professionalism did not go unnoticed. His success in each of these areas is evidenced by his various certificates, and through the positive notifications from his supervisors, correctional officers, and group leaders.⁸

Currently, Patrick is a clerk in the Medical Department at the California Institution for Men in Chino, California. This job placement requires Patrick to work beside female medical and correctional staff, putting him in a position of trust. Only inmates with a history of good

² Exh. A at Tab 1 (Medwed, *California Dreaming? The Golden State's Restless Approach to Newly Discovered Evidence of Innocence* (2007) 40 U.C. Davis L.Rev. 1437, 1445).

³ Exh. A at Tab 2 (Comment, *Rethinking the Standard for New Trial Motions Based Upon Recantations As Newly Discovered Evidence* (1986) 134 U. Pa. L.Rev. 1433, 1443)

⁴ Exh. A at Tab 3 (Bureau of Justice Statistics, *Nearly 3.4 Million Violent Crimes Per Year Went Unreported to Police From 2006 To 2010*, <http://www.bjs.gov/content/pub/press/vnpr0610pr.cfm> (as of August 9, 2012).)

⁵ *Ibid.*

⁶ See Exhibit B at Tab 12.

⁷ *Id.*

⁸ *Id.*

conduct and with no violence on their record are offered this position. Since hiring Patrick one year ago, supervisor Thomas Moll said Patrick has “demonstrated integrity, strong performance, and a keen sense of humor which has made him an asset to the medical clinic. He has proven his ability to work with others at all levels.”⁹

Patrick’s success in his career and education is not surprising when you look at his accomplishments before he was wrongfully convicted. Patrick has a natural ability to inspire friends, family, and even strangers outside of the prison walls. After reading the letters written in support of his clemency petition, one can truly sense the impact Patrick has had on so many people.¹⁰ The letter from Jonathan Collier, a man who does not know Patrick personally, shows Patrick’s positive impact on others. Collier praises Patrick for his ability to help his sister through tough times and adds, “knowing where [Ebony Grant’s] inspiration came from, has also inspired me in certain situations.”¹¹

These qualities have led Patrick’s family and friends to open their homes and provide support, including financial, transportation, and emotional support, should he be granted clemency. Specifically, Patrick’s friend Vicki Coddington, who owns a successful home loan business, has offered Patrick a full range of support, including a place to live and financial assistance.¹² Such help has also been offered by people of modest means. His niece Krystin Foster—a working college student—is willing to use her small savings to help him in any way she can.¹³ Of the many letters received on his behalf, perhaps none were more heartfelt than the letters expressing the desire to have Patrick home to be with his children and grandchild. There is no doubt these people will guide Patrick’s journey back into society.

Patrick’s steady development of life skills and continued education, combined with the support of his family and friends, guarantees he will be a productive member of society, if given the opportunity.

CLEMENCY IS THE ONLY SOLUTION

Mr. McNeal Has Exhausted All Available Remedies

Patrick has exhausted the appellate process in his pursuit of vindication.

Patrick was convicted in 2000. The Court of Appeal affirmed his conviction in 2001, and the California Supreme Court denied review two months later. On July 7, 2002, Patrick filed a Petition for Writ of Habeas Corpus in state court. The petition asserted Patrick was deprived effective assistance of trial and appellate counsel.

⁹ *Id.*

¹⁰ See generally, Exh. B at Tabs 1-11

¹¹ See Exh. B at Tab 3

¹² See Exh. B at Tab 2

¹³ See Exh. B at Tab 4

Shortly before the court denied Patrick's 2002 petition, Patrick discovered new evidence that showed Jeffrey Todd West ("West") was responsible for the murder of Debra. Specifically, Cary McGill testified against West and later signed a declaration stating West confessed to Debra's murder. Although CIP provided the new evidence to lead counsel in the then pending petition, the 2002 petition was denied before the evidence was presented.

Based on the new information, Patrick filed a new petition for writ of habeas corpus in July of 2006, claiming that he was entitled to relief based on two claims: newly discovered evidence of third party culpability (specifically, his brother) and actual innocence. The San Bernardino County Superior Court issued an order directing the prosecution to show cause why the 2006 petition should not be granted. After briefing from both parties, the court ordered an evidentiary hearing. Patrick called six witnesses who testified to numerous instances of abuse that West had committed on them over the course of the years. Two witnesses also testified to the inculpatory statements made by West regarding the murder of Patrick's wife. On April 9, 2008, after the evidentiary hearing, the San Bernardino County Superior Court denied the petition.

On August 3, 2009, Patrick filed a petition for writ of habeas corpus in the California Court of Appeal, Fourth Appellate District, Division Two, challenging the Superior Court's denial. Eight days later, on August 11, 2009, the petition was summarily denied.

Patrick currently has a Motion for DNA Testing pursuant to Penal Code 1405 pending in the San Bernardino County Superior Court. In so far, the DNA testing has not yielded any relevant results. Clemency appears to be Patrick's last resort.

The Governor Can Right This Wrong

Article five, section eight of the California Constitution provides that the "Governor, on conditions that the Governor deems proper, may grant a reprieve, pardon, and commutation after sentence, except in case of impeachment." This power to grant clemency is "properly left to the conscience of the executive entitled to consider pleas" and is not governed by the rigidity of the judicial process.¹⁴

The executive's prerogative to grant clemency is deeply rooted in our system of justice. As Chief Justice Marshall expounded in the first clemency case to reach the Supreme Court, "[t]he power of pardon, in criminal cases, has been exercised from time immemorial . . . [and] it is a constituent part of the judicial system."¹⁵ Twenty-two years later, the Supreme Court first recognized the power of pardons to exonerate the wrongly convicted, explaining that the President's pardon power was appropriate "particularly when the circumstance of any case

¹⁴ The Honorable Janice Rogers Brown, former Justice of the California Supreme Court and former Legal Affairs Secretary to Governor Pete Wilson, *The Quality of Mercy*, 40 UCLA L. Rev. 327, 328 (1992).

¹⁵ *United States v. Wilson*, 32 U.S. 150, 161 (1833).

disclosed such uncertainties as made it doubtful if there should have been a conviction of the criminal.”¹⁶

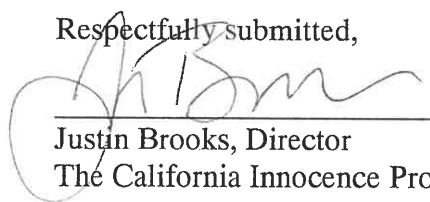
The Governor’s pardon power under the California Constitution serves a similar purpose. As the California Supreme Court has explained, the fundamental purpose of California’s pardoning power is “to enable the state to do justice in those cases where the ordinary procedure results in injustice.”¹⁷ “If at the end of court procedures there is claimed to persist a miscarriage of justice, despite all the precautions of law to the contrary, the ultimate remedy rests in an appeal to the Governor for a pardon.”¹⁸ Justice Traynor of the California Supreme Court has echoed this sentiment, explaining that “strong doubts as to [the] defendant’s very guilt” may “constitute . . . strong[] grounds for mercy” through executive clemency.¹⁹

In light of the historical purpose of clemency to correct injustice, both the Supreme Court of the United States and the California Supreme Court have repeatedly recognized that clemency is the appropriate remedy to “correct injustices that the ordinary criminal process seems unable or unwilling to consider.”²⁰ This is such a case.

* * *

Patrick McNeal has served nearly sixteen years in prison for a crime he did not commit. Imbued with the power of clemency and the spirit of justice, the Governor has the ability to finally correct this tragic error. On behalf of Patrick and those who support him, and as citizens of California, we respectfully request that he do so today.

Respectfully submitted,



Justin Brooks, Director
The California Innocence Project


¹⁶ *Ex Parte Wells*, 59 U.S. 307, 310 (1855).

¹⁷ *People v. Sup. Ct.*, 190 Cal. 624, 625 (1923).

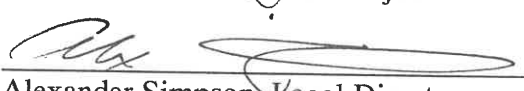
¹⁸ *Ex Parte Horowitz*, 33 Cal.2d 534, 546 (1949).

¹⁹ *Phyle v. Duffy*, 34 Cal.2d 144, 160 (1949) (Traynor, J., concurring).

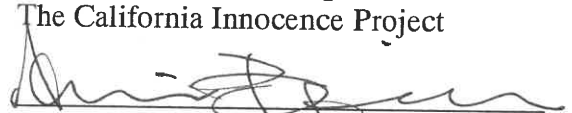
²⁰ *Dretke v. Haley*, 541 U.S. 386, 399 (2004); *Herrera*, 506 U.S. at 868; *Mendez v. Sup. Ct.*, 87 Cal.App.4th 791, 803 (2001) (explaining that the “remedy [for a defendant claiming innocence] . . . is to apply to the Governor for a pardon”); see also *Ex Parte Lindley*, 29 Cal.2d 709, 728 (1947) (noting that claim of innocence was an issued “for further investigation and consideration by the Governor of this State, if he be so advised”); *id.* at 729 (Schauer, J., concurring) (finding that the “remedy in . . . cases [of factual innocence] is committed by our law exclusively to the governor of the state”).



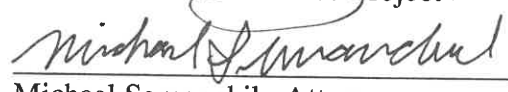
Jan Stiglitz, Co-Director
The California Innocence Project



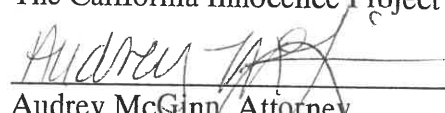
Alexander Simpson, Legal Director
The California Innocence Project



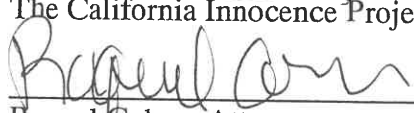
Alissa Bjerkhoel, Attorney
The California Innocence Project



Michael Semanchik, Attorney
The California Innocence Project



Audrey McGinn, Attorney
The California Innocence Project



Raquel Cohen, Attorney
The California Innocence Project

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Jarad Nava

In 2012, Jarad Nava and his crime partners followed a car they believed was carrying rival gang members, and Mr. Nava fired several shots at the passengers, injuring Yesenia Castro and Marlene Castro. On May 6, 2014, the Superior Court of California, County of Los Angeles, sentenced Mr. Nava to 60 years to life for multiple counts of attempted murder, two years for possession of a shotgun, plus an additional 100 years in sentence enhancements, a total prison term of 162 years to life.

Mr. Nava was 17 years old at the time of the crime and is now 24. He has served more than seven years in prison. While incarcerated, Mr. Nava has dedicated himself to his rehabilitation. Mr. Nava has maintained an excellent disciplinary record. He earned his GED, obtained a certificate in information technology literacy, and is currently enrolled in college courses. Mr. Nava has participated in numerous self-help programs and is a certified Master Inmate Peer Educator.

Mr. Nava committed a serious crime that injured Ms. Castro and Ms. Castro. Since then, Mr. Nava has committed himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Nava's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Nava merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Nava does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Jarad Nava to 10 years to life. Mr. Nava remains subject to all statutory authorities applicable to the parole consideration hearing process.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Box 133
COM 3746-18

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) **If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Jarad Jacob Nava Date of Birth: 95 Social Security Number: NA (CDC#AT5598)

Address: CSP Ironwood, P.O. Box 2199, Blythe, CA 92226

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
1. Commitment Offense: See Court of Appeal Opinion in Case B256120, dated October 25, 2016.			
2.			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

See attached letter petition.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

See attached letter petition.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

See attached letter petition.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2): N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Jarad Jacob Nava, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

Christopher Hawthorne, Atty for Jarad Jacob Nava

11-30-18

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Jarad Jacob Nava,

was convicted of the crime of Attempted Murder and Possession of a Prohibited Weapon (Cal. PC sec. 33215),

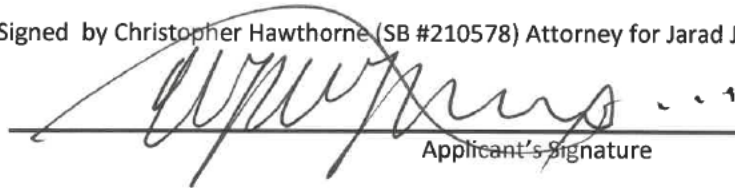
committed in Los Angeles County, California, on the date of September 29, 2012.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

☐ Pardon

☒ Commutation of sentence. *Inmate Number:* T86444.

Signed by Christopher Hawthorne (SB #210578) Attorney for Jarad Jacob Nava


Applicant's Signature

11/30/18
Date


DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Steven Frankel, District Attorney of the County of LA

do hereby acknowledge receipt of notice from Jarad Nava

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed 
Date 12-12-18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

November 30, 2018

The Honorable Edmund G. Brown, Jr.
Governor of the State of California
State Capitol, Suite 1173
Attention: Legal Affairs Secretary
Sacramento, CA 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Dear Governor Brown:

I am the attorney for Mr. Jarad Nava (CDCR No. AT5598). On behalf of Mr. Nava, I am petitioning you to commute his sentence to 15 years to life, from his original sentence of 160 years to life, imposed on May 6, 2014.. This formal clemency petition supplements an earlier, pro se petition that Mr. Nava submitted in early 2018, as well as a supplemental letter to the clemency petition, submitted on September 11, 2018.

Mr. Nava is genuinely remorseful for the harm he caused by his life crime. He understands his conduct caused fear and chaos in his community, and he deeply regrets the pain he inflicted. He is fortunate and thankful no one was killed by his actions. Mr. Nava was only an immature juvenile, only 17 years old, when he committed this crime, and has since shown extraordinary growth and rehabilitation during his incarceration. Mr. Nava has not received one serious rule violation (115) or 128A counseling chrono during his entire period of incarceration. His exemplary prison record is rare, and provides compelling evidence that he no longer presents a danger to others.

For the reasons stated below, I respectfully petition your office for clemency on behalf of Mr. Nava, and formally request a commutation of his sentence.

I. THE CIRCUMSTANCES OF THE LIFE CRIME

In May 2014, Mr. Nava was sentenced to an aggregate term of 160 years to life: 15 years to life for four counts of attempted murder, running consecutively, and four enhancements of 25 years to life for personal discharge of a firearm, also running consecutively. The facts of the crime are as follows:

On September 29, 2012, at approximately 10:50 PM, Jarad Nava, a member of the Don't Care Krew ("DCK"), and his co-defendant were driving a white F-150 pickup on Glen Avenue in Pomona when they pulled up alongside a Lexus. They believed the driver and passengers of the Lexus were members of the Cherryville Gang, rivals of DCK. Shots were fired from the truck into the Lexus; a young woman was injured in the leg by the gunfire, and another young woman was hit in her back. At the hospital later that evening,

both young women identified the shooter as “Money” from the DCK tagging crew, and later picked out Mr. Nava’s picture from a photographic lineup. Mr. Nava later admitted to being in the passenger seat of the truck, and to firing four shots, all aimed downward. He and his companions did not seek out the victims or lie in wait; members of the Cherryville gang had previously shot at members of DKC, and when he and his companion saw the Lexus, they began shooting in retaliation.

II. MR. NAVA’S REASONS FOR REQUESTING A COMMUTATION

Mr. Nava understands he committed a horrible wrong, and takes full responsibility for his crime. Mr. Nava was 17 years old at the time of the offense, and he deeply regrets the terrible decision he made. However, Mr. Nava is no longer the same immature and impulsive youth he once was. He is now a mature, thoughtful and deeply compassionate man. His relationships are different, his thinking is different, and his outlook on life is different. Mr. Nava has spent his years in prison working tirelessly to better himself, take responsibility for his past crimes, and help others.

In 2012, the U.S. Supreme Court’s decision in *Miller v. Alabama* gave juvenile offenders like Mr. Nava hope that they could one day obtain a meaningful opportunity for release. Later, your Honor’s office, along with the California Legislature, implemented through legislation and executive order the principles set forth in *Miller*, *Graham v. Florida*, and *Montgomery v. Louisiana*: that children are constitutionally different from adults and are inherently less culpable for their crimes. In passing SB 260, and then SB 261, the California legislature required the Board of Parole Hearings to give great weight to a potential parolee’s youth and its attendant characteristics, as well as evidence of rehabilitation and remorse. People like Mr. Nava, who have dedicated their adult lives to making positive change in themselves and their communities, now have a chance to live productive lives outside prison walls. Mr. Nava is precisely the type of model prisoner who should be afforded such a chance.

III. REASONS MR. NAVA’S REQUEST SHOULD BE GRANTED

Mr. Nava’s request for commutation should be granted based on his status as a particularly vulnerable juvenile at the time of the crime, and the trauma he suffered due to parental neglect, abuse and family transiency. Despite all the instability during his formative years, Mr. Nava has shown impressive achievement and growth and proved that he is capable of rehabilitation.

A. Mr. Nava Could not Extricate Himself from the Dysfunctional Environment in Which He was Raised.

1. Mr. Nava suffered trauma as a result of transiency, poverty, abuse and persistent family dysfunction.

Jarad Nava¹ was born in Battle Creek, Michigan on [REDACTED] 1995, to a teenage mother who could not care for him on her own. After Jarad's birth, they lived with a family friend, Nichole Jones. At age 3, Jarad's mom left him on the doorstep of his father's house. The door never opened and three-year-old Jarad remained on the porch until his mother returned at the end of the day to pick him up. Although Jarad's half-brother did live with their father, Jarad never had that option.

Jarad's home life with his mother was always chaotic and unstable. They moved often, and she was frequently absent due to various naval assignments overseas. When she was away, neighbors on the naval base cared for Jarad. He never knew when his mother would return, or where they would move to next. At age 5, Jarad's mother took a job as an SBC sales representative, and they moved to Pomona, California to live with her boyfriend, who became Jarad's stepfather.

Jarad's uncle, Jose, a frequent houseguest, was a gang member. As a child, Jarad was told that his uncle once stabbed a man in the neck with a screwdriver. By age 6, Jarad had witnessed gun violence and was frequently exposed to gang culture. Nonetheless, he managed to excel in school by taking advanced classes and proving himself exceptionally talented at baseball.

By age 7, Jarad's mother had given birth to two more children. The family moved back to Michigan, where Jarad continued to excel at baseball. At age 8, he developed acute disseminated encephalomyelitis, ("ADEM")² and was in a coma for four days. Jarad lost all motor skills and had to endure a lengthy and strenuous rehabilitation regime before he fully recovered.

Over the next years, Jarad moved twelve more times, including a return to California. During this time his mother and stepfather's verbal fights became physical. Jarad's mom was diagnosed as bipolar, which explained her unpredictable and volatile nature. She frequently self-medicated, primarily with marijuana. Often Jarad and his mom would get high together. Meanwhile, Jarad's stepfather suffered from worsening clinical depression. At 12 years old,

¹ For the purposes of this section, Mr. Nava is referred to as "Jarad" to distinguish him from other members of his family.

² ADEM is an auto-immune disorder causing inflammation of the brain. It is likely that Jarad's ADEM-caused coma is responsible for the arachnoid cyst on Jarad's brain stem, and grand and petit mal seizures like the one he experienced on June 27, 2018, which caused him to collapse, unconscious, and then become combative when in post-ictal phase (*See infra*, section F, detailing the seizure, medical personnel's misdiagnosis as a drug overdose, the Serious Disciplinary Violation (115) as the result of Jarad's post-ictal phase and unconscious movements, and the vacating of that 115 in the interests of justice).

Jarad walked in on his stepfather trying to stab himself to death.

Following his stepfather's suicide attempt, Jarad's mother and stepfather permanently ended their relationship. The family unit's dismantling combined with the trauma of witnessing his stepfather's brutal suicide attempt was more than Jarad could handle. He had no one to help him process this trauma and pain.

2. Gangs in Pomona were rampant during Mr. Nava's formative years, and joining a gang provided the illusion of stability and empowerment his family lacked.

During the 1990s and early 2000s, Pomona was a city plagued by low economic growth and gang infested neighborhoods. There was gang activity right outside Mr. Nava's doorstep. The vast majority of Mr. Nava's childhood friends began associating with gangs by middle school. Mr. Nava began joined the "DCK" tagging crew at age 15 to escape the turmoil of his life at home. His drug use and gang involvement continued to escalate, ultimately resulting in his commitment offense.

B. The Significance of Mr. Nava's Age at the Time of the Crime Compared to the Severity of the Sentence He Received.

Mr. Nava was 17 at the time he committed this crime. Courts have consistently viewed youthful age as a mitigating factor in both the guilt and sentencing phases. In *Roper v. Simmons*, 543 U.S. 551 (2005), the United States Supreme Court found that, even in the most serious murder cases, youthful offenders "cannot reliably be classified among the worst offenders." (*Id.* at 569.) As compared to adults, young offenders "lack ...maturity and [have] an underdeveloped sense of responsibility," they "are more vulnerable or susceptible to negative influences and outside pressure," and their character is "not as well formed." (*Id.* at 569-570).

Five years later, in *Graham v. Florida*, 560 U.S. 48 (2010), the Supreme Court further recognized that the same differences between youths and adults are also relevant to the constitutionality of sentences, and categorically banned life without the possibility of parole (LWOP) for juveniles who, like Jarad Nava, committed non-homicide offenses. (*Id.* at 74-75.) The Court repeated *Roper's* reasoning that because youthful offenders have lessened culpability, they are generally undeserving of the most severe punishments. (*Id.* at 75). The California Supreme Court later extended *Graham's* holding to preclude a type of sentence that was particularly common in California: functional LWOP for non-homicide crimes. The Court concluded that such sentences are per se unconstitutional. (*People v. Caballero*, 55 Cal.4th 262, 268-69 (2012)).

Mr. Nava's current sentence of 160 years to life falls well within these parameters.

These cases alone entitled Mr. Nava to sentencing relief, and he would have been eligible for resentencing for his non-homicide offense under *Caballero*. However, in enacting SB 260, the California Legislature recognized the seriousness of tens of thousands of young people serving long sentences, and created the Youth Offender Parole Hearing to address this issue. Juvenile offenders – and now nearly all young adult offenders, up to age 25 – are

entitled to early hearings, at which they have the opportunity to prove their readiness to reenter society after having served at least 15 years, but often up to 25 years of their sentences.

The length of time before parole hearing eligibility under SB 260, however, does not reflect the *individualized* culpability of each youthful offender – a requirement under the *Graham-Miller-Montgomery* line of cases. (See, e.g., *People v. Gutierrez*, 58 Cal.4th 1354, 1378 (2014) (“[I]mposition of the harshest punishment on a juvenile requires *individualized* sentencing that takes into account an offender’s ‘youth (and all that accompanies it)’”) quoting *Miller v. Alabama*, 132 S.Ct. 2455, 2464, 2469 (2012) (emphasis added).

A “one-size-fits-all” parole scheme cannot comport with the Court’s individualized sentencing requirements articulated in *Miller*. Mr. Nava was 17 at the time of his crime, faced significant burdens as a child, and committed a non-homicide crime. He has made tremendous strides in maturity and rehabilitation. These developments should positively impact *both* his parole eligibility and hearing date.

As the U.S. Supreme Court recognized in *Herrera v. Collins*, 506 U.S. 390, 415 (1993) “[e]xecutive clemency has provided the ‘fail safe’ in our criminal justice system.” Although in *Herrera*, the death penalty was at issue, it is generally accepted that executive clemency is an appropriate remedy for an unjust sentence, especially when there is no other remedy at law. This is the case for Mr. Nava. While the creation of Youth Offender Parole Hearings was an enormously important step in addressing the widespread injustice of over-sentencing youthful offenders, it should not blind the state to the fact that justice demands some, such as Mr. Nava, deserve even further relief. If Mr. Nava was charged as a juvenile today, he would receive a transfer hearing pursuant to Proposition 57, where consideration of his background and immaturity could prevent his case from ever being transferred to adult court. (Welf. & Inst. Code § 707(b).) The judge would have discretion to reduce or strike his weapon enhancements (which currently make up 100 years to life of his sentence), aligning his sentence with his diminished culpability as a juvenile offender. (Pen. Code § 12022.5(c).) In 2014, Mr. Nava had none of these protections.

Mr. Nava also deserves a reduction of his sentence because he did not have a proper sentencing hearing, which would have included the presentation of substantive mitigation evidence. In fact, the Court of Appeal noted that his attorney tendered only a single mitigation witness, a teacher from Sylmar Juvenile Detention Facility. (See Exhibit 3.) The above-referenced laws now exist because courts have recognized that past juvenile sentencing laws violated the U.S. and California constitutions. A parole hearing for Mr. Nava after 25 years, while very welcome, is too long a delay. It is manifestly unjust. Taking all of the above-referenced mitigating factors into account, as well as the exemplary prison record detailed below, Mr. Nava is entitled to reduction in sentencing and an advancement of his parole hearing date.

C. Mr. Nava Has Demonstrated Significant Maturity, Remorse and Rehabilitative Effort While Incarcerated.

Despite the fact that Mr. Nava received a sentence of functional life without parole, which denies him the opportunity to ever be released within his natural life, he continues to make significant strides towards rehabilitation in prison.

He has participated in nearly every program offered or available to him. When he arrived at Ironwood State Prison, Mr. Nava began attending church, took Bible study courses, joined Narcotics Anonymous, and enrolled in college courses. He has successfully completed the Alternative to Violence (AVP) Program; Emotional Intelligence courses; Criminal and Gang Members Anonymous workshops; the InsideOUT Writer's Workshop; Addiction Counseling and Narcotics Anonymous programs; and participated in the Prison Walk-A-Thon, which raises money for the Blythe Cancer Resource Center. Mr. Nava also has remained discipline-free. He has received no Serious Rule Violations, or 115s during his entire time at Ironwood. The only 115 he received – for involuntarily biting a CO's glove during the post-ictal phase of a seizure – was dismissed in the interests of justice, once it was demonstrated that his actions were unconscious.

Mr. Nava has shown remarkable leadership while incarcerated. He is currently a facilitator with the Narcotics Anonymous Youth Offenders Program at Ironwood, a peer-centered rehabilitation group that focuses on assessing life choices; coping with one's surrounding environments and emotionally taxing situations; coping with relationship stressors; self-accountability; anger management; and avoiding gang involvement while incarcerated. He also completed the TUMI Prison Fellowship Discipleship Program, including an additional program on "The Six Basics of Being a Great Dad," and remains a member of TUMI's Church Leadership. In addition, achieved the status of Master Peer Educator within the Inmate Peer Education Program (IPEP).

Mr. Nava is sincerely remorseful for his crime. He takes full responsibility for his actions and realizes the terrible impact his immature choices had on his victim and his community. In a 2018 statement of regret, Mr. Nava wrote:

I was a coward who wouldn't take responsibility for what I did to you. Instead, I caused you to relive that horrific night in the preliminary hearing, trial, and again in sentencing. In which at the moment I didn't even take the initiative to apologize. You should never have had to experience being shot and I thank God you survived. Although you still live with the effects of my callous actions every day, I pray you are healing from the injuries I have inflicted upon you...I know that I took away your ability to do every day things like grabbing a cup from the cupboard. Seeing that brought me great shame. I am so sorry for what I did to you...The shame I feel as a result of what I did to you would not allow me to be the person that I was on September 29, 2012.

(See Exhibit 4, Statement of Remorse)

Mr. Nava's remorse for his past actions fuels his determination to rehabilitate and become a better man. He is married to Kayla Nava. He is a husband and father who is committed to being a positive and productive role model, both for his family and his community. His many achievements while incarcerated demonstrate that he is highly capable of achieving these goals.

D. Mr. Nava Has Gained Job Experience and Marketable Skills While in Prison.

Mr. Nava has earned a Certificate in Computer Information Technology from Palo Verde Community College, and is diligently working towards an Associate of Arts (A.A.) degree in Business and Technology.

He has also been accepted into Ironwood's Braille Program, which offers selected inmates the opportunity to learn the challenging skill of Braille transcription. Certified inmate transcribers convert college textbooks to Braille volumes for visually impaired students in California community colleges, which is the largest community college system in the world. Workstations are equipped with software that allows inmates to transcribe, format, and proofread Braille. Through hard work and dedication, inmates can become certified by the Library of Congress in Literary Braille and learn specialized Braille texts like math and science. To receive certification, inmates must successfully complete a twenty-lesson course developed by the National Braille Federation of the Blind (NFB), and submit a 35-page manuscript with a score of 80 percent or higher. Mr. Nava has proven he has the drive, dedication and commitment to excel in this rigorous program.

E. Mr. Nava Has Extensive Post-Release Plans and Community Support.

On March 13, 2018, Mr. Nava received a letter accepting him into the River's Edge Ranch Rehabilitation Program in Chino, California. This rehabilitative step – finding transitional housing and employment – is a step most inmates do not take until a parole hearing is imminent. But Mr. Nava demonstrates the type of long-term planning that is characteristic of mature adults; showing that Mr. Nava left behind the impulsive thinking that led him to his commitment offense. Most importantly, upon release from prison, he has a place to go. (See Exhibit 5, Letter of Acceptance).

River's Edge is a comprehensive post-release program that includes daytime work at the ranch, daily Bible study and exercise regimes, an emphasis on a healthy diet, ongoing addiction counseling, and weekly community service commitments. Upon release, Mr. Nava will move in with his wife – who has a full-time job – and their child, Madison. Mr. Nava is particularly eager to be a great father to Madison, as he knows all too well how critical that role is. Using the skills he acquired while incarcerated, he will seek immediate employment. He also wishes to continue counseling at-risk and incarcerated youth. After completing his A.A., Mr. Nava hopes to enroll in a four-year university and obtain his bachelor's degree.

Upon released, Mr. Nava will also remain a client of the Loyola Law School Juvenile Innocence and Fair Sentencing Clinic (JIFS). The JIFS Clinic, like the other clinics

in the Center for Juvenile Law & Policy, is committed to holistic representation. For post-conviction clients like Mr. Nava, “holistic representation” means not only representing the client at resentencing and parole hearings, but also addressing the root causes of the commitment offense. A team of students, attorneys, and social workers will support Mr. Nava through his transition by monitoring his progress and continuing to provide him with the best legal and support services possible. By helping clients transition to a life outside of prison, the JIFS Clinic creates a diverse community of post-conviction advocates who “pay it forward” by sharing their stories with clinical students, counseling at-risk youth, and participating in social justice reforms.

In addition to the support provided by JIFS, Mr. Nava has a close relationship with his wife Kayla, and very much looks forward to fully embracing his responsibilities as a husband and father. His Aunt Nichole and her family are also all ready and waiting to provide support and assistance upon his release. (*See Exhibit 6, Letters of Support*).

F. Mr. Nava’s Sole, Erroneous Disciplinary Violation Has Been Dismissed in the Interests of Justice.

On June 27, 2018, Mr. Nava was playing basketball in an unventilated gymnasium at Ironwood State Prison, “C” Facility, when he collapsed, unconscious. (*See Exhibit 2, Dismissal of 115, dated Aug. 3, 2018 and Records re: 115, incident dated May 27, 2018.*)

At first, prison personnel treated the collapse as what it in fact was: a grand mal seizure. A guard placed Mr. Nava on his side, noted that he was breathing normally, and called medical staff. That was when the problems began.

Without any evidence, prison nursing staff decided that Mr. Nava had overdosed on drugs. They strapped him to a gurney, transported him to the yard, and handcuffed his wrists. Established medical practice dictates the opposite: because patients are disoriented during the post-ictal phase of a seizure, they can and often do respond to restraint by becoming reactive and violent, while still unconscious.

Prison nursing staff administered two doses of Narcan (in inhalant form) to Mr. Nava. Predictably, Mr. Nava entered the post-ictal phase, and began thrashing around, biting his handcuffs and trying to rise from the gurney. This was uncharacteristic behavior from Mr. Nava, who had never had a violent 115 his entire time in prison.

Guards tried to hold down Mr. Nava; 6 guards in all. When Mr. Nava tried to bite at his handcuffs, one of the guards tried to pull his hands down, and Mr. Nava bit at the guard’s glove, tearing it. Shortly after, when Mr. Nava was in an ambulance, on the way to the hospital, he finally regained consciousness. He had no memory of the incident after he collapse in the gym, insisted he felt fine, and didn’t understand why he had urinated on himself.

Mr. Nava was charged with a 115 for “willful assault on a peace officer.” He was placed in the medical wing of administrative segregation. Shortly after that, his drug panel came back negative for any controlled substances. An MRI showed that he had an arachnoid cyst on his brain stem, which is consistent with a propensity to seizures. Several

weeks later, an outside physician, Dr. Ruby Koshy of Loma Linda Medical Center, opined that he had been experiencing petit mal seizures while he slept, and placed him on 25 mg of Lamictal.

Despite this, Mr. Nava was still assessed a 115, which he appealed. After a thorough review of the record, the Review Board determined that the disciplinary charge had no merit, and the 115 was dismissed. (See Exhibit 2, *supra*, detailing the 115, and its dismissal.) However, by the time the system of prison justice had run its course, it is highly likely that this office had already learned of and accounted for Mr. Nava's "violation."

The reason for this lengthy account is to explain to this office why an erroneous disciplinary report may have come to its attention. Mr. Nava and his attorneys want this office to have no misgivings about Mr. Nava's fitness for commutation. His disciplinary record is spotless.

CONCLUSION

Mr. Nava knows he deserved punishment for his actions as a youth. He will always regret the trauma he caused his victims and the risk he posed to his community. He has used this remorse as fuel to acquire all the tools he will need to be a productive citizen. He has taken advantage of every rehabilitative program available to him. Although the potential Mr. Nava exhibited as an honors student and star athlete was stifled by his own immature choices, he has now grown into a responsible and remorseful adult who has worked diligently to gain employable skills and to serve others while incarcerated. Mr. Nava has already started to give back to his community, and hopes to expand that commitment upon his eventual release. He is dedicated to providing at-risk youth with the guidance and alternatives he himself lacked, and has earned the opportunity to do so.

On behalf of Jarad Nava and his family, we ask that Mr. Nava's sentence be commuted to 15 years to life. Thank you in advance for your attention to this matter.

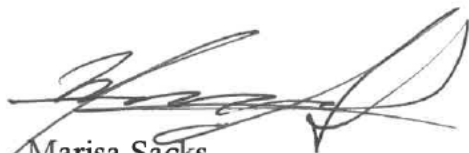
Sincerely,



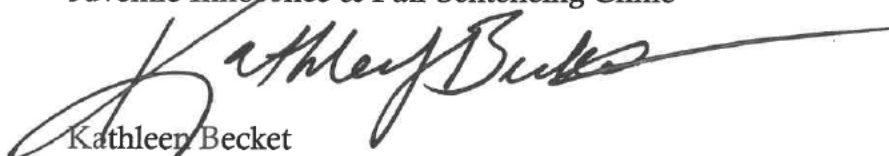
Christopher Hawthorne
Director, Juvenile Innocence & Fair Sentencing Clinic
Attorney for Jarad Nava



Susan Harbert
Staff Attorney
Juvenile Innocence & Fair Sentencing Clinic



Marisa Sacks
Public Interest Fellow
Juvenile Innocence & Fair Sentencing Clinic



Kathleen Becket
Certified Law Student
Juvenile Innocence & Fair Sentencing Clinic



Sarah Venit
Certified Law Student
Juvenile Innocence & Fair Sentencing Clinic

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

COMMUTATION OF SENTENCE

Joann Parks

Joann Parks was convicted for setting a fire in her home that resulted in the deaths of her three young children in 1989. Ms. Parks maintains her innocence. On February 26, 1993, the Superior Court of California, County of Los Angeles, sentenced Ms. Parks to life without the possibility of parole for murder.

Ms. Parks is now 54 years old and has been incarcerated for 28 years. While serving a sentence with no expectation of release from prison, Ms. Parks dedicated herself to self-improvement efforts. Ms. Parks earned a GED, an associate degree, and two vocational certificates in computer literacy and dental industries. She has maintained an excellent disciplinary record, has resided on an honor yard since 2014, and has participated in considerable self-help programming. A staff member commended Ms. Parks for her positive work performance. A correctional officer praised Ms. Parks on her positive programming. Ms. Parks currently works to provide assistance to inmates with disabilities.

Ms. Parks was convicted of a serious crime that took the lives of her three young children. Since then, Ms. Parks has taken the necessary steps toward self-improvement. I have carefully considered and weighed the evidence of Ms. Parks's positive conduct in prison and her good prospects for successful community reentry. I have concluded that Ms. Parks merits the opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Parks does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Joann Parks to 27 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If the pardon is granted, this application or the Certificate of Rehabilitation may be a public record; specific personal information may be blacked out before it is made available to the public.

APPLICANT INFORMATION

Name: JoAnn Parks Date of Birth: [REDACTED] 1966 Social Security Number: _____

Address: Central California Women's Facility, 23370 Road 22, Chowchilla, CA 93610

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

Please see attached.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

Please see attached.

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

Please see attached.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Alexander Simpson, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

06/17/2013

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, JoAnn Parks,

was convicted of the crime of First degree murder (3 counts),

committed in Los Angeles County, California, on the date of 02/26/1993.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):



Pardon



Commutation of sentence. Inmate Number: _____



ALEXANDER SIMPSON
COUNSEL FOR APPLICANT

Applicant's Signature

06/13/2013

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Steve Kell, Head Deputy, District Attorney of the County of Los Angeles,

do hereby acknowledge receipt of notice from JoAnn Parks,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed



Date

6/24/13

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

THE CALIFORNIA INNOCENCE PROJECT
California Western School of Law
225 Cedar Street
San Diego, CA 92101
(619) 525-1485

April 27, 2013

The Honorable Edmund G. Brown Jr.
Governor of the State of California
Attn: Legal Affairs
State Capitol
Sacramento, CA 95814

Re: Petition for Executive Clemency on behalf of JoAnn Parks

Dear Governor Brown:



The California Innocence Project respectfully requests the pardon of JoAnn Parks, a woman condemned to life in prison for a crime she did not commit.

JoAnn's wrongful conviction rests on a science that has changed drastically since her conviction in 1993. Roughly twenty-two years ago, in the middle of the night, JoAnn awoke to find her house engulfed in flames. The fire prevented JoAnn from getting access to her children. JoAnn ran to the neighbor's house where she called 911. When the fire department arrived, JoAnn told firefighters her children were in the house. All three children perished in the fire. The prosecution charged JoAnn with three counts of murder 18 months later. The jury found her guilty on all counts.

The evidence used to convict included reports from fire investigators at the time suggesting the fire started in multiple locations and included accelerants. Additionally, the investigators believed there was no electrical involvement in the cause of the fire. Investigators concluded the lack of evidence showing the fire was an accident meant it was intentionally set. JoAnn's defense at trial was that her Zenith television, now known to be a common cause of accidental fires from 1987-1993, sparked the flames that killed her children.

Since her conviction, an arson review committee including leading fire scientist John Lentini reviewed JoAnn's case. Lentini concluded by today's standards, none of the allegedly incriminating evidence would withstand scrutiny. The investigators and jury were misled by junk science that led to JoAnn's wrongful conviction.

The justice system has simply failed JoAnn. The science behind fire investigations has changed to the point where all evidence used to convict JoAnn was bad science or no science at all. Additionally, we now know Zenith televisions were responsible for more than 50 fires around the time of JoAnn fire. As such, clemency is an appropriate remedy in her case.

THE INNOCENCE MARCH: A JOURNEY OF HOPE

Executive clemency has provided the “fail safe” in our criminal justice system. It is an unalterable fact that our judicial system, like the human beings who administer it, is fallible. But history is replete with examples of wrongfully convicted persons who have been pardoned in the wake of after-discovered evidence establishing their innocence.¹

The California Innocence Project (“CIP”) is a nonprofit legal organization at California Western School of Law dedicated to releasing wrongfully convicted individuals. Founded in 1999, CIP reviews more than 2,000 claims of innocence from California inmates each year. CIP staff and volunteers carefully screen all claims of innocence before accepting any for representation. This thorough screening process ensures CIP devotes its resources to those cases that truly involve the wrongly convicted. As a result, CIP pursues only one out of every thousand cases. JoAnn Parks’ wrongful conviction is one of these cases.

Since its inception, CIP has secured the release of ten innocent inmates from prison. Unfortunately, however, not all claims have been so successful. Often, because of the age of the case, destruction of evidence or the technical limitations of the justice system, some inmates seem doomed to spend the rest of their lives in prison for crimes they did not commit. In light of this reality, CIP is embarking on an unprecedented effort in requesting that you exercise executive clemency on behalf of twelve innocent individuals.

On April 27, 2013, a group of lawyers, students, exonerees, family members of the wrongfully convicted, and others supporting the cause began a journey from San Diego to Sacramento—on foot—to march this clemency request and eleven others like it to your office. Motivated by a desire to correct these injustices, and emboldened by over 37,000 signatures on a Change.org petition, the California Innocence Project and its supporters ask you to right these wrongs and grant executive clemency to the California Twelve.

¹ The Honorable William Rehnquist, Chief Justice of the Supreme Court of the United States, *Herrera v. Collins*, 506 U.S. 390, 415 (1993) (internal citations omitted).

JOANN PARKS: AN INNOCENT WOMAN PREPARED FOR FREEDOM

A Young JoAnn: Growing Up Homeless

JoAnn was born in Illinois. At a young age, JoAnn's parents divorced and her mother moved them to California. Once in California, JoAnn's mother remarried and had three additional children. At age 16, JoAnn began a relationship with a boy at the family's Mormon Church. Soon thereafter, JoAnn was pregnant with her first child. The father of her first child got sent off on a mission and JoAnn was forced to give the child up for adoption. JoAnn's first daughter passed away some years after adoption.

After the pregnancy, JoAnn's mother and stepfather decided it was best to send her off to a Mormon group home. Not long after getting sent to the group home, JoAnn ran away. JoAnn met her husband a few years later at a Laundromat. They were soon married, and the couple had three children. The years were not easy on JoAnn and her family, and they spent time in homeless shelters around the state. Eventually, they settled down in a small apartment.

Kathy Dodge lived in an adjacent apartment to JoAnn and her family. Dodge accused JoAnn of stealing Dodge's inheritance money. Shortly thereafter, JoAnn came outside to find her tires slashed and Christmas decorations ruined as well as threats from Dodge. In response, JoAnn took her kids to her mother's house, and then ultimately moved back into a homeless shelter before settling down in Bell. During the investigation of the fire in the Bell apartment, Dodge told police JoAnn murdered the children.

The Fire: An Innocent Woman with a Zenith Television

Around midnight on April 9, 1989, JoAnn woke to find her house engulfed in flames. JoAnn went next door and banged on the Robison's door until they answered. Robert Robison got dressed and made his way back to JoAnn's house. JoAnn yelled at Robert to get her children. Robert entered the burning house, but the intensity of the heat and smoke forced him back outside. JoAnn started to approach the house at one point, but Shirley grabbed JoAnn and told her not to go near the house.

Bruce Cameron observed Parks' house on fire. Cameron told his wife to call 911 while he went to the burning house. Someone told Cameron children were still inside the house. He tried to enter the house but was unable to because of the flames and intense heat.

Robert's clothes smelled of smoke and his face was dirty with ash. Robert also developed a cough that lasted for three days from smoke inhalation. On the contrary, JoAnn did not smell of smoke, her face was not dirty with ash, and she did not have a cough.

The Trial: Bad Science Convicted An Innocent Woman

Disagreement During Fire Investigation. Dirk Wegner, fire captain for the Los Angeles County Fire Department, responded first to the fire at JoAnn's home. Based on the

nature of the fire, Wegner opined the fire was either: (1) a delayed alarm fire; (2) one involving multiple starts; or (3) a fire involving an accelerant. Upon arriving at the house, Wegner ran past JoAnn, who was in a fit of panic. Wegner saw no evidence JoAnn had been close to the fire.

Bell Police Officer Timothy McGee responded to the fire. McGee entered the home after the fire had been extinguished. McGee found JoAnn's daughter Roann on a bed. He found JoAnn's other daughter, Jessica, in a playpen in the southeast bedroom. Finally, McGee found JoAnn's son Ronnie inside a bedroom closet under some charred debris in the northeast bedroom.

William Franklin, a fire investigator for the Los Angeles County Fire Department, found an electrical cord with some rubber-backed drapery material wrapped around it in the living room. Upon unwrapping the cord, Franklin observed marks in the insulation that appeared to be made by a knife. The insulation had no fire damage. Franklin concluded electrical involvement did not cause the fire. Franklin reached this conclusion only after a forensic electrical engineer examined the electrical cords. Having ruled out an electrical cause, Franklin opined the fire was of human origin. In Franklin's opinion, the fire started in the living room by application of an open flame, migrated to the kitchen, and then moved into the children's bedrooms.

Deputy Sheriff Ronald Ablott also investigated the fire at Parks' home. Ablott concentrated on the living room as the place of the fire's origin. Ablott also found a portion of an electrical cord with insulation cut away, exposing bare wires. In Ablott's initial report, he concluded the cause of the fire was an intentional malfunction or modification of an electrical cord in the living room.

Upon further investigation, Ablott concluded a second fire had originated on the floor of the southeast bedroom near the edge of the bed, where JoAnn's daughters had been found. Ablott concluded the fire in the southeast bedroom was caused by the application of an open flame by human hands to the available combustibles on the floor under or near the bed, such as newspapers or cardboard. Ablott did not find evidence of a flammable liquid being used to start the fire. Based on his conclusions, Ablott opined someone intentionally set fire to the home and set two fires – one in the living room and one in the southeast bedroom.

After conducting a reconstruction, Wegner, Franklin, and Ablott all concluded the closet door in the northeast bedroom had been shut and blocked by a one-by-two-foot laundry hamper, barricading Ronnie Jr. inside.

Forensic Electrical Engineer Robert W. Armstrong testified the fire could not have been caused by an electrical source (including the spliced cord in the living room), thus concluding the fire had been set by someone.

Additional Evidence Used to Convict. As the investigators moved through the fire damage, they did not find conclusive evidence the fire was accidental. As such, the investigators

concluded the fire must have been intentionally set.² JoAnn did not smell like smoke and did not have any burns on her.

Many of the witnesses at the scene testified in one way or another to JoAnn's emotional response to the fire. On several occasions, she asked police officers if her kids were alive. Wegner witnessed JoAnn in a fit of panic. At trial, the prosecution alleged JoAnn's emotional response did not rise to the level of a person who just lost three children.

A fire broke out about a year before the fire in this case. The trial judge allowed testimony regarding the fire, even though the first fire conclusively started when an air conditioning unit malfunctioned.

Defense Presented at Trial. Dr. Frederick Allen, an electrical engineer and professor at UCLA, examined a photograph of JoAnn's Zenith television. Allen noted the television was similar to a model³ recalled by Zenith because of problems with high voltage transformers and the television's propensities to cause fires. Allen stated the television likely could have caused the fire for the foregoing reasons.

Robert Lowe, a private fire investigator, opined the television caused the fire. Lowe had experience with television fires. Lowe said "flyback" transformers in a number of early-model color televisions caused a number of fires. The black and white televisions worked fine, but the new color models of the time generated much more heat. The heat would cause a fire inside the television, and flames would shoot out the back louvers of the box. Based on his analysis of the reports and photographs of the television and living room, Lowe opined the fire started in the television and jumped to the nearby drapes.

Allen examined the cuts in the electrical cord. He concluded the fire could not have been caused by the cuts in the cord because to start a fire by shaving off insulation is extremely difficult and requires considerable knowledge of electricity. Allen testified that even with the knowledge, it is almost impossible to do it at will. Lowe found the cuts on the cord to be consistent with having been damaged during overhaul after the fire was extinguished. Lowe testified the cuts appeared fresh—had they been there before the fire started, they would have been discolored from water and heat.

Lowe also believed if JoAnn opened the bedroom door to a wall of fire, she would not necessarily smell like smoke. The backdraft would have pulled the heat and smoke away from

² Exh. A at Tab 1 (National Fire Protection Association, *NFPA 921 Fire and Explosion Investigations*, 53, 163 (2011) – negative corpus conclusions are bad science)

³ The exact model of Joann's Zenith television is unknown. What is known is the recall involved 19" Zenith color televisions and Joann had a 19-21" Zenith color television. By 1988, the Zenith television caused over 50 accidental fires, including one that resulted in the death of three children in Pittsburgh, PA a year before Joann's fire occurred. See Exh. A at Tab 12.

her. Thus, her explanation for not being burned and smelling like smoke is consistent with having opened her door to a burning house.

Post-Trial Proceedings: The Courts of Appeal Uphold the Conviction

Appeals Denied. JoAnn challenged many aspects of her trial on appeal, including the ruling allowing the prior accidental fire in at trial and sufficiency of the evidence. The Court of Appeal affirmed JoAnn's conviction on December 29, 1994. The California Supreme Court denied review on March 30, 1995.

Habeas Denied. On April 11, 1997, JoAnn filed a petition for writ of habeas corpus in the California Superior Court. In addition to raising issues previously raised on direct appeal, JoAnn raised the issue of prosecutorial misconduct and prejudicial judicial misconduct. JoAnn filed a second petition for writ of habeas corpus on March 5, 1999. The superior court denied the petition six days later.

The Lentini Report. The California Innocence Project (CIP) asked the Arson Review Committee – headed by John Lentini – to review JoAnn's case. John Lentini is nationally known as the foremost expert in fire science. In 2011, Lentini sent a report to CIP that states, according to the new standards and understanding of fire science, the fire that burned JoAnn's home was not arson.⁴ The report explains the single origin of the fire (living room), the problem with associating fire damage with origin, taking into account the toxicology reports of the children, and finding Ronnie Jr.'s closet door was open during the fire. The report concludes JoAnn's "conviction was the result of the miserable state of the art in fire investigation at the time. By today's standards, none of the allegedly inculpatory evidence would withstand scrutiny. The investigators and ultimately the jury were misled by bad science, or no science at all."⁵

The Future: JoAnn Is Prepared for a New Life Outside Prison

JoAnn has used her time in prison to better herself and those around her. Over the course of the last 20 years, JoAnn has actively participated in a number of programs. She has received commendations from prison staff for her hard work and dedication, as well as her ability to assimilate back into society with ease. JoAnn is more than prepared to make it on the outside.

JoAnn worked in the dental lab from 1999-2011. She was the lead technician and performed a number of various tasks, including training new technicians to work in the lab which employs a total of 59 people. JoAnn headed up the Quality Assurance checks in all departments and also monitored infectious disease control protocols in the lab. JoAnn also has extensive education from Prison Industries in the dental field. She accumulated over 1,500 hours of proficiency certificates in: metal casting, survey and design, full and partial setups for upper and

⁴ See Exh. C at Tab 1 (John Lentini et al., *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Jo Ann Parks*, 8–9, <http://www.innocenceproject.org/docs/ArsonReviewReport.pdf> (last visited 4/27/2013).

⁵ See *id.* at p. 21.

lower dentures, plaster room, and oral anatomy and physiology. JoAnn's supervisor, Frank Roes, wrote a recommendation letter with confidence JoAnn would be an asset to any dental lab.⁶

In addition to her job training, JoAnn has been taking college courses through Coastline Community College. Since 2006, JoAnn has passed the following courses: Psychology, Geology, American Government, Marine Science, Math 8, Sociology 100, Math 5, Philosophy 100, Spanish 180, Political Science, Math 10, Personal Finance, Humanities, and Biology 100.⁷

JoAnn's most recent 128B was written by a member of the correctional staff that has known JoAnn since she first arrived in prison in 1992. D. Levine has "witnessed [JoAnn] in her job assignments and can clearly see that she is respected by her supervisors and peers for her knowledge and skills." D. Levine went on to say, "[i]t is in my opinion that if [JoAnn] is given the chance to parole, she would acclimate well into society."⁸ In addition to the most recent laudatory chrono, JoAnn has received 21 others dating back to 2007.⁹

JoAnn also has a place to live should she be pardoned. The expert that testified on JoAnn's behalf at trial always believed in her innocence. The expert's daughter, Mary Ross, also believes in JoAnn's innocence and hopes to one day see her free. Mary offered JoAnn a place to stay in her home. Mary's home has two spare bedrooms that JoAnn could choose from. Mary has also offered to assist JoAnn with paperwork, new skills, transportation, and shopping. Finally, and perhaps most importantly, Mary has offered a job to JoAnn at the family business should JoAnn be pardoned. JoAnn would have the family's guidance and support.¹⁰

RECENT FINDINGS INDICATE OUR JUSTICE SYSTEM IS DEEPLY FALLIBLE

Research Exposes Inherent Weaknesses In the Kinds of Evidence Jurors Trust Most

The 873 exonerations that have taken place in this country since 1989 are a clear indication that our justice system is fallible.¹¹ Those who are willing to admit to this fact about our justice system might nonetheless be surprised by the *depth* of the system's fallibility. Even those who do not work within the justice system are likely to recognize the concepts of "prosecutorial misconduct" and "ineffective assistance of counsel." However, most people are unlikely to be familiar with the steadily accumulating findings in the biological and social sciences over the past couple of decades that cast grave doubt on the very *kinds* of evidence we

⁶ See Exh. B at Tab 4 (Awards and Certificates).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ See Exh. B at Tab 3 (Letter of Support by Mary Ross, dated April 24, 2013).

¹¹ See Exh. A at Tab 2 (Samuel R. Gross & Michael Shaffer, *Exonerations in the United States, 1989–2012, Report by the National Registry of Exonerations* 1,1 (2012)).

human beings are accustomed to relying most heavily upon as fact-finders: eyewitness identification, confessions and sincere accusations, and “forensics.”

For example, there is a “near perfect scientific consensus” on a variety of factors which can render eyewitness identifications thoroughly unreliable.¹² Many of these findings go against laypeople’s common sense expectations, which accounts for why jurors (unjustifiably) find eyewitness identification to be highly persuasive regardless of circumstance.

Again running counter to people’s intuitions, research in psychology indicates—and explains the reasons—that innocent people will, even absent torture, falsely confess to a crime (or wrongfully implicate others) with alarming frequency. Similarly, psychological research explains why some people (especially children) come to regard demonstrably fabricated stories as their own authentic memories.

Finally, scientists know that there is no such thing as “forensic science.” Although jurors are inordinately swayed by anything labeled “forensic science,”¹³ there are actually a variety of forensic fields or disciplines, which scientist themselves view with very different levels of respect. Some fields, like “bite mark analysis” are based on unverified foundational premises implemented through unobjective methods, and are viewed with a lot of skepticism by scientists in other disciplines. Even in other, more credible fields of forensics, there have nonetheless been quiet revolutions in the prevailing thought—for instance, regarding so-called “shaken baby syndrome” or “arson science”—that refute the central premise of earlier verdicts in numerous cases.

The justice system cannot always correct itself, nor adequately take into account all the advancements in science which may impact convictions from years past. Many of the twelve cases that the California Innocence Project now presents to the Governor are emblematic of a once-hidden infirmity in evidence, and thus, in criminal convictions, brought to light by recent advancements in science.

JoAnn’s case is a textbook example of what scientists now view as an unreliable, error-prone arson science.

Recent Scientific Findings Establish the Unreliability of Arson Science

The field of fire investigation has greatly progressed over the last two decades, but only recently has the fire investigation community begun to acknowledge that much of what their predecessors taught came from junk science—folklore or rules of thumb, really—which sent

¹² See Exh. A at Tab 3 (*State v. Guilbert*, 49 A.3d at 720 (Conn. 2012)).

¹³ *United States v. Addison*, 498 F.2d 741 (D.C. Cir. 1974), *People v. Kelly*, 17 Cal. 3d 24, 32 (1976), *Huntingdon v. Crowley*, 64 Cal. 2d 647 (1966), *People v. King*, 266 Cal. App. 2d 437 (1968).

numerous innocent victims to jail.¹⁴ Fire investigators once thought that they could “read” the patterns left after a fire to determine that a liquid accelerant was used.¹⁵ They also commonly believed that the presence of certain burn “artifacts” like the “alligator-like appearance of wood char, spalling of concrete, crazed cracking glass, and the collapse or annealing of steel springs” indicated an intentional fire.¹⁶ Other “proof” of arson included the presence of “hot and fast fires,” “unusual, low level burning,” and apparent “flammable liquid pour patterns.”¹⁷ Scientific advances by fire scientists and fire engineers have demonstrated that all of these supposed indicators of an intentional fire can also be present in accidental fires.¹⁸ Finally, scientific advancement has refuted even the widely-held and commonsensical assumption that a fire must have started in the area showing the most damage.¹⁹

One of the most pivotal developments in fire investigation was the National Fire Protection Association’s 1992 release of *NFPA 921, A Guide to Fire and Explosion Investigation*.²⁰ Because it challenged the fire investigation myths that had existed for decades, NFPA 921 was initially met with resistance by the fire investigation community. This slowly began to change and in 2000 the “United States Department of Justice released a research report identifying NFPA 921 as a ‘benchmark for the training and expertise of everyone who purports

¹⁴ See Exh. A at Tab 4 (Lentini, John, *The Evolution of Fire Investigation and Its Impact on Arson Cases*, 27 Crim. Just. 12, 12–14 (2012)); see also Exh. A at Tab 5 (Starr, Douglas, *Spark of Truth: Can Science Bring Justice to Arson Trials?*, <http://discovermagazine.com/2011/nov/12-spark-truth-science-bring-justice-arson-trials> 2, 3, 8 (last visited 3/5/2013))

¹⁵ See Exh. A at Tab 6 (Bieber, Paul The Arson Research Project, *Fire Pattern Analysis and Case Study Review in Post-Flashover Fires*, <http://www.the arsonproject.org/Docs/FlashoverAnalysis.pdf> 1–3 (last visited 4/27/2013)).

¹⁶ See Exh. A at Tab 7 (Carman, Steven, *Science Trumps Art in Fire Investigation*, 74 Tex. B. J. 588–589 (2011) (available at http://www.texasbar.com/AM/Template.cfm?Section=Texas_BarJournal&Template=/CM/ContentDisplay.cfm&ContentID=14690) (last visited 4/27/2013); see also Exh. A at Tab 6 p. 3).

¹⁷ See Exh. A at Tab 6 pp. 1, 2, 4–6, 10; see also Exh. A at Tab 5 p. 5; see also Exh. A at Tab 7 p. 588.

¹⁸ See Exh. A at Tab 6 p. 15; see also Exh. A at Tab 5 pp. 3–5.

¹⁹ See Exh. A at Tab 5 pp. 3–4; see also Exh. A at Tab 8 (Carman, Steven, *Progressive Burn Pattern Development in Post-Flashover Fires*, at 2, 8 (“Severe fire damage that occurred well after ignition and in a completely different part of the building was often misinterpreted as the area of fire origin.”) http://www.carmanfireinvestigations.com/Publications_files/Progressive%20Burn%20Pattern%20Development%20in%20Post-Flashover%20Fires.pdf (last visited 4/27/2013)); see also Exh. C at Tab 1.

²⁰ See Exh. A at Tab 6 pp. 2–3.

to be an expert in the origin and cause determination of fires.”²¹ That same year, “the International Association of Arson Investigators (IAAI) for the first time endorsed the adoption of the new edition of NFPA 921.”²² Once fire investigators began to apply the findings and methodology of NFPA 921 instead of relying on the lore which earlier passed for fire “science,” the number of fires determined to be arson drastically decreased.²³

The utter lack of reliability in reading “fire patterns” was demonstrated in 2005 by a burn cell exercise the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) conducted at the Federal Law Enforcement Training Center. In this test, ATF certified investigators and an engineer set fire to two, “nearly identical, single-room burn-cells that measured 12 feet wide, 14 feet long and 8 feet high [that] were furnished with identical contents and burned.”²⁴ These two rooms were burned using similar ignition scenarios in a different area of each room. ATF then called in 53 fire investigators from both the public and private sectors to examine the burned rooms and then to identify the quadrant of each room in which the fires started. “Only 3 of 53 correctly identified the quadrants in each cell, a success rate of 5.7%.”²⁵ Shockingly, these were practicing fire investigators trusted to characterize a fire as arson and able to testify as expert witnesses in a court of law.

Every fire investigator needs to understand the effects of ventilation on how a fire burns. In fact, it is because of their understanding of ventilation and its effects on how a fire burns that fire scientists now know that many of the “indicators” fire investigators once thought were evidence of arson can just as well happen in an accidental fire.²⁶ One historical misconception is that a fire started in the area containing the most damage.²⁷ While it seems like common sense

²¹ Exh. A at Tab 9 (Excerpts from U.S. Department of Justice, *Fire and Arson Scene Evidence: A Guide for Public Safety Personnel* 6 (2000)); see also Exh. A at Tab 10 (Lentini, John *The Evolution of Fire Investigation and Its Impact on Arson Cases* (2012) at 2-4).

²² *Id.* pp. 2-4.

²³ See *id.* (“Nationwide, from 1999 to 2008, the National Fire Protection Association reported a drop from around 15 percent to around 6 percent of fires determined to be arson.”); *id.* (in Massachusetts, “between 1984 and 2008, the percentage of arson fires in the state dropped from more than 20 percent to less than 2 percent, despite a net increase in the total number of fires”); see also Exh. A at Tab 5 p. 9.

²⁴ See Exh. A at Tab 8 (Carman, *Progressive Burn Pattern Development*) at 1.

²⁵ *Id.*; see also Exh. A at Tab 10 pp. 4, 6. Note, this is far worse than would have occurred with a random guess. These fire investigators, utilizing their experience and training incorrectly identified the quadrant of origin 94.3% of the time.

²⁶ *Id.*; see also Exh. A at Tab 6 pp. 3–15; Exh. A at Tab 8 pp. 1–2, 10).

²⁷ See Exh. A at Tab 1. *NFPA 921* warns against assuming that the area of greatest damage is the point of origin. For instance, Section 6.3.2.2 states, “Areas of great damage are indicators of high heat release rate, ventilation effects, or long exposure. Such areas, however, are not always the point of origin. For example, a fire could spread from slow-burning fuels to rapid burning fuels with the latter producing the most fire damage.” Section

that the most damage would be near the point of origin, this is not always true. Because a fire needs oxygen, a fire that becomes oxygen-starved will often migrate to an area of greater ventilation, which can result in greater damage away from the point of origin.²⁸ A different test conducted by ATF in 2010 demonstrated this phenomenon in abandoned townhouses near Chicago's O'Hare airport. In that test, they similarly furnished near identical two-story townhouses and lit a fire in each of them near the living-room sofa. By having different windows open and closed in each townhouse, "they were able to manipulate [the] airflow [in each] to make it look as if the fire had started at a wide range of spots, even the opposite end of the room from where it actually began."²⁹

This phenomenon greatly impacts an investigation into arson because a fire investigator relying on the "most damage" myth may completely miss the true point of origin and consequently miss crucial evidence for determining the fire's true cause.³⁰

The effects of ventilation are especially significant in fires that burn past a phenomenon called "flashover."³¹ Flashover is often described as "when a fire in a room becomes a room on fire."³² During flashover, all of the fuel in a room is on fire and the fire can only grow to an area that has sufficient ventilation (in fire investigation terms, fuel means a combustible material such as wood, cloth, furniture, plastic, etc.).³³ In an accidental fire, flashover and the effects of ventilation can also cause what were once believed to be indicators of arson, such as "pour patterns" and "low level burning."³⁴

17.4.1.3 states, "The investigator should not assume that the fire at the origin burned the longest and therefore fire patterns showing the greatest damage must be at the area of origin. Greater damage in one place than another may be the result of differences in thermal exposure due to differences in fuel loading, the location of fuel packages in the compartment, increased ventilation effects, or fire-fighting tactics." Finally, Section 17.4.1.3.1 states that "The size, location and heat release rate of a fuel package may have as much effect on the extent of damage as the length of time the fuel package was burning. An area of extensive damage may simply mean that there was a significant fuel package at that location. The investigator should consider whether the fire at such location might have spread there from another location where the fuel load was smaller."

²⁸ See Exh. C at Tab 1 pp. 8–9; see also Exh. A at Tab 5 p.4; Exh. A at Tab 10 p. 6.

²⁹ See Exh. A at Tab 5 p. 7.

³⁰ See Exh. A at Tab 10 p. 7.

³¹ See Exh. A at Tab 6 pp. 3-4, 7-8, 15); see also Exh. C at Tab 1 pp. 5, 9; see also Exh. A at Tab 8 pp. 2–3.

³² See Exh. A at Tab 10 (Lentini, *The Evolution of Fire Investigation* at 4).

³³ *Id.*

³⁴ See Exh. A at Tab 6 pp. 4, 6-8, 15; see also Exh. C at Tab 1 (Lentini, *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Jo Ann Parks* at 5, 9; see also Exh. A at Tab 10 (Lentini, *The Evolution of Fire Investigation* at 4).

Additionally, regardless of whether a fire is intentional or accidental, ventilation and flashover have also been shown to create another artifact that was once thought to indicate an area of origin, a V-shaped pattern.³⁵ An accidental fire which has burned past flashover can cause multiple V-shaped patterns that are entirely the result of ventilation but that mimic what fire investigators once thought signified a point of origin.³⁶ True multiple points of origin strongly suggest a fire set intentionally, but a fire investigator that lacks an understanding of the effects of ventilation can mistakenly interpret the multiple V-shaped patterns as indicative of multiple points of origin, and thus, indicative of arson, even though such patterns simply resulted from an accidental fire burning past flashover.³⁷ Unfortunately, this mistaken analysis was precisely what happened in the JoAnn Parks trial.³⁸

Fire investigators once commonly thought that if a fire was, as they termed it, “hot and fast,” it must have been intentionally set using an accelerant. Earlier, an investigator would “read” the damage left by a fire and determine that an unusually hot and fast-spreading fire caused the damage. We now know, however, that a non-accelerated fire will burn just as hot as an accelerated fire, and if all else is held equal and both are allowed to reach flashover, the non-accelerated fire will spread almost as quickly as the accelerated fire.³⁹ The similarity between accelerated and non-accelerated fires in terms of heat and speed makes it very difficult to determine whether an accelerant was used.

The investigator’s mistaken premise that a fire set with an accelerant would burn hotter also led to the mistaken conclusion that the signs of a “hot” fire⁴⁰ necessarily indicated an arson.⁴¹ Because accidental fires can reach the heat levels necessary to produce these artifacts,

³⁵ See Exh. A at Tab 8 (Carman, *Progressive Burn Pattern Development* at 2, 10); see also Exh. C at Tab 1 (Lentini et al., *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Jo Ann Parks* at 10–11); see also Exh. A at Tab 5 pp. 6–7.

³⁶ *Id.*

³⁷ *Id.*

³⁸ See Exh. C at Tab 1 (Lentini et al., *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Jo Ann Parks* at 10–12, 20).

³⁹ See Exh. A at Tab 6 pp. 10–14. Noting that an accelerant merely accelerates the rate of temperature increase but does not increase the fire’s maximum temperature. See also U.S. National Fire Academy, student video of flashover cells, non-accelerated at <http://www.youtube.com/watch?v=z2Y2TlkSLAs> (flashover in less than three minutes) (last visited 4/27/2013) and accelerated at http://www.youtube.com/watch?v=h_HVA_z-9Gw (flashover in less than two minutes) (last visited 4/27/2013).

⁴⁰ These signs include the alligator-like charring on wood, concrete spalling (flaking), and the collapse or annealing of steel springs. See Exh. A at Tab 6 p. 2); see also Exh. A at Tab 10 (Lentini, *The Evolution of Fire Investigation* at 3).

⁴¹ In a further example of the many misconceptions of earlier fire investigations, one of the other supposed signs of a “hot fire” -- the “crazed glass” artifact -- has been shown to

contrary to what investigators once believed, their presence does not in itself speak one way or another as to whether the fire was intentionally set or not.⁴²

Fire science does not just disprove prior misconceptions about fire, but replaces them with more accurate methods of determining where a fire actually started. One of these methods is an “arc survey”, which would have been helpful to disprove the prosecution’s erroneous theory at the trial of JoAnn Parks.⁴³

Another tool investigators now use to determine a fire’s point or points of origin is a toxicology report of the carbon monoxide blood levels in a victim.⁴⁴ Victims of a fire may succumb to the heat, to smoke inhalation, or to carbon monoxide inhalation.⁴⁵ Victims that are killed by the heat generally have low carbon monoxide blood levels because they die before they are able to inhale high levels of carbon monoxide.⁴⁶ Thus, a victim that dies from carbon monoxide poisoning was likely away from a point of origin even if their body was found near extensive fire damage,⁴⁷ as previously discussed, this can happen when the fire migrates.

actually occur when the cool water from firefighter’s hoses comes in contact with heated glass. See Exh. A at Tab 5 p. 5. Thus, the presence of crazed glass does not necessarily even indicate a “hot” fire, much less have anything to do with whether the fire was intentionally set or not.

⁴² See Exh. A at Tab 5 pp. 5–6; see also Exh. A at Tab 6 pp. 11, 14, 15.

⁴³ Relying on the fact that wires only “arc” when powered, and that wires further from a fire’s origin will likely already be powered off by a circuit breaker when the fire reaches them, fire investigators can help determine the general area of the fire’s origin. In Joann’s case, the fire investigator reported (but later abandoned) a theory that Joann intentionally damaged a wire to start the fire. An arc survey would have disproved this theory at the very outset: because the wire in question did not arc, it was not powered when the fire reached it, and thus could not have been the ignition source of a fire at all. See Exh. C at Tab 1 (Lentini, *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Jo Ann Parks* at 13, 14); see also Exh. A at Tab 1 (NFPA 921 at 166–167).

⁴⁴ See Exh. C at Tab 1 (Lentini, *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Joann Parks* at 14).

⁴⁵ See Exh. A at Tab 11 (Corbitt-Dipiero, Cathleen, *Fatalities at The Fire Scene: Simple Steps for Strong Results*, <http://www.interfire.org/features/fatalities.asp> at 5, 9–10 (last visited 3/13/2013)).

⁴⁶ See Exh. A at Tab 1 (NFPA 921 at 213–214. Section 23.2.1.3 states that “victims with COH_b concentrations of 40 percent or higher are likely to have died from carbon monoxide alone or in combination with other factors (such as age, alcohol, or a heart condition) or may simply have been incapacitated sufficiently by carbon monoxide poisoning to be unable to flee the fire.”).

⁴⁷ See Exh. A at Tab 11 (Corbitt-Dipiero at 9).

The toxicology report on the victims in the Parks case could also have disproven the original multiple points of origin theory of the fire investigators (thus rebutting a key basis upon which the investigators called the fire intentional), but at the time, “this aspect of carbon monoxide poisoning was not well understood.”⁴⁸ Had a second point of origin existed in a victim’s bedroom, we now expect that the carbon monoxide levels in her blood would have been significantly lower than the other victims’.⁴⁹ The high carbon monoxide blood levels in JoAnn’s children indicates they died away from the area of origin, and the fact that all three victims had similar levels squarely refutes the existence of a point of origin in one of the bedrooms.⁵⁰

The fire investigation community’s understanding of fire has dramatically improved in the last decade thanks to verified fire science replacing earlier fire folklore. Courts have begun to recognize that many fire investigators working under the old assumptions in fact lack the scientific knowledge of their subject necessary to qualify as experts.⁵¹ Regrettably, “reversing an arson case is notoriously difficult,” even where a wrongful conviction was plainly based on debunked fire lore, in part because these cases, by their very nature, involve factual questions not subject to proof as definitive as cases involving DNA.⁵²

CLEMENCY IS THE ONLY SOLUTION

JoAnn Has Exhausted All Available Remedies

JoAnn has exhausted the appellate process and post-conviction proceedings in her pursuit of vindication. Although she has not presented the Arson Review Committee report in a petition for writ of habeas corpus, it would likely be unsuccessful given the state of the law on new evidence. Thus, clemency is the only solution.

⁴⁸ See Exh. C at Tab 1 (Lentini et al., *Report on the Review of the Evidence, Reports, and Expert Testimony in the Case of State of California vs. Jo Ann Parks* at 14).

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ See, e.g.: *Presley v. Lakewood Engineering and Manufacturing Company*, 553 F.3d 638, 643, 645–646 (8th Cir. 2009) (affirming trial court’s decision to exclude expert opinion because “an expert generally cannot formulate a theory through supposition based on his or her own expertise” and because the expert’s “fire spread theory was inconsistent with *NFPA 921*.”); *Fireman’s Fund Insurance Company et al. v. Canon U.S.A., Inc.*, 394 F.3d 1054, 1057–1060 (8th Cir. 2005) (affirming trial court’s decision to exclude testimony of two fire investigators as to the origin of a fire “because the experts did not apply the principles and methods of *NFPA 921* reliably to the facts of the case”); *Michigan Millers Mutual Insurance Company v. Janelle R. Benefield*, 140 F.3d 915, 920 n. 14, n. 15, 921 (11th Cir. 1998) (affirming trial court’s decision to exclude testimony of expert purporting to offer “scientific expert” testimony into origin of fire while performing no tests, taking no samples and failing to provide “scientific basis” or rational explanation for his conclusion that fire was intentionally set).

⁵² See Exh. A at Tab 5 p. 8.

JoAnn was convicted in 1993. The Court of Appeal affirmed her conviction a year later, and the California Supreme Court denied her petition for review. In 1997 and 1999, JoAnn filed petitions for writ of habeas corpus in state court challenging her conviction and the evidence behind it. The court on both occasions denied JoAnn a new trial.

In 2007, JoAnn contacted the California Innocence Project to investigate her case. After accepting JoAnn's case for representation, the California Innocence Project contacted John Lentini to review the case. The Arson Review Committee's report refutes the arson conviction and undermines the prosecution's entire case.

All told, JoAnn has attempted to address her wrongful conviction through one direct appeal, and two rounds of state habeas processes. Clemency is her last resort.

The Governor Can Right This Wrong

Article five, section eight of the California Constitution provides that the "Governor, on conditions that the Governor deems proper, may grant a reprieve, pardon, and commutation after sentence, except in case of impeachment." This power to grant clemency is "properly left to the conscience of the executive entitled to consider pleas" and is not governed by the rigidity of the judicial process.⁵³ In this case, because Mr. Morris has a single prior conviction for robbery in 1985, the Governor must also obtain the recommendation of four Justices of the California Supreme Court in order to grant the pardon.⁵⁴

The executive's prerogative to grant clemency is deeply rooted in our system of justice. As Chief Justice Marshall expounded in the first clemency case to reach the Supreme Court, "[t]he power of pardon, in criminal cases, has been exercised from time immemorial . . . [and] it is a constituent part of the judicial system."⁵⁵ Twenty-two years later, the Supreme Court first recognized the power of pardons to exonerate the wrongly convicted, explaining that the President's pardon power was appropriate "particularly when the circumstance of any case disclosed such uncertainties as made it doubtful if there should have been a conviction of the criminal."⁵⁶

The Governor's pardon power under the California Constitution serves a similar purpose. As the California Supreme Court has explained, the fundamental purpose of California's pardoning power is "to enable the state to do justice in those cases where the ordinary procedure

⁵³ The Honorable Janice Rogers Brown, former Justice of the California Supreme Court and former Legal Affairs Secretary to Governor Pete Wilson, *The Quality of Mercy*, 40 UCLA L. Rev. 327, 328 (1992).

⁵⁴ See Cal. Const. art. V, § 8; see also *Ex Parte Kelly*, 99 P. 368, 369 (Cal. 1908) ("[T]he power of the governor to grant pardons and commutations is absolute under the Constitution, except in cases of prior conviction[, which requires four Justices of the California Supreme Court to concur] . . .").

⁵⁵ *United States v. Wilson*, 32 U.S. 150, 161 (1833).

⁵⁶ *Ex Parte Wells*, 59 U.S. 307, 310 (1855).

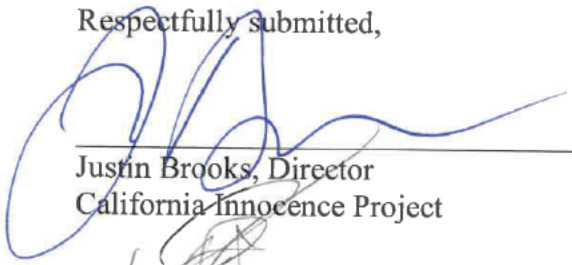
results in injustice.”⁵⁷ “If at the end of court procedures there is claimed to persist a miscarriage of justice, despite all the precautions of law to the contrary, the ultimate remedy rests in an appeal to the Governor for a pardon.”⁵⁸ Justice Traynor of the California Supreme Court has echoed this sentiment, explaining that “strong doubts as to [the] defendant’s very guilt” may “constitute . . . strong[] grounds for mercy” through executive clemency.⁵⁹

In light of the historical purpose of clemency to correct injustice, both the Supreme Court of the United States and the California Supreme Court have repeatedly recognized that clemency is the appropriate remedy to “correct injustices that the ordinary criminal process seems unable or unwilling to consider.”⁶⁰ This is just such a case.

* * *

JoAnn has served nearly twenty years in prison for an accident that was charged as a crime. Imbued with the power of clemency and the spirit of justice, the Governor has the ability to finally correct this tragic error. On behalf of JoAnn and those who support her, and as citizens of California, we respectfully request that he do so today.

Respectfully submitted,



Justin Brooks, Director
California Innocence Project



Jan Stiglitz, Co-Director
The California Innocence Project

⁵⁷ *People v. Sup. Ct.*, 190 Cal. 624, 625 (1923).

⁵⁸ *Ex Parte Horowitz*, 33 Cal.2d 534, 546 (1949).

⁵⁹ *Phyle v. Duffy*, 34 Cal.2d 144, 160 (1949) (Traynor, J., concurring).

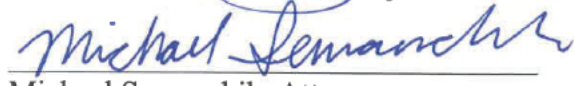
⁶⁰ *Dretke v. Haley*, 541 U.S. 386, 399 (2004); *Herrera*, 506 U.S. at 868; *Mendez v. Sup. Ct.*, 87 Cal.App.4th 791, 803 (2001) (explaining that the “remedy [for a defendant claiming innocence] . . . is to apply to the Governor for a pardon”); *see also Ex Parte Lindley*, 29 Cal.2d 709, 728 (1947) (noting that claim of innocence was an issued “for further investigation and consideration by the Governor of this State, if he be so advised”); *id.* at 729 (Schauer, J., concurring) (finding that the “remedy in . . . cases [of factual innocence] is committed by our law exclusively to the governor of the state”).



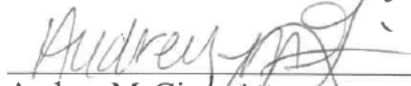
Alex Simpson, Legal Director
The California Innocence Project



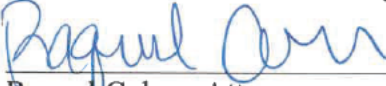
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Audrey McGinn, Attorney
The California Innocence Project



Raquel Cohen, Attorney
The California Innocence Project

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Cedric Pierce

In 1998, Cedric Pierce and his crime partner robbed Ellis Brown and Tommy Phillips at gunpoint. On January 3, 2000, the Superior Court of California, County of Santa Clara, sentenced Mr. Pierce to 25 years to life for robbery plus 15 years of sentence enhancements, a total prison term of 40 years to life.

Mr. Pierce was 24 years old when he committed this crime. He is now 45 and has been incarcerated for almost 22 years. Mr. Pierce has expressed sincere remorse for his crimes. He wrote in his clemency application, "Due to the evolution of aging and maturing, in retrospect, I clearly understand the error and dysfunction with my criminal behavior. I'm aware that substance abuse and environmental influences assisted in my unacceptable, self-imposed decisions, however, there is no justification and no excusable reasoning I can offer for my priors."

While incarcerated, Mr. Pierce has devoted himself to his rehabilitation. Mr. Pierce earned a paralegal certificate, completed two vocational training programs, and has participated in many self-help courses. Mr. Pierce works as a braille transcriber for the visually impaired program at his prison. A correctional officer praised Mr. Pierce for his efforts at rehabilitation, writing "[Mr. Pierce] exhibited positive behavior that speaks to his change and progressive [programming]."

Mr. Pierce's application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Pierce committed a serious crime. Since then, Mr. Pierce has taken responsibility for his actions and has devoted himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Pierce's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Pierce merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Pierce does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Cedric Pierce to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): PIERCE CLARE DJON Name on Prior Application (if different): _____

Date of Birth: [REDACTED] - 74 Social Security Number: [REDACTED]

CDCR Number: J24758 Name of Facility/Prison: Ironwood State Prison

Residence Address: P.O. Box 2199 / C2-208 Blythe CA 92226

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I was interviewed on 4-26-18.

[Signature]
Applicant Signature

4-16-19
Date

**SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.**



Com C-172-16

RECEIVED

DEC 28 2016

GOVERNORS OFFICE
LEGAL AFFAIRS

Application for Clemency

Name: Cedric Pierce
Date of Birth: [REDACTED] 1974
SSN: [REDACTED]
Address: Ironwood State Prison
P.O. Box 2119 C2-208
Blythe, CA 92226

1. Conviction Summary: List all prior convictions, including any in other states or countries.

Offense(s)	Date of offense(s)	County	Sentence(s)
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Case No. H19171A

6 Counts of 2 nd Degree Robbery	January 12, 1994	Alameda County	8 years
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1 Count Attempted Robbery

1 Count False Imprisonment w/ Violence

Case No. 209570

2 Counts of 2 nd degree robbery	June 17, 1998	Santa Clara County	40 years to life
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2. Briefly describe the circumstances of the crimes(s) for which you are requesting a pardon or commutation:

Growing up, my father was emotionally and physically abusive to me. He was addicted to drugs and alcohol. I was raised in the poverty stricken, gang ridden city of East Palo Alto during the 80's and 90's. I never joined a gang but was surrounded by them. I had many friends and was well liked, but I was immature and seriously lacked the motivation and drive to be a law abiding citizen.

I have two robbery cases. One from 1994 and the other from 1999.

When I was 19, I robbed a bank and was convicted of armed robbery. That conviction was plea bargained in accord with multiple counts, nevertheless, understood to be considered one case or one prior. During my sentencing hearing the judge advised me that if I was convicted in a second felony case in the future, I would be sentenced to double time. He also advised, that if I was ever convicted in a third felony case, I would then be sentenced to life in prison. (See Exhibit 1 – Sentencing Transcript)

I served over four years in prison. Upon release, I lived with my father because my mother was living in Arizona. I tried to find a job, but with no employment history and just being released from prison I was not successful.

My girlfriend at the time, who is now my wife, told me she was pregnant with our son in the beginning of June 1998. I then made the stupidest and worst decision of my life. On June 17, 1998, I robbed two men in a park, taking a cell phone and about \$900 and I was arrested. I participated in this crime of robbery due to immaturity and failure to acclimate myself to society. I was addicted to alcohol and was unwilling to change.

At sentencing for my second case, my prior counts from my first case were treated as multiple convictions and strikes. This allowed me to be considered a three striker with only two convictions. As a second striker, I should have been subjected to a maximum of 21 years. However, I was 23 years old, charged as a three striker and sentenced to 40 years to life.

3. Explain why you are requesting a pardon or commutation:

I'm asking for mercy and an opportunity for redemption. I'm ashamed and regretful of my past conduct and decisions. I want to live a life of service in an attempt to balance out my past, recusing my reputation. I'm asking you for the opportunity to rewrite my history and for the chance to live to my full potential.

My first priority is my wife and our children. I want to be home, in Arizona, with my wife and kids more than anything. I want to be a part of their daily lives so I can do more to help raise them to become to best they can be and so I can help my wife with everything that she currently does on her own.

I was arrested two weeks after my wife found out she was pregnant with our eldest son. Knowing that I was facing many years in prison, she decided to place our son for adoption. I have never met him in person, but my wife has a close relationship with him. He will be 18 on January 1, 2017. I want to meet my son, for the first time, outside of prison. I want to hug him, apologize and tell him how much I love him.

4. Provide a brief statement explaining why you should be granted a pardon or commutation:

Remorseful

I'm very sorry for every single crime I have ever committed, big or small. I wrote apology letters to my victims but was told there is no way for me to give the letters to them.

I'm sorry that due to my very poor behavior, the state of California had to use costly resources of police officers, prosecutors, judges, jurors, and prisons.

Due to the evolution of aging and maturing, in retrospect, I clearly understand the error and dysfunction with my criminal behavior. I'm aware that substance abuse and environmental influences assisted in my unacceptable, self-imposed decisions, however, there is no justification and no excusable reasoning I can offer for my priors.

Through my transformative stages I've learned to be accountable and to live in the present. This new found knowledge has empowered and motivated me. Additionally, it has allowed me to become a critical thinker.

I assure you Governor Brown, I am no longer a threat to society. I am ready to meet the challenge of being a productive member of society.

Discipline Free

I've been disciplinary free for over four years and have never been involved directly or indirectly in a violent altercation.

Certificates

I have many certificates and accomplishments such as:

1. Certificate for the paralegal program through Blackstone Career Institute.
2. Certificate for the substance abuse program.
3. Certificate for the cognitive awareness program.
4. Certificate for the banking and financial management program.
5. Certificate for the personal re-entry guide and journal program.
6. Certificate for the criminal gang anonymous program.
7. Certificate for the alternate violence project program.
8. Certificate for the janitorial program.
9. High school diploma.
10. Authored and published a collection of my poetry over 20 years.
11. Co-authored and published a children's book, The Boy Who Would Be King.
12. Authored and in the process of publishing Rules of Conduct.

Employment

I have a job waiting for me when I get home at a family friend's restaurant, Tee Pee Mexican Food. (See attached letter from Julie Martinez.)

Recently, I was selected to be one of the few braille translators at Ironwood Prison. I am learning how to translate books into braille. I'm excited for this opportunity because it's a skill I will be able to turn into a self-employment opportunity when I'm home. I'm an avid reader and I find joy in having the opportunity to give people who are blind the ability to read more books.

My ultimate goal is to become a motivational speaker as a way of serving the public. I would like to speak with troubled youth about the horrible decisions I made when I was their age and what my consequences were. I want to let teens know that it is cool to get an education and a legitimate job. I want them to know that it's manly to be respectful to all women. And I want them to know that they can stop the cycle of drugs, alcohol and abuse that may be a part of their current family life.

Strong Support System

My wife is my best friend and my strongest supporter. She was there for me as a friend, for the first 11 years of my time in prison. We have been together for the past seven years; married since April 27, 2013. Marrying my wife is my best decision ever.

My most drastic life changes have been since I've been with my wife. She's had the patience of a saint and has helped me mature in all areas of life. My wife gave me a family, she constantly encourages me to become a better man, and shows me the true meaning of love and loyalty.

In an effort to bring me home, my wife has worked tirelessly on legal research, promoting the Three Strikes Initiative and promoting your Prop 57. She also set up a petition for people to sign in support of my clemency application. To date, over 700 people have signed the petition. The love and support has been overwhelming. www.change.org/p/grant-clemency-to-cedric-pierce

A few of my other supporter are:

Qiwana Carter; my sister. She lives 15 minutes from my home in Arizona. I have always been very close to my sister. Qiwana has one son. My wife and Qiwana get together with the kids about once a month.

Lois Price-Pierce is my step mother who has remained in my life even after she and my father divorced.

Dorian Brown tried her best to keep me out of trouble when I was a youth. Ms. Brown has been a very special person in my life since I was a teenager. She is a mother figure for me.

Gloria Keegan was my daughters 5th and 6th grade teacher. Ms. Keenan has gone above and beyond to help my daughter develop academically and emotionally. Ms. Keenan wrote to me about my daughter and we became friends. She has also visited me, in prison, with my wife and kids.

Julie Martinez is my wife's best friend. Julie was very supportive and helpful with my wife when she was dealing with the emotional decision of placing our son for adoption 18 years ago. I have talked to Julie many times over the years and she has always been a great source of support and encouragement. Julie's family owns a restaurant that is about one mile from our house. She has offered me a job at the restaurant as soon as I get home.

I'm a Mentor

I'm a mentor, at Ironwood Prison, with the Anti-Recidivism Coalition. I mentor young men who have recently arrived at the prison. My goal is to guide them to be productive while they are here and to not join a gang or use drugs or alcohol. I also encourage other inmates, that are not in the mentor program, to lead a better life.

Substance Free

I am substance free. I do not use any drugs, alcohol or tobacco.

5. **If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or give (required by Penal Code section 4807.2):** None.

Pending

Com 2972-16

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Santa Clara County: Please take notice that I, CEDRIC PIERCE,

was convicted of the crime of 2nd Degree Robbery,

committed in Santa Clara County, California, on the date of June 17, 1998.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

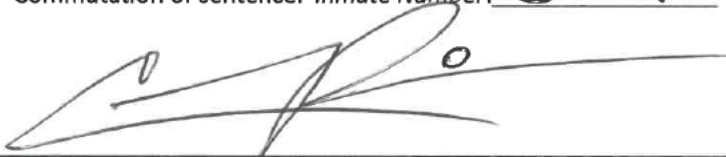
☐ Pardon

☒ Commutation of sentence. Inmate Number: J24758.

RECEIVED

DEC 27 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS



10-14-16

Applicant's Signature

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Jeffrey F Rosen, District Attorney of the County of Santa Clara,

do hereby acknowledge receipt of notice from CEDRIC PIERCE,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed Jeffrey F. Rosen

Date 11/21/17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.


STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, CEDRIC PIERCE, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of ALAMEDA COUNTY with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

11-23-16

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

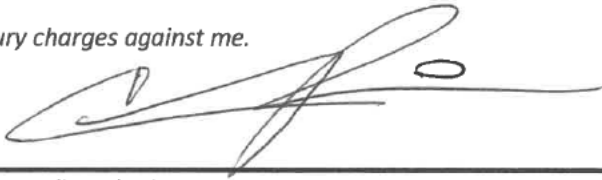
STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, CEORAL J. FERRE, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Santa Clara with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

11-23-16

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

Com 2972-16

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Alameda County: Please take notice that I, CEDRIC PIERCE,

was convicted of the crime of 2nd Degree Robbery,

committed in Alameda County, California, on the date of April 6, 1994.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

☐ Pardon

☒ Commutation of sentence. Inmate Number: 524758



Applicant's Signature

10-19-16
Date

RECEIVED

OCT 26 2016

**GOVERNORS OFFICE
LEGAL AFFAIRS**

DISTRICT ATTORNEY ACKNOWLEDGEMENT

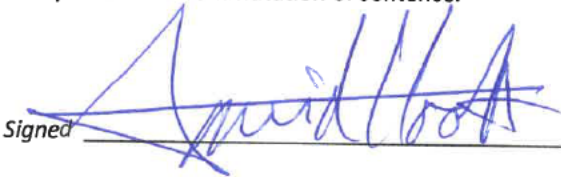
This section to be completed by the District Attorney only.

I, David C. Cook, District Attorney of the County of Alameda,

do hereby acknowledge receipt of notice from Cedric Pierce,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed



Date

October 24, 2016

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Ramon Rodriguez

In 1997, Ramon Rodriguez's crime partner paid Mr. Rodriguez to kill the victim, 15-year-old Israel Sirodia. Mr. Rodriguez then shot and killed Mr. Sirodia. On July 9, 1999, the Superior Court of California, County of Los Angeles, sentenced Mr. Rodriguez to life without the possibility of parole for murder with a 10-year firearm enhancement.

Mr. Rodriguez is now 49 years old and has been incarcerated for 22 years. Mr. Rodriguez expressed deep remorse for this crime. While serving a sentence with no expectation of release from prison, Mr. Rodriguez dedicated himself to his rehabilitation. Mr. Rodriguez earned an associate degree and has participated in many self-help programs. He has received commendations from staff. A correctional sergeant praised Mr. Rodriguez on his work ethic, professionalism, and good conduct, noting that he "has taken advantage of this time to rehabilitate himself" through continuing education courses and self-help programs. Another correctional officer wrote that Mr. Rodriguez has "maintained the highest level of respect towards staff and inmates" and has been a "role model to others promoting positive behavior."

Mr. Rodriguez's commutation application was reviewed by the Board of Parole Hearings, which voted at an en banc meeting to recommend a clemency grant. The California Supreme Court also made a recommendation for a clemency grant, a process required by the California Constitution for cases in which the applicant has been convicted of more than one felony.

Mr. Rodriguez committed a serious crime that took the life of Mr. Sirodia. Since then, Mr. Rodriguez has dedicated himself to self-improvement. I have carefully considered and weighed the evidence of Mr. Rodriguez's positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Rodriguez merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Rodriguez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Ramon Rodriguez to 25 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Am 7107-18

RECEIVED

JUN 05 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: RAMON RODRIGUEZ Date of Birth: [REDACTED] 70 Inmate ID: H-52454

Address: E530-24-05L, P.O. Box 905, Avenal, Ca. 93204 Facility: AVENAL STATE PRISON

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Felony Murder 187 PC.	11/16/97	Los Angeles	LWOP
Grand Theft Auto 487 PC.	12/01/97	Los Angeles	2 yrs.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On November 16, 1997, I committed a horrible crime. I took the life of a teenager at his home for raping my co-defendant, Fatima Hernandez. My co-defendant, Fatima Hernandez, went looking for me at my home crying. She told me she had gotten raped. She needed help and wanted him (the victim) hurt for what he did to her. I told her -

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am requesting commutation so that I can have the opportunity to go before the Parole Board to demonstrate my growth, insight, accomplishments while imprisoned, and my over-all preparedness for release. I understand the harm now that I have caused as oppose to then because I wasn't thinking straight. While I cannot grasp the totality of the loss-

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I am no longer the person who committed that horrendous crime 21 years ago. Since I have been in prison over the last 21 years, I have matured and made many improvements in my life to become a better person. Although I do not have an unblemished C-File, I have made

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

None.

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of LOS ANGELES County: Please take notice that I, RAMON RODRIGUEZ,
was convicted of the crime of FELONY MURDER 187 PC.
committed in LOS ANGELES County, California, on the date of NOVEMBER 16, 1997

I will submit this application to the Governor of the State of California.

[Signature]
Applicant's Signature
05/29/18
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, STEVEN FRANKLIN, District Attorney of the County of Los Angeles
do hereby acknowledge receipt of notice from Ramon Rodriguez,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

RECEIVED

JUN 26 2018

**GOVERNOR'S OFFICE
LEGAL AFFAIRS**

Signed [Signature]

Date 6-6-18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

2. Briefly describe circumstances cont.:

I would help her. She gave me his address, the victim (Israel Siordia), and I went to his home and instead of fighting him I shot him.

3. Explain why you are requesting commutation cont.:

I caused Mrs. Guillermina Fuentes, Israel Siordia's mother, I do understand that by murdering her son, I took more from Mrs. Fuentes than just Israel's presence. I murdered her child and therefore I murdered a part of her. Because of the choice I made to shoot her son, I took all the potential and promise that her son's life held. In the blink of an eye I stole all that hope away from Mrs. Fuentes, her family and loved ones. I can wholeheartedly say that I am pained by the extent of suffering and loss that I have caused; I am deeply remorseful for my actions in murdering Mrs. Fuentes's son Israel, along with all the pain, anguish, grief, anger and loss that she experienced because of his death, I accept full responsibility.

4. Why should you be granted commutation cont. :

positive steps towards change and rehabilitation. I have engaged in rehabilitative / self-help programs such as A.A., Timeless, N.A., Celebrate Recovery, Criminal - Thinking and I am currently participating in the Partnership for Re-Entry Program (PREP) Anger Management. In furthering my education, I've also obtained my Associates Degree in Ministry from New Hope Mission through Harvest Bible University. Since - giving my life to Christ, I have become a new man from the inside out. In Pleasant Valley State Prison I served as a leader and teacher of the Gospel of Jesus Christ. I am currently serving the ministry here at Avenal State Prison as part of the - Spanish Speaking Christian Community. During my incarceration I have gained a variety of skills through employment by CDCR from food service to clerical, ~~all of which I~~ have received positive work evaluations by former and current work supervisors. If - given the opportunity, I believe the Governor and the Parole Board will see how I've turned my life around to become the man I am today. This is why I should be granted commutation of my sentence. Thank You.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Dwayne Allen

In 1979, Dwayne Allen and his crime partner shot and killed Chhotubhai Patel during a robbery. On August 8, 1979, the Superior Court of California, County of Kern, sentenced Mr. Allen to life without the possibility of parole for murder.

Mr. Allen was 21 years old at the time of the crime and is now 62. He has been incarcerated for 41 years. While serving a sentence with no hope of release from prison, Mr. Allen has dedicated himself to rehabilitation. He has resided in an honor dorm for many years. Mr. Allen earned his GED, completed vocational training, and maintained consistent employment throughout his incarceration, routinely receiving exceptional work ratings from his supervisors. He has been commended by prison staff for his positive attitude, great work ethic, and respect for staff and other inmates.

Mr. Allen committed a serious crime that ended the life of Mr. Patel. Since then, Mr. Allen has worked to improve himself. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his advanced age and long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Allen merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Allen does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, hereby commute the sentence of Dwayne Allen to 41 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE



Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary.)

Name (Last/First/Middle): Allen, Dwayne SR. Date of Birth: [REDACTED] 1957

CDCR Number: C-07703 Social Security Number: [REDACTED]

Name of Facility/Prison: Pelican Bay, Level II Facility/Prison Address: P.O. B. 7500
Crescent City, CA. 95532

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
<u>P.C. 187/211</u>	<u>JULY 5, 1979</u>	<u>Kern</u>	<u>(LWOP)</u>

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
<u> </u>	<u> </u>	<u> </u>	<u> </u>

2. Describe the circumstances of your crime(s).

I was convicted of murder/robbery of Mr. Chhotubahi Patel motel manager, in Bakersfield CA. which I take full responsibility for the senseless act that I committed. it was unintentional, I had no right taking what was not mine

3. Describe how a commutation of sentence may impact your life.

I was twenty-one at the time of my offense, a first offender. I am certainly been the cause of so much grief and heartache. my remorse has no end, nor should it ever end. my journey to continue rehabilitating, could make tremendous progress with a reduction in sentence opportunity to go in front of (BPH). I no longer pose any threat to society. I'll prove rehab.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

I was convicted over forty years ago. I come along way from being the kid I was back then. through extensive growing, and change, from youth to adult. I have achieved many educational and self-help programs. also mandatory chroeds and certificates, etc.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Dwayne Allen SR., declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Kern.
(Name of County or Counties)

Dwayne allen
Applicant Signature

9-9-2019
Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Andrew Aradoz

In 2007, Andrew Aradoz fired several shots at a group of rival gang members, injuring Salvador Torres. On October 9, 2009, the Superior Court of California, County of Yolo, sentenced Mr. Aradoz to seven years to life for attempted murder, six years for assault with a firearm, eight months for theft or unauthorized use of a vehicle, plus an additional 11 years of sentence enhancements, a total prison term of 24 years and 8 months to life.

Mr. Aradoz was 14 years old at the time of the crime and is now 27. He has been incarcerated for 12 years. While in prison, Mr. Aradoz has demonstrated a strong commitment to his rehabilitation and has maintained an exemplary disciplinary record. Mr. Aradoz earned his GED and is currently enrolled in college courses. He participated in self-help programming and completed vocational training. Mr. Aradoz has been praised by his supervisors for his work ethic and positive influence on others.

Mr. Aradoz committed a serious crime that injured Mr. Torres. Since then, Mr. Aradoz has taken responsibility for his actions. I have carefully considered and weighed the evidence of Mr. Aradoz's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Aradoz merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Aradoz does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Andrew Aradoz to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





com 10961-19

Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

(Attach additional pages as necessary.)

Name (Last/First/Middle): **ARADOZ / ANDREW / KENNETH** Date of Birth: **[REDACTED] 1993**
CDCR Number: **AB 5715** Social Security Number: **[REDACTED]**
Name of Facility/Prison: **AVENAL STATE PRISON** Facility/Prison Address: **#1 KINGS WAY, AVENAL, CA 93204**

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PC 664(a)/187(a)	October 9, 2009	YOLO	7 YEARS TO LIFE
PC 245(b)	October 9, 2009	YOLO	6 YEARS
PC 10851(a)	October 9, 2009	YOLO	8 MONTHS
PC 12022.5(a)	October 9, 2009	YOLO	10 YEARS
PC 186.22(b)(1)	October 9, 2009	YOLO	1 YEAR

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
[prior juvenile proceedings only]			

2. Describe the circumstances of your crime(s).

On June 20, 2007 I shot Salvador Torres while he was walking home from school. I was a gang member. I was very controlling, resentful, angry and unhappy with my own life. I come from a single parent household my mother was on

3. Describe how a commutation of sentence may impact your life.

Being given a second chance would make me incredibly happy. I would be able to start a life outside of prison sooner than I previously had thought. I will eventually become a member of my family that can be depended upon ~~and~~ ~~and~~ ~~and~~

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

After my conviction I continued to be angry, aggressive and unwilling to accept responsibility for my actions. Things started to change for me when I got to prison, I dropped out and this was the first step I took in the right direction.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

There has been no amount of money or any gift given to anyone for assistance in preparing this application.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, ANDREW KENNETH ARADOZ, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of YOLO
(Name of County or Counties)


Applicant Signature

Oct 7, 2019
Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

2. (continued)

drugs and neglected me during my childhood. I have five older brothers that I looked up to but neither one of them were a positive influence to me at the time. They all struggled with drug addiction, criminality, and gang membership. These are all conditions that I faced and failed to deal with appropriately growing up. I made mistake after mistake and eventually I shot an innocent young man.

4 (continued)

I began to drop points inside of prison which allowed me to be on lower level yards and the lower I went the availability of self-help opportunities grew. I started to get involved and at first these groups were meaningless to me but I guess showing up week after week got to me. I started taking the groups serious I opened up and started being honest with myself. I became willing to accept responsibility for all of my actions. I learned what empathy is. I have examined my past and have realized that my violence came from me being unhappy as a child but accepting full responsibility for myself. I do not place blame on anyone for anything I was unhappy with. For a long time I blamed my mother and other gang members for my behavior but using what I know about empathy helps me to put myself in their shoes and instead of being resentful towards them empathy helps me to be understanding of them. I no longer have these powerful resentments that caused me to be so angry.

Since I've been in prison I have attended many self help workshops. Mostly within the last nineteen months. I have (Alternative to violence, Breaking barriers, Victim awareness, victim impact, Anger management, Insight, Domestic violence, Criminal and gang members anonymous and a character defects workshop. I am currently in gang awareness and Grip (Guiding rage into power). I am a student in coastline community college, I earned my G.E.D in 2010 and I completed a electrical Vocation in 2015.

4 (Continued)

I have earned conduct violations as well. I recieved two RVR^S. Since ive been in prison one (128) and one (115). In both situations I wanted to feel like I was in control. I have learned that this is one of my character defects. now being aware that this is a problem of mine has made it easier for me to identify and deal with appropriately.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Kathy Baker

In 2006, after arguing with her ex-boyfriend Douglas Winfree, Kathy Baker and her crime partner went to Mr. Winfree's home and Ms. Baker's crime partner shot Mr. Winfree. He survived his injuries. On March 19, 2007, the Superior Court of California, County of Los Angeles, sentenced Ms. Baker to 25 years to life for conspiracy to commit a crime plus five years for assault with a firearm and a one-year deadly weapon enhancement, a total prison term of 31 years to life.

Ms. Baker is now 61 years old and has been incarcerated for 14 years. While in prison, Ms. Baker has devoted herself to self-improvement. Ms. Baker has maintained a perfect disciplinary record. She has engaged in extensive self-help programming and has resided in an honor dorm. Ms. Baker received commendations for her conduct from staff. A correctional officer praised Ms. Baker for her positive behavior, helpfulness, and efforts in rehabilitation.

Ms. Baker participated in a serious crime that injured Mr. Winfree. Since then, Ms. Baker has dedicated herself to her rehabilitation. I have carefully considered and weighed the evidence of Ms. Baker's positive conduct in prison, her advanced age, and her good prospects for successful community reentry. I have concluded that Ms. Baker merits an earlier opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Baker does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Kathy Baker to make her eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have
hereunto set my hand and
caused the Great Seal of the State
of California to be affixed this 26th
day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



CCWF

COM-1070-12



MAY 13 2019

Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): BAKER, KATHY A. Name on Prior Application (if different): _____Date of Birth: 1958 Social Security Number: _____CDCR Number: X 24589 Name of Facility/Prison: CENTRAL CALIFORNIA WOMEN'S FACILITY

Residence Address: _____

Mailing Address (if different): P.O. Box 1508 - CHOWCHILLA, CALIFORNIA 93610Home/Cell Phone: N/A Work Phone: N/A Email: N/A

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

NO I HAVE NOT RECEIVED ANY CASE NUMBER OR CORRESPONDENCE FROM THE GOVERNOR'S OFFICE OR BOARD OF PAROLE HEARINGS REGARDING MY APPLICATION. NO I HAVE NOT BEEN INTERVIEWED REGARDING MY APPLICATION.

Kathy Baker
Applicant Signature

05-08-2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



COM 1070-12

RECEIVED

MAR 16 2013

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, CA 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: KATHY A. BAKER Date of Birth: [REDACTED] 1958 Inmate ID: X24589Address: P.O. Box 1508, 506 29, 2 LOW Facility: CLWF
CHOWCHILLA, CA 93610

1. Conviction Summary:

List all prior convictions, including in any other states or countries. Attach additional pages as necessary.			
Offense(s):	Date of offense(s):	County of Conviction(s):	Sentences(s):
PC 182 (A)(4)	04-22-2006	LOS ANGELES	25 TO LIFE
PC 664, 187(A)	04-22-2006	LOS ANGELES	STAY
PC 203	04-22-2006	LOS ANGELES	STAY

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary): ON APRIL 22, 2006, I TOLD MR. WINFREE MY VICTIM, I WAS COMING TO GET DAUGHTER KRING WINFREE. WITHIN THE HOUR I ARRIVED AT MR. WINFREE'S MY VICTIM'S SISTER'S HOUSE. AS MR. WINFREE (VICTIM) EXITED THE HOUSE WALKING TOWARDS ME BAKER (DEFENDANT) MR. STEWART (CO-DEFENDANT) WAS ALREADY CROUCHING BEHIND A VEHICLE, SHOT MR. WINFREE, WE DEFENDANTS FLED IN BAKERS VEHICLE

3. Explain why you are requesting a commutation (attach additional pages as necessary): AT THE TIME I COMMITTED MY CRIME I LIVE IMPULSIVELY, RECKLESSLY AND IRRESPONSIBLY WITHOUT REGARDS FOR OTHERS, HOWEVER, THIS DAY I HAVE AQUIRED PATIENCE, MANY SKILLS SUCH AS CONSIDERATION, LOVE, FROM NUMEROUS SELF-HELP GROUP, ALONG WITH PROFESSIONAL MENTAL HEALTH ONE ON ONES AND

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages as necessary): I FEEL I SHOULD BE GRANTED A COMMUNATION BECAUSE I HAVE BEEN RE-HABILITATED BEGINING FROM THE TIME I STARTED MY SENTENCE UP UNTIL THIS DAY. I WORK ALL FACETS OF CONSTRUCTION THROUGH THE IN-MATE WARD LABOR. I ADHERE TO ALL RULES AND REGULATIONS.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list the name, address, and amount paid or given (required by penal code section 4807.2):

N/A

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of LOS ANGELES County:

Please take notice that I KATHY A. BAKER, was convicted of the crime of PC 182 (A)(1), PC 664.187 (A) PC 203, committed in LOS ANGELES County, California on the date of 04-22-2006. I will submit this application to the Governor of the State of California.

Kathy A. Baker
Applicant's Signature

3-12-2018
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____ do hereby acknowledge receipt of notice from _____, that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please return this notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Carl Banks

In 2007, Carl Banks shot and killed Lloyd Stallings in a gang-related crime. On September 25, 2009, the Superior Court of California, County of Los Angeles, sentenced Mr. Banks to 15 years to life for second degree murder plus a 25-years-to-life firearm enhancement, a total prison term of 40 years to life.

Mr. Banks was 16 years old at the time of the crime and is now 29. He has been incarcerated for 12 years. Mr. Banks has expressed genuine remorse for his crime. While in prison, Mr. Banks has maintained a good disciplinary record, has participated in significant self-help programming, and has been consistently enrolled in educational coursework.

Mr. Banks committed a serious crime that ended the life of Mr. Stallings. Since then, Mr. Banks has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Banks's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Banks merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Banks does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Carl Banks to 15 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.

APPLICANT INFORMATION

Name (Last/First/Middle): Banks Carl James Name on Prior Application (if different): noneDate of Birth: [REDACTED] 91 Social Security Number: [REDACTED]CDCR Number: AB-1774 Name of Facility/Prison: CSP - Los Angeles CountyResidence Address: [REDACTED]Mailing Address (if different): P.O. Box #4430 Lancaster, CA 93539Home/Cell Phone: none Work Phone: none Email: none

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

none

Carl Banks
 Applicant Signature

Aug 03, 2019
 Date

SUBMIT COMPLETED FORM TO:

THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
 DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Box 44
RECEIVED

JUL 20 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Carl James Banks Date of Birth: [REDACTED] / 91 Inmate ID: #AB1774

Address: P.O. box # 4430 Facility: Los Angeles Co.

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Robbery	5/10/05	L.A. Co	Dismissed
Control Substance	6/11/06	L.A. Co	None
Violate law private property		L.A. Co	3 months camp.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

I AM currently incarcerated for A 2nd degree Murder with less Intailly A first fight which me losing & becoming stressed made a fool off I reacted in A manner that lead me to where I am to do with harming him.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I AM requesting A commutation to reduce my wrong doing & to make Amends to him his 10 years & mines plus the communitiy I effected & harmed. to display since charge.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I should be granted A commutation based on personally Improvement & that of A present predictive Mine here today that's willing to give back & show peace & forgiveness

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

I Have not.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Isaac Belmontez

In 2011, Isaac Belmontez was arrested for shooting and injuring two rival gang members. On September 7, 2012, the Superior Court of California, County of San Bernardino, sentenced Mr. Belmontez to 15 years to life for attempted murder, one year for assault with a firearm, plus 29 years and eight months to life of firearm and gang sentence enhancements, a total prison term of 45 years and eight months to life.

Mr. Belmontez was 23 years old at the time of the crime and is now 32. He has been incarcerated for eight years. While in prison, Mr. Belmontez has committed himself to self-improvement efforts. Mr. Belmontez has lived in the Progressive Programming Facility, an honor yard, since 2017. He has maintained a good disciplinary record. Mr. Belmontez has participated in self-help programming and is enrolled in college courses. He currently works as a GED Clerk and has been commended by prison staff for his good conduct.

Mr. Belmontez was convicted of a serious crime that injured two people. Since then, Mr. Belmontez has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Belmontez's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Belmontez merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Belmontez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Isaac Belmontez to 10 years to life.



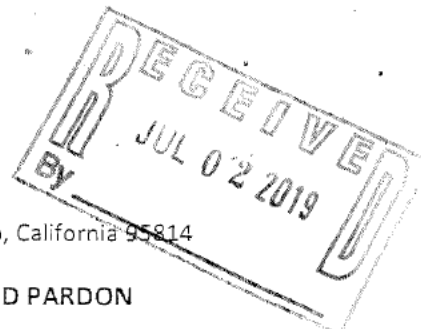
IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Belmontez Isaac R. Name on Prior Application (if different): _____
Date of Birth: 1987 Social Security Number: _____
CDCR Number: AM 4245 Name of Facility/Prison: Los Angeles State Prison-Lancaster
Residence Address: _____
Mailing Address (if different): P.O. Box 4430 Lancaster, Ca 93539
Home/Cell Phone: _____ Work Phone: _____ Email: _____
I previously submitted:
☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I have not received a case number nor have I been interviewed.

J. Belmontez
Applicant Signature

6/27/19
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Am 6247-18

RECEIVED

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APR 02 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Isaac R. Belmantez Date of Birth: [REDACTED]/87 Inmate ID: AM4245

Address: P.O. Box 4430 Lancaster, Ca 93539 Facility: A1-209

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Felony Vandalism	9/2010	San Bernardino, Ca	2 weeks jail Community Service Probation

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

December 2nd, 2011 a gang related shooting took place in my neighborhood. Two young men were shot. The crime ended up falling on me. September of 2012 I was tried and convicted of attempted murder, and gang/gun enhancements. I have been carrying the burden since.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Please see attachment 'A'

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Please see attachment 'B'

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

Attachment - A - Question #3

3. I am humbly requesting Commutation because I am not the man I was betrayed to be in Court, a gang member and murderer. I do realize and accept that My past graffiti life (Tagger), put Me in the present tragedy. I acknowledged this was part of a Criminal world and made major changes after a 'felony vandalism' charge. Aswell as acknowledging my life style, records can show a turn around in my life by the birth of My daughter. I was on a road to a new future, earnestly comitted to complete Court mandates and also obtaining a vocational in welding during this time. I'm not a murderer, I'm not a gang member, I'm just a father trying to get home to his Six year old daughter.

Attachment-B - Question #4

4. I should be granted Commutation because I show no threat nor harm to prison and Civil Society. Faith in God has provided a righteous but narrow path to follow which ultimately has kept Me in line in what can be a very negative environment. It could have been easy for Me to just throw in the towel and just have so called 'fun,' but as a father and Believer I would not let myself take that destructive route. Although I'm not the man I was betrayed to be, I have taken steps in learning to be a better person. I know I have made a major change in thought, behavior, and attitude. Thanks to God. I hope I get the chance to show that.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Isaac R. Belmontez, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of San Bernardino with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Isaac R. Belmontez
Applicant's Signature

3-27-18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY*This notice is required by Penal Code sections 4804 and 4805.*

To the District Attorney of San Bernardino County: Please take notice that I, Isaac Belmontez,
 was convicted of the crime of Attempted murder, Gang/Gun Enhancements,
 committed in San Bernardino County, California, on the date of Dec 2, 2011.

I will submit this application to the Governor of the State of California.

Isaac Belmontez
 Applicant's Signature

3-27-18
 Date

RECEIVED
 MAY 22 2018
 GOVERNOR'S OFFICE
 LEGAL AFFAIRS

DISTRICT ATTORNEY ACKNOWLEDGEMENT*This section to be completed by the District Attorney only.*

I, MICHAEL A. RAMOS, District Attorney of the County of SAN BERNARDINO,

do hereby acknowledge receipt of notice from ISAAC BELMONTEZ,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed Michael A. Ramos

Date 5.16.18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Louis Calvin

In 2005, Louis Calvin fatally shot Wayne Shaw during an altercation in a parking lot. On October 20, 2006, the Superior Court of California, County of Santa Barbara, sentenced Mr. Calvin to seven years to life for discharging a firearm from a motor vehicle at a person with a 25-year firearm enhancement, plus eight months for carrying a concealed weapon, a total prison term of 32 years and eight months to life.

Mr. Calvin was 45 years old at the time of the crime and is now 60. He has been incarcerated for 15 years. Mr. Calvin has expressed sincere remorse for his crime. Since entering prison, Mr. Calvin has worked hard to better himself. He has maintained an exemplary disciplinary record, participated in self-help programming, earned a vocation, and is currently enrolled in college courses. Mr. Calvin has earned commendations from prison staff and work supervisors.

Mr. Calvin committed a serious crime that took the life of Mr. Shaw. Since then, Mr. Calvin has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Calvin's positive conduct in prison, his advanced age, and his good prospects for successful community reentry. I have concluded that Mr. Calvin merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Calvin does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Louis Calvin to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.

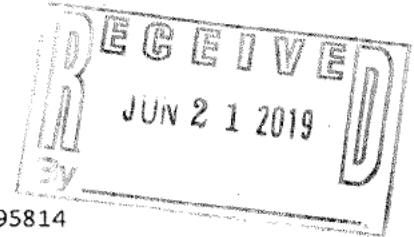


IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Calvin, Louis, A Name on Prior Application (if different): _____

Date of Birth: [REDACTED]/59 Social Security Number: [REDACTED]

CDCR Number: F60321 Name of Facility/Prison: San Quentin State Prison

Residence Address: _____

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☒ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

No. No.

Louis Calvin
Applicant Signature

June 20, 2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Case # 8070-18

RECEIVED

AUG 23 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: LOUIS CALVIN Date of Birth: [REDACTED] 52 Inmate ID: F 60321
Address: 3 N 93 Facility: SAN QUENTIN

1. Conviction Summary:

List all convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
NO PRIOR MISDEMEANORS			
NO PRIOR FELONIES			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

I was tried for Murder but instead was convicted of Voluntary Manslaughter. I am also responsible for Shooting from a Motor Vehicle, Firearm Enhancement, and Carrying a Concealed Firearm. (Please see Judge Iwasko's 32 findings of fact and legal conclusions with the abstract of judgement attached to this application.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

1) A prison sentence of thirty two years-to-life is disproportionate for my first-time offense of Voluntary Manslaughter. The Prosecuting D. A. offered to settle the case in total for the middle term for Voluntary Manslaughter (which is six years) in return for a guilty plea. 2) I am a brittle diabetic.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I am rehabilitated. Sentencing Enhancements make realistic chances of actually completing my prison term during life, unlikely. My CDC Threat Assessment rating is -22. I have a deteriorating medical condition which can be best addressed outside of a correctional institution. (Please see attached Medical Report)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

CLEMENCY OPTIONS

I. Governor's Pardon

If pardoned I will immediately leave California and return to my home in Nevada. I own a modest homestead house there that has a modest mortgage. (See attached trust deed and mortgage statement) I realize that prisoners are rarely granted release by pardon, however these following exceptional circumstances of my incarceration merit a closer look:

* I have programmed positively throughout my entire sentence. The focus of my rehabilitation is on recovery and education. (See C-file F-60321)

* A release to my home in Nevada would forever unburden the citizens of California from the substantial costs of housing and medical treatment my continued incarceration or parole will bring.

* A civil lawsuit from the victim's family, which ground to a virtual stalemate because of a still pending restitution hearing, could finally be resolved after almost twelve years. Judicial canon precludes the trial judge from expediting the criminal restitution hearing in order to break the legal log-jam of the civil proceeding. A Governor's pardon, though, would clear away all questions of continuing jeopardy, thus giving the Shaw family's tort attorney a crack at my homeowner's insurance policy, which are the deep pockets he has been trying to access since 2006. (Kathrine Shaw et. al. v Louis Calvin 2007)

The extraordinary circumstances of my prison sentence, the documented efforts I have made to rehabilitate myself and other prisoners, and this rare instance when a pardon repairs a conflict between the civil and criminal courts while conserving public resources, make the granting of a pardon an appropriate option for the Governor.

Clemency Options continued on the next page

Calvin 88027 c/o S.Q. Prison 3N93 low San Quentin CA 94974

CLEMENCY OPTIONS

II. Commutation of Sentence

If my prison sentence is commuted I plan to parole to a transitional housing program in Northern California. I no longer have any financial or family ties to the area where I committed my crime. My closest family relations; my brother, sister, sister in law and nephew all live in San Francisco. City College is tuition-free and has services for the hearing impaired. I am tantalizingly close to completing my Associate's Degree. The availability of services, the strong recovery community and the proximity of my family, make San Francisco the ideal California city for me to parole.

Here are some excellent programs available to parolees:

* Walden House is part of GEO center at 111 Taylor Street in San Francisco, is near public transportation. It is a residential program which supervises/guides parolees to transitional housing and medical services. It is well known to members of San Francisco's recovery community, with whom I plan to attend A.A. meetings on a daily basis. (See attached pamphlet)

* Seventh Step Foundation Inc. 475 Medford Avenue, Hayward California has long term housing / halfway house services and support for the hearing impaired. (See attached pamphlet)

* Project Rebound --San Francisco State University 180 Holloway Avenue, T-138 San Francisco, CA 94132-- is a special admission program to assist formerly incarcerated people enter San Francisco State University. The program helps parolees become full time students working for their Baccalaureate Degrees. (See attached pamphlet)

The disproportion of my sentence to my conviction, the worsening of my diabetic condition in prison, and the good prospects for continuing rehabilitation on parole, make the Governor's commutation of my life-sentence an appropriate action.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Louis Arthur Calvin, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Santa Barbara with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Louis Calvin Aug 20, 2018
Applicant's Signature Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

Box 117

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Santa Barbara County: Please take notice that I, Louis Calvin,

was convicted of the crime of Voluntary Manslaughter, Shooting from Motor Vehicle and Connected Weapon

committed in Santa Barbara County, California, on the date of 3/16/05.

I will submit this application to the Governor of the State of California.

Louis Calvin

Applicant's Signature

8-18-18

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Joyce E. Dudley, District Attorney of the County of Santa Barbara

do hereby acknowledge receipt of notice from Louis Calvin,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed

JED

Date

8/30/18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

RECEIVED

SEP 11 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Rev. 09/25/2013

Notice of Intention to Apply for Commutation of Sentence

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Yesica Cambero

In 2004, Yesica Cambero drove her crime partner to the location where he shot Isauro Rodriguez, a rival gang member. Mr. Rodriguez survived his injuries. On December 13, 2004, the Superior Court of California, County of Los Angeles, sentenced Ms. Cambero to seven years to life for attempted murder plus a 25-years-to-life firearm enhancement, a total prison term of 32 years to life.

Ms. Cambero was 17 years old at the time of the crime and is now 33. She has been incarcerated for 16 years. She has expressed sincere remorse for the crime.

While in prison, Ms. Cambero has committed herself to her self-improvement. Ms. Cambero currently lives in an honor dorm. She has participated in extensive self-help programming, earned three vocations, and is currently enrolled in college courses. Ms. Cambero works as an offender mentor intern and has been recognized for her participation in a youth diversion program. She has been commended by prison staff for her positive attitude, helpfulness, and efforts at rehabilitation.

Ms. Cambero participated in a serious crime that injured Mr. Rodriguez. Since then, Ms. Cambero has dedicated herself to her rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Ms. Cambero's positive conduct in prison, the fact that she was a youthful offender, and her good prospects for successful community reentry. I have concluded that Ms. Cambero merits an earlier opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Cambero does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Yesica Cambero to make her eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read 'Alex Padilla', written over a horizontal line.

ALEX PADILLA
Secretary of State



COM 5197-18

RECEIVED

JUL 30 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Yesica Maribel Cambero Date of Birth: [REDACTED] Inmate ID: X09703

Address: P.O. Box 1508 Chowchilla CA 93610 Facility: Central California Womens Facility

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
As an adult I do not have prior convictions.			
I was sentenced at 17, convicted of attempted murder and discharge of firearm. date of offense is 4-19-04 sentence 40-life			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

In an attempt to hide my emotions I used drugs and alcohol which gave me courage, today I know to be false courage. On April 19th 2004 I consumed way more alcohol than a 100 pound person should consume. This does not excuse my action it shows

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Although I cannot undo the harm and trauma I caused Isayro, his family and my community. I am requesting a commutation based on my rehabilitation, and because I am not the same person I was when I committed this horrible crime.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Today I do not live by the belief system I once had for example, Don't ask questions, Never show your weakness, be loyal by hiding secrets and standing by others even when I knew it was wrong. My heart

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

none.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Yesica Maribel Cambero, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Yesica Cambero
Applicant's Signature

7/26/18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

Cum 5197-18

N

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Yesica Maribel Cambero,
was convicted of the crime of Attempted Murder with discharge of firearm,
committed in Los Angeles County, California, on the date of April 19th 2004.

I will submit this application to the Governor of the State of California.

KA066113

Y. Cambero 2.11.18
Applicant's Signature Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Barbara woelff HD, District Attorney of the County of Los Angeles,
do hereby acknowledge receipt of notice from Yesica Maribel Cambero,
that he/she intends to apply to the Governor of the State of California for a pardon.

RECEIVED

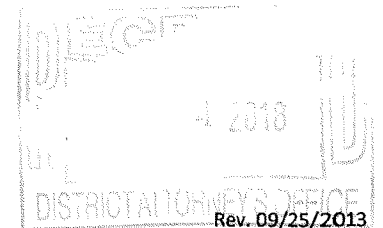
APR 03 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Signed Barbara woelff

Date 3/12/18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.



#2 continued.

me today what a lost teen I was. Without any regards for human life and to prove my loyalty to my gang, I facilitated the Attempted Murder of an innocent young man Isavro Rodriguez by stopping the stolen vehicle I was driving, knowingly and callously allowing Daniel out of the car to shoot Isavro. In my belief I waited for Daniel to aid him in his escape. While waiting Isavros mother came out and asked what was on, I just ignored her. When Daniel returned to the car I drove away without having no thought or feeling at that moment for Isavro or his mother Maribel Rodriguez who found her son bleeding to death in the back yard. My only thought was to get away

#3 continued.

I understand the impact that my crime and my lifestyle had, not only on my victim and his family, but my family and my community. I am no longer a violent gang member. Today I know I can make healthy choices that will have positive consequences.

I would like a second chance to be a daughter, sister and aunt to a family I did not appreciate. Today I choose to make a difference and empower others so that they do not make the same unhealthy choices I made that led me to a lifestyle where I chose drugs, alcohol, violence and acceptance to numb my emotions.

#4 continued.

aches and breaks to know all the harm I caused others even when it was not directed towards them, the ripple effect has had a major impact on my perspective of life. I began looking for answers and asking myself why I was the way I was, why I made such drastic decisions being so young. When I found the answers my motivating force for change and restoration was my family and the young people living with the beliefs that I once held on to, that today I know to be false, and a defense to cover up the pain we were enduring. I cannot live knowing there are young adults and children not knowing the harm they cause a large amount of innocent people by making the choices they do all because like myself once had no positive influences or guidance by someone who truly loves and cares for them. I refuse to live my life knowing that the harm caused to Savro was in vain. Today I choose to live my life in recovery and continue in my rehabilitation and helping my community in their rehabilitation as well.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Yu Chen

In 1995, Yu Chen fatally shot Eric Liu, a romantic rival, during an argument. On January 29, 1997, the Superior Court of California, County of Los Angeles, sentenced Mr. Chen to 25 years to life for first degree murder plus a ten-year firearm enhancement, a total prison term of 35 years to life.

Mr. Chen was 32 years old at the time of the crime and is now 57. He has been incarcerated for 24 years. Mr. Chen has expressed sincere remorse for killing Mr. Liu. While in prison, Mr. Chen devoted himself to his self-improvement. Mr. Chen has maintained a perfect disciplinary record in prison. He earned his GED, an associate degree, and completed vocational training. Mr. Chen currently participates in The Last Mile Computer Coding program.

Mr. Chen committed a serious crime that ended the life of Mr. Liu. Since then, Mr. Chen has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Chen's positive conduct in prison, his long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Chen merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Chen does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Yu Chen to 25 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Am 3,74-18

RECEIVED

JAN 30 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Yu CHEN Date of Birth: 1962 Inmate ID: K42966
Address: SAN QUENTIN, CA 94974 Facility: San Quentin State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Murder, 1st degree	7/15/1995	Los Angeles	35 years to life

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On July 15, 1995, at about 2 PM, at the home of my girlfriend of 3 years, Julie Chen, her new suitor, Mr Eric Liu confronted me. ~~He~~ I shot him multiple times with an automatic pistol. I remained on the scene until the police arrived

3. Explain why you are requesting a commutation (attach additional pages as necessary):

1. To be able to cook at least once for my parents, who are over 80 years old now.
2. To use my computer skill to contribute to the society as pay back for the harm I have caused.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

See attached

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Yu Chen, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Yu Chen

Applicant's Signature

Jan 18, 2018

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

NOTICE OF INTENT TO APPLY FOR CLEMENCY

You must send notice of your intent to apply for clemency (commutation of sentence or pardon) to the district attorney when you apply. Complete and mail this form to the district attorney in the county/counties of your conviction(s) for which you are seeking a commutation or pardon when you submit your application for clemency to the Governor's Office.

To the District Attorney of Los Angeles County: Please take notice that I, YU CHEN
(Name of County) (Print Full Name of Applicant)
was convicted of Murder 187 on the date of Oct 1996
(Name of Crime) (Date of Conviction)
committed in Los Angeles County, California.
(Name of County)

I will submit this application for (check one) ☒ **commutation** ☐ **pardon** to the Governor of the State of California.

Yu Chen
Applicant Signature

July 27, 2019
Date

**This section to be completed by the District Attorney only.
DISTRICT ATTORNEY ACKNOWLEDGEMENT**

I, Gavan Frawley, District Attorney of the County of Los Angeles
(Name of District Attorney) (Name of County)

do hereby acknowledge receipt of notice from Yu Chen, that applicant intends to
(Name of Applicant)

apply to the Governor of the State of California for clemency.

Signed [Signature]

Date 8-6-19

District Attorney:

Please return this Notice to the Governor's Office, Attn: Legal Affairs, Clemency, State Capitol, Sacramento, CA 95814.

Grounds for application for commutation

1. I have taken the full responsibility for the crime that I have committed. I do not blame my crime in any way on the victim. During my sentence hearing, I expressed my remorse, sorrow, and apology to the victim's family, to the people of California, and to my own family.
2. During my incarceration, I have constantly reflected on my crime, its impact on victim's family. I feel pain for the victim and his family. I feel shame for myself. I have also reflected ^{on} the remarks made by the presiding judge during the sentence hearing, the honorable Lawrence Mira, to look for the cause of my crime.

I have concluded that I was selfish and conceited, and that I lacked empathy for those whom I did

not like. Today, as a result of my own reflections, my participation in self-help programs, and my determination to become a better person, I have become more generous and humbler. I have compassion for all people,

3. During the incarceration, I have resolutely and openly refused to participate in any violence or any other wrongdoing, despite pressure and threats. I have no IIS's. Instead, I participate in educational and vocational programs, whenever possible.

In High Desert State Prison, I have finish the GED with the score of 3640/4000 and the Vocational Landscaping.

In San Quentin State Prison, I have earned the AA degree from Patten University with a GPA of 3.91 as the valedictorian.

At present, I attend a computer coding class to renew and improve my computer skill (I was a computer programmer.) so that once released, I can find a job faster. I continue to participateⁱⁿ programs such as Free to Succeed, Restorative Justice, etc.

4. While I accept the full responsibility for my crime, do not try to minimize my crime in any way, and do not blame my crime on the victim in any way, there are mitigating circumstances that did not affect the guilty verdict but are favorable factors for commutation consideration:

a. I was ill and distraught and was not in full physical and mental control of myself at the time of the crime.

b. I remained on the scene and fully cooperated

with the police during my arrest process so that no-one else might be hurt by accident.

I also co-operated with the police during the investigation immediately afterwards. The arresting officer, Joseph Kalyan, of the Los Angeles Police Department, actually testified on my behalf during the trial.

c. Mr. Eric Liu, the victim, who had been a star wrestler in school varsity team, was bigger, stronger, and aggressive. My fear for him was genuine.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Paris Dixon

In 1981, Paris Dixon and his two crime partners entered the apartment of Adolph Clark, an elderly apartment manager, to rob him. During the robbery, Mr. Dixon violently killed Mr. Clark. On September 28, 1982, the Superior Court of California, County of Los Angeles, sentenced Mr. Clark to life without the possibility of parole for murder.

Mr. Dixon was 25 years old at the time of the crime and is now 63. He has been incarcerated for more than 38 years. While serving a sentence with no hope of release, Mr. Dixon dedicated himself to his self-improvement. Mr. Dixon has maintained an exemplary disciplinary record over the past 21 years. He has completed self-help programming and is actively involved in youth diversion and mentorship.

Mr. Dixon has been commended by prison staff, including an associate warden who noted that, over the years, Mr. Dixon has sought out and pursued numerous avenues to better himself and the prison community. Mr. Dixon has resided in an honor dorm since 2000. Mr. Dixon's work supervisors have given him excellent ratings. Several correctional staff commended Mr. Dixon, detailing his good work ethic, positive attitude, and ability to work well with inmates and staff. Mr. Dixon has served as a Senior Representative of the Men's Advisory Council.

Mr. Dixon committed a serious crime that took the life of Mr. Clark. Since then, Mr. Dixon has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his advanced age and long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Dixon merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Dixon does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Paris Dixon to 38 years to life.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: PARIS DIXON #C-54241 Date of Birth: [REDACTED]-56 Social Security Number: [REDACTED]

Address: CSP-LAC; P.O. BOX 4430; LANCASTER, CALIFORNIA 93539

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Robbery	1974	Los Angeles	CYA

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):
(See attached pages 1-6)

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):
(See attached pages 1-6)

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):
(See attached pages 1-6)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

(Non-applicable)

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, PARIS DIXON, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of LOS ANGELES with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

1031-2017
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

Am 135-18

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of LOS ANGELES County:

Please take notice that I PARIS DIXON, was convicted of the crime of MURDER 187, BURGLARY 459, ROBBERY 211, committed in LOS ANGELES County, California on the date of AUGUST 3, 1981. I will submit this application to the Governor of the State of California.

Paris Dixon

Applicant's Signature

RECEIVED

NOV 03 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

SEPTEMBER 26, 2017

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Barbara Woelfel, District Attorney of the County of Los Angeles do hereby acknowledge receipt of notice from Paris Dixon, that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed

Barbara Woelfel

Date

10/18/17

District Attorney: Please return this notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814

PARIS DIXON, Prison No. #C-54241
CALIFORNIA STATE PRISON-LOS ANGELES COUNTY
P.O. BOX 4430
LANCASTER, CALIFORNIA 93539

OCTOBER 25, 2017

EDMUND G. BROWN, JR
GOVERNOR
STATE CAPITOL
SACRAMENTO, CALIFORNIA 95814

RE: APPLICATION FOR COMMUTATION OF SENTENCE

Dear Governor:

My name is PARIS DIXON. I am currently confined at CALIFORNIA STATE PRISON-LOS ANGELES COUNTY. My Prison Identification Number is #C-54241. I seek a commutation of sentence on two grounds: 1) I have totally rehabilitated myself, and the evidence demonstrates this; and 2) I am innocent of the charges, for which I received a life without the possibility of parole sentence.

I was born [REDACTED] 1956. I am currently 61 years of age, but was 24 years of age at the time of the life crime. I am currently housed at California State Prison-Los Angeles County; 44750-60th Street, West; Lancaster, California 93536-7620.

I have a prior criminal conviction for second degree robbery in the year of 1974, when I was a juvenile; and was sentenced to the California Youth Authority.

In 1981 I was convicted of first degree murder, robbery, and burglary, in the Los Angeles County Superior Court, in case number A452711, and received a sentence for life without possibility of parole.

Adolph Clarke was strangled to death on August 3, 1981. He owned seven apartment units at [REDACTED] in the County of Los Angeles, California., where he lived the first apartment unit.

Fred Jewel Taylor, Dixon's co-defendant, lived in Mr. Clarke's apartment unit number 2. And Richetta Wright lived in apartment number 3, with Charles Hall, also known as 'Shane.'

Sarah Franklin testified at trial proceedings that she was awakened around 2:00 a.m. by Fred Jewel Taylor, 'Shane,' and Paris Dixon. Ms. Franklin had lived with 'Shane' previously for about five years. 'Shane' still had a key

to her apartment, and had used it to let themselves in. Fred Jewel Taylor had a television in his hands. He put the television down, went back outside and returned with his hands full a few minutes later. One of the items Mr. Taylor was carrying was a record player "from Mr. Clarke's apartment." Mr. Taylor was acting kind of nervous, he knocked over three or four glasses to the ground and broke them, while he was reaching for a cup. After about 20 minutes Mr. Taylor left. He gave 'Shane' keys to a car later proven to belong to Mr. Clarke. And the items left in Ms. Franklin's apartment by Mr. Taylor, included a Social Security Check in the amount of \$159 dollars made out to Adolph Clarke, and Mr. Clarke's driver's license.

A. REHABILITATION:

Paris Dixon is submitting 26 laudatory chronos reflecting his road of rehabilitation:

Two of the laudatory chronos (1986) are commending Dixon's excellent work ethic while incarcerated at Tehachapi State Prison in his earlier years of incarceration. (See copy of laudatory chronos as Attachment-1.)

Ten of the laudatory chronos (2001, 2005, 2006, 2008, 2009, 2010, 2016) are commendations for Dixon's participation in "Convicts Reaching Out to People" ("CROP"), even as Chairman. One laudatory chrono written by Correctional Officer E. Stanback, on June 16, 2010, at CSP-LAC, states:

"In his role as Chairman of the Convicts Reaching Out to People (CROP) Program, he has utilized his own life story to the benefit of numerous at-risk youth brought into the institution for counseling and instruction by highly motivated inmates. He consistently shows a deep remorse for his past actions and a strong commitment to accepting full responsibility. I am convinced that Inmate DIXON has internalized his obvious positive growth. Inmate DIXON is to be commended for his positive contributions and maturity."

(See copy of laudatory chrono as Attachment-2.)

On December 12, 2016, Correctional Sergeant D. Schumacher, of CSP-LAC, wrote of Dixon's participation in "CROP", saying:

"[DIXON] has voluntarily participated in the "Convicts Reaching Out to People" (C.R.O.P.) Program, which is highly focused and structured group dealing with at-risk youth in the community. DIXON's activity contribution to the CROP program has been a positive asset to the overall mission of this administration. DIXON has shown that motivated inmates can work to improve the lives of those in the free world and make a real, substantive difference in society. Inmate DIXON is to be commended for his voluntary participation in this very worthy program."

(See copy of laudatory chrono as Attachment-3.)

On July 7, 2017, Mark H. Anderson, President of Concerned Black Men of Los Angeles, wrote a letter to Dixon, stating:

"I came to see how CROP works. I was extremely impressed with your level of passion towards wanting the young men to turn away from their lives of crime. I liked one of your comments to the young men "at least at the end of this presentation, you can't say we didn't tell you about prison life."

(See copy of letter as Attachment-4.)

On December 6, 2013, Dixon received a laudatory chrono (CDCR-128-B Chrono), from Associate Warden M.A. Buechter, and Correctional Lieutenant C. Hughes, for helping other humans in need by donating to a worthy cause(American Red Cross, Typhoon Relief). "By giving to others in need demonstrates the compassion and good will within a person in the darkest of circumstances. I urge you to continue this type of philanthropy." (See copy of laudatory chrono as Attachment-5.)

On August 17, 2016, Dixon received yet another laudatory chrono from Correctional Captain M. Stratman, "for his voluntary donation to Retired Lieutenant K. Lewis' memorial service. His donation was part of a group of inmate donations that were used to purchase flowers to be displayed at the memorial service. DIXON's donation was generous and should be commended." (See copy of laudatory chrono as Attachment-6.)

On August 10, 2017, again Captain M.A. Stratman issued Dixon another laudatory chrono for donating funds to Corrections Sergeant J. Wiard's memorial service. (See laudatory chrono as Attachment-7.)

On February 28, 2017, Dixon received a laudatory chrono from A. Byliss, HCAU Analyst, for his contributing in a group fundraiser for the California Against Rare Extreme Sentences (C.A.R.E.S.) Organization:

"This organization provides money and gifts to survivors of crimes during the holiday season. By giving to others in need, DIXON demonstrates compassion, accountability and living amends. His voluntary participation is commended and consistent with the goals of the Progressive Programming Facility."

(See copy of laudatory chrono as Attachment-8.)

Dixon has been contributing monies to worthwhile causes for over a decade. For example, on April 16, 2013, Correctional Captain M. Stratman, issued Dixon a laudatory chrono not only for participating in the Facility 'A' American Cancer Society, Relay For Life, Walk-A-Thon, but for his "subsequent contribution to this worthwhile cause is to be commended." (See copy of laudatory chrono as Attachment-9.)

APPLICATION FOR COMMUTATION OF SENTENCE, CONT:

Dixon have received laudatory and work chronos from work supervisors, correctional counselors, and correctional officers for his positive and productive ethics for over a 17 year period of observations. (See copy of chronos as Attachment-10.)

Dixon even have four laudatory chronos that commend his bid for commutation of sentence, from Correctional Officers. For example, on May 22, 2017, Officer Stewart wrote:

"I have been observing inmate Dixon, C54241, A5-219 off and on for nearly 17 years. In that time, I have come to know him as mild mannered and involved when it comes to maintaining stability among the inmate population in his roll as MAC, and in general. His interactions with staff has always been cordial and respectful. His wife has been visiting with him for over 15 years. I have on occasion worked visiting, and have observed him interacting with her in a respectful and decent manner. If there were to be any consideration for commutation of sentence, he would certainly qualify."

(See copy of laudatory chrono as Attachment-11.)

On May 22, 2017, Correctional Officer R. Cook wrote:

"It has been my observation of inmate Dixon, C54241, A5-219 as well as other prominent inmates who I believe that if released to society would be an asset to their respected communities. However, I take exception to inmate Dixon, who I have known the longest, and have exhibited on a constant basis, a willingness to work with staff and inmates alike to ensure that programming of Facility 'A' beginning with the "honor Program" (renamed "Progressive Programming Facility" [PPF] run as intended. This despite criticism from other inmates who were not so incline. He should be commended for his sincere interest in programming and courage."

(See copy of laudatory chrono as Attachment-12.)

On June 14, 2017, Correctional Officer C. Cody commended Dixon for his excellent rehabilitation:

"Inmate DIXON displays a positive attitude and demonstrates good behavior. I commend him for his dedication to the success of the program. He not only leads by example and is a mentor in many of the rehabilitation programs offered here on the Progressive Programming Facility. He participates in numerous self-help groups and peer to peer classes, working to improve himself while providing a positive example to his fellow inmates. He works well with staff, is very helpful, and follows instructions. I have never seen him respond negatively in stressful situations. Inmate DIXON is to be commended for his behavior and positive choices. If the opportunity to return to society were ever given, I believe that inmate DIXON would be a model citizen."

(See copy of laudatory chrono as Attachment-13.)

On September 28, 2017, Correctional Officer D. Paige wrote: "This writer believes that Inmate Dixon has used his decades of incarceration to rehabilitate himself in a meaningful way in order to become a productive member of society." (See copy of laudatory chrono as Attachment-14.)

Paris Dixon, therefore, apply for a commutation of his sentence based on the evidence presented herein.

I am an Inmate that has been trying my absolute best to give back to the youth, so that they will never have to squander their lives in prison.

I am not a threat to public safety in any way. I hope to one day contribute to society as a productive citizen.

B. ACTUAL INNOCENCE:

Two witnesses testified against Dixon (applicant) at his trial for the murder of Mr. Adolph Clarke, robbery and burglary. Sarah Franklin, and Hugh Hayes (a jailhouse informant).

Sarah Franklin testified, that she was awakened around 2:00 a.m. by Charles Hall (also known as 'Shane') using his old key to enter her apartment, along with Fred Jewel Taylor and Paris Dixon (applicant). She saw Fred Jewel Taylor alone carry the victim's property into her apartment with two trips. He even gave 'Shane' the keys to the victim's car. She heard the three men argue amongst themselves, and Mr. Taylor told 'Shane' he was not going to give him any more money. "You go sell that T.V." She heard Dixon admit to 'stomping' the victim; after 'Shane' had admitted to "doing enough to him [Mr. Clarke] already." And she testified to seeing blood on Dixon's (applicant's) shirt.

On August 5, 1982, Ms. Cecelia Turner signed a declaration under penalty of perjury that Sara Franklin came to her house on May 6, 1982, after she testified against Dixon at his trial, and admitted to Turner that she had testified falsely against Dixon, because her husband had threatened to break her neck if she didn't testify against Dixon. "Ms. Franklin told me she would change her testimony now if it was possible to do so." (See copy of Ms. Turner declaration as Attachment-15.)

Hugh Hayes, a serial jailhouse informant, testified at Dixon's trial, that Dixon admitted to him in jail that he and 'Shane' (Charles Hall) took turns beating and strangling Mr. Clarke.

Detective Higgins testified that, basically, Mr. Hayes had given deliberately false evidence that defendants allegedly admitted their crimes to him in past cases.

APPLICATION FOR COMMUTATION OF SENTENCE, CONT:

Detective Larry C. Kallertal, on March 1, 1982, wrote a report discrediting Mr. Hayes attempt to get out of Grand Theft Auto charges by claiming the defendant admitted his offense to him:

"He has been proved to be an unreliable jail house informer on at least one occasion in which he claimed to have obtained a confession from another inmate on an unsolved San Pedro homicide in September 1979. The inmate which he claimed to have received the murder confession from was determined by the investigator Tom Pagenkopp to have been in Arizona State Prison at the time of the murder."

(See copy of Detective's Report as Attachment-16.)

On August 5, 1982, Raymond Sherman signed a declaration that Mr. Hayes attempted to employ him to lie on Dixon (applicant). Mr. Sherman attest that when Mr. Hayes learned he [Sherman] went to Norwalk court [the same court Dixon went to] on his own case, he [Hayes] became very interested:

"Hayes then offered to help me in my case if I would testify at a trial. He explained he was working for some people and if I would testify that I had met a guy named Paris Dixon in the holding tank at Norwalk, that he would arrange to get my charges reduced and get me at least \$1, 500.00. All I had to do was testify that Paris Dixon had told me that he (Dixon) had strangled an old man and stole his property; like a T.V., clock radio, etc. Hayes and I talked for awhile and then I said I wanted to think it over."

(See copy of Mr. Sherman's declaration as Attachment-17.)

On June 25, 2007, GiGi Gordon, Directing Attorney of Post Conviction Assistance Center, now deceased; wrote Dixon a letter notifying him that they had found the fingerprints [recovered by officers from Mr. Clark's apartment], and Dixon's fingerprints did not match those recovered from the scene. (See copy of attorney GiGi Gordon's letter as Attachment-18.)

On August 19, 2016, the Loyola Law School Project for the Innocent offered to take a look at Dixon's factual innocence claim. (See copy of Loyola letter as Attachment-19.)

Paris Dixon has consistently sought out professional help to prove his actual innocence of this heinous crime.

I submit that not only have I demonstrated my humanity through decades of incarceration, but the evidence substantially support my character of innocence.

I sincerely request your office seriously consider my request for COMMUTATION OF SENTENCE.

Sincerely, 

PARIS DIXON #C54241

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

James Heard

In 1998, James Heard, shot his romantic rival, Christopher Chessmar. Mr. Heard then directed his crime partner to shoot Mr. Chessmar. His crime partner complied, killing Mr. Chessmar. On March 20, 2000, the Superior Court of California, County of Los Angeles, sentenced Mr. Heard to life without the possibility of parole for murder.

Mr. Heard was 22 years old at the time of the crime and is now 44. He has been incarcerated for more than 21 years. He has expressed sincere remorse for killing Mr. Chessmar.

While serving a sentence with no hope of release, Mr. Heard devoted himself to self-improvement. Mr. Heard has maintained an exemplary disciplinary record while in prison. He has completed self-help programming and earned an associate degree and art certificates.

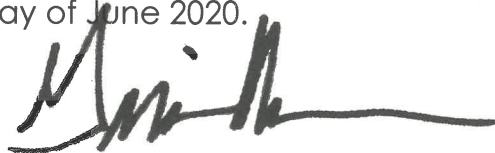
Prison staff, including work supervisors and correctional staff, have commended Mr. Heard for his generosity and artistic talents, as well as his interpersonal and leadership skills. Mr. Heard has lived in an honor dorm since 2004. He has donated his artwork to various charitable causes. Mr. Heard has also volunteered his time to crochet hats and scarves for charity.

Mr. Heard committed a serious crime that took the life of Mr. Chessmar. Since then, Mr. Heard has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Heard merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Heard does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

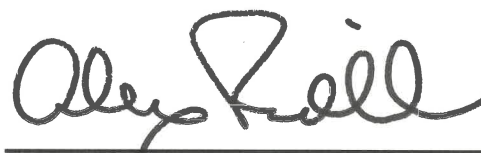
THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of James Heard to 25 years to life.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State



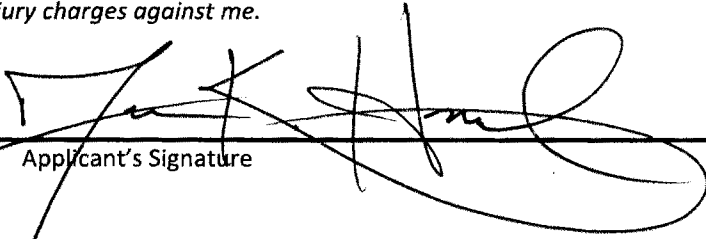
STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, James Heard, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

21 July 2017

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

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adm 3622-17

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, James K. Heard,

was convicted of the crime of Penal Code §187 (Murder),

committed in Los Angeles County, California, on the date of 1998.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

☐ Pardon

☒ Commutation of sentence. Inmate Number: P75021.

RECEIVED

APR 28 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

[Signature]
Applicant's Signature

20 March 2017

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Barbara Wryff, District Attorney of the County of Los Angeles,

do hereby acknowledge receipt of notice from James K Heard,

that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed

Barbara Wryff

Date

4/20/17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Appellant was convicted by a jury of the first degree murder (Pen. Code, § 187, subd. (a)) of Christopher Chessmar. The jury found that during the commission of the offense, appellant personally used a firearm (Pen. Code, §§ 12022.5, subd. (a)(1), 12022.53, subd. (b)), personally and intentionally discharged a firearm (Pen. Code, § 12022.53, subd. (c)), and personally and intentionally discharged a firearm, which proximately caused great bodily injury to Chessmar (Pen. Code, § 12022.53, subd. (d)).

The jury also found the special circumstance true that appellant intentionally killed Chessmar while lying in wait (Pen. Code, § 190.2, subd. (a)(15)).

The victim Christopher Chessmar was shot multiple times and killed in the UCLA dormitory room of appellant's girlfriend Raidis Maypa. Maypa, appellant, and Devod Lewis, a friend of appellant, were in the room at the time of the shooting. The prosecution contended that appellant armed himself and had Maypa lure Chessmar to her room after learning that Maypa and Chessmar had shared a brief sexual liaison in the weeks preceding the shooting.

Maypa gave conflicting descriptions of the incident in serial interviews with the police and the district attorney's office, but at trial testified she heard the sound of a gunshot, then saw appellant and Chessmar locked in a physical struggle on the dorm room floor, and that Devod Lewis then picked up the gun and fired the fatal shot into Chessmar's head.

Appellant testified that he fought with Chessmar after Chessmar produced a gun, that the gun discharged multiple times during the lengthy struggle, and that the battle ended when Maypa picked up the gun and fatally shot Chessmar in the head.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Frank Marquez

In 2007, Frank Marquez robbed several businesses at gunpoint. Nobody was injured during the commission of these crimes. On August 30, 2010, the Superior Court of California, County of Los Angeles, sentenced Mr. Marquez to three years for robbery plus a 20-year firearm enhancement and a ten-year gang enhancement, for a total sentence of 33 years.

Mr. Marquez was 17 and 18 years old at the time of these crimes and is now 31. He has been incarcerated for more than 11 years.

Since entering prison, Mr. Marquez has devoted himself to his self-development. Mr. Marquez has maintained an exemplary disciplinary record while in prison. He has completed self-help programming and earned a GED and three vocations.

Mr. Marquez committed serious crimes. Since then, he has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Marquez merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Marquez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Frank Marquez to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have
hereunto set my hand and
caused the Great Seal of the State
of California to be affixed this 26th
day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



COM

Com-2356-15

RECEIVED

JAN 15 2015

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

GOVERNORS OFFICE
LEGAL AFFAIRSAPPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: FRANK MARQUEZ Date of Birth: 89 Inmate ID: AF-0558

Address: P.O. BOX 3461 Facility: CORCORAN STATE PRISON

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Robbery 2nd degree	8-30-10	L.A. south east district	3 yrs.
Discharge of Firearm	8-30-10	L.A. south east district	20 yrs.
gang enhancement	8-30-10	L.A. south east district	10 yrs.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

I entered a convenient store, and held a gun at the clerk, and demanded money, and fired a shot in the back of the store to frighten the clerk.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am a young man, 25, committed this crime briefly after turning 18. I have had mental health issues prior to this crime, and used many drugs. I have stayed out of trouble in prison, repented of my old ways, I don't believe it would be justice for me to serve so much time.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I should be granted this commutation, because I am rehabilitated, I have not been in any trouble since my conviction, I have cleaned up my mind, and I am ready to help the youth in the communities to avoid my mistakes.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

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Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, FRANK MARQUEZ, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of L.A. south east district with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Frank Marquez
Applicant's Signature

12-8-14
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

10M 2526-15 Burdick Lin Marguez, Frank

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of L.A. southeast district County: Please take notice that I, Frank Marquez,

was convicted of the crime of robbery 2nd, discharge of weapon enhancement, gang enhancement,

committed in L.A. southeast district County, California, on the date of 8-30-10.

I will submit this application to the Governor of the State of California.

Frank Marquez

Applicant's Signature

10M 12-8-14

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, John Morris for, District Attorney of the County of Los Angeles,

do hereby acknowledge receipt of notice from See above,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed

John Morris

Date

1-15-15

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Duncan Martinez

In 1990, Duncan Martinez's crime partner fatally stabbed their roommate and fellow college student, Ronald Baker. Mr. Martinez was present, helped cover up the crime, and stole from Mr. Baker. On November 22, 1996, the Superior Court of California, County of Los Angeles, sentenced Mr. Martinez to life without the possibility of parole for murder.

Mr. Martinez was 20 years old at the time of the crime and is now 50. He has been incarcerated for more than 25 years. He has expressed sincere remorse for Mr. Baker's murder.

While serving a sentence with no hope of release, Mr. Martinez committed himself to self-improvement. Mr. Martinez has maintained an exemplary disciplinary record while in prison. He has completed self-help programming and earned an associate degree.

Mr. Martinez has been commended by correctional staff, and the warden of his prison recommended him for clemency. Mr. Martinez has lived in an honor dorm since 2001. He has participated in Paws For Life, a dog training program, since 2014.

Mr. Martinez participated in a serious crime that took the life of Mr. Baker. Since then, Mr. Martinez has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Martinez merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Martinez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Duncan Martinez to 25 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: DUNCAN MARTINEZ (K-35014) Date of Birth: [REDACTED] / 70 Social Security Number: [REDACTED]

Address: AS-250th CSP-LAC / PO Box 4430 / LANCASTER, CA 93539

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
1 ST DEGREE MURDER	6/21/90	LOS ANGELES	LWOP
FALSE INFORMATION ON A PASSPORT DOCUMENT	1992ish	FEDERAL (SALT LAKE CITY)	PROBATION
B&E (BIKE SHOP)	1993ish	SALT LAKE CITY	PROBATION

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

NATHAN BLALOCK STABBED RON BAKER TO DEATH ON JUNE 21, 1990. IT HAPPENED IN A TRAIN TUNNEL AND I WAS THERE.

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

I AM REQUESTING COMMUTATION FOR A SLEW OF REASONS, BUT THE SIMPLEST IS THAT I WOULD RATHER BE INVOLVED IN GIVING TO SOCIETY INSTEAD OF TAKING; I'D RATHER PAY TAXES, INSTEAD OF COSTING THEM; I'D RATHER GIVE TO MY FAMILY INSTEAD OF TAKING; I'D RATHER BE THERE FOR THOSE I LOVE (CONTINUED)

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

WHEN I WAS SENTENCED TO LWOP, I UNDERSTOOD THAT THAT MEANT THAT I WOULD DIE IN PRISON, BUT I MADE THE CONSCIOUS DECISION THEN TO TRY AND REMAIN TRUE TO THE PERSON I BELIEVED I TRULY WAS -- I (CONTINUED)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

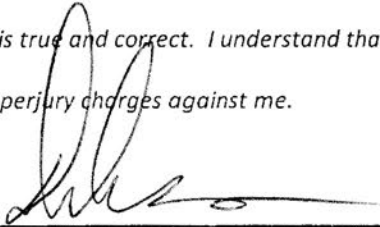
STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Duncan Gordon James Martinez, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

3/5/17
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, DUNCAN MARTINEZ,
was convicted of the crime of FIRST DEGREE MURDER w/SPECIAL CIRCUMSTANCES,
committed in Los Angeles County, California, on the date of 6/21/1990.

I will submit this application to the Governor of the State of California for the following type of executive clemency (check one):

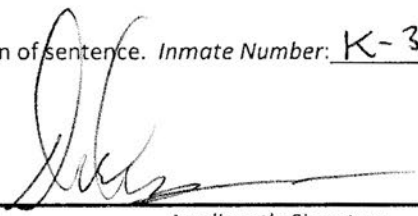
☐ Pardon

☒ Commutation of sentence. Inmate Number: K-35014.

RECEIVED

APR 04 2017

**GOVERNOR'S OFFICE
LEGAL AFFAIRS**



Applicant's Signature

3/5/17
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Bonnie Wrey AD, District Attorney of the County of Los Angeles,
do hereby acknowledge receipt of notice from Duncan Martinez,
that he/she intends to apply to the Governor of the State of California for a pardon or a commutation of sentence.

Signed Bonnie Wrey

Date 3/20/17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Duncan Martinez, K-35014
A5-250L CSP-LAC
PO Box 4430
Lancaster, CA 93539

Commutation Request, Extra Page

Question 3, continued:

instead of being locked away--I want to make a difference in whatever community I am in, a positive difference. In short, I am tired of being a leach on society. I want to do my share.

Question 4, continued:

believed then, and still believe, that I am a good person at heart. I avoided the drama of the "cool" guys and walked the line of the "knack." I did this because I thought it was right. Now, twenty-three years later, I have a slew of chronos and programs, am a member of the Paws for Life program, a founding member of the Cal State LA Bachelors program, and have no ll5s. I fought to help the Progressive Programming Facility become a reality--I have been here since 2001. I am blessed to have an amazing support structure available to me on the streets, and would immediately continue at CSLA through Project Rebound. I am so much more mature than I was, and have learned so much about life and living... please give me a chance to prove myself.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Jose Martinez

In 2005, Jose Martinez and his fellow gang members went to the home of a rival gang member, Cesar Sanchez, and Mr. Martinez or one of his crime partners shot and killed Mr. Sanchez. On January 30, 2007, the Superior Court of California, County of Santa Clara, sentenced Mr. Martinez to 15 years to life for second degree murder plus a 25-years-to-life firearm enhancement, for a total sentence of 40 years to life.

Mr. Martinez was 16 years old at the time of the crime and is now 31. He has been incarcerated for more than 15 years. He has expressed genuine remorse for his role in Mr. Sanchez's death.

While in prison, Mr. Martinez has engaged in significant self-development. He has earned two vocations and has participated in an art therapy group, creating and painting murals at his prison.

Mr. Martinez committed a serious crime that took the life of Mr. Sanchez. Since then, Mr. Martinez has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Martinez merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Martinez does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Jose Martinez to 20 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Jose Antonio Martinez Date of Birth: [REDACTED] 1988 Inmate ID: F61218
Address: P.O. BOX 705 Facility: C.T.F.

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On the date of March 8, 2005, at the age of 16 years old I committed the reckless act of discharging a firearm into a home, causing the death of Cesar Sanchez. I was charged with this crime as an adult. Convicted and sentenced to a term-
SEE ATTACHMENT: A

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I live my life with great remorse. I feel ashamed over my inability to undo the harm that I caused Cesar Sanchez and his family. In the last 13 years and a half I have not found the courage to seek out their forgiveness.
SEE ATTACHMENT: A

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

In no way am I seeking relief from the responsibility I carry for what I've done. What I am seeking and asking of this office is for it to review the reformed effort.
SEE ATTACHMENT: C

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Jose Antonio Martinez, declare under penalty of perjury under the laws of the State of
(Print Full Name)
California that I have served the District Attorney of Santa Clara with notice of my intent to
(Name of County*)
apply for a commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

J.A. Martinez
Applicant's Signature

10.16.2018
Date

* If applicable, list additional counties here (send Notice of Intent to Apply for Executive Clemency to all counties listed)

ATTACHMENT: A

Q: 2) of 40yrs to Life. PC 187 2nd degree /
PC 12022.53(d)

Q: 3) What I have been able to do is to continue to accept full responsibility for my actions, and continually engage in self development.

Although remorse is necessary, at my 30 years of age, I also know it is important to understand who I was at 16 years old. I was reckless and admittedly, I had little regard for others. At 16 years old I did not know how to appropriately express what I was feeling nor did I have the capacity to negotiate so many anxiety provoking experiences. Our parents would abandon my siblings and me. At any given time, either mother or father, or both, left our home. We often had to care for ourselves. When our parents were physically present, they were often emotionally unavailable due to their substance abuse or other personal issues. And then there was the exposure to domestic violence. I witnessed my father physically assault and verbally abuse my mother.

continue on ATTACHMENT: B

cop. Q. 3)

I too was physically abused.

Who I AM today, however, is a mom who stands in contrast to who I was at 16 years old. My primary role now is that of a father to a three year old girl and husband. Fathering my child has permitted me an immense amount of insight into my own childhood. Parenting my child has me consider how important it was to of had received proper attention and love from my own caregivers. And yet I do not resent my parents. I know my mother has her own childhood traumas and never truly understood how to be present for her children. My father in turn was an alcoholic who physically abused his wife and children and lacked insight into his own anger. I relay this ~~not~~ now as a way to explain why I turned to gangs. At 12 years old I felt an immense void and joining the gang helped fill that void. I felt loved and accepted when I was with my friends. The need for love and acceptance was the only thing capable of meeting my need. And so at 12 years old I found an escape from all the dysfunction and suffering I was experiencing at home. I allowed myself to become lost to the streets. In no way do I bring up my upbringing as an excuse for the suffering I caused Cesar's family. My intention is only to highlight that I am no longer that lost 16 year old boy.

continue of Q:3) AT 30 years old I now understand how my actions impact others and what the cost are. I may never be able to bring peace and comfort to Cesar's family. However, I hope to one day find the courage to tell them how truly sorry I am. Additionally it is my hope that my current behaviors and actions reflect the degree of growth and self awareness I have acquired during these 13 years of incarceration.

continue Q:4) I have engaged in these last 13 years while incarcerated. I am no longer gang involved. I no longer possess the distorted belief system I had as a young man. I am no longer that 16 year old boy who blindly sought approval and acceptance from his peers. I no longer possess the limited view I once had. Today, I am accepting of others, respectful and I am empathetic. I have sought out and participated in various self-help groups offered by CDCR. Through the mental health department, I have participated in the following groups: Criminal Thinking Impulse Control, Emotional Processing, Mindfulness based approach to substance abuse, Art therapy, Additionally I have participated in Victim Awareness, Anger Management, NA, Parenting classes, Criminal and Gangmember Anonymous, Finally, I've obtained my H.S. diploma while incarcerated. (CON. ATTACHMENT: D)

CONTINUE Q:4)

I have remained discipline free 9 1/2 years, effectively lowering my points, allowing me to be placed on to lower level yards. I attribute this consistency in positive programming due to my focus and being a good father and husband. By placing my family and their needs before my own. I have developed the ability to maintain an appropriate conduct and attitude for many years now. Being granted a commutation would permit my re-entry into the community wherein I plan to continue to practice a lifestyle of servicing and placing the needs of others before my own. I will not only see this as appropriate way of living but see it as an opportunity to continue to make amends for what I have taken from the community. I would be given the opportunity to continue to raise my daughter in the free world. Serve as a positive role-model to my niece and nephews. By living in this way I hope to lead a purposeful life and not take anything for granted, if given a second chance. Thank you.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

David Phillips

In 1996, David Phillips killed Michael Alvarado by asphyxiation while robbing him in Mr. Alvarado's home. On May 19, 1998, the Superior Court of California, County of Los Angeles, sentenced Mr. Phillips to life without the possibility of parole for murder.

Mr. Phillips was 20 years old at the time of the crime and is now 45. He has been incarcerated for more than 24 years. He has expressed sincere remorse for killing Mr. Alvarado.

While serving a sentence with no hope of release, Mr. Phillips dedicated himself to self-improvement. Mr. Phillips has completed significant self-help programming and earned two vocations.

Mr. Phillips has also earned commendations from prison staff, including work supervisors and correctional officers. His work supervisor commended him for reducing costs and assuming sophisticated duties on the job. Mr. Phillips was also commended for his high level of competency and aptitude for operational functions.

Mr. Phillips committed a serious crime that took the life of Mr. Alvarado. Since then, Mr. Phillips has devoted himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Phillips merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Phillips does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of David Phillips to 25 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: DAVID EDWARD PHILLIPS Date of Birth: [REDACTED] 75 Inmate ID: K-99467

Address: P.O. Box 92, 03.07.03rd, CHOWCHILLA, CALIFORNIA Facility: VALLEY STATE PRISON

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
187 (MURDER)	1.21.96	LOS ANGELES	LWOP
211 (ROBBERY)	1.21.96	LOS ANGELES	3 YRS

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

ON 1.21.96, I WENT HOME WITH A MAN NAMED MICHAEL ALVARADO, WITH THE INTENT TO ROB MR. ALVARADO. DURING THE COURSE OF THE ROBBERY, MR. ALVARADO AND I STRUGGLED. I OVERPOWERED MR. ALVARADO AND HELD MR. ALVARADO AROUND THE FACIAL AREA (MOUTH & NOSE) UNTIL MR. ALVARADO STOPPED MOVING. AFTER MR. ALVARADO WAS UNCONSCIOUS, I LEFT HIS HOME, TAKING HIS VEHICLE AND LATER CASHING SOME CHECKS THAT I REMOVED FROM HIS HOME. IT WAS LATER DETERMINED THAT MR. ALVARADO (SEE ATTACHED)

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I AM REQUESTING COMMUTATION OF SENTENCE BECAUSE I KNOW THAT I HAVE LEARNED THE VALUE OF LIFE FROM MY MISTAKES (TAKING A LIFE). ALTHOUGH MY SENTENCE IS FAIR AND JUST, IT NO LONGER SERVES THE PURPOSE FOR WHICH IT WAS INTENDED (I.E. TO REMOVE A MURDERER FROM SOCIETY, WHERE I MAY NEVER MURDER ANYONE ELSE. I KNOW THAT I AM NO LONGER A THREAT TO SOCIETY. I WISH TO RETURN TO SOCIETY AND LIVE MY LIFE ABIDING BY SOCIETIES LAWS.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I DID KILL SOMEONE, WHEN I WAS IMMATURE AND DID NOT REALLY UNDERSTAND THE VALUE OF OTHER PEOPLE'S LIVES. HOWEVER, I CANNOT CHANGE WHAT I HAVE DONE (THE GREATEST MISFORTUNE OF TAKING A LIFE). I CAN ONLY LEARN FROM THIS TRAGEDY AND MOVE FORWARD. BUT ALSO, CONTINUING TO REMAIN INCARCERATED WILL NOT CHANGE WHAT I HAVE DONE. (SEE ATTACHED)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

DAVID EDWARDS PHILLIPS
K.99467 B3.07.03"
P.O. Box 92
CHUNCHILLA, CA 93610-0092
VALLEY STATE PRISON

APPLICATION FOR COMMUTATION OF SENTENCE

CONTINUATION PAGE:

#2: DID NOT SURVIVE FROM THE CIRCUMSTANCES THAT I CREATED.

#4: I KNOW THAT MY REMOVAL FROM SOCIETY WAS THE FAIR AND JUST THING FOR THE COURT TO DO. MY TIME REMOVED HAS TAUGHT ME VALUABLE LESSONS, THAT I AM FULL OF SORROW TO SAY, I MAY NOT HAVE LEARNED OTHERWISE. THE LIFE OF ANOTHER HUMAN BEING IS TOO GREAT A COST TO LEARN THESE LESSONS, AND IF ONE LIFE IS TOO MUCH TO PAY FOR THESE LESSONS, THEN SURELY TWO LIVES IS AN EVEN GREATER COST. (IN ADDITION TO ALL THE LIVES AFFECTED BY MY SENSELESS ACT.) ALTHOUGH I WISH I COULD TAKE BACK MY ACTIONS OF THAT DAY AND LEARN THESE LESSONS AT NOT SO GREAT A COST, I AM GRATEFUL FOR THE VALUES THAT I HAVE LEARNED AND WISH TO LIVE MY LIFE AMONG THE REST OF SOCIETY AS A PRODUCTIVE MEMBER OF THAT SOCIETY, AND ALWAYS REMEMBERING AT WHAT COST I RECEIVED MY OWN LIFE.

PSALMS 32.1-5

"BLESSED IS THE ONE WHOSE LAWLESS ACTS ARE FORGIVEN. HIS SINS HAVE BEEN TAKEN AWAY. BLESSED IS THE MAN WHOSE SIN THE LORD NEVER COUNTS AGAINST HIM. HE DOESN'T WANT TO CHEAT ANYONE. WHEN I KEPT SILENT ABOUT MY SIN, MY BODY BECAME WEAK BECAUSE I GROANED ALL DAY LONG. DAY AND NIGHT YOUR HEAVY HANDS PUNISHED ME. I BECAME WEAKER AND WEAKER AS I DO IN THE HEAT OF SUMMER. THEN I ADMITTED MY SIN TO YOU. I DIDN'T COVER UP THE WRONG I HAD DONE. I SAID, "I WILL ADMIT MY LAWLESS ACTS TO THE LORD." AND YOU FORGAVE THE GUILT OF MY SIN."

PSALMS 51.9-14

TAKE AWAY ALL OF MY SINS. WIPE AWAY ALL OF THE EVIL THINGS I'VE DONE. GOD, CREATE A PURE HEART IN ME. GIVE ME A NEW SPIRIT THAT IS FAITHFUL TO YOU. DON'T SEND ME AWAY FROM YOU. DON'T TAKE YOUR HOLY SPIRIT AWAY FROM ME. GIVE ME BACK THE JOY THAT COMES FROM BEING SAVED BY YOU. GIVE ME A SPIRIT THAT OBEYS YOU. THAT WILL KEEP ME GOING. THEN I WILL TEACH YOUR WAYS TO THOSE WHO COMMIT LAWLESS ACTS. AND SINNERS WILL TURN BACK TO YOU. YOU ARE THE GOD WHO SAVES ME. I HAVE COMMITTED MURDER. TAKE AWAY MY GUILT."

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, DAVID EDWARDS PHILLIPS, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of LOS ANGELES with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

David E. Phillips

Applicant's Signature

JANUARY 3, 2019

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of LOS ANGELES County: Please take notice that I, DAVID EDWARDS PHILLIPS,
was convicted of the crime of MURDER IN THE 1ST DEGREE AND ROBBERY IN THE 2ND DEGREE,
committed in LOS ANGELES County, California, on the date of 1.21.96.

I will submit this application to the Governor of the State of California.

David E. Phillips

Applicant's Signature

JANUARY 2, 2019

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,
do hereby acknowledge receipt of notice from _____,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Jered Pillsbury

In 2012, Jered Pillsbury broke into a veterinary hospital and stole an autoclave machine, then robbed a fire store at gunpoint and stole from the safe. On January 10, 2014, the Superior Court of California, County of Sacramento, sentenced Mr. Pillsbury to three years for robbery plus a ten-year firearm enhancement, for a total sentence of 13 years.

Mr. Pillsbury was 32 years old at the time of the crime and is now 40. He has been incarcerated for more than seven years.

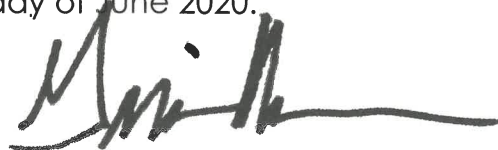
Since entering prison, Mr. Pillsbury has made efforts to improve himself. Mr. Pillsbury has maintained an exemplary disciplinary record. He has engaged in self-help programming and earned two vocations. Prison staff have commended Mr. Pillsbury for his work as the facilitator and lead dog trainer in the Veterans Service Dog Program.

Mr. Pillsbury committed two serious crimes. Since then, Mr. Pillsbury has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Pillsbury merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Pillsbury does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Jered Pillsbury to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State





Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary.)

Name (Last/First/Middle): Pillsbury, Jered, Philip Date of Birth: [REDACTED] 1980

CDCR Number: AS 3812 Social Security Number: [REDACTED]

Name of Facility/Prison: Valley State Facility/Prison Address: PO Box 92 Chowchilla CA 93610

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PC 211	01-10-2014	Sacramento	3 Years
12022.53(b)	01-10-2014	Sacramento	10 Years
PC 459	01-10-2014	Sacramento	2 Years

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☐ YES ☒ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
Suspended license	02-17-2001	Sacramento	10 Days

2. Describe the circumstances of your crime(s).

Please see attached.

3. Describe how a commutation of sentence may impact your life.

Please see attached.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

Please see attached.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Jared Phillip Pillsbury, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Sacramento.
(Name of County or Counties)

Jared Phillip Pillsbury
Applicant Signature

May 24, 2019
Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.



RECEIVED

MAY 29 2019

Governor Gavin Newsom · State Capitol · Sacramento, California 95814

ANNE MARIE SCHUBERT
District Attorney

NOTICE OF INTENT TO APPLY FOR CLEMENCY

You must send notice of your intent to apply for clemency (commutation of sentence or pardon) to the district attorney when you apply. Complete and mail this form to the district attorney in the county/counties of your conviction(s) for which you are seeking a commutation or pardon when you submit your application for clemency to the Governor's Office.

To the District Attorney of Sacramento County: Please take notice that I, Jared Philip Pillsbury
(Name of County) (Print Full Name of Applicant)
was convicted of pc 261 - pc 459 on the date of 1-10-2014
(Name of Crime) (Date of Conviction)

committed in Sacramento County, California.
(Name of County)

I will submit this application for (check one) ☒ commutation ☐ pardon to the Governor of the State of California.

Jared Philip Pillsbury
Applicant Signature

May 24, 2019
Date

**This section to be completed by the District Attorney only.
DISTRICT ATTORNEY ACKNOWLEDGEMENT**

I, Anne Marie Schubert District Attorney of the County of Sacramento
(Name of District Attorney) (Name of County)

do hereby acknowledge receipt of notice from Jared Philip Pillsbury that applicant intends to
(Name of Applicant)

apply to the Governor of the State of California for clemency.

Signed AM Schubert
Date 6/11/19

District Attorney:

Please return this Notice to the Governor's Office, Attn: Legal Affairs, Clemency, State Capitol, Sacramento, CA 95814.

#2. Describe the circumstances of your crime(s):

On November 23, 2012, I entered a Goodyear Tire Store and robbed Mr. Jeremy Smith with a hand gun. Mr. Smith was counting his cash drawer. I walked in and walked to the cash drawer and began putting money in my pockets. At this point I told Mr. Smith I was not joking and instructed Mr. Smith to lie on the floor. After I finished putting the money in my pockets I grabbed Mr. Smith by his shirt collar and pushed him thru the store into a back room. I then ordered Mr. Smith to lie on the ground again, took his cell phone, closed the door and left the store.

Under Case Number 12F07695, on July 11, 2012, I entered the Orangevale Veterinary Hospital while closed by removing the front window screen and forcing the window open. I then searched the hospital and found an autoclave machine which I stole from the hospital.

#3. Describe how a Commutation of Sentence may impact your life:

It would impact my life by allowing me to rejoin society as a moral person. It would allow me to rejoin my family and ease their burden in taking care of my disabled mother. I would have the opportunity to be there for my son as he grows. I would have the chance to make my family proud again by being a productive member of society. I would like the chance to apply myself in the workforce using my newly acquired skills. It would impact my life by giving me the chance to take the joy I have found in helping others, like wounded veterans, and give back to my local community. Most of all it would give me a great sense of pride in knowing I have done the right thing for the right reason and made myself a better person.

#4. Describe your life since your conviction:

I'm requesting a commutation of my sentence for good behavior. I have served 6 years and have committed no violence, no drug use, and have had no major rule violations. At the beginning of my prison sentence, on January 21, 2015, I received a counseling chrono for "Failure to follow seating and release procedures in the chow hall." I take full responsibility for my actions. I made a decision that day to fully commit myself to my rehabilitation. I have taken the proper steps to ensure that I become a moral person and make the positive changes needed in my life.

I began making poor choices in the beginning of 2010, when I began taking prescription opioid medication. Up until this point I worked the same job for almost 10 years. I began to abuse the opioid medication, taking it more than was prescribed, ignoring the harm that I was causing myself and my family. By 2011 my addiction had gone out of control. Because I was taking more medication than I was prescribed, I began purchasing the medication illegally. To support my increasing addiction I began stealing from my employer. My employer grew suspicious of my actions and caught me stealing. I was

then terminated from my job. With no job to pay for my addiction I continued making terrible choices. In order to support my addiction I robbed the Goodyear Tire Store, and stole from the Orangevale Veterinarian Hospital.

I did not recognize the character defects that had led to my drug addiction until I voluntarily enrolled and completed the Substance Abuse Program on August 9, 2018. The program has helped me understand what triggered my addiction, how to recognize it, and has given me the tools to continue to live a clean and sober life. Proof of this is I have been randomly drug tested on 2 separate occasions and both were negative.

It's safe to grant me a commutation because I have become a responsible citizen who will no longer commit more crimes. I will not commit because I am not the person that was effected by drug use and dishonest choices. I have surrounded myself with honest people that have helped me to identify and remedy the character defects that have led me to harm myself and the people around me. I'm confident I will not commit another crime because (1) I have the strong desire and the tools to be a productive citizen. (2) I'm deeply aware of the causes of criminal behavior and I've consistently employed the psychological and social tools to neutralize these causes.

In the past I had a negative effect on people's lives. Not only did I harm Mr. Smith by robbing him, but I caused harm to his family and those close to him. Because of programs like Victim's Impact I now understand the ripple effect my actions have caused. And these same repercussions extend to my family and loved ones. I have learned after completing Victim's Impact that I am not the only one who has to pay for my negative actions. My family also shares in my shame and regret. Thanks to this program I now fully understand how very wrong my actions were. I feel deep sorrow and shame for the things I have done.

Another reason it is safe to grant me a commutation is because I am prepared to succeed once again in society. I have a supportive family that is prepared to help me continue my rehabilitation. My Grandmother and my Uncle have opened their homes for me in Utah. They will assist me with paying off my restitution and provide me with transportation to secure employment.

It is safe to grant me a commutation because I have made myself more marketable in the workplace. I voluntarily enrolled in education and earned my G.E.D. I completed and earned a vocational certificate for computer and related technologies. I have spent much of my free time committing myself to the Veteran's Service Dog Program. The Veteran's Service Dog Program is a voluntary program where animals are matched with local veterans by the Central Valley American Red Cross. The program requires the animals to be with the inmate trainers at all times. Inmate trainers are responsible for all their animal's needs, including grooming and training. Service animals in the program are required to learn and obey up to 56 commands, including P.T.S.D. alerts. I have been with the program since its inception in June of 2015. It has been very rewarding to help the local community by providing well trained animals to our veterans. I have worked very hard and dedicated myself to the program and have been awarded the

Lead Trainer position. As a Lead Trainer some of my responsibilities are assisting my fellow trainers in diagnosing training needs. Putting together action plans and daily follow-up meetings to check on progress. I personally work with inmate trainers to ensure the correct, force free training methods are being used.

I have graduated 12 animals to date, with 4 animals moving on to become certified service animals. To help with the program's continued success, at the request of prison staff, I compiled dog training material for a 52 week instructional class which is held every Wednesday evening from 6:30 to 8:30. Inmates can now come learn how to properly train and care for service animals. Inmates who attend this class can earn 10 days off their sentence for every 52 hours of attendance thanks to this program being part of the rehabilitation activity credit program.

I feel I have given myself the best opportunity to succeed by earning my G.E.D., learning a marketable skill, attending Victim's Impact to learn how my actions not only affect my victim and their families, but my own. Attending S.H.A.R.P. Self-Help Awareness-Rehabilitation-Program so now I better understand what triggered my addiction and how to prevent relapse. And lastly, by volunteering all my free time in the service dog program, which has helped me with empathy and remorse. While being incarcerated I have worked diligently to rehabilitate myself. my conduct has earned the attention of the Secretary of CDCR recommending a recall of my sentence to the courts. I thank you for your time in advance.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Richard Ponce

In 2000, Richard Ponce and his crime partner went to the home of Efrain Esteves to rob him. Mr. Ponce threatened Mr. Esteves with a knife, then his crime partner fatally shot him. On November 20, 2002, the Superior Court of California, County of Los Angeles, sentenced Mr. Ponce to life without the possibility of parole for murder plus an additional 10 years and four months of sentence enhancements.

Mr. Ponce was 31 years old at the time of the crime and is now 51. He has been incarcerated for more than 19 years. He has expressed sincere remorse for his role in the murder of Mr. Esteves.

While serving a sentence with no hope of release, Mr. Ponce devoted himself to his self-development. Mr. Ponce has maintained an exemplary disciplinary record while in prison. He has engaged in self-help programming and earned a vocation.

Mr. Ponce committed a serious crime that took the life of Mr. Estevez. Since then, Mr. Ponce has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Ponce merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Ponce does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Richard Ponce to 19 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





Governor Gavin Newsom · State Capitol · Sacramento, California 95814



APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the past 10 years, please complete the re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.

APPLICANT INFORMATION (Attach additional pages as necessary.)

Name (Last/First/Middle): PONCE, RICHARD C. Date of Birth: [REDACTED] 1969

CDCR Number: T58789 Social Security Number: [REDACTED]

Name of Facility/Prison: CHUCKAWALLA Facility/Prison Address: P.O. Box 2349
BLYTHE, CA 92226

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.

Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PENAL CODE (187 A)	10/29/02	LOS ANGELES	LWOP
PENAL CODE (211)	10/29/02	LOS ANGELES	LWOP
PENAL CODE (459)	10/29/02	LOS ANGELES	LWOP
PENAL CODE (245 B)	10/29/02	LOS ANGELES	LWOP
PENAL CODE (487 D)	10/29/02	LOS ANGELES	LWOP
(LIFE W/OUT PAROLE)			

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☐ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.

Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):

2. Describe the circumstances of your crime(s).

ON DECEMBER 08, 2000, I WAS UNDER A SUBSTANCE ABUSE CONTROL, I WAS AWARE OF A CRIME, BUT DID NOT KNOW HOW THE CRIME WOULD DISSOLVE. I'M AN ACCOMPLICE TO A FELONY/MURDER.

3. Describe how a commutation of sentence may impact your life.

CURRENTLY, I HAVE A LIFE WITHOUT THE POSSIBILITY OF PAROLE HAVING NO OPPORTUNITY TO DEMONSTRATE MY TRANSFORMATION IN LIGHT OF REMORSE. A COMMUTATION WOULD PERMIT ME A GREATER MEANS OF MAKING DIRECT, INDIRECT AND LIVING AMENDS.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

WHEN I STARTED MY LIFE SENTENCE, I PERSONALLY KNEW I NEEDED SELF-HELP CORRECTIVE EDUCATION, RECOVERY AND NEW LIFE SKILLS. MY PERSONAL GOAL, IS TO KEEP MAKING POSITIVE AND NEW CHANGES.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

N/A

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, RICHARD C. PONCE, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or delivered) my notice of intent to apply for clemency on the District Attorney of the County of LOS ANGELES.
(Name of County or Counties)

Ric Ponce
Applicant Signature

JULY 07, 2019
Date

Submit this completed 2-page form to the Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

NOTICE OF INTENT TO APPLY FOR CLEMENCY

You must send notice of your intent to apply for clemency (commutation of sentence or pardon) to the district attorney when you apply. Complete and mail this form to the district attorney in the county/counties of your conviction(s) for which you are seeking a commutation or pardon when you submit your application for clemency to the Governor's Office.

To the District Attorney of LOS ANGELES County: Please take notice that I, RICHARD C. PONCE,
(Name of County) (Print Full Name of Applicant)

was convicted of PC-187(A) MURDER 1ST DEGREE on the date of NOVEMBER 29, 2002,
(Name of Crime) (Date of Conviction)

committed in LOS ANGELES County, California.
(Name of County)

I will submit this application for (check one) ☒ commutation ☐ pardon to the Governor of the State of California.

Richard Ponce
Applicant Signature

JULY 07, 2019
Date

This section to be completed by the District Attorney only.
DISTRICT ATTORNEY ACKNOWLEDGEMENT

I, _____, District Attorney of the County of _____,
(Name of District Attorney) (Name of County)

do hereby acknowledge receipt of notice from _____,
(Name of Applicant)

apply to the Governor of the State of California for clemency.

Signed _____

Date _____

District Attorney:

Please return this Notice to the Governor's Office, Attn: Legal Affairs, Clemency, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Adolfo Quiroz

In 2004, Adolfo Quiroz shot Felix Garcia in the leg. Mr. Garcia survived his injuries. On May 5, 2008, the Superior Court of California, County of Los Angeles, sentenced Mr. Quiroz to a term of seven years to life for attempted murder plus a 25-year firearm enhancement, for a total sentence of 32 years to life.

Mr. Quiroz was 17 years old at the time of the crime and is now 33. He has been incarcerated for almost 14 years. He has expressed sincere remorse for harming Mr. Garcia.

Since entering prison, Mr. Quiroz has devoted himself to his rehabilitation. Mr. Quiroz has maintained an exemplary disciplinary record while in prison. He has engaged in self-help programming and committed himself to service. He recently served as vice chairman and secretary for the Inmate Advisory Council. Mr. Quiroz served as a board member and secretary for Narcotics Anonymous meetings. He also obtained a vocation in Industrial Safety & Health.

Mr. Quiroz committed a serious crime that injured Mr. Garcia. Since then, Mr. Quiroz has dedicated himself to his self-improvement and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Quiroz merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Quiroz does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Adolfo Quiroz to 14 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



10796-19



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Adolfo Quiroz Date of Birth: [REDACTED] 1987 Inmate ID: G13549

Address: P.O. Box 1905, Tehachapi, California Facility: California Correctional Institution C2-242

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
None			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

Please see Attachment 2.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Please see Attachment 3.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Please see Attachment 4.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Adolfo Quiroz, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Applicant's Signature

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Adolfo Quiroz declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Adolfo Quiroz
Applicant's Signature

12/27/18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Adolfo Quiroz,

was convicted of the crime of Count I: Attempted murder with personal firearm discharge (See Attachment 6.),

committed in Los Angeles County, California, on the date of October 1, 2004.

I will submit this application to the Governor of the State of California.

Applicant's Signature

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Adolfo Quiroz,

was convicted of the crime of (See Attachment 6.),

committed in Los Angeles County, California, on the date of October 1, 2004.

I will submit this application to the Governor of the State of California.

Applicant's Signature

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of _____ County: Please take notice that I, _____,

was convicted of the crime of _____,

committed in _____ County, California, on the date of _____.

I will submit this application to the Governor of the State of California.

Adolfo Quiroz
Applicant's Signature

12/27/18
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Attachment 2.

On October 1st 2004 at the age of 17 years old I attended a barbeque with Richard Sorenson and Greg Petit. Both Richard Sorenson and Greg Petit were in their 20's. While we were attending the barbeque Richard Sorenson received a call that Felix Garcia was at the home of Haidee Salazar, Salazar's husband Felix Garcia and Richard Sorenson had a money dispute. The tragedy that took place that day which affected my victim Felix Garcia, his family, the community, and my family as well due to my actions. Sorenson, myself and others approached Garcia. Sorenson asked Garcia if he had the money. Sorenson swung at Garcia. Garcia grabbed two knives from his truck when he saw that Sorenson had grabbed a large stick or table leg. Garcia moved backward s in a defensive position. Someone grabbed a hammer from Garcia's truck. Sorenson attacked Garcia with a stick or a table leg, and his fists. Sorenson fell to the ground after he swung at Garcia. As Sorenson stood up, he yelled "shoot" Garcia retreated. I fired three times at Garcia, striking him twice. In return, Garcia threw knives and then fell to the ground. Garcia was hospitalized, underwent two surgeries and survived the gunshot wounds. In May 5, 2008 the Los Angeles Superior Court sentenced me to 32 years to life for attempted murder with a firearm discharge causing great bodily injury and gang enhancement.

Attachment 3.

I Adolfo Quiroz have now been incarcerated for over 12 years. I was 17 years old when I committed this horrible crime and I am now 31 years old. I am a completely different person now than when I was that immature, misguided and easily influenced 17 year old teenager. During my time in prison I have had to reflect on my past actions and the harm I have caused to so many people. I have had 12 years to reflect on my poor decisions, choices, and way of thinking. At 17 years old I was not mature enough to think about and understand the long term consequences of my immediate actions. Now that I am older I am truly ashamed of my past actions and I feel truly ashamed of my past actions and I feel deep regret and remorse for the pain and trauma I caused Felix Garcia, his family and the community. I know Felix Garcia and his family have had to live with the scars and emotional trauma as a result of my direct actions. Regardless of my young age it does not excuse my actions in any way. I take full responsibility for the damage and suffering I caused. I know that I will never be able to give back what I took from Felix Garcia and his family that day. I took away their sense of safety and security. Everyone deserves to feel safe and to not be threatened by senseless gun violence. Felix Garcia survived the two gunshots but I still realize that I could have taken his life something I could never replace. I had no right to do what I did and as a result of my actions I have dedicated myself to a non-violent way of life. I have had no violence at all my whole time in prison and I have never been placed in Administrative Segregation (Adseg) or a security housing unit (Shu) for any disciplining reason or action. Through the completion of workshops for training in non-violence Project, I have been able to grow in my understanding and build on my non-violent beliefs. I now know that there are many ways to solve problems without using violence. I also made the choice very early in my prison sentence to disassociate myself from any gangs and rise above prison politics in order to avoid problems and better myself. I have had no gang association since I came to a sensitive needs yard (SNY) in the year 2010 and I have no gang tattoos or any tattoos at all. Instead, I have chosen to educate myself and get involved in multiple self-help groups. I received my General Education Diploma (GED) in 2013, and since then I have enrolled in Cerro Coso College courses where I have completed 9 courses with an A average and I am half way to my Associates Degree. I have also participated in and completed several self-help groups such as Anger Management, Alternatives to Violence Project (AVP), Creating a Healing Society

Program, Narcotics Anonymous (NA), and Lifers Group these groups help me to continue to grow and learn more about myself, victim awareness, and how to lead a productive life. I am currently a board member for Narcotics Anonymous (NA) and Lifers Group where I help facilitate the Lifers Group. I have served on the Inmate Advisory Council Executive Body as the vice chairman for the past two years as mediator between prison staff and the inmate population. At my next annual committee I will have reached level 2 placement score after beginning with 96 points. I am truly sorry for the pain and distress I caused Felix Garcia, his family, and the community as a whole. The young teenager who committed that crime is not the person I am today. The sorrow and regret I feel for my past actions will always be with me. I am requesting commutation because I have changed in every aspect of my life. Behaviorally, mentally, emotionally, spiritually and educationally, and I sincerely regret all the harm that I have caused. I have matured and I have worked hard to rehabilitate myself from the time of my arrest. I know and believe I can be a productive member of society if given the opportunity. I recently received an informational laudatory Chrono from c/o J. Montana who has observed my conduct for the past two years and I believe is a good judge of character (See Chrono).

I have spent time in self-help groups understanding my past and crime in order to understand my character and actions. Below I name the unhealthy behaviors, beliefs and characteristics that I was dealing with at the time of my crime and I identify where they came from.

Lack of Protection or Nurturing from Parents;

Absence of Father in Childhood and Adolescence.

In *Miller v. Alabama*, the U.S. Supreme Court recognized that youth are different from adults in constitutionally significant ways, and that “those differences counsel against irrevocably sentencing them to a lifetime in prison.”

In light of my complete disassociation from gangs my record of non- violence and my rehabilitation through education and self- help groups I humbly request that my sentence be commuted from 32 years to life to 15 years so that I can go before the parole board after serving 15 years so that they can determine if I am suitable for parole.

Attachment 4.

It has been very difficult and emotional for me to write about and relive my past mistakes. One bad decision I made has affected so many people for so long. There are no words that can express my deepest apologies and remorse for my actions. I could never deserve or earn my freedom as a result of my poor choices as a youth. It is only through your mercy that if you see me fit go give me a second chance at life and a new beginning with my family. I was raised by my grandmother and she is now very elderly. I ask that you please allow me the chance to show her I can be the good man she raised me to be. I have had to live with the guilt and disappointment of letting my family down all of these years. My family still suffers because of the mistakes I made. This is my first and only prison term and I have rehabilitated and I am a changed man. I know I can be a productive member of society and contribute to the community. I have reliable family support including housing, financial help, and job opportunities. I would parole to Palmdale where I would live with my mother who has her own home with an available room for me. My aunt Maria Serrano has served the state for 30 years helping others to find jobs and she is based in Palmdale. My uncle George Coronado has his own real estate business and has offered me a job working for him. I have also have a childhood friend Gilbert Garcia who owns his own custom car business he has offered to help me learn and help me with a job. These are all local in Palmdale where I would parole. I have a tremendous amount of support from family and friends, all of who are upstanding members of the community. This is a very vital part of my parole plans because not only do I have a positive environment to go to but I am surrounded by those who love me but the emotional and spiritual support to direct me as I reestablish myself. My heart's desire is to give back to the community by sharing my story with troubled and struggling youth in hopes that they do not make the same mistakes that I made. I believe my record of non-violence, my dedication to education, and self-improvement show I am reformed and self-improvement show I am reformed. I would be eternally grateful for your mercy. At 31 years old my only desires are to be surrounded by those I love, take care of my grandmother, establish myself, and start my own family. I thank you for takin the time to read and consider my commutation.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Doris Roldan

Doris Roldan was convicted of hiring two men to shoot and kill her husband, Fernando Roldan. On February 25, 1983, the Superior Court of California, County of Los Angeles, sentenced Ms. Roldan to life without the possibility of parole for murder.

Ms. Roldan has now been incarcerated for 39 years. She is 81 years old and uses a wheelchair for mobility. Ms. Roldan has shown a strong commitment to self-improvement. Ms. Roldan routinely received exceptional work ratings and founded a volunteer program that helps veterans. She has participated in numerous self-help programs.

A warden recommended Ms. Roldan for a commutation. She has earned commendations from other correctional staff members for her positive attitude and behavior. In 2018, a correctional officer wrote, "Roldan has worked diligently to apply the self-help principles she has learned in her daily routine. . . . If given the opportunity, I believe Roldan is long overdue to enter back to society." Another officer who had known Ms. Roldan for 17 years praised her "exemplary behavior" and said, "Roldan has dealt with the issues that lead her to prison and I believe she is ready to reestablish a successful life in society." Another correctional officer wrote that Ms. Roldan "encourages her peers to be model inmates and also mentors the younger generation of inmates. . . . It is my opinion that Roldan will be a positive presence in the community if granted release."

Ms. Roldan committed a serious crime but has expressed sincere remorse. During her lengthy incarceration, Ms. Roldan has committed herself to rehabilitation, proven her desire to become a productive citizen, and worked hard to set a positive example for her peers. I have carefully considered and weighed the evidence of her conduct in prison. I have concluded that Ms. Roldan is ready to be released on parole.

This act of clemency for Ms. Roldan does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Doris Roldan to release her on parole.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Roldan Name on Prior Application (if different): _____

Date of Birth: 139 (80) Social Security Number: _____

CDCR Number: W18177 Name of Facility/Prison: CW

Residence Address: _____

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

Doris Roldan
Applicant Signature

6-11-19
Date

SUBMIT COMPLETED FORM TO:

THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Rec'd 6/18/2018
NY

Am 7289-18.

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

**APPLICATION FOR
COMMUTATION OF SENTENCE**

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Doris Roldan Date of Birth: [REDACTED] 39 Inmate ID: W-18177

Address: 16756 Chino-Corona Road, Corona, CA Facility: C.I.W.

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
<u>N/A</u>			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

See attached

3. Explain why you are requesting a commutation (attach additional pages as necessary):

See attached

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

See attached

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Doris Roldan, W18177
Commutation Application

#2: Briefly describe the circumstances of the crime(s) for which you are requesting a commutation

In 1983 I was convicted of conspiring to murder my husband and sentenced to Life Without Parole. I have maintained my innocence of the crime for the past 37 years of my incarceration. The man who confessed to murdering my husband got a 25-to-life sentence. His accomplices got immunity for testifying against me.

My husband Fernando had been working in construction and started dealing drugs. Sometime soon after, some other men he knew through dealing came to our house with guns, tied both of us up on the kitchen floor and threatened to kill Fernando while our youngest son slept in the room next to us. They left us tied up on the floor. I decided it was time to end my relationship with him and took our three children and moved out. Months later, Fernando was found dead, shot in the back of the head.

I feel terrible for not taking the threat to our lives, and to Fernando in particular, even more seriously and I feel guilty for not trying to get Fernando to run away or something, anything to protect him from what happened. But I did not kill him, and I did not conspire to kill him. Our middle son testified against me in court because, I believe, he was threatened and was offered money by these other men. I refused to speak against my second son, who has mental health issues, despite my other sons urging me to. My co-defendants, including the admitted murderer, also testified against me. Two of them got complete immunity, and the one who confessed to murder was sentenced to 25-to-life. I was sentenced to Life Without Parole for conspiring to murder, which I did not do. My next answers give more detail about the context.

#3: Explain why you are requesting a commutation

I am requesting a commutation to have the opportunity to go before the parole board and explain both the circumstances of my case and how I have grown in my 37 years in prison. In my heart, I do not believe I deserve a Life Without Parole sentence and am asking for clemency so I might be able to spend the final years of my life outside of prison close to my children and grandchildren (I am 79 years old). Thank you for your consideration.

I have no convictions prior to the one I am currently serving time for. As I stated above, I believe I was wrongfully convicted of conspiring to murder my husband. He, Fernando, had started dealing drugs. A few men he worked with came to our home with guns, tied us up on the kitchen floor, and threatened to kill him. I never stopped loving Fernando, but I realized then that his involvement in drugs meant that he couldn't be there for me or our children. I wasn't willing to risk this kind of violence becoming a part of our day to day lives and endangering all of us. So I decided then to move out with my children, and filed for divorce. Fernando was found a few months later in the hills of South Pasadena close to our house shot in the back of the head.

I have three sons. The middle one, Glen, testified against me in court. I believe he was offered money by the men who killed my husband. He is also not mentally stable. My three other co-defendants also testified against me. One, who confessed to the murder, was sentenced to 25-to-life. The other two, one of whom was the confessed murderer's brother-in-law, were given complete immunity. I on the other hand was sentenced to Life Without Parole. The prosecutor who pressed for this sentence for me is named Michael Edward Consiglio. He has since been investigated for a number of counts of corruption and for practicing without a license. I was sentenced in LA county, which I since learned has a disproportionately high number of LWOP sentences.

I do not have a relationship with my middle child. I do have a relationship with my first son, who is angry that I would not testify against my second son. I am very close with my third child, Mario. He was the only child I had with Fernando. He, his wife Maria, and their twin sons live in La Puente Hills. We are in regular touch. They write and visit me. Mario has always believed in me and has known that I did not kill his father. He is a teacher and works with children in special-ed in a minority neighborhood. His wife was a social worker and now works for the City of Anaheim department of Education. Their love and support of me, despite me being convicted of killing Mario's father, has helped keep me alive even while serving a sentence as severe as LWOP. Mario is sending in a letter of support as part of my application.

I am asking for a commutation to have a chance to explain these circumstances, and for the possibility of getting out and living close to Mario and Maria and my beloved grandsons. I do not believe I was given a fair trial and have now spent 37 years of my life in prison for a crime I did not commit.

#4: Provide a brief statement explaining why you should be granted a commutation

I have had a lot of time to reflect on my life prior to prison, and the part I played in getting into bad circumstances. I have many chronos for good behavior and have worked hard to be a positive part of life here in the prison.

I have only one disciplinary infraction in the entire 37 years I have been in prison. That was in 2010. It was listed as "attempted assault on an officer" but was really due to guard corruption. I am attaching a write-up by a fellow prisoner, Jane Dorotik, that gives more details about the incident, but in brief, a guard known for harassing prisoners accosted me for having too much toilet paper. When I questioned her, she wrote me up for attempted assault, even though there were witnesses who testified I did nothing.

Apart from that, I have a totally clear record while in prison. I have participated in many groups and classes to help me develop strategies for healing, anger management, and active listening. I am including a small sample of my positive chronos.

If I were granted a commutation and were able to parole, I would find a home close to my son Mario and his family. I would like to be part of their day-to-day life and help take care of my grandsons. I believe I have been a positive part of life here in prison. I would also like the chance to be a positive part of their life outside of prison.

I believe I pose absolutely no threat to public safety. I am 79 years old and am asking for your mercy for the possibility of going before the parole board and for the possibility of spending the remainder of my life close to my family. Thank you all for considering my application.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Miguel Ruiz

In 1989, Miguel Ruiz was hired to kill David Werner by Mr. Werner's daughter. Mr. Ruiz held down Mr. Werner while his crime partner fatally stabbed the victim. On December 4, 1992, the Superior Court of California, County of Orange, sentenced Mr. Ruiz to life without the possibility of parole for murder.

Mr. Ruiz was 21 years old at the time of the crime and is now 52. He has been incarcerated for more than 29 years. He has expressed sincere remorse for Mr. Werner's murder.

While serving a sentence with no hope of release, Mr. Ruiz devoted himself to his self-development. Mr. Ruiz has maintained an exemplary disciplinary record while in prison. He has completed significant self-help programming and prison staff has consistently commended Mr. Ruiz for his good work ethic and his leadership skills.

In addition to participating in self-help programming and work, Mr. Ruiz has participated in the Prison of Peace program as a certified trainer and mediator, mentoring cohorts of fellow inmates on reducing violence and promoting peaceful conflict resolution in prison. Mr. Ruiz has also volunteered his time as a literacy tutor with Literacy Volunteers of America.

Mr. Ruiz committed a serious crime that took the life of Mr. Werner. Since then, Mr. Ruiz has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Ruiz merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Ruiz does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Miguel Ruiz to 29 years to life.



IN WITNESS WHEREOF I have
hereunto set my hand and
caused the Great Seal of the State
of California to be affixed this 26th
day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Miguel Ruiz, Jr. Date of Birth: 1967 Inmate ID: H-62819

Address: P.O. Box 2199, Blythe, California, 92226-2199 Facility: Ironwood State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Disobey Court Order	02-08-1991	Orange County	Three (3) Days

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

(SEE CLEMENCY ATTACHMENT PAGE)

3. Explain why you are requesting a commutation (attach additional pages as necessary):

(SEE CLEMENCY ATTACHMENT PAGE)

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

(SEE CLEMENCY ATTACHMENT PAGE)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Orange County: Please take notice that I, Miguel Ruiz, Jr.,
was convicted of the crime of PC 187(a) Murder 1st Degree (Knife) W/PC 190.2 Special Circumstances
committed in Orange County, California, on the date of April 16, 1989.

I will submit this application to the Governor of the State of California.

Miguel Ruiz, Jr. March 20, 2018
Applicant's Signature Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,
do hereby acknowledge receipt of notice from _____,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

4275-18

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Orange County: Please take notice that I, Miguel Ruiz, Jr.,

was convicted of the crime of PC 187(a) Murder 1st Degree (Knife) W/PC 190.2 Special Circumstances,

committed in Orange County, California, on the date of April 16, 1989.

I will submit this application to the Governor of the State of California.

Miguel Ruiz, Jr.

Applicant's Signature

March 20, 2018

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Susan Laird, District Attorney of the County of Orange,

do hereby acknowledge receipt of notice from Miguel Ruiz, Jr.,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

RECEIVED

MAY 15 2018

**GOVERNOR'S OFFICE
LEGAL AFFAIRS**

Signed

David

Date

5.8.17

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

CLEMENCY ATTACHMENT PAGE

1. Briefly describe the circumstances of the crime:

On April 15, 1989, between 9:00 p.m. and midnight victim David Werner, 72 years of age, was suffocated to death in his home; the assailants also struck the victim in the head with a blunt object and stabbed him in the neck.

April 16, 1989, Carrie Chidester stated that she planned to spend the evening with Deborah Werner but she did not want Werner to pick her up. She arranged with a friend, known to her as "Mike", to pick her up at her home and take her to a pre-arranged location where she met Deborah Werner.

On April 19, 1989, Investigators interviewed Miguel "Mike" Ruiz, as his name and phone number to his place of employment Minit-Lube had been found handwritten on a note pad in one of the bedrooms in the victim's home.

On April 21, 1989, Charles Clemmons was re-interviewed and he confessed to conspiring to kill the victim, David Werner, with the assistance of Mike Ruiz and Carrie Chidester. According to Charles Clemmons confession, Deborah Werner solicited the help of Chidester, Ruiz, and himself (Clemmons) in the killing of David Werner. Werner indicated she would pay them \$3,000 by check and \$100 dollars in cash for the killing of David Werner.

On April 22, 1989, Miguel Ruiz Jr. was arrested with three other suspects who were already in custody, Carrie Chidester, Charles Clemmons, and Deborah Werner. They were

believed to have been involved in the murder for hire of a seventy-two (72) year-old man in Mission Viejo. The victim's name was Mr. David Werner, Deborah Werner's father. Deborah Werner's daughter, Cynthia Diebolt, was later arrested for solicitation for David Werner's murder.

On April 25, 1989, three days later, Miguel Ruiz Jr. was subsequently released by authorities due to lack of evidence and refusing to waive his Miranda Rights, however, he was re-arrested on July 23, 1991, and indicted by the Grand Jury for murder.

2. Explain why you are requesting a commutation:

I believe I've given myself an opportunity to at least be considered for Commutation of Sentence from Life Without the Possibility of Parole to twenty-five (25) years to life. During this time, I remained positive and I have utilized my time well by learning and putting to work the new skills and tools that I've learned through the many self-help groups I have attended. These groups have been instrumental in opening up my heart to a positive spiritual life which in turn, has given me the ability to give back what I have learned to my peers as well as my community.

I have followed the Rules and Regulations of the California Department of Corrections and Rehabilitation (CDCR) and have been disciplinary free for eighteen (18) years now because of my continuous positive programming. Today, I look back at my past and distinguish how much I have developed into my adulthood. I now have a better perception and comprehension of who I am as a man. My

perception of judgment in distinguishing the good and bad in people is highly aware. The mere fact of waking up and answering for myself on a daily basis, knowing that I have the responsibility to hold myself accountable for my choices and my actions means everything to me. To be able to give back to society what society has given to me, such as an education, college, and self-help groups to not only help myself but to also be an assistance to others within my prison community and to my community in society.

To be apart of something much bigger than myself by finding my niche in society in hopes of leaving a positive mark in the community, with living amends, would be a great honor and a privilege to me. Thinking about this request feels good and natural as opposed to how it felt before when I used to think about doing this. It felt as though I was asking for too much, but on this day, I believe that my Lord and Savior has presented me with this opportunity.

3. Provide a brief statement explaining why you should be granted a Commutation:

The reason that I should be granted Commutation is because of my spirit of giving back. I'm not asking to be let off the hook for my criminal behavior. I'm requesting a Commutation of Sentence so that I may have a second chance to be that successful son for my parents, and a productive, law abiding, tax paying, contributing citizen that society deserves.

I acknowledge the victims in my crime, and what led me to my unlawful lifestyle. I understand that the people that I victimized would probably like to see me spend the rest of

my life incarcerated. I also acknowledge the fact my co-defendants and I were convicted for our roles in this crime and should serve out our sentences.

I agreed with my victim's sentiment, therefore, I started to look at myself and began my rehabilitation. Through the course of this process, I came to understand that we are all interconnected and therefore, the victims must be allowed to firmly express their emotional experiences. This resonated within me and allowed me to develop a connection with the impact of my offense, and granted me the opportunity to indirectly restore their sense of humanity. The justice system's responsibility is to seek to address both needs and measure it by allowing the acceptance of responsibility, accountability and healing.

Through it all, I found a spiritual path (Christianity) at the age of thirty-five(35) where my views, and moral standards, have changed. Since then, I've come to see things differently, or I should say in a different light, realizing that a man had to grow in his own way and at his own time. Today, as I matured into an responsible adult, I have perception of who I am. I am a man who has understanding of the sanctity of life, and other people's sentiments and emotions. By understanding this, I have come to realize that when I opened up to people about my own actions and the way my criminal lifestyle had hurt others, I was able to be healed. However, the fact is that it's not all about me, it never was; it's all about the survivors.

I really regret the decisions and actions that I've made throughout my life. I had to right these wrongs by accepting responsibility for my actions, my choices and

those who I chose as my peers. If I could turn back the clock to undo all the hurtful things that I have done to others, I would. I will continue giving back to society, my community, and my family, with all my heart and effort. This is the knowledge and understanding of what I've learned from my self-help and healing groups and putting this into practice through amends, whether they are directly or indirectly.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Cindy Thao

In 2005, Cindy Thao and three crime partners planned to rob Mai Vang. During the robbery, Ms. Thao's crime partner shot the victim, killing him. On April 20, 2007, the Superior Court of California, County of Sacramento, sentenced Ms. Thao to a term of 25 years to life for first-degree murder plus a one-year firearm enhancement, for a total sentence of 26 years to life.

Ms. Thao was 21 years old at the time of the crime and is now 36. She has been incarcerated for more than 14 years. She has expressed genuine remorse for her role in Mr. Vang's death and has accepted full responsibility for her actions.

While in prison, Ms. Thao has devoted herself to self-development in prison. Ms. Thao has maintained an exemplary disciplinary record. She has earned five vocations and she is currently enrolled in college courses. Ms. Thao resides in the honor dorm at her prison. She has been praised by prison staff for her positive attitude, work ethic, and efforts in rehabilitation.

Ms. Thao committed a serious crime that took the life of Mr. Vang. Since then, Ms. Thao has dedicated herself to becoming a productive citizen. I have carefully considered and weighed the evidence of her positive conduct in prison, the fact that she was a youthful offender, and her good prospects for successful community reentry. I have concluded that Ms. Thao merits an earlier opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Thao does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Cindy Thao to 15 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





60M 3001-18

RECEIVED

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, CA 95814

NOV 14 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Cindy Summer MAD Date of Birth: [REDACTED] 1984 Inmate ID: X24741
Address: P/O BOX 1508 Facility: C.C.W.F.

1. Conviction Summary:

List all prior convictions, including in any other states or countries. Attach additional pages as necessary.

Offense(s):	Date of offense(s):	County of Conviction(s):	Sentences(s):
197(A) P.C.	NOV 21, 2005	SACRAMENTO	Twenty-Six (26) TO LIFE
12022(A)(1) P.C.		COUNTY	Plus 5 years

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

In my case, I was an aider and abettor, as a getaway driver during a robbery resulting the murder of Mai Vang. There are no substantial facts reflected in the probation officers report that even hint that I knew the murder was to take place. I was driving the car when the murder occurred.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Since my incarceration, I have taken many self-help groups and have learned to take full responsibility of my actions. I have found myself and today, I can say that I'm a changed person. I want to better myself, and continue making better choices in life. I am requesting

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages as necessary):

The suitability for commutation decision for me is not what I believe to be deserved, but instead could only be a fortunate result of God's will for me and my own hard work in learning and changing my entire being. Through Mai Vang's death, so many lives have been changed, including my own.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list the name, address, and amount paid or given (required by penal code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Cindy Summer Thao, declare under penalty of perjury under the laws of the State of
(Print Full Name)

California that I have served the District Attorney of SACRAMENTO COUNTY with notice of my intent to
(Name of County*)
apply for a commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

10.20.17

Date

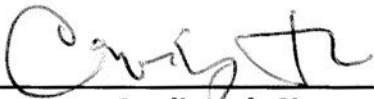
* If applicable, list additional counties here (send Notice of Intent to Apply for Executive Clemency to all counties listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Sacramento County:

Please take notice that I Cindy Summer Thao, was convicted of the crime of 187(A) P.C. / 12022(A)(1) P.C., committed in Sacramento County, California on the date of 03.25.2007. I will submit this application to the Governor of the State of California.



Applicant's Signature

10.20.17

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Anne Marie Schubert, District Attorney of the County of Sacramento do hereby acknowledge receipt of notice from Cindy Summer Thao, that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed 

Date 11/21/17

District Attorney: Please return this notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814

Question

2 :

This FACT REFLECT my only role because there was no evidence that I had any immediate role in instigating it OR could have prevented it. I pled no contest to first degree murder (pen. code 187, sub d (A)) and admitted a Firearm enhancement (2022, (A)). In exchange for my plea, the prosecution agreed to dismiss a special circumstance allegation, thereby reducing my sentence from a mandatory term of life in prison without the possibility of parole to a term of 25 year to life w/ 1 year for firearming, and 5 year enhancement.

Initially I would fail under the people vs. Chiu (2014) 59 Cal. 4th 155 and OR people vs. Banks (7/9/2015) CAL-LEXIS 4650 under both state and federal constitutions. BUT because of my plea bargain I'm not getting any relief in my appeal.

Question
#3:

FOR a COMMUTATION TODAY TO ASK FOR a
SECOND AT LIFE. THERE HAS BEEN VARIOUS LAWS
THAT HAVE PASSED, AND THEY APPLY TO ME.

UNFORTUNATELY TO MY EXHAUSTING ALL STAGES
ON MY APPEAL. I CANNOT FIND ANY RELIEF.
HOPEFULLY IN GOD'S WILL I WILL FIND AN ANSWER HERE.

Question
4:

Today, i am able to say i live in honor of mai vang. His death woke me up and showed me that the person who would commit such a senseless crime, for personal gain, wasn't who i wanted to be anymore.

I worked on my recovery, dug through my past, and identified my triggers to become capable of making better decisions in the future. I focused on me, which wasn't easy because i never liked me. BUT with the death of mai vang, i found the strength and motivation to change for never wanting my actions to cause such loss and tragedy again. I sit here today in no denial of anything but in humility. I take full accountability of all my actions for my whole life, not only out of prison, but in it as well. I've not been a model of learning by mistakes by a long shot, due to repeated bad choices and old behaviors. I have struggled and went through many different difficulties, and these difficulties have brought about many changes within myself. I've also done a lot of good things as well. Life's greatest lessons are learned in life's greatest struggles. God has been preparing me for his works. I have given my life to he who has enlisted me in his army. This is my choice today and i want to be an asset, not a threat. I want to now live a meaningful life, no longer selfish and harmful, but in helping others and the community with the love of the lord.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Issa Wajeel

In 2008, Mr. Wajeel shot and killed Michael Firkins, who was on Mr. Wajeel's property illegally. On May 6, 2011, the Superior Court of California, County of San Bernardino, sentenced Mr. Wajeel to 25 years to life for first-degree murder plus a 25-years-to-life firearm enhancement, for a total term of 50 years to life. Mr. Wajeel had no prior criminal record.

Mr. Wajeel was 50 years old at the time of the crime and is now 62. He has been incarcerated for nearly 10 years. He has expressed genuine remorse for his crime.

Since entering prison, Mr. Wajeel has maintained an exemplary disciplinary record. Mr. Wajeel has been a leader in restorative justice programming, and a prison chaplain commended him for his dedication to the faith community.

Mr. Wajeel committed a serious crime. Since then, Mr. Wajeel has demonstrated a sincere commitment to his rehabilitation and self-improvement. I have carefully considered and weighed the evidence of Mr. Wajeel's positive conduct in prison, his advanced age, and his good prospects for successful community reentry. I have concluded that Mr. Wajeel merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Wajeel does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Issa Wajeel to 15 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Issa Wajeel Date of Birth: 58 Inmate ID: CDCR#AH5860
Address: 1600 California Drive, Vacaville, CA 95696 Facility: California Medical Facility

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
PC 187(A)	07/03/2008	San Bernardino	25 years to life
PC 12022.53(D)E	07/03/2008	San Bernardino	25 years to life
			Total: 50 years to life

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

Summary of the case attached

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Please see applicants letter enclosed

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Please see counsels letter

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Robert J. Beles, 1 Kaiser Plaza, suite 2300, Oakland, CA 94612 Paid: \$2,500

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Issa Wajeel, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of San Bernardino with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Issa Wajeel by RJB
Applicant's Signature

12/11/18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of San Bernardino County: Please take notice that I, Issa Wajeel,
was convicted of the crime of PC 187 (A), PC 12022.53(D)E,
committed in San Bernardino County, California, on the date of July 3, 2008.

I will submit this application to the Governor of the State of California.

Issa Wajeel by RJB 12/11/18
Applicant's Signature Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,
do hereby acknowledge receipt of notice from _____,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

COM 10288-18

LAW OFFICES OF

BELES & BELES

CALIFORNIA STATE BAR CERTIFIED SPECIALISTS IN CRIMINAL LAW,
APPELLATE LAW, AND IMMIGRATION LAW

THE ORDWAY BUILDING

1 KAISER PLAZA, SUITE 2300

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ANNE C. BELES

ATTORNEY AT LAW
CERTIFIED CRIMINAL LAW SPECIALIST

EMILIO T. PARKER
CERTIFIED IMMIGRATION LAW SPECIALIST

MANISHA DARYANI

JOSEPH L. RYAN

DENNIS AVILUCEA, JR.

MIGUEL MARTINEZ

ATTORNEYS AT LAW

ROBERT J. BELES

ATTORNEY AT LAW
CERTIFIED CRIMINAL LAW SPECIALIST

PAUL G. MCCARTHY

CERTIFIED APPELLATE LAW SPECIALIST

DEMETRIUS M. COSTY

JARED C. WINTER

GERARDO VICUNA

ATTORNEYS AT LAW

Wednesday, December 12, 2018

Attn: Legal Affairs
Governor's Office
State Capitol
Sacramento, CA 95814

Regarding: Issa Wajeel, CDC#AH5860

Enclosed: - APPLICATION FOR COMMUTATION OF SENTENCE

() for your information

() per your instructions

() for your files

(X) please read

() service copy

() please comment

() Please file and return stamped copy in the self-addresses stamped return envelope

Kindly,


Jessica Perez, Legal Assistant for
BELES & BELES LAW OFFICES

DEC 17 2018

WALNUT CREEK OFFICE
2121 N. CALIFORNIA STREET
WALNUT CREEK, CA 94596

(925) 460-5400

FREMONT OFFICE
39560 STEVENSON PLACE, SUITE 217
FREMONT, CALIFORNIA 94536

(510) 745-7755

SAN JOSE OFFICE
2880 ZANKER ROAD, SUITE 203
SAN JOSE, CALIFORNIA 95134

(800) 860-2848

PLEASANTON OFFICE
4900 HOPYARD ROAD, SUITE 100
PLEASANTON, CALIFORNIA 94588

(925) 460-5400

492c, 2020 Executive Report on Clemency

ROBERT J. BELES

ATTORNEY AT LAW
CERTIFIED CRIMINAL LAW SPECIALIST

PAUL G. MCCARTHY

CERTIFIED APPELLATE LAW SPECIALIST

DEMETRIUS M. COSTY

HOMAIRA KHALJI

ATTORNEYS AT LAW

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EMILIO T. PARKER

CERTIFIED IMMIGRATION LAW SPECIALIST

MANISHA DARYANI

JOSEPH L. RYAN

DENNIS K. AVILUCEA, JR.

ATTORNEYS AT LAW

Tuesday, May 21, 2019

ATTN: LEGAL AFFAIRS/CLEMENCY

The Office of the Governor

State Capitol

Sacramento, CA 95814



To the Office of the Governor,

Enclosed please find a re-application for commutation and pardon for our client Issa Wajeel, CDC# AH5860.

Sincerely,

ROBERT J. BELES

Attorney at law

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2121 N. CALIFORNIA STREET
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SAN JOSE, CALIFORNIA 94541

(408) 255-5100

PLEASANTON OFFICE

493 E. 20TH STREET, SUITE 100
PLEASANTON, CALIFORNIA 94588

(925) 460-5400

Summary of the Case

Summary of case:

On July 3, 2008, a 911 call was received from [REDACTED] in Barstow where Issa Wajeel reported he "shot at a subject trying to break into his house" and "shot at a red pick-up truck parked in the street." Several police officers arrived on scene and located Mr. Wajeel in his front yard holding a handgun. The .357 caliber revolver was recovered from Mr. Wajeel. A male adult was found in a red pick-up truck suffering from a single gunshot wound to his right temple. The victim was identified as Michael Firkins. The truck had a total of six bullet holes, four of which struck the back windshield and entered the cab. Investigation revealed that one bullet struck the victim on his right temple. An empty gas can and a hose were found in the victim's pick-up truck. During the processing of Mr. Wajeel's front yard, numerous foot prints were located but none matched the shoe print of the victim's shoes.

Issa Wajeel was interviewed and stated that he had just lied down because his leg hurt and had taken medication. While lying down he heard a loud noise and looked out the window to find a truck blocking his driveway. He dozed off and when he looked out again, he saw two people in the pick-up truck, one partially hanging out the passenger side window. He dozed off again and heard "other noises". He initially thought they were his sons' friends but when he realized they were not, he grabbed his handgun from the dresser drawer, and walked to the front door. When he opened the front door, he saw a man at his front door and got startled. He was shocked and limped and fell backward inside his residence. When he looked out the front door, he saw a man behind Wajeel's vehicle which was parked in his driveway. Mr. Wajeel stated the man was pointing something at him and then he heard "boom, boom, boom". He then saw a guy run across the street. Mr. Wajeel indicated that the guy he shot had been at his front door, and the "other guy" came from the side of his house after the gun went off and then went across the street. After Mr. Wajeel heard the gun shots, he went back inside his residence and called 911. Mr. Wajeel stated that he did not realize he had shot his handgun nor did he intend to shoot at the individual.

On July 5, 2008, the victim was pronounced brain dead at the Arrowhead Regional Medical Center. He passed away several hours later that same day. According to the autopsy performed on July 9, 2008, the cause of death was from a gunshot to the head, the death occurring within days.

On July 6, 2008, during the course of the investigation, video images were obtained where the victim was seen entering the Wal-Mart Store in Barstow on July 3, 2008 in the morning and purchasing a gas can from the store. He was seen re-entering the store sometime later with a female. The female was identified as Ashley H., who was interviewed. She indicated that the victim came to Barstow on July 2, 2008, and they met at a friend's house. The victim told her he was going to stay at a park and fix his truck. They then "hung out" again on July 3, 2008. They went to Denny's, Foster Freeze and Wal-Mart. She and the victim then went to her parent's house and were there until about 8:00 p.m. She did not hear from him again.

Several text messages were retrieved from the victim's cell phone. Some of the text messages between the victim and Sheina S. referred to "stealing gasoline". Contact was made with Sheina

and she indicated the victim and her were dating. She stated that the victim told her that he needed gas and that he was going to "borrow it (the gasoline) with no intention of payment". The victim told her that he needed gas and was going to get gas that night, when he text messaged her. Sheina indicated that the victim had said he needed money and that he needed a loan to pay some bills. She also knew his phone was going to be shut off.

Marika B. was also interviewed, and she indicated the victim came over to her apartment on July 3, 2008, around 1 :00 a.m. and stayed with Ashley H. for over an hour. The victim and Ashley H. left to the Denny's Restaurant. The victim told Marika B. that he was planning to stay in Barstow until July 4th. The victim mentioned to her that he needed money and then in a joking manner said, "Yeah, I'll siphon some gas."

On July 17, 2008, an affidavit requesting an arrest warrant for the arrest of Issa Wajeel for Murder was submitted. The defendant was arrested later that day, at his residence.

On March 23, 2011, Issa Wajeel was convicted by a jury of a violation of Penal Code Section 187(a) First Degree Murder, a Felony with the enhancement of Penal Code Section 12022.53(d) Discharging a Firearm. Mr. Wajeel was ultimately sentenced to a total of 50 years to life.

Personal Letter of Issa Wajeel

Dear Gov. Brown:

My name is Issa Wajeel, I am writing this letter in regards to my application for Clemency.

I served this country faithfully and honorably for almost 30 years in the U.S. Army, and in the private sector and worked with churches within our communities for over 15 years giving back to others. My wife and children served our communities compassionately along side me.

Almost 11 years ago, I never knew two families lives would be ripped apart in the worst way possible. By Michael an active duty marine I did not know and was hours away from his duty station. His parents lives were changed for ever and overshadowed in grief and sorrow as our family.

I was recovering from two major surgeries one on the other shoulder and on my (R) thigh. When I was woken by a noise coming from the front of the house, fear gripped me - my wife and children were in the house.

I grabbed the hand gun from the night stand and hobbled toward the front of the house. I noticed that someone was standing by the door inside the house. I yelled at him to get out. As I looked out the front door, I believed he pointed a gun at me and he moved to a truck that was in the street. As he was by the driver door he quickly turned around with a gun pointed at me. He got in the truck and started it up, drove away and the vehicle stopped in the road way. I had no idea I had fired at him.

I yelled from the front door to bring me the phone, I called 911 and the next thing I knew someone said, "put the gun down" and I did. A policeman helped me to the living room and when I sat down pain ran throughout my body so I took some more pain medication. When he asked me a few questions, it seemed like I was in a very deep pit.

I learned from the police that his name was Michael and I shot him and he died a few days later. I could not sleep or keep food down and it seemed like I was being

pressed on every side of my body. I did not mean to shoot or cause his death, only protect my family. I am very sorry that I caused his death, I never intended to. The grief and sorrow Michael's parents are feeling cut very deep within and my family as well. Because we have children and have given our lives in helping others, not taking ones life. What happened on July 3, 2008 crushed two families with lasting effects. I had to see a doctor because of overwhelming grief and sorrow that I was experiencing because of the person I killed unintentionally. I am very sorry Gov. Brown.

I heard the evidence in court but I believe Michael had a gun because he pointed it at me and he was not alone because of all the shoe prints in the front yard. Neighbors reported unusual sounds in there yards as if someone was running and hitting the side of their houses and dogs barking. The police said he was there to steal gas but that does not make sense because he got paid on the 1st of July, and he was with others shopping at Walmart. Why didn't the persons he was texting or Ashly who he visited and

stayed give him money for gas, and where did he stay and eat at when he was in the area? Ashly and our middle son attended the same High School and were in the same classroom during one of the periods.

It's confusing and troubling that there are so many unanswered questions. That has and is having a major impact on both families. I did not intend or plan to shoot or cause his death in any way; just protect my family.

I have been incarcerated from 2011 to present and I have followed all their rules. At High Desert State Prison, I worked at the Chapel and I volunteer here at CMF Chapel teaching classes. I am currently attending a Restorative Justice class.

Gov. Brown, I am very sorry and I am still filled with sorrow and grief for causing the death of Michael and what his parents are experiencing. I never intended or planned to shoot or cause his death, I regret that happened unintentionally. I appeal to you Gov. Brown to extend grace and mercy in approving this application of clemency.

Thank you very much for considering my application.

Sincerely,
~~Jasa Wajid~~

Counsel Letter

ROBERT J. BELESATTORNEY AT LAW
CERTIFIED CRIMINAL LAW SPECIALIST**PAUL G. MCCARTHY**
CERTIFIED APPELLATE LAW SPECIALISTDEMETRIUS M. COSTY
JARED WINTER
GERARDO VICUÑA
MIGUEL MARTÍNEZ
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ANNE C. BELESATTORNEY AT LAW
CERTIFIED CRIMINAL LAW SPECIALIST**EMILIO T. PARKER**
CERTIFIED IMMIGRATION LAW SPECIALISTMANISHA DARYANI
JOSEPH L. RYAN
DENNIS K. AVILUCEA, JR.

ATTORNEYS AT LAW

Tuesday, December 11, 2018

Robert J. Beles

1 Kaiser Plaza, Suite 2300

Oakland, CA 94612

Phone: (510) 836-0100

Fax: (510) 832-3690

beleslaw@yahoo.com

RE: Issa Wajeel, CDCR# AH58600- Application for Commutation

Dear Governor Brown,

On behalf of our client, Mr. Issa Wajeel, please find the enclosed application for commutation of Mr. Wajeel's sentence to time served. Included in the application are letters of support from his wife Heeshin Wajeel, his son Jungwoo Wajeel, Pastor Eddie Pate, June F. Saunders, and Jess Erick Foss as well as a General Chrono from Rev. Alexander Valuiski. (See Letters of Support); the documents from Jess Foss and Rev. Valuiski show his ongoing commitment to his Protestant Christian faith; and a letter from Mr. Wajeel himself in which he takes responsibility for his actions and shares his reasoning behind his decisions that took place on July 3, 2008 (See Personal Letter of Issa Wajeel). Mr. Wajeel has been incarcerated since May 24, 2011, having served nearly eight (8) years of a fifty (50) years-to-life sentence. We request commutation of the sentence to the time already served.

Mr. Wajeel is a United States Army Veteran who served the United States for twenty (20) years before being Honorably Discharged from service. While in the service Mr. Wajeel also took college courses in order to obtain his Ph.D. After discharge Mr. Wajeel obtained multiple jobs in his community including teaching criminal justice at Barstow Community College, facilitating online master's courses, and contracting for General Dynamics (See Letters of Support). In addition to this, the Inspector General's Office often sought out Mr. Wajeel's experience and expertise to assist with housing and support issues. Prior to this incident, Mr. Wajeel had never been in trouble of any kind with law enforcement.

Mr. Wajeel and his wife, Heeshin, have three adult children. During his time in the Army and during his civilian life Mr. Wajeel always took time to be with his family and instilled strong morals in his sons. As a result of his strong commitment to his family and a desire to keep them safe Mr. Wajeel tragically shot and killed Michael Firkins on July 3, 2008. Mr. Wajeel deeply regrets these actions. (See Personal Letter of Issa Wajeel) On the night of July 3, 2008 Mr. Wajeel was startled when he heard a noise coming from outside of his home. Instinctively Mr. Wajeel grabbed his pistol in order to protect his family from the possibility of intruders. Mr. Wajeel saw an unknown person on his property; the unknown person was Michael Firkin. Mr. Wajeel maintains that he saw something in Mr. Firkin's hand that resembled a weapon. As a result of the belief Mr.

WALNUT CREEK OFFICE2121 N. CALIFORNIA STREET
WALNUT CREEK, CALIFORNIA 94596**FREMONT OFFICE**39560 STEVENSON PLACE, SUITE 217
FREMONT, CALIFORNIA 94536**SAN JOSE OFFICE**2880 ZANKER ROAD, SUITE 203
SAN JOSE, CALIFORNIA 94541**PLEASANTON OFFICE**4900 HOPYARD ROAD, SUITE 100
PLEASANTON, CALIFORNIA 94588

Firkin had a weapon Mr. Wajeel ultimately fired a bullet that would kill Mr. Firkin. Further details of this incident can be found in the attached Summary of the Case.

After a jury trial, Mr. Wajeel was convicted of first-degree murder pursuant to Cal. Penal Code Section 187(a), with firearm use enhancements, Cal. Penal Code section 12022.53(d). The court sentenced Mr. Wajeel to twenty-five (25) years-to-life. After applying an additional twenty-five (25) years due to statutory enhancements for use of a firearm, the court imposed an effective sentence of fifty (50) years to life on Mr. Wajeel.

The facts of the case have been extensively litigated. However, we would like to point out that deputy District Attorney originally came to the conclusion that Mr. Wajeel acted in self-defense and declined to press charges. (See Supporting Documents) Also, at preliminary hearing the court only found enough evidence for defendant to stand trial for voluntary manslaughter. The court noted that there was no considerable provocation or circumstances to show a malignant heart. The court further noted that this was a heat of passion crime as the actions happened very quickly thus Mr. Wajeel did not have time to reflect on his actions. It is clear that, at the preliminary hearing, the court found that Mr. Wajeel had no malice, of any kind, when he fired his gun in the direction of Mr. Firkin.

Mr. Wajeel still has over 18 years until his first opportunity for a parole hearing. Mr. Wajeel is nearly 61 years old and is confined to a wheel chair. His days in prison consist mainly of attending religious meetings and eating. Mr. Wajeel has not been involved in any acts of violence in prison and, frankly, is not able participate in any violent acts. The sentence of fifty (50) years-to-life is far and away too much time considering this is Mr. Wajeel's only transgression of the criminal justice system. Furthermore, Mr. Wajeel will not be asking for his firearm rights to be restored as he only seeks to be reunited with his family. There is no doubt that justice will be served by the commutation of Mr. Wajeel's remaining sentence.

Commutation of Mr. Wajeel's Sentencing Enhancement Consistent with Senate Bill 620

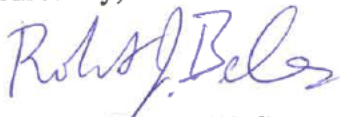
Effective January 1, 2018, Penal Code section 12022.53, subdivision (h), is amended to allow a court to exercise its discretion under Penal Code section 1385 to strike or dismiss such an enhancement in the interest of justice at the time of sentencing or resentencing, pursuant to Senate Bill 620. Had Mr. Wajeel been sentenced in 2018, the interests of justice would have weighed in favor of striking his gun enhancement. As outlined throughout this letter of accountability and support letters, Mr. Wajeel has always exhibited exemplary character in both his personal and professional life and was honorable discharged after twenty (20) years of service in the United States Army. These facts could have been presented as mitigating evidence to the sentencing court. The fact that Mr. Wajeel only fired his weapon after he saw what he believed to be a weapon in the hands of an intruder show that he has no disposition to violence and that the sentencing enhancement is in opposition to the interest of justice. Mr. Wajeel's actions, though serious, arose from a desire to protect his family rather than a desire to kill. Moreover, the enhancement doubles Mr. Wajeel's term of incarceration by extending his term 25 years.

Mr. Wajeel admitted to firing the shot that killed the victim, so the jury really had no option but to find the enhancement to be true. The office of the Governor has the discretion to lift this excessive sentence and provide Mr. Wajeel with an opportunity to rejoin his family and the community. I thus respectfully request that his sentencing enhancement be commuted in the interest of justice.

Conclusion

I firmly believe that should he be released, Mr. Wajeel would return be a productive and valuable member of society, and would provide an emotional benefit to his family and those who care about him. Mr. Wajeel recognizes the severity of his actions, and regardless of his custody status, will continue to grapple with the effects of his regrettable actions for the rest of his days. There is no reason to believe, if Mr. Wajeel's trial took place today, that he would have suffered the additional twenty-five (25) year discretionary sentencing enhancements. For these reasons, I respectfully request that Mr. Wajeel's request for a full or partial commutation be granted.

Sincerely,



ROBERT J. BELES

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Thomas Waterbury

In 1980, Thomas Waterbury shot and killed his wife, Deborah Waterbury. On November 9, 1981, the Superior Court of California, County of San Bernardino, sentenced Mr. Waterbury to life without the possibility of parole for murder with a firearm enhancement.

Mr. Waterbury was 22 years old at the time and is now 61. He has been incarcerated for more than 39 years. He has expressed sincere remorse for Deborah's murder.

While serving a sentence with no hope of release, Mr. Waterbury dedicated himself to his rehabilitation. Mr. Waterbury has maintained an exemplary disciplinary record while in prison. He has completed self-help programming and obtained a bachelor's degree in theology and a master's degree in ministry.

Mr. Waterbury has earned the commendation of prison staff, including work supervisors and correctional staff. He has volunteered his time to teach and lead other inmates in the Breaking Barriers and Prison Ministries programs. Mr. Waterbury has held the title of Provost for the School of Ministry at Mule Creek State Prison since 2013. He facilitated an Urban Ministry Institute class and developed and taught courses for the School of Ministry. He has helped develop software that CDCR uses in pharmacies and warehouses.

Mr. Waterbury committed a serious crime that took the life of Ms. Waterbury. Since then, Mr. Waterbury has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, his advanced age and long-term confinement, and his good prospects for successful community reentry. I have concluded that Mr. Waterbury merits the opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Waterbury does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Thomas Waterbury to 39 years to life.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 26th day of June 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom • State Capitol • Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.

APPLICANT INFORMATION

WATERBURY, Thomas Edward

Name (Last/First/Middle): _____ Name on Prior Application (if different): N/A

Date of Birth: 1958 Social Security Number: _____

CDCR Number: C-38792 Name of Facility/Prison: Mule Creek State Prison - Ione

Residence Address: P.O. Box 409060, Rm. C14-2216, IONE, CA 95640

Mailing Address (if different): _____

Home/Cell Phone: _____ Work Phone: _____ Email: _____

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I was interviewed on May 1, 2018 but I have not received a case number nor correspondence from the Governor's Office or the Board of Parole Hearings. I humbly request another interview as I feel I gave a poor interview due to extreme anxiety and a night's lack of sleep. Plus I have additional relevant documents I would like to provide to update my file. Thank You.

Applicant Signature

5/11/2019

Date

SUBMIT COMPLETED FORM TO:

THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



COM-2220-14
COM-402-10
COM-469-11
SEP 03 2014

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Thomas Edward Waterbury Date of Birth: [REDACTED] 1958 Inmate ID: C-38792

Address: P.O. Box 409060, Rm. C14-245U, Ione, Ca Facility: Mule Creek State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Misdemeanor Grand Theft	12-30-1976	Ventura County	Probation

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On 12-24-1980 I shot and killed my wife, then shot myself. On 10-9-1981, I was convicted of first degree murder with special circumstances. On 11-9-1981 I was sentenced to Life Without Parole. At the time of the offense I was emotionally immature, an introvert, morally destitute (See Attached Continuation....)

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Hundreds of inmates with the exact same crime as mine were sentenced to either 15 or 25 years to life, many have already been paroled. However, I was sentenced to Life Without Parole and the law mandates I file this application to for Commutation to Life in Prison. Therefore, this application is properly submitted.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Justice Has Been served. Petitioner has developed insight into the gravity of his crime and fully come to understand the triggers that led to his emotional ruin, has mentally matured and has learned the necessary skills to overcome his introverted nature to equip him to fully function in society as a productive citizen. (See Attached Continuation....)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

No fees have been paid nor have gifts been given to anyone.

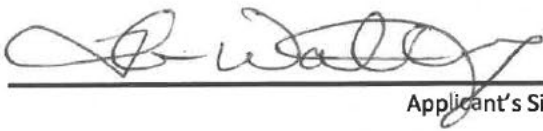
COM-2220-14

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of San Bernardino County: Please take notice that I, Thomas WATERBURY,
was convicted of the crime of Murder in the First Degree with Special Circumstances,
committed in San Bernardino County, California, on the date of 12-24-1980.

I will submit this application to the Governor of the State of California.



Applicant's Signature

9-1-2014

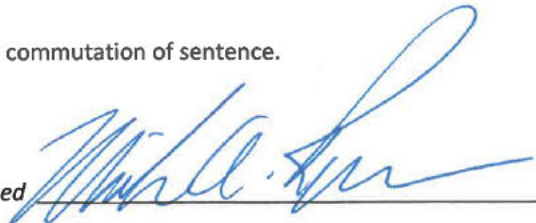
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Michael A. Ratos, District Attorney of the County of San Bernardino,
do hereby acknowledge receipt of notice from Thomas Waterbury,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed



Date

September 23, 2014

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

2. **Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (Continued):**

and utter despair triggered by being laid off after having purchased a brand new home. I committed my crime based on the delusion it would be a means of escape from my abject failure.

4. **Provide a brief statement explaining why you should be granted a commutation (Continued):**

Insight into the gravity of my crime began with my surrender to God and the confession I was incapable of changing myself. As I studied for my Bachelor of Arts in Theology Degree, and then my Master of Arts in Ministries Degree I understood how desperately wicked my heart was and that I needed "to learn to do good." I learned a Biblically based set of moral standards to govern my life by. But I realized I still needed to develop skills and tools to identify and overcome my triggers. Thus I began to seek out psychological help, first through one-on-one counseling then through multiple and various groups. With insight came a natural maturation that has provided the basis of accountability to God, to others and too myself. I have demonstrated my maturation by gaining trades that will provide meaningful employment if parole were to be granted. I am seeking only the opportunity to present myself before the Board of Prison Terms and be considered for parole.

Below is a chronological history of recorded rehabilitative actions I have taken and achieved:

8-27-1981 to
7-9-1983

I worked on, and earned my Bachelor of Arts in Theology Degree. **(See Exhibit 1)**

6-9-1983 to
5-17-1986

I worked on, and earned my Master of Arts in Ministries Degree. **(See Exhibit 1)**

11-15-1984 to
3-1-1988

I taught formal Biblical Courses aligned through San Diego Bible College and Seminary three nights per week. **(See Exhibit 1)**

11-24-1987 to
3-1-1988

I took responsibility for the gravity of my crimes by seeking to identify my triggers and gain the tools to overcome areas of deficiency through one-on-one psychological counseling. **(See Exhibit 2)**

10-30-1988 to
6-30-1989

I took the Vocational Data Processing Trade in order to affect a meaningful level of rehabilitation and secure gainful employment upon return to society. **(See Exhibit 3)**

12-1-1988 to
6-30-1989

I applied the computer programming skills that I learned through the Vocational Data Processing trade to work on developing computer programs for use within the California Dept. of Corrections. **(See Exhibit 3)**

4-9-1990 to
10-29-1991

I was involved first in the Breaking Barriers Group (an 18 month course) and then in the follow-up Alumni Course that provided interactive social skills as a means of overcoming my introversion. **(See Exhibit 2)**

(Continued...)

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Sandra Castaneda

In 2002, Sandra Castaneda acted as the driver in a gang-related drive-by shooting. Ms. Castaneda drove her crime partners by a group of rival gang members. Ms. Castaneda's crime partners shot and killed one victim and injured another. On May 7, 2003, the Superior Court of California, County of Los Angeles, sentenced Ms. Castaneda to 15 years to life for second degree murder plus a 25-years-to-life sentence enhancement, a total prison term of 40 years to life.

Ms. Castaneda was 20 years old at the time of the crime and is now 38. She has been incarcerated for more than 18 years. She has expressed sincere remorse for her role in this crime.

Since entering prison, Ms. Castaneda has worked hard to better herself. She has maintained a good disciplinary record while in prison. Ms. Castaneda earned her GED, obtained a vocation in carpentry, and has participated in extensive self-help programming. She has been commended by prison staff for her exceptional conduct and for being respectful and a good worker.

Ms. Castaneda participated in a serious crime that took the life of a teenager and injured another. Since then, Ms. Castaneda has dedicated herself to her rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of her positive conduct in prison, the fact that she was a youthful offender, and her good prospects for successful community reentry. I have concluded that Ms. Castaneda merits an earlier opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Castaneda does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Sandra Castaneda to make her eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read 'Alex Padilla', written over a horizontal line.

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Castaneda, Sandra Name on Prior Application (if different): _____

Date of Birth: 1982 Social Security Number: _____

CDCR Number: W99076 Name of Facility/Prison: California Institution for Women

Residence Address: 16756 Chino-Corona Rd. Corona, Ca, 92880

Mailing Address (if different): _____

Home/Cell Phone: n/a Work Phone: n/a Email: n/a

I previously submitted:

- ☒ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I was interviewed in July 2018 for commutation, and Gloria Henry said it was based on an application I submitted in 2005
I also submitted an application in May 2018.

S. Castaneda
Applicant Signature

6/29/20
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



1328-12

RECEIVED

JUN 04 2018

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, CA 95814

GOVERNOR'S OFFICE
LEGAL AFFAIRS

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Sandra Castaneda Date of Birth: [REDACTED] 82 Inmate ID: W99076
Address: 16756 Chino Corona Rd. Corona CA 92880 Facility: C.I.W

1. Conviction Summary:

List all prior convictions, including in any other states or countries. Attach additional pages as necessary.

Offense(s):	Date of offense(s):	County of Conviction(s):	Sentences(s):

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

In 2002 me and four of my friends shot both of my victims Valerie Avila and Diego Marquez. Valerie died and Diego Survived. At the time of the crime my mentality was focused on the gang life.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

At the time of my crime I was young and impressionable. My mentality was geared towards the gang life. When I came to prison it gave me the opportunity to really examine who I was as a person, and

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages as necessary):

In 2002 I was 20 years old. Due to the fact that the part of my brain that helps to understand what consequences would result from my actions wasn't fully developed, I was immature,

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list the name, address, and amount paid or given (required by penal code section 4807.2):

N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Sandra L. Castaneda, declare under penalty of perjury under the laws of the State of
(Print Full Name)

California that I have served the District Attorney of Los Angeles with notice of my intent to
(Name of County*)
apply for a commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

S. Castaneda
Applicant's Signature

5-29-18
Date

* If applicable, list additional counties here (send Notice of Intent to Apply for Executive Clemency to all counties listed)

1228-12

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Sandra L. Castaneda
was convicted of the crime of 187(A), 664-187(A), PC 12022.53(D), PC 12022.53(C)
committed in Los Angeles County, California, on the date of May 10 2002.

I will submit this application to the Governor of the State of California.

S. Castaneda

Applicant's Signature

5-14-2018

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Steven Frankland, District Attorney of the County of Los Angeles
do hereby acknowledge receipt of notice from Sandra L. Castaneda
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed [Signature]

Date 5-24-18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Commutation of Sentence

Question
(3)

Cont.....

address my belief system and behaviors. I am now a woman and the behaviors that I displayed as a child are gone. Now I use those weaknesses as my strength.

Today I mentor the young people coming into prison that struggle with the gang ties and distorted ways of thinking. I believe I would have more impact if I were given the opportunity to do this in the community.

Commutation of sentence

Question
(4)

Cont.....

irresponsible, Wreckless, and didn't understand the Value of life. The Woman I am today is not the Child I was back then. I have grown from my age, education, self-awareness groups, and I now have the insight into knowing the difference between right and wrong. I have remorse for all my actions and if given the chance I will be an upstanding citizen and I will share my story to help others.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Enrique Cristobal

In 2003, Enrique Cristobal and his crime partners fired several shots at a moving vehicle carrying rival gang members. Nobody was injured. On May 2, 2005, the Superior Court of California, County of Los Angeles, sentenced Mr. Cristobal to seven years to life for attempted murder plus a 20-year sentence enhancement, a total prison term of 27 years to life.

Mr. Cristobal was 20 years old at the time of the crime and is now 37. He has been incarcerated for 17 years. While in prison, Mr. Cristobal has worked hard to better himself. He has maintained an exemplary disciplinary record, earned his GED, participated in self-help programming, and completed training to become a certified drug and alcohol counselor. Mr. Cristobal currently works as an offender mentor intern. He has been commended by prison staff for his exceptional conduct and being a positive influence and role model for other inmates.

Mr. Cristobal committed a serious crime. Since then, Mr. Cristobal has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Cristobal's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Cristobal is ready to be released on parole.

This act of clemency for Mr. Cristobal does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Enrique Cristobal to release him on parole.



IN WITNESS WHEREOF I have
hereunto set my hand and
caused the Great Seal of the State
of California to be affixed this 10th
day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the [re-application form](#). The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION (Attach additional pages as necessary.)

Name (Last/First/Middle): Cristobal/Enrique Date of Birth: [REDACTED] 1983
CDCR Number: V78614 Social Security Number: N/A (Not a U.S. Citizen; see attached)
Name of Facility/Prison: CTF, Soledad Facility/Prison Address: Soledad Prison Road, Soledad, CA 93960

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
Attempted Murder (Pen. Code § 664-187) (4 counts)	Feb. 15, 2005	Los Angeles	Life plus 20 years
Assault with a Firearm (Pen. Code § (245(a)) (4 counts)	Feb. 15, 2005	Los Angeles	Life plus 20 years
Firing Into Occupied Motor Vehicle (Pen. Code § 246)	Feb. 15, 2005	Los Angeles	Life plus 20 years

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
None			

2. Describe the circumstances of your crime(s).

See attached.

3. Describe how a commutation of sentence may impact your life.

See attached.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

See attached.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

N/A

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Enrique Cristobal, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Los Angeles.
(Name of County or Counties)

See attached

Applicant Signature

September 15, 2020

Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed [Notice of Intent to Apply for Clemency](#) to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

Attachment

SSN:

Mr. Cristobal is a Mexican national and does not have a social security number.

Questions:

2. Describe the circumstances of your crime(s).

Mr. Cristobal grew up in an abusive home, and as a teenager believed that gang life offered him an alternative family and sense of belonging. His sense of loyalty to other gang members led him to commit the crimes for which he is incarcerated. During his incarceration, he has engaged in self-help programming. He expressed to counsel his realization how misplaced his gang affiliation was and how dangerous it was to others. He expressed regret for his conduct and volunteered that he feels horribly about the effect his actions had on his victims. Since being incarcerated, he has disassociated with the gang, and expressed that he now realizes that his gang-related conduct was not only selfish and harmful to others, but cowardly.

3. Describe how a commutation of sentence may impact your life.

If Mr. Cristobal is released from prison, he plans to continue his current path of self-improvement and mentoring at-risk youth. He is currently working towards a degree in Social and Behavior Sciences at Palo Verde College, and hopes to use his future degree to work as a child therapist. His ultimate goal is to counsel at-risk youth and help them avoid the type of destructive behavior that he himself previously engaged in.

While incarcerated Mr. Cristobal has graduated from the Offender Mentor Certification Program (OMCP), and completed the required clinical hours for state certification as a Drug & Alcohol Counselor. He has letters offering him employment as a Drug & Alcohol Counselor in San Francisco and Los Angeles. His preference is to work as counselor in Northern California.

In addition to offers of employment, Mr. Cristobal has strong support in his personal life if released from prison. Mr. Cristobal's fiancée, Sarah Bain, lives in Salinas. In addition, his family in the United States has supported him since his arrest, conviction, and incarceration. He also has extended family and support in Mexico, and would be eager to use his skills as a substance abuse counselor rehabilitation group facilitator there, if necessary, as well.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

Mr. Cristobal explained that in late 2012 his step-daughter visited him along with his ex-wife, and urged him not hurt anyone again. Her words made him realize the effect his actions have had on others. He explained that her comment served as a wakeup call. From

that point on, he has been determined to change his life, devote himself to helping others, and work to keep at-risk youths from making the mistakes he realizes he has made.

Since 2012, he has earned his GED, taken anger management courses, and entered the Criminals & Gang Members Anonymous (CGA) program, where he later worked as a facilitator. He has also participated in the Partnership for Re-Entry Program (PREP), and the Life Cycle program. And, as previously discussed, he graduated from OMCP, and has completed the required clinical hours for certification as a Drug & Alcohol Counselor. Through OMCP, he has mentored dozens of inmates.

While incarcerated over the last 15 years, Mr. Cristobal has received only one rules violation report (RVR). In August 2012, he received an RVR for a participation in a riot, but has remained discipline-free since then.

In speaking with Mr. Cristobal it was apparent that he has learned much since his conviction. His efforts at self-improvement and to assist others down the same path speak volumes about his understanding of the importance of making good choices and being a good person, and helping others to do the same.

Applicant Declaration:

Mr. Cristobal has authorized his undersigned counsel to submit this application on his behalf. I, Michael S. Kwun, counsel for Enrique Cristobal, declare under penalty of perjury under the laws of the State of the California that to the best of my knowledge, information, and belief, the information I have provided on this application is true and correct. I further declare that I have arranged for the service of a notice of intent to apply for clemency on the District Attorney of the County of Los Angeles.



Michael S. Kwun, as counsel for and on
behalf of Enrique Cristobal

September 15, 2020

Date

Kwun Bhansali Lazarus LLP
555 Montgomery Street, Suite 750
San Francisco, CA 94111
(415) 630-2351
mkwun@kblfirm.com

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Casey David

In 2006, Casey David drove his crime partners to the victim's home where one of Mr. David's crime partners shot and killed the victim in a gang-related crime. On April 9, 2008, the Superior Court of California, County of Los Angeles, sentenced Mr. David to nine years for attempted murder with a 20-year sentence enhancement, a total prison term of 29 years.

Mr. David was 18 years old at the time of the crime and is now 32. He has been incarcerated for more than 13 years. Mr. David has expressed genuine remorse for his role in the victim's death.

Since entering prison, Mr. David has devoted himself to his self-improvement. He has maintained a good disciplinary record while in prison. Mr. David has participated in extensive self-help programming and completed vocational training. Prison staff have commended Mr. David for his exceptional conduct, good work ethic, positive attitude, and rehabilitative efforts.

Mr. David participated in a serious crime that took the victim's life. Since then, Mr. David has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of his positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. David is ready to be released on parole.

This act of clemency for Mr. David does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Casey David to release him on parole.



IN WITNESS WHEREOF I have
hereunto set my hand and
caused the Great Seal of the State
of California to be affixed this 10th
day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the [re-application form](#). The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

(Attach additional pages as necessary.)

Name (Last/First/Middle): David, Casey Date of Birth: [REDACTED]

CDCR Number: G14689 Social Security Number: _____

Name of Facility/Prison: Valley State Prison Facility/Prison Address: 21633 Avenue 24, Chowchilla, CA 93610

1. Conviction Summary (*Note: The Governor's Office will review a complete copy of your criminal history report.*)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PC 664/187 (att. murder)	1/9/2008	Los Angeles	9 years
12022.53(C) & (E)(1)	1/9/2008	Los Angeles	20 years

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):

2. Describe the circumstances of your crime(s).

My step-brother was the "shot caller" in a street gang. My twin brother and I were worried that if we didn't do what our stepbrother said, he would harm us and / or our family. On our stepbrother's orders, I went to the victim's house with another person from the gang. We told the victim to come talk to my brother; my brother shot the victim and I drove us away.

3. Describe how a commutation of sentence may impact your life.

I cannot undo what I did. A commutation would allow me to go back into the community to make amends for my past. In prison I have gained skills that will help me be a productive member of society. I could have a positive influence on youth by sharing my story and teaching them how to avoid going down the same path.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

I deeply regret what I did. Because of me, a man is dead. His family has had to live without him. I have worked hard to understand why I made the poor choices I did and to transform as a person. I have trained to be a facilitator in groups like non-violent conflict resolution. I have completed hundreds of hours of programming in anger management, victim impact self analysis/behavior modification, healing through arts, among many many others.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Casey McCoy David, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Los Angeles.
(Name of County or Counties)

Susan Champion for Casey David

Applicant Signature

Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed [Notice of Intent to Apply for Clemency](#) to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

David Diaz

In 1998, David Diaz was arrested for shooting at a rival gang member. The victim survived his injuries. On November 18, 1999, the Superior Court of California, County of Los Angeles, sentenced Mr. Diaz to nine years for attempted murder plus 28 years to life of sentence enhancements, a total prison term of 37 years to life. Mr. Diaz has maintained his innocence.

Mr. Diaz was 19 years old at the time of the crime and is now 42. He has been incarcerated for 22 years. While in prison, Mr. Diaz has committed himself to his rehabilitation. Mr. Diaz has participated in self-help programming, earned a paralegal certificate, and is enrolled in college courses. He currently works as a peer mentor in the substance abuse disorder treatment program. Prison staff have commended Mr. Diaz for his positive behavior and efforts in rehabilitation.

Mr. Diaz was convicted of a serious crime that injured the victim. Since then, Mr. Diaz has dedicated himself to his self-improvement and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Diaz's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Diaz merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Diaz does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of David Diaz to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

RECEIVED

JUN 29 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

MEMORANDUM IN SUPPORT OF

COMMUTATION OF SENTENCE

ON BEHALF OF CALIFORNIA STATE PRISONER

DAVID ANGEL DIAZ, JR.,

INMATE CDCR# P61959

WHO HAS BEEN INCARCERATED 20 YEARS

FOR A CRIME HE DID NOT COMMIT

Prepared and submitted by:

David Angel Diaz, Jr.

Inmate # P61959

P.O. Box 8500; Cell #B1-242

Coalinga, CA 93210

With support from:

Jason Hernandez, *2013 President Obama*

Clemency Recipient

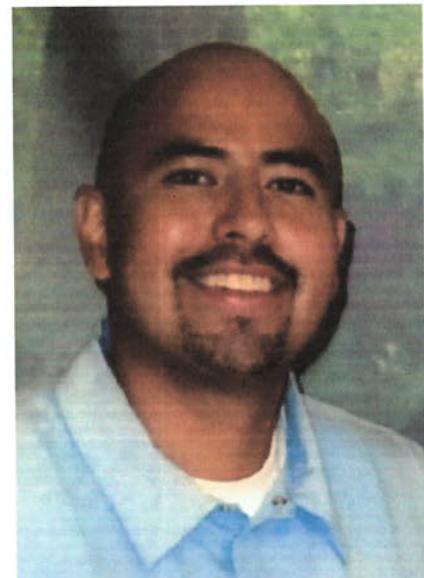


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Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: David Angel Diaz, Jr. Date of Birth: [REDACTED] 78 Inmate ID: P61959

Address: B1-242, P.O. Box 8500, Coalinga, CA 93210 Facility: Pleasant Valley State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Please see attached prior criminal history.			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

Please see the addendum with facts, reasons, and attachments
in support of David Angel Diaz, Jr.'s petition for commutation of sentence (pages 5-6).

3. Explain why you are requesting a commutation (attach additional pages as necessary):

Please see the addendum with facts, reasons, and attachments in support of David
Angel Diaz, Jr.'s petition for commutation of sentence (pages 6-11).

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

Please see the addendum with facts, reasons, and attachments in support of David
Angel Diaz, Jr.'s petition for commutation of sentence (pages 12-16).

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, David Angel Diaz, Jr., declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

David A. Diaz Jr
Applicant's Signature

6-19-18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

**ADDENDUM WITH
FACTS, REASONS, AND ATTACHMENTS
IN SUPPORT OF
DAVID ANGEL DIAZ, JR.
PETITION FOR COMMUTATION OF SENTENCE**

ADDENDUM WITH FACTS, REASONS, AND ATTACHMENTS IN SUPPORT OF DAVID ANGEL DIAZ, JR. PETITION FOR COMMUTATION OF SENTENCE

I. Factual Summary

David Diaz ("David"), CDCR # P61959, is currently serving a 37-years-to-life sentence for Attempted Murder and two firearm enhancements. David was convicted and sentenced on November 18, 1999, in the Superior Court of Los Angeles County in Los Angeles County, California.

David has filed multiple appeals throughout his incarceration. On January 28, 2002, the Second District Court of Appeal in California affirmed the judgment against David.¹ David had appealed on three grounds: first, the trial court erred by discharging a juror during deliberations; second, the trial court erred by admitting the preliminary hearing testimony of a putatively unavailable witness; and third, the concurrent sentences on counts 2, 3, and 4 violated §654 of the California Penal Code.² The appellate court agreed with only the third ground in David's appeal.³

Regarding the first ground, the appellate court ruled that the trial court did not err by discharging a juror during deliberations.⁴ David argued that the juror was not refusing to deliberate, but she was only staying firm in her decision regarding his innocence.⁵ The appellate court ruled that the juror "was having problems deliberating and she had not been candid about it."⁶

Regarding the second ground, the appellate court ruled that the trial court did not err by admitting the preliminary hearing testimony of a putatively unavailable witness, Martha Sierra.⁷ David argued that the prosecution "failed to show diligent efforts had been

¹ *People v. Diaz*, 95 Cal. App. 4th 695, 115 Cal. Rptr. 2d 799 (2002).

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

made to secure her attendance at trial.”⁸ However, the appellate court ruled, based on testimony by Detective William Eagleson and Officer Jose Ramirez at the due diligence hearing, that the prosecution did sufficiently prove that law enforcement exercised due diligence.⁹

Finally, regarding the third ground, the trial court agreed with David’s argument “that the concurrent sentences on counts 2, 3 and 4 should have been stayed pursuant to section 654 because those counts all involved charges based on the same single act of shooting a single victim.”¹⁰ David’s appeal to the California Supreme Court was denied. David’s appeal to the United States Supreme Court was also denied.

David also filed a writ of habeas corpus in state court. David and his family hired attorney Roger Hanson (“Mr. Hanson”) to file the writ. This state habeas petition focused on evidence of David’s actual innocence and witnesses’ false testimony at trial. David’s writ was denied by both the appellate court and California Supreme Court.

Subsequently, Loyola Law School’s Project for the Innocent Legal Clinic represented David. The clinic’s director, Adam Grant (“Mr. Grant”) independently interviewed the victim and the victim’s girlfriend, who both said David was innocent. Mr. Grant was unable to interview the alleged driver of the car from which the shooter fired. He then informed David that because the clinic was unable to discover any new evidence, the clinic would no longer continue to investigate his case.

All of David’s appeals and petitions have been denied, and David has exhausted all available remedies that would allow him relief from said judgement.

David sued several Los Angeles Police Department (“LAPD”) officers and others.¹¹ David argued his case as a victim of the Rampart scandal.¹² David sued over 200 people

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Diaz v. Gates*, 420 F.3d 897 (9th Cir. 2005).

¹² The Rampart scandal was an official inquiry (1998-2000) into the Rampart Division of the Los Angeles Police Department. “More than 70 officers were implicated in misconduct, including unprovoked beatings and shootings, planting and covering up evidence, stealing

connected with the LAPD under RICO for fabricating evidence and tampering with witnesses in order to convict him. The case was initially dismissed for lack of standing, but the Ninth Circuit reversed and remanded the case in David's favor. In 2006, David reached a settlement with the Los Angeles City Government.

David submitted a Petition For Commutation to Governor Brown's office on October 27, 2015.

On April 12, 2018 David inquired as to the status of his Petition For Commutation.

On April 22, 2018, David received a response from Case Records Supervisor Sue Mendonca of the Pleasant Valley Prison that advised David to file another Petition For Commutation. However the response never stated whether the Petition David sent for filing on October 27, 2015 was actually filed or denied.

Therefore, David now files this Petition for Commutation with an addendum, supporting facts, and evidence attached, demonstrating he is actually innocent of all charges alleged and that in the interest of justice Governor Brown should grant said Petition and commute David's sentence that would allow him to be up for immediate parole.

David was 19 years old when he was arrested, and he is currently 39. He will not be eligible for parole until 2035, when he will be 57.

Question 2: Briefly describe the circumstances of the crime(s) for which you are requesting a commutation.

On July 14, 1998, Remberto Preciado ("Remberto") was shot in the leg while walking down the street with his girlfriend Martha Sierra ("Martha") and Martha's little

On August 11, 1998, David was arrested and charged with Attempted Murder, along with other charges, for Remberto's shooting.

At trial, the prosecutor argued that Keung Phu ("Keung") was driving a car, David and Keung's girlfriend Jennette Vaca ("Jennette") were Keung's passengers, and David left

and dealing drugs, and perjury." Todd E. Bricker, *Rampart scandal*, Encyclopedia Britannica (July 8, 2016), <https://www.britannica.com/topic/Rampart-scandal>.

the car and shot Remberto in his right leg with a handgun. The prosecution also argued that the shooting was gang-related.

On November 18, 1999, David was convicted and sentenced to the following:

Count 1: Attempted Murder 2nd (PC 664/187):	Time imposed: 9 years
Gun Enhancement (PC 12022.7 & 12022.53(d)):	Time imposed: 28 years to life
Count 2: Aggravated Mayhem (PC 205):	Time imposed: Stayed
Gun Enhancement (PC 12022.7):	Time imposed: Stayed
Count 3: Assault w/Force Likely to Cause GBI (PC 245):	Time imposed: Stayed
Gun Enhancement (PC 12022.7):	Time imposed: Stayed
Count 4: Assault w/Semiautomatic Firearm (PC 245(b)(10):	Time imposed: Stayed
Gun Enhancement (PC 12022.7):	Time Imposed: Stayed

On appeal, all counts were affirmed. However, the sentences imposed on Counts 2, 3, and 4 were stayed pursuant to PC 654.¹³

Question 3: Explain why you are requesting a commutation of sentence.

I. David Diaz is actually innocent of all charges.

A. Remberto Preciado: victim¹⁴

At the time of the shooting, Remberto was walking with his girlfriend, Martha Sierra, and Martha's younger brother, Jose Sierra-Ayala. Remberto never identified David as the shooter. At trial, Remberto repeatedly testified that David was not the shooter.

In 2014, Remberto was interviewed by an attorney, Adam Grant ("Mr. Grant"). During this interview, Remberto again stated that David was not the shooter. Remberto identified James Hattaway, Jr. ("James") as the actual shooter.

In 2017, Remberto communicated with Univision News, who was writing an article about David. Remberto stated, "In the trial, I testified that David Diaz was not the shooter.

¹³ *People v. Diaz*, 95 Cal. App. 4th 695, 115 Cal. Rptr. 2d 799 (2002).

¹⁴ See Support Letter- Remberto Preciado.

He is a victim of injustice of the Los Angeles' courts." He also added, "Nineteen years of his life have been stolen from him."¹⁵

B. Martha Sierra: Remberto Preciado's girlfriend and state witness at preliminary court hearing¹⁶

At the time of the shooting, Martha was walking with Remberto and her younger brother, Jose Sierra-Ayala. Martha initially identified David as the shooter by selecting his picture from a gang photo book. However, at the preliminary court hearing, Martha testified that David was not the shooter. She testified that she only randomly selected David's picture from the book because she felt pressured by police to identify someone. Police had surrounded her and demanded that she identify the shooter. Police told Martha that if she did not identify someone, she would be detained and prohibited from seeing Remberto at the hospital.

Martha did not testify at trial. The prosecution and the police stated they could not find Martha, so the trial judge allowed her initial identification and statement to be presented to the jury.

On November 9, 1999, Martha testified at David's hearing on his Motion for a New Trial. Martha testified that she was always willing to testify at David's trial, but the prosecution never subpoenaed her or told her she had to appear. Martha testified that she was at home and pregnant when the police was supposedly looking for her. She also repeated that David was not the shooter.

In 2008, Martha was interviewed by an attorney, Roger Hanson ("Mr. Hanson"). David and his family hired Mr. Hanson to assist him with his habeas petition. Martha told Mr. Hanson that David was not the shooter. Subsequently, the district attorney and a detective interviewed Martha and threatened to charge her with perjury for speaking with Mr. Hanson. Mr. Hanson notified the court about this threat, but David's appeal was still denied.

¹⁵ *Id.*

¹⁶ See Affidavit- Martha Sierra.

C. Jennette Vaca: alleged accomplice and testifying state witness¹⁷

In 2008, Mr. Hanson and a private investigator, Armando Lopez (“Mr. Lopez”), interviewed Keung and Jennette. Both Keung and Jennette stated that police officers threatened to take away their newborn child and “lock them up” if they did not identify David as the shooter. They stated that Detective William Eagleson of the Los Angeles Police Department told them David had already been identified as the shooter. Keung and Jennette also stated that their initial statements and trial testimony were false, David was not the shooter, and James was the actual shooter.

Using this information, Mr. Hanson filed a Writ of Habeas Corpus and contended that David had further proof of his innocence. After this habeas petition was filed, the district attorney and a detective sought to interview Jennette and Keung but could not find Jennette. They found Keung in prison for an unrelated crime, took him out of prison, and did not disclose his whereabouts to Mr. Hanson or Mr. Lopez. As a result, Mr. Hanson and Mr. Lopez could not interview Keung. Subsequently, Keung retracted everything he had told Mr. Hanson and Mr. Lopez, and David’s appeal was denied.

D. Keung Phu: alleged accomplice and testifying state witness¹⁸

As stated above, Keung told Mr. Hanson and Mr. Lopez why he initially implicated David. Keung and Jennette stated that police officers threatened to take away their newborn child and “lock them up” if they did not identify David as the shooter. Further, the district attorney and a detective moved Keung from prison to a location they did not disclose to Mr. Hanson and Mr. Lopez. Under these coercive circumstances, Keung was compelled to retract his previous statement to Mr. Hanson and Mr. Lopez.

E. Jose Sierra-Ayala: Martha Sierra’s brother and state witness

At the time of the shooting, Jose was walking with Remberto and his sister, Martha Sierra. Jose only identified Keung as the driver of the car. To date, Jose has never identified David as the shooter.

¹⁷ See Affidavit- Jennette (Jenny) Vaca.

¹⁸ See Affidavit- Keung Phu.

F. Discharged juror from David's trial

A juror that was discharged from David's trial testified at David's Motion for New Trial hearing on November 9, 1999. The discharged juror sent a letter to the Board of Supervisors after David's trial. This letter was then forwarded to the trial judge. In the letter, the juror criticized the trial judge's decision to discharge her from the panel and insisted that she was willing and fit to continue to deliberate.

The juror also testified at David's New trial hearing. At the hearing, she testified that she disagreed with the trial judge's decision to discharge her because she had deliberated with the other jurors and given her formal vote regarding David's guilt. She testified that when the other jurors learned that she was voting "not guilty," they told the trial judge that she was refusing to deliberate. Despite this, David was denied a new trial.

G. Lack of physical evidence linking David to the crime

At trial, the prosecution did not present any physical evidence connecting David to Remberto's shooting. The police never found a gun in David's possession or any surveillance footage showing David at the crime scene. There was also never any forensic evidence connecting David to the shooting. The only evidence the prosecution had against David was witness testimony, all of which has been shown to have been coerced and/or falsely stated.

H. Detective William Eagleson: lead detective

Detective William Eagleson from the Los Angeles Police Department was the lead detective working this case. When Keung and Jennette spoke with Mr. Hanson and Mr. Lopez in 2008, they stated that when they were questioned by police after the shooting, Detective Eagleson told them that David had already been identified as the shooter. Detective Eagleson, along with other LAPD officers, threatened to take away Keung and Jennette's newborn child and "lock them up" if they did not identify David as the shooter.

Detective Eagleson did not arrest David for almost one month after David was supposedly identified as the shooter. As a result of this significant period of time, it was extremely difficult for David to establish his whereabouts of the offense date when police

first interrogated him. It was even harder for David to obtain any evidence, such as witnesses, video surveillance footage, and receipts, that would prove his innocence.

David distinctly remembers Detective Eagleson's interrogation tactics. When Detective Eagleson began interrogating David, he asked him, "Do you remember exactly where you were at and what you were doing a month ago around 7 to 9 pm? If so, prove it."

At trial, Detective Eagleson testified as a gang expert and said that the shooting was gang-related. He testified that Remberto was a member of the East Side Clover gang, David was a member of the Eastlake gang, and Remberto and David's gangs were rivals. Detective Eagleson also testified that while he tried to bring Martha, Remberto's girlfriend and an eyewitness to the shooting, in for trial, Martha was never subpoenaed. Detective Eagleson claimed that he looked for Martha to secure her for trial, but he was unable to find her. He testified that he went to her house and searched for her in the streets, but he did not have any success. However, Martha testified that she was always at home during the time of David's trial, but no one ever told her the trial was taking place.

Detective Eagleson testified that Remberto exonerated David at trial due to a gang code that prevents snitching. Remberto is currently in protective custody at Kern Valley State Prison. Per the California Department of Corrections and Rehabilitation, Remberto is no longer considered an active gang member. Despite his inactive status, Remberto continues to maintain David's innocence. Remberto's consistency about David's innocence regardless of his gang member status directly contradicts Detective Eagleson's testimony that Remberto is simply following the gang code.

I. Juana Contreras, Darlene Diaz, and Yolanda Diaz: alibi witnesses who testified that David was not at the location of the crime at the day and time the incident occurred

Juana Contreras ("Juana") is the mother of David's daughter. At trial, Juana testified that at the time of the shooting, she was with David at Edward Cinema in Alhambra, California watching Lethal Weapon 4.¹⁹

¹⁹ See Support Letter- Juana Contreras.

Darlene Diaz (“Darlene”) is David’s sister. At trial, Darlene testified that at the time of the shooting, she was also with David at Edward Cinema in Alhambra, California watching Lethal Weapon 4.²⁰

Yolanda Diaz (“Yolanda”) is David’s mother. At trial, Yolanda testified that on the day of the incident, she took David, Darlene, and Juana to the movie theater, and she picked everyone up at 10:00 pm after the movie.²¹

J. Senate Bill 620

On October 11, 2017, the California legislature passed Senate Bill 620, which allowed California state judges to strike gun enhancements at the time of sentencing or resentencing in the interest of justice. However, the legislature decided to not apply SB 620 retroactively. As a result, any prisoner whose sentence was already finalized was not allowed to seek a sentencing reduction, including David Diaz.

If SB 620 had been passed before David’s sentencing, he would have been released in 2007 when he was 29. Thus, since 2007, David has been serving 28 years-to-life for the gun enhancements that may not apply if he were to be sentenced today. Because SB 620 was not passed earlier, David has no hope of being released before he becomes eligible for parole in 2035, when he will be 57.

Question 4: Provide a brief statement explaining why you should be granted a commutation.

I. David is actually innocent.

David is actually innocent of the crime for which he was convicted. In the past several years, not only has David made considerable improvements to better his own life since his days as a teenager, he also has done so for many others who are incarcerated with him.

²⁰ See Support Letter- Darlene Diaz.

²¹ See Support Letter- Yolanda Diaz.

A. David prior to incarceration

David was just 19 years old when he was arrested for the crime for which he is requesting commutation. Prior to his incarceration, he resided in Los Angeles County. As a child, David had the benefit of being raised by both of his parents, who were honest and hardworking United States citizens. David's father served in the United States Marine Corps for many years.

David's father instilled discipline and the importance of honor, respect, and integrity in David from a young age. David's mother was, and still is, employed by the County of Los Angeles at University of Southern California Medical Center--over 40 years. Both David's mother and father worked hard to give David and his siblings a normal and stable childhood.

When it came to his education, David did well in school and consistently earned A's and B's. He was never considered a troublemaker, and he never acted out violently as a child. In fact, most people who knew David as a child will attest that David was a good kid who simply made some bad decisions.²²

After David began high school, David's life took a drastic turn. He began associating with the wrong crowd of people in the community. During this time, David lived in an area that was plagued with crime and gang activity. David's parents did all they could to keep him away from the wrong crowd, including disowning him for a period of time. Even so, David was drawn in to the attention he received from his new friends, and he joined a local street gang when he was only 14 years old. David acknowledges that he made a bad decision, but at that young age, he did not fully understand the consequences of his gang affiliation when it came to himself, his family, and the community as a whole.

As David grew older, his perception about both life and himself changed dramatically. About one and a half years before his arrest, he moved to Alhambra, California and began working at Target and Wendy's. David also obtained his GED and enrolled in Pasadena City College. However, in 1998, David was arrested for Attempted

²² See all Support Letters.

Murder. Until this point, David had never been arrested for a serious or violent crime, and he had never been to prison.

B. David during incarceration

David is now thirty-nine years old, and he has been in prison for twenty years. He has significantly matured during his incarceration. Even though he has been incarcerated for a crime he did not commit, he has consistently worked on improving himself. While in prison, David has completed several programs, including Alcoholics Anonymous, Narcotics Anonymous, Criminals and Gangs Anonymous, Going Out by Going In, Life Skills. David has also devoted time to preparing himself for life after prison by completing the Blackstone Career Institute's Legal Assistant/Paralegal Certificate and participating in parenting and Bible Study courses. Currently, David is in the process of earning his Associate's Degree and is an active participant in the Defy Ventures Business Entrepreneurship program. David has also held many jobs during his incarceration. He is currently a peer mentor in the prison's Substance Use Disorder Treatment Program through which he mentors other prisoners in cognitive-based intervention, anger management, criminal thinking, and family relations.²³

Further, several prison officials believe that David is an extraordinary person and has become a valuable asset to the prison because of his willingness to learn, his character, his work ethic, and his desire to see others do better. Ms. Doris Fox sees David as a dedicated "role model to his peers" who has contributed to many different programs.²⁴ J. Reynoso, a Correctional Counselor, views David as "brightest inmates here at the California Substance Abuse Treatment Facility" and commends his "professionalism and willingness to help assist his fellow workers or supervisors."²⁵

II. David has abundant support from both his family and the community.

If David is released, he plans to live with his wife, Lidia Perez ("Lidia"), who he married on April 28, 2018. Lidia has known David for twenty-four years and has

²³ See the attached chronos, certificates, and supervisor's work reports which reflect David's participation and performance in every program and job assignment he has held.

²⁴ See Laudatory Chrono- Doris Fox.

²⁵ See Laudatory Chrono- J. Reynoso.

continuously provided him with financial, emotional, and spiritual support throughout his incarceration. She is a hard worker, a devoted Christian, an upstanding citizen with no criminal record, and well respected in her community. She is more than willing and capable of helping David succeed and achieve his goals if he is released.²⁶

Lidia currently lives in Downey, California. Lidia's home is an excellent place for David to settle in and reintegrate himself back into society because it is located in an area devoid of violence, gangs, and other negative factors that were present in David's previous neighborhood.

Fortunately, David's circumstances are not similar to those of many other prisoners upon release. He also has three children, the youngest of which was born after he was arrested, and a grandchild. If released, David has a stable home, a strong life partner, and a community of people waiting to help him transition back into society.

III. David's plan if he is released

A. Employment

Since his incarceration, David has completed extensive training and acquired a variety of skills that will help him make a living outside of prison. The various jobs David held in prison, along with all of the classes he has and continues to take, allowed David to make considerable strides toward becoming a productive and contributing member of society upon release.

A physical therapy office in Downey, California has offered David a job as a Physical Therapy Aide. David's starting pay will be \$14.00 per hour.²⁷

Ultimately, David would like to work alongside Lidia. Lidia is an independent contractor who provides captioning services for the blind and deaf community. David is extremely interested in learning how to caption as a stenographer and how to utilize the equipment and software. Lidia is more than willing to train and educate him along the way.

²⁶ See Support Letter- Lidia Perez.

²⁷ See Letter of Employment.

David believes he can succeed in this occupation because of his training and the skills he mastered while working in prison.

David is a strong and motivated person. He possesses the skills necessary to make an honest living if released. His progress during his incarceration demonstrates his unyielding determination to succeed and to never do anything that would jeopardize his freedom.

IV. David has local and national support from individuals and organizations requesting Governor Brown to commute his sentence.

A. Local organizations, advocates, and prominent individuals

David has support from prominent individuals in his community, including Scott Wood, an attorney and recently retired professor from Loyola Law School who worked on David's case. Mr. Wood believes that not only is David innocent, but he is also an amazing person. Mr. Wood is also willing to help David transition back into society with work and any other needs David may have.²⁸

In addition, Father Gregory J. Boyle, the Founder and Executive Director of Homeboy Industries, has offered his services and support for David if David is released.²⁹ Homeboy Industries is a Los Angeles organization that has an upstanding reputation for assisting those coming out of incarceration.

B. National support

1. Change.org Petition³⁰

On or about January 2018, David's wife, Lidia, started a petition on Change.org requesting signatures supporting the commutation of David's sentence by Governor Jerry

²⁸ See Support Letter- Scott Wood.

²⁹ See Support Letter- Father Boyle.

³⁰ *Free David Diaz: An innocent man who has served 20 years in prison.*, Change.org, <https://www.change.org/p/free-david-diaz-an-innocent-man-who-has-served-20-years-in-prison> (last visited June 10, 2018).

Brown. As of June 10, 2018, the Change.org petition has over 54,000 signatures, including the victim's mother, Maria Angie Esparza³¹.

2. Univision News³²

On July 17, 2017, Univision News reporter Isaias Alvarado published a story about David entitled "This man has been imprisoned for 19 years, but the victim and a witness say he's innocent." During his research for the story, Mr. Alvarado located Martha Sierra, the witness who the prosecution and investigators said could not be found. Martha told Mr. Alvarado, "They told me I couldn't go home until I identified the criminal. I told them: 'Ok, it's this guy,' but I didn't know who he was. . . . David Diaz was not the shooter. . . . I feel bad because he should not be there."

Mr. Alvarado also received a letter from the victim, Remberto Preciado. In the letter, Remberto stated, "[David] is innocent. . . . In the trial, I testified that David Diaz was not the shooter. He is a victim of injustice of the Los Angeles' courts. . . . Nineteen years of his life have been stolen from him."

CONCLUSION

All of the witnesses in David's case, including the victim, have declared that David is innocent, but David has still spent nineteen years behind bars. Despite this, David has remained positive. He did not allow his misfortune or horrifying circumstances derail him. He used his incarceration to benefit both himself and others. David's family and friends have also been working tirelessly to secure his freedom while awaiting his return.

David has all of the makings of a productive member of society. He has impressive educational and occupational accomplishments, a job offer, and full support from his family and community. David has also worked extremely hard to resolve his substance abuse issues, and he has realistic parole and relapse plans in place, if they are necessary.³³

³¹ See Support Letter- Maria Angie Esparza.

³²Isaias Alvarado, *This man has been imprisoned for 19 years, but the victim and a witness say he's innocent*, Univision News (July 17, 2017, 5:09 PM), <https://www.univision.com/univision-news/united-states/this-man-has-been-imprisoned-for-19-years-but-the-victim-and-a-witness-say-hes-innocent>.

³³ See Parole Plans and Relapse Prevention Plans.

David knows that if he is released, his path to reintegration will not be easy. It is an uphill battle that will require discipline and patience. David is ready to begin this journey. He has set many goals for himself that he would like to achieve in his life. If he stays in prison, his goals will remain in prison with him.

When David was sentenced, he received a nine-year sentence for the Attempted Murder charge that was enhanced to thirty-seven-years-to-life. David completed his punishment for the Attempted Murder charge in 2008, so for the past eleven years, David has been serving time only for the gun enhancements. David hoped that Senate Bill 620 would be applied retroactively, but to his disappointment, it was not.

Therefore, David Diaz respectfully requests Governor Brown to commute his thirty-seven-years-to-life sentence for a crime he did not commit to time served and release him into the care of his family and community.

Respectfully submitted this 19th day of June, 2018.

X 
David Diaz CDCR #P61959
Pleasant Valley State Prison
PO BOX 8500
Coalinga, CA 93210

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

James Jacobs

In 2004, James Jacobs fatally shot the victim during an argument outside of a nightclub. On June 9, 2005, the Superior Court of California, County of Los Angeles, sentenced Mr. Jacobs to 15 years to life for second degree murder plus a 25 years-to-life sentence enhancement, a total prison term of 40 years to life.

Mr. Jacobs was 15 years old at the time of the crime and is now 32. He has been incarcerated for 16 years.

While in prison, Mr. Jacobs has devoted himself to his self-development. Mr. Jacobs has maintained an exemplary disciplinary record in prison. He has engaged in self-help programming, completed vocational training in custodial maintenance, and is currently enrolled in college courses.

Mr. Jacobs committed a serious crime that took the life of a young man. Since then, Mr. Jacobs has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Jacobs's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Jacobs merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Jacobs does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of James Jacobs to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

Box 106
RECEIVED

AUG 02 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: JAMES R. JACOBS Date of Birth: [REDACTED]-88 Inmate ID: V68070
Address: P.O. Box 689 Soledad, CA 93960 Facility: Correctional Training Facility

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
None			

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On April 16, 2004, at the age of 16, I was involved in an altercation with Roberto Bruitt in which I shot and killed him. On June 9, 2005, I was convicted by jury of second degree murder with use of a firearm and sentenced to 15 years to life for the murder with an additional 25 years to life mandatorily imposed under P.C. §12022.53(d) for a total term of 40 years to life.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am requesting a commutation of the P.C. §12022.53(d) gun enhancement mandatorily imposed in my case. As the judge at sentencing stated for the record that, if he would have had discretion he would not have imposed the enhancement, and as the granting of this request would leave in place the sentence imposed for the murder, my cause for parole would be able to be subjected to Board of Parole Hearings consideration.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I believe a commutation should be granted to afford me the opportunity to appear before the BPH based on the facts of my case, the fact that I was 16 years of age, and upon the recent decision of this office in signing and enacting Senate Bill 620.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

2. In addressing the circumstances of the crime, I respectfully refer your attention to the decision of the Court of Appeal, Second Appellate District, attached hereto as Exhibit A.

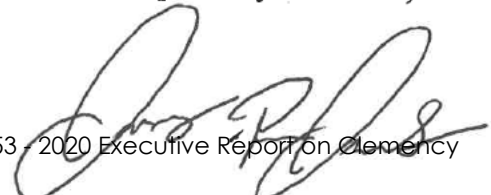
3. I am requesting this commutation due to the maturing process, hard work, and determination I have undertaken since I entered the criminal justice system at age 16, where I can honestly say I have done my very best to accept responsibility for this terrible crime and to work towards enhancing myself spiritually, emotionally, and educationally. Attached as Exhibit B is my written statement of responsibility and a listing of the self-help and educational achievements I have accomplished over the course of my 13-plus years of incarceration, and I honestly feel that, given the opportunity to appear before a Panel of the Board of Parole Hearings I will be able to express that I understand the teenager that I was when I committed this crime, the man that I have become since that time, and the plans and community support I have for the *future*.

4. As to the question of why this commutation should be granted, above and beyond the growth and maturity I have developed, my life experience and over 13-plus years of incarceration has taught me humility, patience, and the value of what it truly means to be free. In addition to these facts, the evolving standards of decency that mark the progress of a maturing society, from the passage and enactment of laws pertaining to juvenile sentencing, to Senate Bill 620 and Propositions 47 and 57, establish that California society is moving away from a retributive model of sentencing towards a rehabilitative model. In fact, in recent cases such as *Graham v Florida*, 560 U.S. 48 (2010) and *Miller v Alabama*, 567 U.S. 460 (2012), the U.S. Supreme Court recognized that neuroscientific evidence establishes that the "immaturity, impetuosity, and failure to appreciate risks and consequences" of juvenile offenders should be considered at sentencing. As to the recent changes in imposing the gun enhancements made by this office in signing SB 620, that bill did not provide for retroactive relief. I believe that is significant here in that the trial court stated that its hands were tied by the mandatory nature of the gun enhancement at issue, so I seek this commutation in order that the Board can consider youth as a mitigating factor in examining the work I have done and the changes I have made in my life.

Sociologists, Criminologists, and Penologists have held that the noblest and most humane purpose of punishment in the criminal law is **rehabilitation**. When a citizen's criminal tendencies are overcome so that he no longer has the urge to commit a crime again, but rather become a productive member of society, then society is not only protected from future harm but is also made richer by the successful re-entry of one of its members, of which I am one. I want to contribute to my community, not subtract from it. I am looking for that proverbial "second chance" that all who fall short looks for. As I have enhanced myself spiritually, emotionally, and educationally, and as a commutation of the "Use-A-Gun-And-You're-Done" portion of my sentence under Penal Code section 12022.53(d) would not disturb the substantive findings of the jury that convicted me, I would respectfully urge that my cause for commutation be granted.

I thank you in advance for your time and consideration of this application for commutation and hope and pray you will grant my request.

Respectfully submitted,



STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, James R. Jacobs, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

July 5, 2018

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

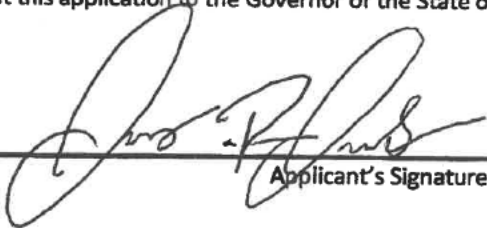
This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, James R. Jacobs,

was convicted of the crime of Second Degree Murder with Use of a Firearm,

committed in Los Angeles County, California, on the date of June 9, 2005.

I will submit this application to the Governor of the State of California.


Applicant's Signature

July 5, 2018

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, Steven Frankland, District Attorney of the County of LA,

do hereby acknowledge receipt of notice from James Jacobs,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed



Date

7-16-18

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Patrick Leach

In 2013, Patrick Leach shot his neighbor during an argument. The victim survived his injuries. On July 1, 2015, the Superior Court of California, County of Los Angeles, sentenced Mr. Leach to six years for assault with a semiautomatic firearm, plus nine years of sentence enhancements, a total prison term of 15 years.

Mr. Leach was 27 years old at the time of the crime and is now 35. He has been incarcerated for five years.

Since entering prison, Mr. Leach has devoted himself to his self-development. Mr. Leach has maintained a perfect disciplinary record. He has participated in significant self-help programming, earned two associate degrees, and completed vocational training. He has been praised by prison staff for his positive attitude, good work ethic, and for being a model inmate.

Mr. Leach committed a serious crime that injured the victim. Since then, Mr. Leach has taken responsibility for his actions and has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Leach's positive conduct in prison and his good prospects for successful community reentry. I have concluded that Mr. Leach merits an earlier release on parole.

This act of clemency for Mr. Leach does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Patrick Leach to eight years.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Leach, Patrick Kearnes

Name (Last/First/Middle): _____ Name on Prior Application (if different): _____

Date of Birth: 1985 Social Security Number: [REDACTED]

CDCR Number: AX1288 Name of Facility/Prison: Chuckawalla Valley State Prison

Residence Address: _____

Mailing Address (if different): CVSP, PO Box 2349, Blythe, CA 92226

Home/Cell Phone: n/a Work Phone: n/a Email: n/a

I previously submitted:

- ☒ Application for Commutation of Sentence
- ☐ Certificate of Rehabilitation
- ☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

I was interviewed by an investigator with the Board of Parole Hearings in 2018.

Patrick Leach / [Signature]
Applicant Signature

4-6-2020
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

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DEC 22 2017

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Patrick Leach Date of Birth: [REDACTED] 1985 Inmate ID: AX-1288
Address: P.O. Box 2349, D9-5-4up, Blythe, CA 93210 Chuckawalla Valley
Facility: State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
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No prior arrests or convictions.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

See attached.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

See attached.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

See attached.

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Heidi Rummel, 699 Exposition Blvd. LA, CA 90089 (\$15,000)

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Patrick Leach, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.


Applicant's Signature

on behalf of Patrick Leach

Date

12/18/2017

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Patrick Leach,

was convicted of the crime of PC §§ 245(b), 12022.55, 12022.7

committed in Los Angeles County, California, on the date of 1/9/2013.

I will submit this application to the Governor of the State of California.

[Signature] on behalf of Patrick Leach
Applicant's Signature

12/18/2017
Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Patrick Leach Application for Commutation of Sentence

Mr. Leach requests commutation of his 15-year sentence for a shooting arising from a dispute with a confrontational and aggressive neighbor. Mr. Leach was 27 years old at the time of the shooting without any prior involvement in the criminal justice system. He accepted responsibility for his actions by pleading guilty and making generous restitution to the victim, who fully recovered from the gunshot wound and was agreeable to a sentence that did not include a prison commitment. Mr. Leach has been an exemplary inmate, and psychological testing confirms that he presents a very low risk of danger to the community. He requests that his sentence be commuted to six years, a term that is commensurate with the crime he committed and reflects his growth and rehabilitation.

Mr. Leach faced significant challenges as a child and during early adulthood. When he was young, his mother was busy building a successful career and his father struggled with depression as a result of childhood sexual abuse. Mr. Leach's parents separated when he was 14 years old and divorced three years later. During that time, Mr. Leach developed a brain tumor (benign) that was surgically removed. When Mr. Leach was 18 years old, his father committed suicide.

At the age of 21, Mr. Leach contracted Lyme Disease and Babesia, two tick-borne illnesses that took several years to diagnose and had a severe effect on both his physical and mental health. For years, he experienced neuropathy, constant pain, and severe insomnia. (Exhibit C, Summary of Neuro-Psych Symptoms of Lyme Disease published by International Lyme and Associated Diseases Society.) Mr. Leach, who is 6'4", weighed less than 140 lbs. The constant pain and chronic lack of sleep left him feeling anxious, depressed and generally disoriented for several years until he was correctly diagnosed and received appropriate treatment. Following treatment, as his symptoms began to resolve, Mr. Leach moved to California where he met his wife and started a family.

As Mr. Leach now admits, his marijuana use, which began at a young age, became excessive after he moved to California and impacted his thinking around the time of the crime. Although the marijuana helped medically with anxiety and insomnia, he now understands that he also used marijuana as a coping mechanism.

I began smoking marijuana when I was young – around 12 or 13 – as a way to fit in with my peers and feel accepted. Looking back, I realize that I also used marijuana to avoid reality and bury difficult emotions. Overall, I was using it in a negative way as a coping mechanism for stress. I used it to avoid reality and feel euphoria/pleasure to mask underlying pain. I also used it to bury my emotions, especially the sadness of losing my father. Marijuana made me antisocial, introverted, and paranoid, and contributed to my unwillingness to reach out for help and my irrational heightened sense of fear.

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

During a heated confrontation with an aggressive and unpredictable neighbor, Mr. Leach, angry and also in fear for his safety, fired his gun at the neighbor. The neighbor, Erick Shanks, suffered a single gunshot wound to his shoulder from which he fully recovered.

At the time of the crime, Mr. Leach, his fiancé and infant daughter, lived in a house adjoining the victim's mother's property with a shared, common driveway. Erick Shanks lived with his mother. In the year prior to the crime, Mr. Shanks had exhibited erratic and hostile behavior, including trespassing onto Mr. Leach's property and hiding in the bushes, peering in the front door of Mr. Leach's house when his wife was home alone with their baby, threatening to shoot and kill Mr. Leach's puppy when it wandered onto his property, and standing outside Mr. Leach's gate shaking clenched fists. (Ex. D, Summary of Defense Investigation Memo; Ex. E, Prelim. Hrg. Testimony of Shanks.)

Defense investigation revealed that Mr. Shanks has long-standing issues with alcohol abuse and a history of threatening and aggressive behavior. Mr. Shanks lived in Portland, Oregon between 2003 and 2010. Former neighbors describe him as threatening and intimidating, "very verbally aggressive" and "crazy and out-of-control." The Portland neighbors reported similar trespassing behavior, threats against pets and even schoolchildren, and snooping. Many neighbors reported feeling afraid of Erick Shanks. Two former landlords reported that Mr. Shanks had trashed the rental premises before vacating over perceived slights. Many reported Mr. Shanks smelling of alcohol during these episodes. (See, Ex. D, Defense Investigation Memo.)

Since 2009, Erick Shanks has maintained a blog, <http://odynword.blogspot.com/> under the name Odyn Pendragon where he professes an "abundant fascination with occult stuff". His last post to the blog was more than three years ago.

Several days before the crime, Mr. Leach discovered Mr. Shanks' mother in the interior, gated courtyard of his house and told her that she was trespassing and needed to get off his property. Apparently angered by the way Mr. Leach spoke to his mother, Mr. Shanks approached Mr. Leach's gate and peered inside with clenched fists on the morning of the crime. (Ex. E, Prelim. Hrg. Testimony of Shanks 22-23, 28-30; Video Surveillance photos.) Mr. Shanks testified at the preliminary hearing that he drank one can of beer by 9:00 am that morning, but lab tests from the hospital suggest he had more to drink. (Ex. E, Prelim. Hrg. Testimony of Shanks 26; Ex. D, Defense Investigation Memo.)

Mr. Leach, feeling both angry and fearful, made a decision to confront Mr. Shanks. Believing that Mr. Shanks kept guns based on earlier threats, Mr. Leach drove his car up the driveway to the Shanks' property wearing a bulletproof vest, with firearms in the car. The circumstances of the confrontation are largely undisputed. The following summary is based on Mr. Shank's testimony under oath at the preliminary hearing.

Mr. Leach drove onto the Shanks' property and remained in his car honking the horn for several minutes. Mr. Shanks emerged from his home as Mr. Leach was backing up the driveway and away from the house. Mr. Shanks walked up the driveway toward the car shouting, gesturing and cursing at Mr. Leach to get off the property. (Ex. E, Prelim. Tr. at 7, 40-41.) An angry verbal confrontation ensued as Mr. Shanks continued to approach the car. (Ex. E, Prelim. Tr. at 14.) Mr. Leach shouted at Mr. Shanks to stop trespassing on his property, and Mr. Shanks denied trespassing and shouted for Mr. Leach to get off his property. Both men were angry. At some point, Mr. Leach suggested calling the police. (Ex. E, Prelim. Tr. at 15, 44.) The argument continued for a while, and then Mr. Shanks agreed that they should call the police and turned toward the house. (Ex. E, Prelim. Hrg. Tr. 15-17.) After a moment, Mr. Shanks turned back toward the car "to be more emphatic" (Ex. E, Prelim. Hrg. Tr. 45-46) and reached toward his waistband (where he had a "sash" holster with a cell phone and a Leatherman tool). (Ex. E, Prelim. Tr. 21.) Mr. Leach retrieved a gun and pointed it at Mr. Shanks. Not believing that Mr. Leach would actually fire the gun, Mr. Shanks challenged him with words to the effect of "So you're going to shoot me?" or "A gun? Really you're pulling a f—ing gun on me? Get the f— off my property". (Ex. E, Prelim. Hrg. Tr. 18.) Mr. Leach fired several rounds, hitting Mr. Shanks once in the shoulder. Mr. Shanks used the cell phone in his holster to call 911. (Ex. E, Prelim. Hrg. Tr. 43.) Mr. Leach drove away and was stopped by police shortly thereafter and admitted that he shot Mr. Shanks. Mr. Shanks did not require surgery, but spent several days in the hospital and fully recovered from the gunshot wound. (Ex. E, Prelim. Hrg. Tr. at 49.)

Psychological Evaluation Prior to Plea Disposition.

Prior to Mr. Leach's guilty plea, Dr. Hy Malinek conducted a comprehensive psychological evaluation, including a personal interview with Mr. Leach, review of underlying documentation, two comprehensive personality assessments¹ and three actuarial risk assessments.² Dr. Malinek concluded that Mr. Leach poses a statistically low risk of violence, noting that Mr. Leach did not have any history of involvement with the law and is not "criminally oriented" or prone to "impulsivity." (Ex. F, Malinek Report at 3.) Mr. Leach does not present with psychotic condition, personality disorder, or other significant psychiatric disturbance. The psychologist identified personality traits of defensiveness, inflexibility, and limited insight as well as "unusually poor judgment and impulsivity" as contributing to the crime.

Dr. Malinek concluded that Mr. Leach's conduct in this case was likely influenced by "significant feelings of anxiety, by obviously erroneous and distorted thoughts, by fears for his security which had some basis in reality, and by an intense need he had perceived to defend himself." (Ex. F, Malinek Report at 2.) Mr. Leach indicated that he had acted out in connection with a need to show that he "can handle problems",

¹ PAI (Personality Assessment Inventory) and MCMI-III (Millon Clinical Multiaxial Inventory – III)

² PCL-R (Psychopathy Checklist – Revised), HCR-20 (Historical Clinical Risk Management), and LS/CMII (Level of Service/Clinical Management Inventory)

protect his family, “be a man who could face threats” and “be there for the family”. (Ex. F, Malinek Report at 3.)

Overall, Dr. Malinek concluded that,

Mr. Leach has taken full responsibility for his conduct, has realized his error, was able to articulate that his conduct was morally wrong and was apparently motivated to resolve a civil claim and offer a generous compensation to the victim in this case. He seems to have a strong support system and to have learned from the experience.

Risk assessment measures predict that Mr. Leach poses a very low risk of violence. On the Psychopathy Checklist-Revised (PCL-R), he scored 2 or 3, which is in the very low range (0-8) on a scale of 0 to 40. On the HCR-20, “the vast majority of risk factors which have been associated with violence are absent in [his] case.” And on the Level of Service/Case Management Inventory, Mr. Leach’s risk/need level is in the very low range in every category – associated with 0 likelihood of recidivism for incarcerated offenders. (Ex. F, Malinek Report at 13-15.)

3. Explain why you are requesting a commutation:

Mr. Leach does not require a 15-year sentence. His conduct in this case was serious, but isolated and situational. He has no prior history of criminal conduct or violence either before or since the crime. He poses the lowest possible risk of recidivism. The victim recovered, was compensated for his injuries, and did not oppose a non-prison sentence. And perhaps most significantly, Mr. Leach has taken every opportunity available to him in prison to understand his crime and to improve himself through education, religion, work, and self-help programming.

His current sentence is disproportionate to his culpability for this crime, does not benefit the victim, and is not necessary to protect public safety.

Prosecution and Sentencing

Mr. Leach was initially charged with attempted murder (PC § 664/187(a)), a charge that the evidence did not strongly support but which carries a life sentence, and assault with a firearm (PC § 245(b)), which carries a potential sentence of 3, 6, or 9 years, in addition to two enhancements, great bodily injury (GBI) (PC § 12022.7) which carries a consecutive 3 year sentence and GBI discharge firearm from motor vehicle (PC § 12022.55) which carries a potential sentence of 5, 6, 10 years.

Two years after Mr. Leach was arrested and charged, a different and more aggressive DA was re-assigned to the case and filed an amended complaint adding a violation of California’s drive-by shooting law (PC § 26100(c)) which at that time carried a mandatory consecutive gun enhancement of 25 years-to-life. Although technically within the parameters of the drive-by shooting law, Mr. Leach’s crime was not the type

of conduct intended to be deterred or punished under that law. His crime is not a pre-planned and intentional gang-style shooting in a public place. If anything, Mr. Leach used his car defensively, not offensively – remaining in the car during the confrontation because he was afraid of the victim and concerned for his own safety. With the inclusion of this new charge, the DA was able to extract a plea to the 15-year sentence.

Mr. Leach accepts responsibility for this shooting and recognizes the seriousness of his actions. He has never tried to excuse or justify his conduct in any way. He plead guilty and made generous restitution to the victim. But his sentence does not reflect his culpability for the crime he committed.

Neither does the sentence reflect why Mr. Leach committed this crime or the work he has done in prison to address the issues that led to his violent outburst.

4. Provide a brief statement explaining why you should be granted a commutation:

Mr. Leach has accepted responsibility for his actions, made amends to the victim, and does not present any danger to the community. Mr. Leach has no history of violence or criminal behavior prior to this largely situational crime, and he has been a model inmate during his incarceration. He has worked hard to understand his actions and to address the underlying reasons that he committed this crime. And he is sincerely sorry for the harms he caused – to the victim and his family, to the community, and to his own family and his young daughters.

Insight and Rehabilitation

Mr. Leach has served his time as a model inmate, successfully navigating the stressful and unpredictable realities of prison life without incident. He has remained disciplinary-free, and he gets along well with staff and inmates alike. Despite being sentenced to a determinate term, Mr. Leach participates extensively in self-help programming; he is enrolled in college and spends much of his free time in religious services and workshops. Mr. Leach has sought out every opportunity to learn from his mistake and to grow and improve himself.

Mr. Leach stopped using marijuana when he entered prison and enrolled in the Living in Balance correspondence course to address his substance abuse and sobriety. He now understands that he used marijuana as a coping mechanism to avoid difficult feelings. Marijuana caused him to isolate, exacerbating his anxiety, paranoia and unwillingness to reach out to others for help. He understands how it impaired his rational thought and judgment, and how it affected his choices and reactions on the day of the crime. Most importantly, Mr. Leach is committed to maintaining his sobriety and refraining from using marijuana in the future.

Mr. Leach has taken the time to explore his childhood trauma and difficult emotions of insecurity, anxiety, resentment and grief related to his father's suicide. He has learned how to express his emotions and communicate openly to the point where he

can trust others and reach out for help when he needs it. (Ex. G, Overview of Programming and Self-Help Groups.) He has remained disciplinary-free, a testament to his ability to navigate difficult personalities and challenging situations in a constructive manner. Mr. Leach's positive coping skills including exercise, prayer, reading, meditation and church. He has surrounded himself with a pro-social support network in prison, participating in the Lifers groups and religious groups. He is goal-oriented and positive. (Ex. G, Overview of Programming and Self-Help Groups.)

Mr. Leach accepted the consequences of his actions nearly five years ago, and he has made the most of his incarceration. Perhaps most significantly, he has learned to look beyond himself and his own needs to the needs of others. This change in focus is not only evident in how he lives his life in prison, but his determination to use his experience and privilege to contribute to society when he is released. Not only is Mr. Leach more than ready to rejoin society, he is willing to use his experiences and financial means to make a positive impact. (Ex. A, Vision for Change.)

Remorse

Mr. Leach's remorse is reflected in his willingness to immediately accept responsibility for his actions and make reparations to the victim. He admitted the shooting to the police when stopped and questioned. He quickly and generously settled the civil lawsuit with the victim. He requested that the guns in his collection be destroyed by law enforcement. He pled guilty, and he entered the prison system with a positive attitude and willingness to make the most of his incarceration.

Mr. Leach has deepened his remorse through participation in Victim Awareness through Lifer's Improvement Group. He has written a thoughtful and sincere apology to the victim. He acknowledges that his apology is "too little and far too late" yet he offers his heartfelt remorse for his actions in the attached letter to Erick Shanks.

Family

The most difficult aspect of Mr. Leach's incarceration has been his separation from his wife and young daughters. Mr. Leach is a committed husband and father, calling, writing, and sending artwork to his girls nearly every day. When Mr. Leach entered prison, his daughters were 1 and 3 years old. His youngest, [REDACTED] suffers from a serious health condition that compromises her immune system and makes it difficult and unsafe for her to travel and visit her father in prison.

In addition to a supportive wife and his daughters, Mr. Leach will return to a longstanding community ready to support him in every way. His mother, who is able to visit frequently, his wife's family who continues to embrace and support him, and numerous friends, family friends, and mentors. (Ex. K, Letters of Support.)

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Tyler Lord

In 2004, Tyler Lord shot the victim after a conflict. The victim survived his injuries. On May 18, 2005, the Superior Court of California, County of Los Angeles, sentenced Mr. Lord to seven years to life for attempted murder plus a 25-years-to-life sentence enhancement, a total prison term of 32 years to life.

Mr. Lord was 20 years old at the time of the crime and is now 37. He has been incarcerated for 16 years. While in prison, Mr. Lord has worked hard to better himself. He has maintained an exemplary disciplinary record. Mr. Lord earned his GED, participated in self-help programming, obtained a vocation in auto mechanics, and is currently enrolled in college courses. He has been commended by prison staff for his exceptional conduct, being respectful, and demonstrating responsibility and reliability.

Mr. Lord committed a serious crime that injured the victim. Since then, Mr. Lord has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Lord's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Lord is ready to be released on parole.

This act of clemency for Mr. Lord does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Tyler Lord to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read 'Alex Padilla', written over a horizontal line.

ALEX PADILLA
Secretary of State



cel

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JUL 20 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Tyler Jones Lord Date of Birth: [REDACTED] / 1983 Inmate ID: V-82291

Address: D-1-49-Low:P.O.Box 608:Tehachapi,CA Facility: C.C.I.

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Att. Murder 1st	3/13.2004	L.A.	25 LWP
Ass. W/a Firearm	3/13/2004	L.A.	3Y to 4Y

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

I was 19 years old. I've made a life-long decision to make amends daily for my choices. I had attempted to take another man's life. All the damage that I've caused will take the rest of my life to make amends.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

I am requesting a commutation because I am rehabilitated. I no longer pose a current danger to public safety. Today, I am a positive person. I am driven to correct decisions that I made. I am being hopeful. I do not look for a way or excuse for wrongs.

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I should be granted a commutation because I no longer pose a current danger to public safety because I am not a criminal today because I have worked to change from the person I am

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

N/A

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Tyler Jones Lord declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

X


Applicant's Signature

July 12, 2018

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of _____ County: Please take notice that I, Tyler Jones Lord,

was convicted of the crime of _____,

committed in Los Angeles County, California, on the date of _____.

I will submit this application to the Governor of the State of California.

X



Applicant's Signature

July 12, 2018

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

(4.)(cont) today, I have good work ethics. I have learned to do the right thing. I have integrity. I have learned to lead by actively executing by living example.

I have improved myself by changing my thinking to being of service to others. Prison has helped me to grow positively. Prison has helped me to honor and respect people for whom they are regardless of their background. I have changed from being selfish and a taker to a person who gives to others. I would have probably been dead sometime ago if I had not come to prison.

I know my most challenge upon re-entry into society will be my orientation back into a changed world. I do have a network and a support system in place to help my re-entry into society.

I know because of my conviction I'll have problems in obtaining employment. It may be an obstacle, but it's something that I am willing to work at and achieve.

My long term goal is my giving back in recognition to the so many who have given to me.

I know that the core that played an immense role in my crime was anger, resentment of others and greed. When I take steps into my retrospection, it was my own internal barriers against this kind of behavior didn't sort of step in and stop me from engaging in this perverse kind of criminality or lifestyle choices which I have found a solution to it because I have adoption of and living with a value system today. I have compassion and I and I understand the necessity to abide by the laws of society.

My selfishness, greed and fear are what made me angry. Today, I addressed those issues and character defects because I know that I need other people is one of the most important things I think I've learned about myself since coming to prison.

I know the impact of my crime impacted a friend, parent, caregiver was hurt. It was a senseless act, fear, distrust, so forth. Humans are sacred and there is no price too high. I regret attempting to take another human being's life. I regret breaking promises. I regret failing to observe my obligations. I know that an excuse is a justification for an act. An explanation is the act of explaining actions.

I have my impulsivity under control now. An impulse is to act without conscious thought. I think all things through logically and soundly before I act. I no longer indulge in any deception.

In my criminal past, I was a monster-rude, disrespectful, and uncaring which was the old me. The new me, I am compassionate and genuine in my dealing with people. Over the years, everything has changed about me. I am totally responsible for my behavior.

I understand the magnitude of my life crime. I deal with it by admitting that my behavior was reprehensible and helping others wherever and whenever possible. My greatest strength is my ability to correct my past behavior. I have changed from a selfish person to a selfless person. My change came about through my recognition that my behavior was inconsistent with how I was raised by my parents.

The rage to commit my life crime came from my greed, need for acceptance and my anger issues. Why I carried the illegal firearm was because of my criminal thinking and my criminality.

What motivated me to commit this crime was my greed, criminal lifestyle-my distorted thinking and wanting everything my way. Today, I do not consider myself a criminal. By no scenario would I would I return to crime because crime and criminal activities or criminal activities harm others. Engaging in criminal

I have shown remorse over the years of helping others. I endeavor to have a positive affect on everyone I come into contact with. Feel remorse and I understand the consequences of my acts in 2004. I feel that my sentence was fair because I attempted to take a man's life.

Today, I respect that I cannot place a value on human life. The amends that I have made to the victim/family are that I commit my life to assisting others. I put the victim/family by my actions through lots of pain. What has changed in me the most is the knowledge that I was not raised the way I acted violently. The most important things that I have learned about myself since coming to prison is compassion, the ability to be conscious of others.

I feel that I have benefited from The 12-Step Program. Step 8 is my favorite step because it makes me consider my past and future actions. I am simply not the same person I was before the crime.

If I was confronted with a similar situation today. My commitment offense can't occur today because that lifestyle is no longer apart of my character.

I should be granted a commutation of sentence because I no longer living a criminal lifestyle/addiction. I respect the rights and property of others and the value of human life. Also, the factors that led to my incarceration no longer exist.

How I assure The Governor that upon commutation of sentence that I will live a life without violence. I've only committed one violent act, so I have no history of violence. I know my triggers for anger. I have an anger relapse plan in place. I have a relapse prevention in place. The most important things I've learned in Self-Help Programs and activities are to learn to explain why I committed the crime, what led to it, and how I can prevent it from happening again.

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my actions impacted the victim,his family,the community and others.

I plan to cope with my triggers on the outside through my Relapse Plans by decompressing slowly in my re-entry,surrounding myself with supportive individuals.

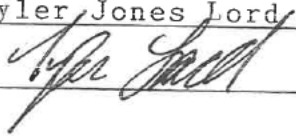
I should be granted a commutation because I have learned to consider other people ,that is what has change about me. Change if sincere is a gradual process,so it's difficult to put an exact date on it. I am good for a commutation because the criminal factors I use to practice and have adopted as my lifestyle and subsequently lead to my incarceration no longer exist.

A governor may commute a sentence at any time for any reason without reference to any standards.

I deem under perjury under all the Laws governing California that the foregoing is true and correct. It was executed on July 12,2018 at California Correctional Institution located in Tehachapi,California which is seated in Kern County.

Tyler Jones Lord

X



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Fernando Murillo

In 1996, 16-year-old Fernando Murillo committed a series of carjackings and gang-related drive-by shootings. During the crimes, three of the victims were shot but survived their injuries. On March 17, 1999, the Superior Court of California, County of Alameda, sentenced Mr. Murillo to 15 years to life for attempted murder, six years and eight months for two counts of carjacking, ten months for attempted carjacking, one year and four months for mayhem, plus 17 years and eight months of sentence enhancements, a total prison term of 41 years and six months to life.

Mr. Murillo is now 41 years old. He has been incarcerated for 24 years.

While in prison, Mr. Murillo has devoted himself to his self-improvement. He earned his GED, participated in significant self-help programming, and completed vocational training. Mr. Murillo currently works as a palliative care provider to other inmates in hospice. Hospice medical staff commended Mr. Murillo for his work with patients during the COVID-19 epidemic, and wrote that he has mature insight, compassion for others, and a positive attitude.

Mr. Murillo committed several serious crimes that injured three victims. Since then, Mr. Murillo has dedicated himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Murillo's positive conduct and acts of service in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Murillo is ready to be released on parole.

This act of clemency for Mr. Murillo does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Fernando Murillo to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November, 2020.

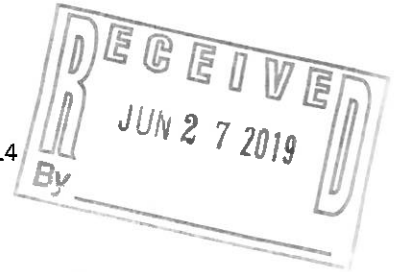
GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814



APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the re-application form. The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

(Attach additional pages as necessary.)

Name (Last/First/Middle): Murillo, Fernando, Ignacio Date of Birth: [REDACTED]

CDCR Number: P33479 Social Security Number: _____

Name of Facility/Prison: California Medical Facility Facility/Prison Address: 1600 California Dr

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
See Attach documents			

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):
possession of a firearm	June 1994	Alameda County	?

2. Describe the circumstances of your crime(s).

See Attached Documents

3. Describe how a commutation of sentence may impact your life.

See Attached Documents

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

See Attached Documents

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

NA


APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Fernando Murillo, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Alameda.
(Name of County or Counties)


Applicant Signature

June 6, 2019
Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed Notice of Intent to Apply for Clemency to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

The Circumstances of my crime

Fernando Murillo P-33479

In 1996 I was a 16 year old gang member who carried around fire arms and would shoot at rival gang members, or members of the community if it benefitted my gang. I was a young neglected child who was filled with rage from so much abuse, displacement, and dysfunction. I felt unwanted when I was with my family. So feeling validated by gang members when I was 14 strongly motivated my criminal activity. It was intoxicating to carry around fire arms and I finally felt as if I was in control. I felt like I had power when I was shooting at people or robbing them. I did this at the expense of so many good people of the community. I dehumanized them for the benefit of feeling empowered, and validating the position I had in my gang, and the feeling I received of being welcomed by the gang.

In the summer of 1996 I escaped from Alameda County's Los Cerro's Boys ranch and started a violent, and horrifying crime spree in the southern Alameda county areas of Union City, Freemont, and Hayward California.

I was convicted of A primary offense of Attempted Murder, Carjacking, attempted Carjacking, Mayhem, And escape. In 1999 I was found guilty of the listed offenses and was given 41 years to life.

My crimes were violent and life changing for my victims and so many members of the community. The ripple effect will be felt for years to come.

Describe How A Commutation of Sentence may Impact My Life.

Fernando Murillo P-33479

My life would forever be changed. I have been incarcerated since the age of 16. I was a very immature and disconnected young man. My early stages of development was so very distorted with trauma, abuse and abandonment. Much of my adult life has been spent in prison. My life experiences are extremely limited. A Commutation of my sentence would allow me the opportunity to Reenter the Community as a Pro Social thinking Adult who has been rehabilitated, and appreciates life on such a deep level.

I would have the opportunity to get a job. Experience what it's like to get a driver's license, to make a contribution to humanity by demonstrating firsthand what it is like to overcome being exposed to crime as a child, childhood incarceration, solitary confinement, and antisocial commitments. I would be allowed to demonstrate first hand to my community what change looks like, primarily the youth.

Although I make amends everyday here in my current community by volunteering my time with Terminally Ill people, and creating an in-house youth diversion program, outside of the youth diversion program I am apart of with youth In the community of Sacramento, Elk Grove, Richmond, and Pinole, (please see my HERMS file to verify). If I receive a commutation I would be allowed to make amends to the greater community.

Describe your life since your conviction

Fernando Murillo P-33479

The beginning of my incarceration was a continuation of my criminal commitment. I accumulated 11 115's for manufacturing alcohol, Fighting, Participating in a riot, and possession of a cell phone. I was committed to my antisocial lifestyle. My failures continued for years. The pain of my victims, the failure to be accountable for my crimes, and making amends directly or indirectly was neither a thought or something I took time to connect with during my teenage years, nor did I make an effort to do so during my 20's. I was selfish, un-empathetic, and unremorseful.

As I grew and failed over and over I desired to make some changes in my life to improve the outcome. The problem was I didn't know how to do this. And I did not have positive functioning people around me to model this way of life for me. My active desire to improve myself and choose a different way of life resulted in my antisocial peers to turn on me for violating the code I was so very loyal to. I was assaulted multiple times and one time so severely I was taken to Renown Medical center in Reno NV to have my jaw wired.

My authentic rehabilitation journey started in California Medical Facility. This is the very first time in my life I have had my own bed, my own safe space to process my child hood, and every stage of my development. I also had responsible, pro-social thinking adults around me pursuing parole. I gravitated to these men and began to learn what I needed to do to pursue a healthy responsible way of living to succeed.

I began to attend self-help groups. I was encouraged to commit to personal exploration. I understood that I needed to cognitively restructure my entire thought process, way of speaking, living, and my social dynamics. I began to work on why I selected rage to express myself when confronted with difficulty, I began to address why I choose the criminal social dynamics to address my needs to be included, supported, and loved, or the illusion of it.

I began to address my entire criminal life style, and my fragmented development through Mental health processing with Clinical Psychologist DR. Mills and DR Gollinveaux. I attended Department of Rehabilitative Programing's Long Term Offender Program. I Have participated in many cycles of controlling Anger and now facilitate the program. I understand how the lack of so many basic needs as a child due to divorce, abuse, neglect, abandonment as a child led to me gravitating to available males around me. Those men were criminals.

Accomplishments. I am The Men's Advisory Councils Executive Chairman, A college student In Coastline Community College, Solano Community College, and Lassen Community College. I am a High School graduate , I have received certifications in Microsoft's computer literacy, Outlook, Micro computing Applications, and Publishing. I am an Apprentice cabinet maker, I am a certified Hospice Volunteer with end of life compassionate, and palliative care training. I have been featured in The New York Times Magazines where patients and Caregivers are prisoners. The Reuters Where no prisoner dies alone. I have worked with Restore Justice and participated in a Symposium where Survivors of crimes, and

Victims' rights advocates, and District Attorneys. This was a transformative process in which I was able to make amends to survivors of crime and District attorneys for my criminal actions in the community.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Francis Pedroza

In 1999, Francis Pedroza shot at a rival gang member. The victim survived his injuries. On January 28, 2000, the Superior Court of California, County of Los Angeles, sentenced Mr. Pedroza to nine years to life for attempted murder plus a 25-year sentence enhancement, a total prison term of 34 years to life.

Mr. Pedroza was 15 years old at the time of the crime and is now 37. He has been incarcerated for 21 years.

While in prison, Mr. Pedroza has worked hard to better himself. He has maintained an exemplary disciplinary record while in prison. Mr. Pedroza has resided in an honors dorm, earned his GED, participated in extensive self-help programming, and obtained a vocation. Mr. Pedroza recently dedicated himself to the dog training program, college courses, and electrical work.

Mr. Pedroza committed a serious crime that injured a teenager. Since then, Mr. Pedroza has dedicated himself to his rehabilitation. I have carefully considered and weighed the evidence of Mr. Pedroza's positive conduct in prison, the fact that he was a youthful offender, his good prospects for successful community reentry, and his designation as a high medical risk for extreme illness from COVID-19. I have concluded that Mr. Pedroza is ready to be released on parole.

This act of clemency for Mr. Pedroza does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Francis Pedroza to release him on parole.

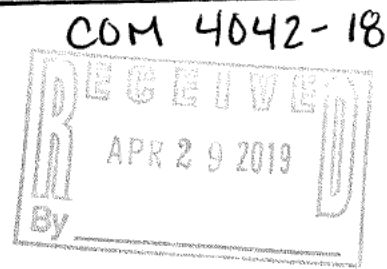


IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Francis Pedroza Name on Prior Application (if different): NA
Date of Birth: 1983 Social Security Number: NA
CDCR Number: P28291 Name of Facility/Prison: CSP Los Angeles
Residence Address: CSP Lancaster, 60th Street West, Lancaster, CA 93536-7620
Mailing Address (if different): Juvenile Innocence & Fair Sentencing Clinic, Loyola Law School, 919 Albany Street, LA, CA 90015
Home/Cell Phone: NA Work Phone: [REDACTED] Email: [REDACTED]

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

On behalf of Francis Pedroza: Mr. Pedroza has not received any correspondence from the Governor's Office, nor has he been interviewed by the Board of Parole Hearings.
His original commutation petition was submitted on February 26, 2018.
Mr. Pedroza's attorney, Christopher Hawthorne, Director of the Juvenile Innocence & Fair Sentencing Clinic at Loyola Law School, signs this renewal on behalf of his client.

[Signature]
Applicant Signature
FOR FRANCIS PEDROZA

April 18, 2019
Date

SUBMIT COMPLETED FORM TO:
THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



4042-18

RECEIVED

FEB 28 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRS

Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Complete this application to request a pardon or commutation from the Governor. A pardon is the forgiveness of a crime and a commutation is a reduction or elimination of a sentence. If you are eligible for a Certificate of Rehabilitation, do not complete this application; instead obtain a Certificate of Rehabilitation from the superior court in your county of residence. (See Penal Code, § 4852.01.) **If a pardon is granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Francis Pedroza Date of Birth: 1983 Social Security Number: N/A

Address: 44750 60th Street West, Lancaster, CA 93536-7620

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
Attempted Murder	04/23/1999	Los Angeles	34yrs to life
Assault w/ a deadly weapon	09/29/1997	Los Angeles	camp community placement

2. Briefly describe the circumstances of the crime(s) for which you are requesting a pardon or commutation (attach additional pages as necessary):

Please see attachments

3. Explain why you are requesting a pardon or commutation (attach additional pages as necessary):

Please see attachments

4. Provide a brief statement explaining why you should be granted a pardon or commutation (attach additional pages if necessary):

Please see attachments

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal code section 4807.2):

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Francis Pedroza, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Applicant's Signature

Christopher Hawthorne
ATTORNEY FOR FRANCIS PEDROZA
CHRISTOPHER HAWTHORNE (210518)

Date

2/26/2018

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

February 26, 2018

The Honorable Jerry Brown
Governor of the State of California
State Capitol, Suite 1173
Attention: Legal Affairs Secretary
Sacramento, CA 95814

APPLICATION FOR EXECUTIVE CLEMENCY

Dear Governor Brown:

I am the attorney for Mr. Francis Pedroza (CDC No. P28291). On behalf of Mr. Pedroza, I am petitioning you to commute his sentence to 15 years to life. On January 28, 2000, Mr. Pedroza was sentenced to 34 years to life for a crime he committed on April 23, 1999, when he was 15 years old; a crime for which he takes complete responsibility, and for which he experiences regret and remorse every day of his life.

That crime, however, was the product of a family in which Mr. Pedroza's stepfather, Mario Torres, groomed his stepsons, from a very young age, to follow in his footsteps as members of a street gang. Mr. Torres, only 10 years older than his oldest stepson, and nearly 10 years younger than Mr. Pedroza's mother, gave Mr. Pedroza no chance at a normal life. Instead, Mr. Pedroza's childhood and early adolescence were shaped by gang values, violence and physical danger. Mr. Pedroza made poor and potentially tragic choices, but his choices were often dictated by forces beyond his control. At age 15, like most children, he lacked the judgment and maturity to reject his own family situation.

Since 1999, Mr. Pedroza has turned his life around in prison. As detailed in the attached exhibits, he has made serious and successful efforts to improve himself, has obtained the education he gave up outside prison walls, and made himself into a successful and functioning adult. He poses no risk to society and hopes to counsel children like himself, at risk for gang involvement and gang violence. Accordingly, Mr. Pedroza respectfully requests that you commute his current sentence of 34 years to life to a sentence of 15 years to life.

For the reasons stated in this letter brief, I now petition your office for clemency on behalf of Mr. Pedroza, and formally request a commutation of sentence.

I. CIRCUMSTANCES OF THE LIFE CRIME

According to the official appellate opinion on this case:

On April 23, 1999, Francis Pedroza, age 15, a member of the East Side Dukes gang, was in a car near the corner of Jellick and Altario streets in La Puente, California. He saw Gary Thompson, age 14, a

member of the rival gang Hurley Street. Mr. Thompson saw Mr. Pedroza, recognized him as a member of a rival gang and began running. Mr. Pedroza, who was armed with a firearm, chased after Mr. Thompson, firing several shots. Mr. Thompson ran through a neighbor's garage and into their backyard, with Mr. Pedroza still chasing him and firing several more shots. Mr. Thompson survived the shooting and underwent surgery to place a metal plate in his wrist. (*See* Exhibit A; Court of Appeal Opinion).

Mr. Pedroza was convicted of attempted murder. He was sentenced to 34 years to life in prison: 9 years in prison for the crime, plus 25 years to life for the personal discharge of a firearm, resulting in bodily injury to the victim. The Court of Appeal affirmed his conviction and sentence on December 18, 2000. Mr. Pedroza has a Youth Offender Parole Hearing set for May 2023. (*Id.*)

Because he was a minor at the time, Mr. Pedroza served the first year and 8 months at CYA Preston and then at the Tehachapi State Prison Juvenile Module. In July 2001, when Mr. Pedroza turned 18, he was transferred to New Folsom Adult Prison (CSP Sacramento).

II. MR. PEDROZA'S REASONS FOR REQUESTING COMMUTATION

Mr. Pedroza has been incarcerated for 18 years – over half of his life. While in prison, however, he has matured and dramatically altered his priorities in life. He takes full responsibility for his crime and the mistakes he made as an adolescent and as a young adult in prison. Mr. Pedroza recognizes the ripple effect of harm to the victim, his family, and the larger community because of his crime. As a result, he has dedicated his time in prison to helping as many people as he can, both within and beyond the facility where he is housed. Mr. Pedroza is a changed man who is eager to give back to the society from which he took so much as a young man. In light of Mr. Pedroza's positive development in prison, his youth and family circumstances at the time of the crime, and the length of his sentence, Mr. Pedroza is requesting a commutation of his sentence.

III. REASONS THAT MR. PEDROZA'S SENTENCE SHOULD BE COMMUTED

A. REHABILITATION

Mr. Pedroza has rehabilitated himself in several important ways. First, Mr. Pedroza disassociated from prison gangs in 2007. Since his disassociation, Mr. Pedroza has offered himself as a mentor for younger inmates who are gang-involved and hopes to show them they have alternative paths, as well as demonstrating that there is life after gang membership, particularly in the program "Men for Honor." Mr. Pedroza sees this mentorship as his responsibility and part of his rehabilitation. He also participates in the program, "Letters 4 Our Struggling Youth," which gives him the opportunity to write to at-risk youth, share his story, and communicate the importance of staying out of gang life. Mr. Pedroza's steady involvement in self-help classes – including Houses of Healing, Anger Management, Alcoholics

Anonymous, and Narcotics Anonymous – has helped him process traumatic events – both those he experienced and those he caused. (See Exhibit C; Positive Chronos and Certificates).

Much of this important work has been accomplished because of where Mr. Pedroza has been housed for the past five years. “A” Yard at CSP Lancaster, also known as the Progressive Programming Facility (“PPF”), is a unique yard, designed specifically for inmates who have committed to working towards rehabilitation and eventual release. It contains a high percentage of juvenile lifers like Mr. Pedroza. Getting transferred to the PPF involves a rigorous application and selection process. Inmates on “A” Yard must have been discipline-free for 3 years before applying. They must not be gang-involved. They must commit to not using drugs or alcohol, must remain discipline- and violence-free, and must agree to program with members of all races and ethnicities. All of these conditions are a stark contrast to life on the main line. Inmates on the PPF, like Mr. Pedroza, are held to a very high standard of behavior, and deviations from that standard are dealt with by immediate reassignment to another yard. It should be noted that Mr. Pedroza applied for admission to the PPF in 2011, several years before SB 260 was enacted, and even before *Miller v. Alabama* and *People v. Caballero* offered hope for juvenile offenders with long sentences.

Mr. Pedroza recognizes how fortunate he is to have the programming, structure and companionship that are the hallmarks of the PPF. He took the necessary steps towards rehabilitation by removing himself from the negative environment of prison politics. He has transformed himself into a model inmate while on the PPF by continuing his pursuit of self-growth through positive programming, education, and self-reflection. (See Exhibit B; Statement from Francis Pedroza)

In short, Francis Pedroza, after a chaotic youth in prison, has become a mature, reflective man who wants and deserves a chance to give back to society.

B. MR. PEDROZA’S LIFE CIRCUMSTANCES AT THE TIME OF THE CRIME

Mr. Pedroza’s family circumstances during his childhood and adolescence were tumultuous, abusive, and shot through with gang dynamics that were beyond his control. When Mr. Pedroza was young, his mother married a man ten years her junior who was an active and hardcore gang member, prone to violence. The violence first led to Mr. Pedroza’s sister voluntarily and permanently being removed from the house when she was 9 years old. Mr. Pedroza’s stepfather would smoke marijuana with Mr. Pedroza starting when he was in 6th grade, shaved all of the Pedroza boys’ heads (marking them as aspiring gang members), and otherwise act as a gang mentor rather than a father figure. Because the gang lifestyle was so embedded in this household – all of Mr. Pedroza’s older brothers were also members of a street gang – Mr. Pedroza’s home was the target of several terrifying drive-by shootings at the hands of rival gang, Hurley Street.

As a result of one of these shootings, all of Mr. Pedroza's younger step-siblings were permanently removed from the home. This occurred when Mr. Pedroza was only 13 years old. Around the same time, and in retaliation for one of these drive-by shootings, Mr. Pedroza's stepfather took Mr. Pedroza and all of his older brothers in his car and armed them with baseball bats and crowbars, intending to mount an attack against Hurley Street. As a result, Mr. Pedroza was convicted of assault with a deadly weapon and served six months in juvenile detention camp.

When he returned home from camp, Mr. Pedroza lived alone with his stepfather and his older brothers, all of whom cycled in and out of the juvenile justice system. He was alone in a household of gang members with no alternative role models or alternative opportunities. Possibly in reaction to the chaos surrounding him, Mr. Pedroza began using methamphetamine daily during the time leading up to this crime.

It was under these circumstances that Mr. Pedroza soon joined East Side Dukes and eventually committed his life crime.

C. THE SIGNIFICANCE OF MR. PEDROZA'S AGE AT THE TIME OF THE CRIME

Mr. Pedroza was 15 at the time he committed this crime. The courts have consistently seen youthful age as a mitigating factor in guilt and in sentencing. In *Roper v. Simmons*, 543 U.S. 551 (2005), the United States Supreme Court found that, even in the most serious murder cases, youthful offenders cannot with reliability be classified among the worst offenders. (*Id.* at 569). As compared to adults, young offenders have a "lack of maturity and an underdeveloped sense of responsibility," they "are more vulnerable or susceptible to negative influences and outside pressure," and their character is "not as well formed." (*Id.* at 569-570). Five years later in *Graham v. Florida*, 560 U.S. 48 (2010), the Supreme Court went further in its analysis and recognized that the same differences between youths and adults are relevant to the constitutionality of sentences, and banned life without the possibility of parole (LWOP) for juveniles who commit non-homicide offenses. (*Id.* at 74-75.) The Court repeated *Roper's* reasoning that because youthful offenders have lessened culpability, they are less deserving of the most severe punishments. (*Id.* at 75). Finally, the California Supreme Court extended *Graham's* holding to a type of sentence that is particularly common in California: functional LWOP for non-homicide crimes, concluding that such sentences are per se unconstitutional. (*People v. Caballero*, 55 Cal.4th 262, 268-69 (2012))

These cases alone would entitle Mr. Pedroza to sentencing relief. However, the California Legislature, recognizing the magnitude of having tens of thousands of young people serving long

sentences, has created the Youth Offender Parole Hearing to deal with this problem. Juvenile offenders – and now many young adult offenders – are entitled to early hearings, at which they have the opportunity to prove that they are ready to reenter society, at 15, 20 or 25 years.

The dates of these hearings, however, do not reflect the *individualized* culpability of each youthful offender – a requirement under the *Graham-Miller-Montgomery* line of cases. (See, e.g., *People v. Gutierrez*, 58 Cal.4th 1354, 1378 (2014) (“[I]mposition of the harshest punishment on a juvenile requires individualized sentencing that takes into account an offender’s ‘youth (and all that accompanies it)’”) quoting *Miller v. Alabama*, 132 S.Ct. 2455, 2464, 2469 (2012)).

This “one-size-fits-all” parole scheme cannot comport with these individualized sentencing requirements. For example, the fact that Mr. Pedroza was 15 years of age at the time of his crime, the fact that he faced special burdens as a child, the fact that he committed a non-homicide crime, and the fact that he has made tremendous strides in maturity and rehabilitation should be reflected in his parole eligibility date, not merely his ability to make a case for parole. To compare, under current law, a person with no mitigating circumstances, who committed multiple murders at age 25 and has made no progress while incarcerated will get a Youth Offender Parole Hearing at precisely the same time as Mr. Pedroza: 25 years. Although Mr. Pedroza’s excellent record of rehabilitation, which should be considered *at* his parole hearing, will give him a better chance of achieving release, his mitigating circumstances should advance the date of that hearing to earlier than 25 years.

As the U.S. Supreme Court recognized in *Herrera v. Collins*, 506 U.S. 390, 415 (1993) “[e]xecutive clemency has provided the “fail safe” in our criminal justice system.” Although in *Herrera*, the death penalty was at issue, it is generally accepted that executive clemency is an appropriate remedy for an unjust sentence, especially when there is no other remedy at law. This is the case for Mr. Pedroza. While the creation of Youth Offender Parole Hearings was an enormously important step to address the widespread injustice of sentencing young offenders to long sentences, it should not blind the state to the fact that some youthful offenders deserve even further relief.

Mr. Pedroza is precisely one of those youthful offenders. Had Mr. Pedroza been charged today, at age 15, he would have been guaranteed an attorney before being interrogated by the police. (Welf. & Inst. Code § 625.6) He would have received a transfer hearing pursuant to Proposition 57, where his background and immaturity could have been explored. (Welf. & Inst. Code § 707(b).) The judge would have had the discretion to reduce or strike his weapon enhancement, to make his sentence more proportional to his culpability. (Pen. Code § 12022.5(c).) But in 2000, as a child facing a long life sentence, Mr. Pedroza had none of these protections. Nor did he have a proper sentencing hearing, during which he could present mitigation evidence. These laws now exist because of a widespread recognition that the then existing scheme, and the resulting sentences, violate the U.S. and California

constitutions, as well as human dignity. A parole hearing for Mr. Pedroza after 25 years, while very welcome, is too long a delay. It is manifestly unjust.

For these reasons, when considering the facts of the life crime, and the impulsivity and poor judgment displayed, Mr. Pedroza's age at the time – only 15 years old – should be deemed a mitigating factor for purposes of a reduction in sentence.

D. POST-RELEASE PLANS AND COMMUNITY SUPPORT

Mr. Pedroza has been preparing for life after prison for over a decade. He has seized as many opportunities for vocational training as possible, in an effort to equip himself skills for when he is paroled. He earned his GED, has obtained a certificate in Health Facilities Management (which allowed him to also work as a custodian in the prison hospital), and is currently enrolled in electric vocational training. (*See Exhibit C; Positive Chronos and Certificates*). Upon his parole, he plans on maintaining strict self-discipline and only go to work and then go home. He does not want to intentionally or accidentally put himself in any position that will threaten his parole and life.

He is an uncle of two (soon to be three) nephews and is very excited to be a formative part of their lives. He is close with his sister, who lives in Monterey Park, in the county in which he will be paroled.

Additionally, Mr. Pedroza is a client of Loyola Law School's Juvenile Innocence and Fair Sentencing (JIFS) Clinic, which works with its clients through their reentry to ensure their successful and productive transition into the community. The JIFS Clinic, one of three clinics at Loyola Law School's Center for Juvenile Law & Policy, is committed to the Center's founding ideal of "holistic representation," which means that the Clinic, its students and attorneys, are not just committed to Mr. Pedroza's release, but to his successful reintegration into society. In the past, law students from the JIFS Clinic have helped clients locate transitional housing, obtain identification documents, find jobs, and connect with family members. JIFS students have accompanied clients to their parole appointments, transitional housing placements, and substance abuse groups. Most importantly, because of its connection to the legal community, the JIFS Clinic has connected clients to at-risk youth, where lifer parolees have unique credibility. Accordingly, the JIFS Clinic, as it has done with its other clients, will connect Mr. Pedroza to the appropriate resources, services, and support systems he needs in order to become the contributing member of society he aspires to be.

IV. CONCLUSION

Mr. Pedroza will never forget the crime that put him in prison. He takes full responsibility for chasing after and shooting at Mr. Thompson, and subsequently altering many people's lives for the worse. He is ashamed of his actions and deeply sorry for committing this impulsive crime. In the 18 years that Mr. Pedroza has been incarcerated, he has matured, received an education, obtained practical job training, and pursued every available avenue for service to others. For the reasons stated above, justice will lie in this case if Mr. Pedroza is granted clemency and commutation of sentence.

On behalf of Mr. Pedroza and his family, I respectfully ask that Mr. Pedroza's sentence be commuted to 15 years to life. Thank you in advance for your attention to this matter.

Sincerely,



Christopher Hawthorne (SB 210578)
Attorney for Francis Pedroza
Director, Juvenile Innocence & Fair Sentencing Clinic
Loyola Law School Los Angeles



Samuel Markaryan
Certified Law Student (Cert # 42882)



Nidya Gutierrez
Certified Law Student (Cert # 43792)



Shannon Leap
Law Clerk

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Ellen Richardson

In 1995, Ellen Richardson hired a crime partner to kill her estranged husband. She had previously attempted to solicit others to kill him a year earlier. On December 31, 1996, the Superior Court of California, County of Sacramento, sentenced Ms. Richardson to life without the possibility of parole for murder.

Ms. Richardson was 42 years old at the time of the crime and is now 67. She has been incarcerated for 25 years. Ms. Richardson has expressed sincere remorse for the crime.

While serving a sentence with no hope of release, Ms. Richardson has devoted herself to her self-improvement. She has maintained a perfect disciplinary record while in prison. Ms. Richardson has resided in an honors dorm, participated in extensive self-help programming, and served as the president of the Woman's Advisory Council. Ms. Richardson has been a leader in the Jewish community in prison and received praise for her positive attitude and respectfulness toward all inmates and staff. Twelve correctional staff members commended Ms. Richardson on her contributions to the prison community.

Ms. Richardson committed a serious crime that took the life of the victim. Since then, Ms. Richardson has dedicated herself to her rehabilitation. I have carefully considered and weighed the evidence of her positive conduct in prison, her advanced age and her designation as a high medical risk for extreme illness from COVID-19, and her good prospects for successful community reentry. I have concluded that Ms. Richardson merits the opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Richardson does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Ellen Richardson to 25 years to life.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

A handwritten signature in black ink, appearing to read 'Gavin Newsom', written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in black ink, appearing to read 'Alex Padilla', written over a horizontal line.

ALEX PADILLA
Secretary of State



Governor Gavin Newsom · State Capitol · Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

ELLEN KATHLEEN RICHARDSON
 Name (Last/First/Middle): _____ Name on Prior Application (if different): N/A

Date of Birth: 53 Social Security Number: [REDACTED]

CDCR Number: W65805 Name of Facility/Prison: Central California women's Facility (CCWF)

Residence Address: P.O. Box 1508, 506-28-2LAW, Chowchilla, CA 93610-1508

Mailing Address (if different): N/A

Home/Cell Phone: N/A Work Phone: N/A Email: N/A

I previously submitted: ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

CASE # 1174-12 - I was interviewed and investigated by
MS. TAMMY JONES of the Parole division.

Also, Attached to my Commutation is my Evaluation of
my Intimate Partner Battering.

Ellen Kathleen Richardson April 11, 2019
 Applicant Signature Date

SUBMIT COMPLETED FORM TO:
 THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
 DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

**APPLICATION FOR
COMMUTATION OF SENTENCE**

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: Ellen K. Richardson Date of Birth: [REDACTED]/53 Inmate ID: W65805

Address: PO Box 1508, Chowchilla, CA 93610 Facility: CCWF

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
PC 187(a), 190.2(a)(1), 12022(a), 653f(b)	9/16/95; 10/94	Sacramento	LWOP + 10 yrs

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

See attached

3. Explain why you are requesting a commutation (attach additional pages as necessary):

See attached

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

See attached

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Rebecca Rabkin, Cal. Bar No. 244638, PO Box 173, Berkeley, CA 94701; pro bono - \$0.

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Sacramento County: Please take notice that I, Ellen K. Richardson,

was convicted of the crime of PC 187(a), 190.2(a)(1), 12022(a), 653f(b),

committed in Sacramento County, California, on the date of 9/16/95, 10/94.

I will submit this application to the Governor of the State of California.

Ellen K. Richardson

Applicant's Signature

2/23/17

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

Rev. 09/25/2013

Notice of Intention to Apply for Commutation of Sentence

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Ellen K. Richardson, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Sacramento with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Ellen K. Richardson

Applicant's Signature

2/23/17

Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)



STATE OF CALIFORNIA
OFFICE OF THE GOVERNOR
HONORABLE EDMUND G. BROWN, JR., GOVERNOR

APPLICATION FOR COMMUTATION OF SENTENCE

ELLEN K. RICHARDSON

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I. INTRODUCTION

Ellen Richardson was convicted of first-degree murder with special circumstances and solicitation of murder for the killing of her former husband Stephen (Steve) Richardson in Sacramento County in 1995. She was sentenced to life in prison without parole.

Ellen and Steve were married for 20 years; the last several were marred by Steve's serious and escalating verbal and physical abuse.¹ Although Ellen separated from Steve before his murder, the domestic violence, in the form of threats, financial control, and emotional abuse, continued. Ellen solicited a friend, Jose Garza, to kill Steve. She did not aid in planning the murder, but paid Garza a sum of money after he shot and killed Steve.

Steve's abuse of Ellen came up sparingly at Ellen's trial. Ellen's attorney did not investigate the abuse and did not develop or introduce evidence of it at trial. No expert testimony on intimate partner battering and its effects was presented at Ellen's trial despite its relevance to the crimes.

Ellen has served 20 years in prison and is now 63 years old. She is accountable, remorseful, and insightful about her crime. She is deeply engaged in self-help programming and community service, has no disciplinary violations, and earns exceptional ratings for her work in the prison library. She is an advocate for women prisoners, survivors of abuse, and prisoners with disabilities, and a leader among her peers.

Ellen is not seeking a pardon or immediate release from prison. Rather, she asks the Governor to commute her sentence to an indeterminate term of 25 years to life, so that she may potentially earn her release through the Board of Parole Hearings.

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¹ First names are used throughout to distinguish members of the Richardson family.

II. CRIMINAL CONVICTION

The facts of Ellen's crimes are documented in the California Court of Appeal opinion denying her appeal in 1998, attached as Exhibit A. In short, Ellen paid Jose Garza to kill her ex-husband, Steve Richardson. Garza shot Steve to death outside his home on September 16, 1995. Ellen had previously solicited two other people to commit the murder.

As reflected in Ellen's special circumstance conviction, money played a role in her decision to kill Steve. She was financially unstable, in debt, and after her divorce from Steve, losing her share of their co-owned business that was her livelihood. Ellen was the beneficiary of two life insurance policies for Steve.²

Although Ellen's financial motive was the heart of the prosecution's case, it was not the whole story. Ellen's experience as a victim of intimate partner battering (IPB) was a primary causative factor of her commitment offense; her financial dependence was one aspect of her and Steve's abusive and dysfunctional relationship. The jury heard sparing testimony about the abuse. Largely elicited by the prosecution, it was used against Ellen to suggest motive or dismissed as untrue. No expert testimony regarding IPB and its effects was developed or presented on Ellen's behalf.³

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² These facts enabled the prosecutor to charge and prove the financial gain special circumstance, resulting in a mandatory sentence of life without parole (LWOP), rather than the default first-degree murder sentence of 25 years to life.

³ The appellate decision is devoid of any meaningful discussion about Ellen's experience with IPB. *See, generally*, Ex. A (Third District Court of Appeal Opinion).

III. INTIMATE PARTNER BATTERING (IPB)

A. Statutory basis for commutation

California Penal Code section 4801 empowers the Board of Parole Hearings to recommend to the Governor an inmate for commutation if her criminal behavior was the result of her victimization from intimate partner battering and its effects:

The Board of Parole Hearings may report to the Governor, from time to time, the names of any and all persons imprisoned in any state prison who, in its judgment, ought to have a commutation of sentence or be pardoned and set at liberty on account of good conduct, or unusual term of sentence, **or any other cause, including evidence of intimate partner battering and its effects.** For purposes of this section, “intimate partner battering and its effects” may include evidence of the nature and effects of physical, emotional, or mental abuse upon the beliefs, perceptions, or behavior of victims of domestic violence if it appears the criminal behavior was the result of that victimization.

Cal. Pen. Code § 4801(a).

When a domestic violence victim kills her abusive partner, evidence of IPB – in the form of fact and expert testimony – is crucial to understanding and explaining her situation and the reasonableness of her fear at the time of murder.⁴ In many cases from the 1990’s and earlier, this evidence was never presented at trial, despite its relevance.⁵ Ellen’s was one such case.

⁴ *People v. Humphrey*, 13 Cal. 4th 1073, 1088 (1996) (holding expert testimony “was relevant to explain a behavior pattern that might otherwise appear unreasonable to the average person. Evidence of BWS not only explains how a battered woman might think, react, or behave, it places the behavior in an understandable light.”).

⁵ Although legal reforms regarding IPB evidence were underway in California by the time of Ellen’s trial, it had not yet achieved widespread acceptance and use:

Between the early 1980s and mid-1990s [] many women in California who were convicted of crimes directly resulting from a history of battering did not have the benefit of such expert testimony in their criminal trials, or pled guilty to very serious crimes without being aware of the possibility that this kind of testimony could support a criminal defense. Reasons for the failure to

Although the basis for this commutation is clemency, the legal aspects of Ellen's claim are noteworthy. The full story of her experience with IPB and its relevance to her crime was not presented to the jury, either through fact or expert testimony. Yet it clearly played a role in her criminal conduct. Her case exemplifies the purpose of section 4801(a) and the Governor's power to commute.⁶

B. Ellen's experience with intimate partner battering

The following facts are based on a letter to the Governor by Ellen's sister, Lynn Ellison (Exhibit B), the statement of Ellen's daughter, Marie Alpha (Exhibit C), and a declaration and personal writings by Ellen Richardson (Exhibit D).⁷

//

admit such evidence ranged from defense counsel's lack of awareness of the existence of this type of testimony or a belief that it would not be helpful, to court rulings that the testimony was not admissible because of lack of sufficient scientific validity.

Carrie Hempel, *Battered and Convicted: One State's Efforts to Provide Effective Relief*, 25 Criminal Justice 4, 2 (Winter 2011). In 2004, the California state legislature amended Penal Code section 1473.5 to extend the statute to crimes that occurred prior to August 29, 1996, the date of the *Humphrey* decision. *Id.* at 2. Ellen's crime occurred September 16, 1995.

⁶ See, generally, Liotta, Erin, "Double Victims: Ending the Incarceration of California's Battered Women." 26 Berkeley Journal of Gender, Law & Justice 2 (2013): 253-290, 260-262 (offering a history of clemency for battered women in California and nationally); see also, Ammons, Linda L. "Why Do You Do The Things You Do? Clemency for Battered Incarcerated Women, A Decade's Review," 11 American University Journal of Gender Social Policy and Law 2 (2003): 533-565, 549 ("Governor Celeste [of Ohio] felt that these women had been treated unjustly by the justice system because the full stories about domestic terrorism they suffered had not been told. Therefore, deliberating juries had heard only part of the truth.")

⁷ Ellen's mother and father and her son, Daniel, died during her incarceration. She maintains a close relationship with her sister, Lynn, and is rebuilding her relationship with her daughter Marie, who was a teenager at the time of Steve's murder. As one of few witnesses to these events, Marie submitted the attached statement because she wanted the truth to be known. She takes a neutral stance on this commutation, leaving it in the Governor's hands with full knowledge of the facts.

Ellen's experience with domestic violence did not begin with her marriage to Steve.

She grew up in an abusive household. As related by Ellen's sister, Lynn:

Our mother had a very explosive temper. As small children we were very afraid of her, especially when our father wasn't home. When she lost her temper with us, she would slap us, spank us, pull our hair and call us names. On many occasions she would threaten to put us in foster care and then walk over to the phone, dial, and act like she was talking to someone to come take us away. We were very young and would cry and beg her not to send us away. She often hit us with wooden spoons, brushes, or would throw things at us. Ellen was a very nervous child, she bit her nails until they bled, she would cry a lot and flinch when our mother would try to touch her. She was more often than not the subject of our mother's anger. When things got really bad at home, my maternal grandmother would come down from San Francisco and take us back to her house. I remember many conversations between my grandmother and father where my grandmother [told] my father that our mother needed help and ask[ed] him to call the family doctor and have my mother committed. This never happened. The abuse continued on through our high school years and Ellen moved out shortly after graduation.⁸

This child abuse contributed to low Ellen's self-esteem, insecurity, and anger, and formed the foundation for her future relationships.⁹

Ellen and Steve met in 1974, when Ellen was 21 years old. They married in 1976, just weeks after Steve's divorce from his first wife. Their children, Marie and Daniel, were born in 1978 and 1982, respectively. They co-owned an insurance business and lived happily for many years. Marie describes her childhood as normal and happy. Her parents were loving and interactive with the kids and each other.¹⁰

Then things began to change. Marie remembers she was in junior high and beginning high school when Steve became increasingly verbally abusive towards Ellen. He frequently

⁸ See Ex. B (Ellison letter) at 1-2.

⁹ See Ex. B at 1-2; Ex. D (Richardson decl. and writings) at 6-7.

¹⁰ Ex. C (Alpha statement) at 1; Ex. D at 1-2.

made mean and degrading comments, yelled at her, and called her names.¹¹ For example, Ellen always struggled with her weight. Marie remembers Ellen bending over and Steve saying something like, “don’t stick your fat ass in the air, no one wants to see it.”¹² Lynn’s letter confirms this abuse:

[M]y sister began calling me crying, she said Steve had started to become verbally abuse. He was making comments about her weight, calling her stupid and telling her she was an embarrassment to their family. He would tell her to go back and change her clothes because she looked fat and he didn't want her leaving the house looking huge. He told her the kids no longer wanted her to go to their school because she embarrassed them and they were ashamed to have their teacher and friends see how fat she was.¹³

Around this time, Steve started drinking alcohol, even though he had been abstinent for many years. As Marie tells it, Steve always drank non-alcoholic beer, but one day, he came home with a six-pack of real beer. At first it was just one or two beers a night, then three, then five, then he would come home with 12-pack. He drank every day and got drunk multiple times per week. He drank in front of the TV, demanding that Marie and Ellen bring him beer, or alone in his room.¹⁴

Also around this time, it came out that Steve’s father had molested his sisters. This affected Steve, bringing up painful memories from the past.¹⁵

Steve was volatile when he drank. He was easily agitated and little things would set him off. If Ellen dropped something, Steve would say something like, “you’re the dumbest

¹¹ Ex. B (Ellison letter) at 1; *see, also*, Ex. D (Richardson decl. and writings) at 1-2.

¹² *Id.*

¹³ Ex. B at 1.

¹⁴ Ex. C (Alpha statement) at 1; *see* Ex. D at 1-2.

¹⁵ *See* Ex. C at 1; Ex. D at 6. Marie remembers Steve looking at pictures of his daughter Juliet from his previous marriage. Marie heard that Steve was abusive to Juliet’s mom and lost custody in their divorce. Ex. C at 1.

fucking person in the world.” He humiliated her. He called her ugly. He said he hated her. He told her she was a horrible wife and mother and he couldn’t believe he married her.¹⁶

Like many victims, Ellen justified Steve’s behavior, blaming herself and rationalizing that they were going through a tough time.¹⁷ But the abuse escalated.¹⁸ At their house on Old Ranch Road in Orangeville, Steve pushed Ellen for the first time.¹⁹ Eventually, the abuse became fairly constant.²⁰

Marie says her parents argued a lot, almost every day, usually when Steve was drunk. She witnessed Steve grab Ellen aggressively. She frequently saw finger-shaped bruises on Ellen’s arms.²¹ Lynn saw them too. Lynn recalls that she once went over to Ellen’s house unannounced. Ellen was crying and told Lynn she had a fight with Steve and he stormed out. When Ellen changed her clothes, Lynn noticed bruises on both of her arms. Lynn asked Ellen what happened, but she said she didn’t want to talk about it. Lynn pressed until Ellen admitted that Steve grabbed and shook her. Ellen said Steve’s anger was escalating and she didn’t know what to do.²²

Much of the physical abuse occurred in private. Steve hit, slapped, kicked, grabbed, pushed, and threw Ellen.²³ Marie heard loud and violent arguments from Steve and Ellen’s room. She heard what sounded like objects being thrown around, furniture bumping

¹⁶ Ex. C (Alpha statement) at 1; Ex. D (Richardson decl. and writings) at 1-2, 6.

¹⁷ *See, e.g.*, Ex. D at 3, 5.

¹⁸ Escalating violence is common in abusive relationships. *See, e.g., Humphrey*, 13 Cal 4th. at 1078.

¹⁹ Ex. D at 1-2.

²⁰ *See* Ex. D at 1-2, 4; Ex. C at 2.

²¹ Ex. C at 2.

²² Ex. B (Ellison letter) at 1.

²³ Ex. D at 1-2.

against the wall, things breaking. She once heard what sounded like Ellen crashing hard against the dresser.²⁴

Ellen recalls Steve throwing her so hard against a countertop that she thought she injured internal organs. Steve once became angry at Ellen for walking arm and arm with another couple at an insurance convention and almost hit her with his car. When they returned home after the convention, Steve hit her with a guitar, leaving a scar on her arm and forehead. At a convention in Hawaii, after Ellen went out on her own, Steve accused her of something and beat her so badly she could not put on her bathing suit.²⁵ Marie says Ellen sounded different when the fights became physical. She would scream in fear.²⁶

Steve forced Ellen to have sex, often after acts of violence. He pressured her to engage in sex with another woman. He strangled and raped her. He threatened to kill her. He once left a gun on the pillow next to her in bed with a note that said, "Do us all a favor."²⁷

Marie says she could tell in Ellen's face that she was afraid of Steve. Ellen had always been an outspoken, assertive person, but she changed. The abuse was emotionally and physically draining.²⁸ On one occasion, Marie called 911, but when the police arrived, Ellen came to the door and said everything was fine.²⁹ Lynn received numerous late night phone calls from Ellen and Marie saying they were afraid of Steve and he was threatening to beat them. Lynn would tell them to call the police but they were afraid to. If Lynn said she was going to call the police, Ellen would beg her not to, saying it would just make things worse. Ellen told Lynn on multiple occasions that she feared Steve was going to kill her.

²⁴ Ex. C (Alpha statement) at 2; *see* Ex. D (Richardson decl. and writings) at 6.

²⁵ Ex. D at 1-2.

²⁶ Ex. C at 2.

²⁷ Ex. D at 1-2, 6.

²⁸ Ex. C at 2.

²⁹ Ex. C at 2; *see* Ex. D at 6.

Yet she was afraid to leave him. Ellen's parents offered to help her move but she said Steve would follow her and make her life unbearable.³⁰

During the last year of Ellen and Steve's marriage, Steve's abuse of Marie escalated. In October 1993, Steve and Marie argued about Marie's boyfriend, Lonnie. He was 18 and Marie was 15. Steve knew Lonnie but didn't approve of the relationship. One day when Lonnie came over, Steve confronted him about the relationship, punched him in the face, and threatened to kill him. From then on, Lonnie and Marie snuck around. Ellen knew about it, and helped hide their relationship from Steve.³¹

Marie remembers that in the first half of 1994, she and Steve argued frequently. Steve yelled at her, called her a slut, and told her she was "fucking stupid." He would grab her hard by the arms and throw her into a wall or hit her. One time, she drank too much at a party. Her friends took her to 7-11 to get water and the police stopped them. She begged the police not to call her parents, saying her dad would "beat the crap out of [her]." The police contacted Ellen and told her and Marie to call the police if they needed help.³²

Marie describes an incident that started over a school project. She worked really hard on it, but Steve said it "looked like shit." He grabbed Marie by the back of her shirt, threw her on the floor and kicked her repeatedly. Another time, Marie and Steve had an

³⁰ Ex. B (Ellison letter) at 2; *see* Ex. D (Richardson decl. and writings) at 2, 6. This is not unique to Ellen. While some victims do manage to leave abusive relationships, doing so places them in great danger. "It is estimated that a battered woman is 75 percent more likely to be murdered when she tries to flee or has fled, than when she stays." Sarah M. Buel, *Fifty Obstacles to Leaving, aka., Why Abuse Victims Stay*, 28 COLO. L. 10, 19 (1999) (citing Barbara Hart, *National Estimates and Facts About Domestic Violence*, NCADV VOICE (1989) and Patricia Tjaden & Nancy Thoennes, U.S. Department of Justice, *Extent, Nature, and Consequences of Intimate Partner Violence: Findings From the National Violence Against Women Survey* (2000).)

³¹ Ex. C (Alpha statement) at 2.

³² Ex. C at 2.

argument about whether she could miss school to attend her friend's funeral service. Steve grabbed her head and shoved her face into the corner of the room.³³

Steve expected Ellen to discipline Marie and Daniel and took their mistakes out on Ellen. If Ellen defended the kids or didn't discipline them, she would suffer the consequences. Marie stayed away from the house more. She didn't see as much fighting, but she still saw bruises on Ellen.³⁴

Ellen told Marie things weren't good at work. The office was empty and there had once been a full staff. Ellen and Steve never talked about money in front of Marie. Steve was always the one who took the kids shopping and bought shoes and clothes. One day, Ellen took the kids shopping. She had a credit card and told them to get as much as they wanted. Marie knew something was up.³⁵

In fall of 1994, with the house going into foreclosure, Ellen took the kids and left Steve. (Ellen let the mortgage lapse and saved the money in secret in order to leave.) They moved to an apartment in Folsom, then to a house in Orangevale. Steve entered a new relationship and eventually became engaged. But despite the separation, the dysfunction between Ellen and Steve persisted. They fought over the divorce, finances, the children, and the business.³⁶

Ellen's life began to deteriorate. She ran up credit card debt. Marie recalls coming home one time to see Ellen with some people bagging marijuana. Ellen began using methamphetamine. She would stay up all night. She was losing weight and looked sick.

³³ Ex. C (Alpha statement) at 2.

³⁴ Ex. C at 2-3.

³⁵ Ex. C at 3.

³⁶ See Ex. C at 3; Ex. D (Richardson decl. and writings) at 5.

Marie got pregnant in the summer of 1995. When Ellen found out, she was upset. She told Marie she shouldn't tell Steve. Ellen said that if Steve found out, he would kill her (Ellen); he would beat her to death. Marie says Ellen believed it was true.³⁷

According to Marie, Daniel began skipping school and smoking marijuana he got at home. Marie spoke with Steve about it in August 1995. Steve told Marie he hired a private investigator to document Ellen's behavior and was going to get full custody of Daniel. Steve told Marie that Ellen wasn't showing up at work. He told Marie he didn't want her to live with Ellen anymore.³⁸

A short time later, Steve confronted Ellen. He threatened to take Daniel away and to cut her out the business. Ellen was still hiding that Marie was pregnant. She was afraid of Steve.³⁹ She felt utterly desperate and powerless, not free despite having left the marriage. She believed Steve would hurt or kill her and hurt the kids. She believed that killing him was her only escape.⁴⁰

C. Evidence on IPB and its effects at Ellen's trial

Steve's abuse of Ellen came up sparingly at Ellen's trial. When it did, it was primarily elicited by the prosecution and used against Ellen to prove intent, while at the same time dismissed as not the *real* motive for the murder (which, per the prosecutor, was financial). Ellen's trial attorney did not investigate the allegations of abuse and did not

³⁷ Ex. C (Alpha statement) at 4.

³⁸ Ex. C at 4

³⁹ Ex. C at 4; *see* Ex. D (Richardson decl. and writings) at 5.

⁴⁰ Ex. D at 5.

develop or introduce fact or expert testimony regarding IPB and its effects.⁴¹ Ellen's story, still largely verifiable through eyewitness accounts, was never told.⁴²

Hillary Hill, an acquaintance of Ellen's, testified that in the fall of 1994, Ellen told her and Piper Hendershot that Steve beat her. Hill testified that Ellen said she believed Steve would beat her to death.⁴³ According to Hill, Ellen said: "if [Ellen] didn't kill [Steve], he was going to kill her."⁴⁴ The prosecutor followed up with: "Is that what she told you?" and "[A]re you certain, Miss Hill, that she said she was going to kill her husband?"; simultaneously casting doubt on Ellen's experience with abuse and offering it as evidence of Ellen's intent.⁴⁵ Ellen told Hill that Steve hit their daughter Marie (Marie was present when Ellen made these statements).⁴⁶ Hill saw bruises in a row on Ellen's hand, arm, and shoulder, and understood that Steve had caused them.⁴⁷ (She reported seeing these

⁴¹ Why was IPB overlooked as a defense in Ellen's case? Her attorney, Charles Bloodgood is deceased, so we can't ask him. California Evidence Code 1107(a), which allows for the admission of expert testimony related to intimate partner battering on behalf of a defendant, was enacted in 1992. But as Carrie Hempel notes, this evidence was frequently undeveloped in trials through the mid-1990's due to "defense counsel's lack of awareness of the existence of this type of testimony or a belief that it would not be helpful, to court rulings that the testimony was not admissible because of lack of sufficient scientific validity." Hempel, *supra*, at 2. Ellen recalls her trial attorney as leering and dismissive. This was Marie's experience as well. He asked Marie for more money (she was 17 and pregnant) as well as Ellen's parents, and when none was forthcoming, seemed to lose interest in Ellen's defense. See Ex. C (Alpha statement) at 2.

⁴² In addition to statements from Ellen Richardson, Lynn Ellison, and Marie Alpha (none were witnesses at trial), undersigned counsel attempted to obtain police, medical, and school records from the early 1990's, but they are no longer available. In any case, like many victims of domestic violence, Ellen never voluntarily reported Steve's abuse to police or medical personnel.

⁴³ RT 432. The Reporter's and Clerk's Transcripts from Ellen's trial (RT and CT, respectively) are attached in electronic format on a CD-R as Exhibit H.

⁴⁴ *Id.*; see also RT 442 (Ellen once told Hill she would shoot Steve in self-defense).

⁴⁵ RT 432.

⁴⁶ RT 432-433.

⁴⁷ RT 440-441.

bruises to the police).⁴⁸ Ellen asked another person present at the time, Adam Metcalf, to help her; she did not want to be alone in the house.⁴⁹

Lonnie Olson, Marie's boyfriend, was a daily visitor to the home prior to Ellen and Steve's divorce.⁵⁰ He testified that "[a] couple months down the road after I started going there, [Ellen] stated that things were bad, that he beat[] her, would hit her, grab her, shake her, throw her on the ground. Was abusive, she said."⁵¹ Olson testified that Marie was a victim of Steve's violence too: "Every time her dad kicked her or yelled at her or something or supposedly beat her mom . . . [Marie] would say the same thing, I wish he was dead."⁵² Steve didn't want Olson dating Marie.⁵³ Ellen did not feel the same way, but said she had to go along with her husband; nonetheless, she let Olson and Marie see each other without Steve's knowledge.⁵⁴ Eventually, Ellen asked Olson to kill Steve or find someone to do it because "she couldn't take [the abuse] anymore."⁵⁵ Ellen felt her life was in danger and Olson wanted to help her. "She was desperate. I mean she was serious about having it done. And she was desperate that – the way [it] came across like if she didn't have it done, she was going to die herself."⁵⁶ (Olson did not go through with it, and Ellen was convicted of soliciting murder based on this incident.)⁵⁷

Marie Van Erp, a friend of Marie's who became close to Ellen, testified about Ellen's financial dependence on Steve. She confirmed that in order to save up money to leave

⁴⁸ RT 454.

⁴⁹ RT 446.

⁵⁰ RT 1760-1761.

⁵¹ RT 1762-1763.

⁵² RT 1811.

⁵³ RT 1789, 1803.

⁵⁴ RT 1789.

⁵⁵ RT 1764.

⁵⁶ RT 1769-1770.

⁵⁷ See RT 1772-1783; Ex. A (Court of Appeal Opinion) at 3.

Steve, Ellen stopped making the mortgage payments on their house, and it went into foreclosure.⁵⁸ Van Erp testified that when Ellen left Steve, her financial situation became worse: “It was more stressful because [] Steve controlled all the bills.”⁵⁹ Thereafter, Steve and Ellen argued frequently – Van Erp heard arguments several times a week, and Ellen recounted other fights that took place at the office.⁶⁰ Just prior to Steve’s murder, Ellen told Van Erp that Steve was making her sign over the business.⁶¹

Scott Coffini, from whom Ellen rented the Orangevale house, testified that Ellen had financial problems and was often late with her rent.⁶² Ellen told Coffini that she “was going through tough times with her husband.”⁶³ She “blamed [Steve] for not having the money to pay the rent, and you know struggling along, and you know she wasn’t happy with him.”⁶⁴ Once, when Coffini called Ellen about late rent, he was told that Ellen was in the hospital.⁶⁵ Ellen later told Coffini she been hospitalized because of Steve’s abuse.⁶⁶

Joseph Guzman, a friend of Ellen’s, was asked by the prosecutor how Ellen felt about Steve. Guzman stated:

[S]he just told me about the thing what[,] you know[,] he was doing to her, and how he was acting towards her. And more or less her feelings you know, she be – she cried – cry to me all the time. And when he’d call, he’d threaten her and she’d cry on the telephone. And you know, I’d try to talk to her. You know, it’s just that the man was destroying her life.⁶⁷

⁵⁸ RT 594.

⁵⁹ RT 593, 598.

⁶⁰ RT 562-563.

⁶¹ RT 573.

⁶² RT 804, 807.

⁶³ RT 809.

⁶⁴ RT 810.

⁶⁵ RT 812.

⁶⁶ *Id.*

⁶⁷ RT 1238.

As he did with Hillary Hill, the prosecutor's follow up question to Guzman cast doubt on Ellen's experience with IPB: "Is that what she told you?"⁶⁸

Guzman testified that in the days leading up to the murder, Ellen was "down and out": "Steve was gonna take the business away, and she was upset about that."⁶⁹ But it was more than that. Guzman overheard a telephone conversation between Ellen and Steve the day before the murder: "[Steve] called, was yelling at her over the telephone, and she started crying. And I told her just to hang up. That he was threatening her over the telephone. You could hear yelling over the phone."⁷⁰

During closing argument, the prosecutor used the IPB against Ellen. He emphasized Ellen's statements that she wished Steve was dead, but divorced them from the context in which they were made: Ellen's desperation to escape Steve's control.⁷¹ Likewise, the prosecutor highlighted Ellen's financial dependence on Steve, not as an aspect of IPB, but as proof the murder was for financial gain, warranting an LWOP sentence.⁷²

In sum, there is strong evidence that Ellen was a victim of intimate partner battering and that her criminal behavior was a result, in large part, of that victimization. Moreover, evidence of IPB was not fairly and adequately presented at Ellen's trial because her attorney did not develop fact or expert testimony on the subject and because the prosecution used Ellen's experience with IPB against her, to suggest a motive to kill Steve and to label her a liar.

⁶⁸ *Id.*

⁶⁹ RT 1259.

⁷⁰ RT 1259-1260. Ironically, it was Ellen's attorney who objected to much of the DV-related testimony, apparently trying to strike evidence of motive. *See, e.g.*, RT 563, 811-812, 1238, 1260, 2488.

⁷¹ *See, e.g.*, RT 2579, 2601, 2604.

⁷² *See, e.g.*, RT 2588, 2599-2600, 2614, 2617; *see also*, Cal. Penal Code 190.2(a)(1).

IV. REHABILITATION

A. Insight, acceptance of responsibility, and remorse

Ellen knows her decision to murder Steve was wrong. She takes full responsibility, and recognizes there is no moral or legal distinction between soliciting Steve's murder and murdering him herself. She acknowledges that she drew her codefendant into the conspiracy and had tried to use others. She understands and can articulate the causative factors of her crime. She sees its far-reaching impact, and is genuinely remorseful.

As Ellen explains, taking full responsibility for Steve's murder was not easy: "It took me many, many years to tell myself and others that what I did was wrong without the 'but.'" ⁷³ She had justified her actions because of Steve's abuse. ⁷⁴ Now, she sees that that her conduct was unjustifiable. She had other options to keep herself and their kids safe that she did not choose. ⁷⁵

Ellen understands the far-reaching, multi-generational impact of her actions. She recognizes everything she took from Steve: his life, his relationship with his children and grandchildren, his future. ⁷⁶ She destroyed her children's chance to have a relationship with their father, and in many ways, their mother. ⁷⁷ On that point, she writes:

I cannot begin to express my children's pain; I will not disrespect my children by trying to speak for them. I took from them everything of importance, their world, their future, their hope and their father. I left my children in a world without a mother and father. I left my children in a world where they were alone, afraid, confused, angry and traumatized and sadly with no loving parent to comfort them. ⁷⁸

⁷³ Ex. D (Richardson decl. and writings) at 3.

⁷⁴ *See id.*

⁷⁵ *Id.* at 3, 5-6.

⁷⁶ *Id.* at 4.

⁷⁷ *Id.* at 3, 4.

⁷⁸ *Id.* at 4.

She acknowledges the pain she caused Steve's mother, siblings, nieces and nephews, and fiancée and her own parents and siblings.⁷⁹

Ellen's remorse is palpable. She writes:

I am responsible for the pain of loved ones now and generations to come with the death of Steve. From my family to Steve's family there will always be a void that cannot be filled. There is not a day that goes by I do not think of all the victims that my actions created. I cannot bring Steve back, nor can I erase the sorrow his death caused. I cannot take away the pain and grief.⁸⁰

Ellen has put immense effort into understanding the causative factors of her crime.

She has reflected and learned about her experience as a victim of abuse.⁸¹ But she also identifies the personal qualities that contributed to her conduct: fear and panic amplified by unresolved childhood trauma, anger, distorted thinking, poor decision-making, drug abuse, shame, selfishness, self-hate and lack of self-esteem, co-dependence, an inability and unwillingness to be honest with herself and others, and desire for retribution.⁸² Ellen addressed these issues through rehabilitative programming. She has grown and acquired tools that ensure she will not repeat the same patterns.⁸³

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⁷⁹ Ex. D (Richardson decl. and writings) at 3, 4, 7.

⁸⁰ *Id.* at 4.

⁸¹ *Id.* at 5-10.

⁸² *Id.* at 3, 5-10. Many of Ellen's personal experiences are reflected in the literature on domestic violence. For example, in *Fifty Obstacles to Leaving, a.k.a., Why Abuse Victims Stay*, Buel writes:

Victims with low self-esteem may believe they deserve no better than the abuse they receive, especially if they have grown up in families with domestic violence. Many batterers inflict high levels of verbal abuse preceding and accompanying the violence, contributing to the victim's declining sense of worthiness.

Buel, *supra*, at 22.

⁸³ *See* Ex. D at 8-13.

People who have known Ellen during her 20+ years of incarceration attest to her acceptance of responsibility, insight, remorse, and understanding of the impact of her conduct. For example, Andrea Bible, M.S.W., J.D., an advocate for incarcerated battered women who has known Ellen for 12 years, writes:

[I]n the more than 20 years since Ellen was involved in her ex-husband's death, Ellen has learned many lessons about being accountable. She takes responsibility for her actions and has expressed to me the deep remorse and guilt she feels for having played a role in taking her ex-husband's life and depriving her children of their father. I imagine that the daily remorse that she feels is part of what motivates her to give so generously of her time, and to mentor young people—particularly those who know they will be released to the community—to help them avoid the poor decisions she made.⁸⁴

Amy Little, a former legal assistant with the California Coalition for Women Prisoners (CCWP), has known Ellen for 19 years, during which time she witnessed Ellen's "personal growth, generosity and tireless support of many other prisoners at Valley State Prison for Women (VPSW), and now California Central Women's Facility (CCWF), while visiting her for many years."⁸⁵ Little adds:

When I spend time with Mrs. Richardson, we have talked about ways that her crime has deeply impacted the lives of her children, her in-laws, other family members and herself. She has worked hard to gain further insight into her crime through participation in many workshops and opportunities for reflection that include domestic violence workshops, self-help trainings and writing classes.⁸⁶

Another CCWP advocate, Adrienne Roberts, who has known Ellen for five years, discusses Ellen's insight, remorse and acceptance of responsibility vis-à-vis her experiences with IPB. She writes:

Ellen acted in defense of her family and herself to repeated and severe abuse, however this has not prevented her from taking full responsibility for her

⁸⁴ See Ex. G (Support letters) at 2.

⁸⁵ *Id.* at 3.

⁸⁶ *Id.*

actions. She is deeply remorseful for killing her [] husband and has dedicated herself to understanding domestic violence and cycles of abuse.⁸⁷

Colby Lenz, a legal assistant at CCWP who has known Ellen for 12 years has likewise witnessed Ellen's concurrent development of remorse and insight and describes the complexity of this process for Ellen, who was both victimizer and victim:

Ms. Richardson is acutely aware of how she victimized her husband from a victimized position herself, and she takes active responsibility for her terrible decisions under those circumstances. This is a challenging position to take, and I see it as a clear indication of Ms. Richardson's emotional and mental development through her rehabilitation in prison. While Ms. Richardson has come to understand battering and its effects on her, she carries intense remorse for every bit of harm she caused.⁸⁸

In sum, Ellen's knows that her conduct is inexcusable and the damage she caused is permanent. She has insight into the causative factors of her crime, in all their complexity. She accepts responsibility, recognizes the impact of her crime, and is remorseful. Ellen works daily to make amends for Steve's murder by helping others and being a positive member of her family and community, as evidenced in her record of rehabilitative programming, discussed in the next section.

B. In-custody conduct and programming

Ellen has an exceptional record of in-custody conduct and programming. Notably, she has remained disciplinary-free her entire incarceration.⁸⁹ She has devoted herself to community service inside and outside the institution, and became a facilitator and member of countless programs, a leader, mentor, and advocate for prisoners, and a long-term employee of the prison law library. Exhibit E includes a list of Ellen's programs and

⁸⁷ Ex. G (Support letters) at 4.

⁸⁸ *Id.* at 6.

⁸⁹ Ex. E (Chronos and Certificates) at 11, 137.

achievements, along with written statements that illustrate the depth of her involvement in pro-social activities and how this work has enabled her rehabilitation.⁹⁰ Ellen's work reflects her personal mission to better herself and the lives of those around her, to learn from her experiences, and to make amends for her conduct.⁹¹

Numerous CDCR staff members discuss Ellen's contribution to events and fundraisers, her competence, diligence, trust, loyalty, and commitment to helping others.⁹² The Director of the Substance Abuse Program writes: "Richardson is a constant role model to the community" and shares her insight and experiences as a lifer with inmates in the SAP program who have the opportunity to turn their lives around.⁹³ Ellen receives frequent commendations for her work in the law library.⁹⁴ CO Celestine, among others, reports that Ellen "performs her duties with compassion and professionalism."⁹⁵

- **Domestic Violence Prevention**

Ellen has done remarkable work in domestic violence programming, as a participant and facilitator.⁹⁶ She is a certified peer counselor.⁹⁷ Ellen writes that this work has helped her to reflect on her own experiences with IPB and its effects, understand her role as well as her abuser's, develop the tools to ensure she would not repeat these patterns, and help others prisoners heal from their own experiences.⁹⁸ Andrea Bible notes that experience with IPB is ubiquitous among incarcerated women, each with stories at once common and

⁹⁰ See Ex. E at 1-11. Exhibit E also includes many of the chronos and certificates Ellen earned from 1997 through the present. See *id.* at 12-137.

⁹¹ See Ex. D (Richardson decl. and writings) at 4, 5, 8, 12; Ex. E at 1-11.

⁹² See Ex. E at 1, 12-22.

⁹³ Ex. E at 13.

⁹⁴ See Ex. E at 21, 128, 134, 137.

⁹⁵ Ex. E at 21. Her work supervisor's reports are "exceptional." See Ex. E at 11, 137.

⁹⁶ See Ex. E at 3, 26-47.

⁹⁷ Ex. E at 3, 33, 35, 37, 4-43, 45.

⁹⁸ Ex. D at 5; Ex. E at 3.

unique.⁹⁹ Bible relates how Ellen both learned from and taught her fellow prisoners through group study and support.¹⁰⁰

- **Freedom to Choose Workshop**

One of Ellen's long-term projects was the Freedom to Choose Workshop, in which she was participant, volunteer, and later, mentor, from 2008-2014.¹⁰¹ Freedom to Choose is an intensive 3-day Master's Degree-level workshop run by the University of Santa Monica on the principals and practices of Spiritual Psychology. It is based on the work of Victor Frankel, a concentration camp survivor who taught, in his book *Man's Search for Meaning*, that the one freedom that cannot be taken from someone is the freedom to choose one's attitude, regardless of circumstances.¹⁰² The workshop teaches inmates to "make better choices resulting in positive changes in behavior reflecting enhanced self esteem. These positive changes include greater personal responsibility, accountability, less conflict and more harmonious relationships, both in the work and home environments."¹⁰³ Ellen describes the workshop as a "life changing" experience.¹⁰⁴ She writes:

I not only learn[ed] to be a better communicator, but more importantly I learned to be a better listener. To choose your own path, know that you and only you have the freedom to do so. One aspect of the program was to learn to forgive yourself and start loving the person you are. This is the part that was life changing as I never thought in the past that I deserved to be forgiven.¹⁰⁵

⁹⁹ Ex. G (Support Letters) at 1-2.

¹⁰⁰ *Id.*

¹⁰¹ See Ex. E (Chronos and Certificates) at 8, 115-121.

¹⁰² A film about the Freedom to Choose Workshops at Valley State Prison for Women can be found at <https://www.youtube.com/watch?v=qTJBVyjaNDA>, last accessed on December 16, 2016.

¹⁰³ Ex. E at 120.

¹⁰⁴ Ex. E at 8.

¹⁰⁵ *Id.*

- **Long Termers Organization**

Ellen participated in the Long Termers Organization (LTO) for several years, a group of prisoners who work on issues related to long-term incarceration and mentoring other inmates. She completed classes in stress management and effective communication, facilitated self-esteem and conflict resolution workshops, worked at career resource day, and raised money for community organizations.¹⁰⁶ Ellen notes that facilitating the self-esteem workshops taught her much about her own issues with low self-esteem, something she identifies as a causative factor in her commitment offense, which then enabled her to help others more effectively.¹⁰⁷

- **Crossroads Youth Diversion Program**

Ellen participated in the Crossroads Youth Diversion Program from 2005 to 2012, in which she shared her personal story with children from schools, the California Youth Authority, community youth programs, and troubled homes.¹⁰⁸ Ellen's goal is to deter youth from behavior that might lead them to incarceration or worse. As she writes, this is one form of amends: "[T]his program, in saving a child's life, is giving back for the life that I took."¹⁰⁹ Ellen has also helped raise thousands of dollars for youth charities and elementary schools via the Crossroads program.¹¹⁰

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¹⁰⁶ Ex. E (Chronos and Certificates) at 5, 58-70.

¹⁰⁷ Ex. E at 5.

¹⁰⁸ Ex. E at 4, 48-57. Crossroads' work has been featured on A&E as part of the show "Beyond Scared Straight," among others. See Ex. E at 4. The episode featuring Chowchilla's program can be found at <http://www.aetv.com/shows/beyond-scared-straight/season-1/episode-1>, last accessed December 15, 2016.

¹⁰⁹ See Ex. E at 4.

¹¹⁰ See *id.*

- **Sunrise Honor Dorm**

Ellen resides in the “Sunrise” Honor Dorm, which affords her many opportunities for self-help groups and programs.¹¹¹ She must be disciplinary-free to reside there and “work hard for her place in the community.”¹¹²

- **Coalition for Cultural Awareness**

Ellen’s participation in the Coalition for Cultural Awareness (CCA) from 2007-2010 likewise shows her commitment to community building.¹¹³ She explains: “Cultural Awareness showed me that knowing and understanding cultural difference made for a more tolerant community. Peace Day events show if we understand each other, we can live more peacefully.”¹¹⁴ Captain Hernandez, the CCA Coordinator in 2007 wrote:

Ms. Richardson showed professionalism and true integrity by respectfully representing the many different cultures and working exceptionally well with her peers of diverse backgrounds. Ms. Richardson is to be commended for her tenacity and being a positive example to her peers and staff. Ms. Richardson’s ability to work well with others, respecting authority and following instruction with minimal supervision will be a productive asset for when she enters her community and work force.¹¹⁵

- **Women’s Advisory Council**

Ellen was part of the Women’s Advisory Council (WAC) at Valley State Prison for Women for eight years, chairwoman for six.¹¹⁶ The WAC was a liaison between the inmate population and the warden to resolve issues and concerns at the prison.¹¹⁷ Ellen excelled in her role as representative and advocate for women prisoners. She developed a proposal

¹¹¹ Ex. E (Chronos and Certificates) at 9, 122-124, 128-130.

¹¹² Ex. E at 9.

¹¹³ See Ex. E at 6, 74-76.

¹¹⁴ Ex. E at 6.

¹¹⁵ Ex. E at 74.

¹¹⁶ Ex. E at 7, 77-114.

¹¹⁷ *Id.*

to make prison policies better suited for the female prisoner population, wrote letters to media outlets to bring attention to issues affecting women prisoners, and testified before the State Legislature regarding health care in women's prisons.¹¹⁸ The WAC also sponsored numerous prison-wide fundraising programs for community groups.¹¹⁹

— After a donation to a church's summer camp scholarship fund spearheaded by Ellen, the pastor, Father Phil, wrote:

Dear Sisters of Ours at VSPW,

These few words can not even come close to expressing the joy and gratitude we feel here at the Catholic Community of Mt. Carmel and St. Alphonsus due to your most generous donation of \$4,035.00 . . .

Your president, Ellen, also acknowledge the joy of all you women in knowing that half of your donation would go directly to single mothers who come to us without enough resources to feed their families. Thank you for them, in advance.

Please know that the leadership of the parish appreciates your gesture more than any offered us in a long time.

We are all God's children. God loves us, every one . . . but perhaps you, more than others. That's how we see it. We hope you see it that way too.¹²⁰

These efforts afford Ellen the opportunity to give back to the community in a productive way. The letters from recipients of WAC funds are a testament to this effort.¹²¹

- **American Sign Language**

Ellen views her study and instruction of American Sign Language (ASL) as an extension of her advocacy for women. She writes:

Communication is the key in most situations. Knowing sign language and teaching it to others help[s] insure that every woman ha[s] a voice and every

¹¹⁸ See Ex. E (Chronos and Certificates) at 83-105.

¹¹⁹ See Ex. E at 7, 80-82, 108-114.

¹²⁰ Ex. E at 82.

¹²¹ See Ex. E at 7, 82, 108-113

woman [is] heard. It reminded me that my voice is important and that I have a lot of valuable things to say about the betterment of the world around me, whether I could speak or sign.¹²²

Ellen completed the 12-week beginning ASL class and 8-week advanced class in 2009 and 2010 and was facilitator thereafter.¹²³ C/O Miles, the program sponsor, wrote:

[Ellen's] tenacious efforts and determination sets an example of leadership and respect with her peers and staff. She is responsible for the direction of the course in which the students learn the basics of sign language etiquette. She facilitates this course with minimal supplies and structure, a difficult task when dealing with this type of curriculum. The class was very instructive and entertaining, thanks to her abilities as a true leader and peer. Her authoritative, yet personable skill in instructing this course is a valuable communication tool that she will be able to utilize in society and in the work force upon release. The experience of being a facilitator provided valuable life lessons that will enable her to reenter into her community with a more positive and open minded disposition towards her peers. She is to be commended for her professional work ethics, service to others, and commitment.¹²⁴

- **Spiritual Practice**

Ellen developed a spiritual practice during her incarceration, something that has given her a sense of comfort, ethical grounding, and connection to the Jewish community.¹²⁵ Rabbi Paul Gordon commends her participation in worship services, and classes on Torah, Jewish studies, and Hebrew.¹²⁶ He wrote in 2014: "Ms. Richardson has been an excellent and engaged student, asking insightful questions and actively participating in group discussions. She has been a valuable addition to the community and a good example of behavior and understanding the study materials."¹²⁷ In 2013, Ellen participated in the Adult Bat Mitzvah program, an intensive course of study that included

¹²² Ex. E (Chronos and Certificates) at. 6.

¹²³ See Ex. E at 71-73.

¹²⁴ Ex. E at 73.

¹²⁵ See Ex. E at 2.

¹²⁶ Ex. E at 2, 22-25.

¹²⁷ Ex. E at 25.

Jewish thought, values, prayer and Torah.¹²⁸ Ellen describes this as one of her most rewarding achievements.¹²⁹

- **Recent Chronos**

Ellen's recent chronos demonstrate her ongoing commitment to self-improvement and community development.¹³⁰ She continues her work in the law library, sharing her knowledge and expertise with inmates, developing training materials for clerks, training inmates on the new Law Library Electronic Deliver System, and keeping updated on legal developments.¹³¹ In January 2016, Librarian S. Chavez wrote: "Richardson has been dedicated to promoting rehabilitation in her community, ethics and integrity in her daily work habits, the knowledge and skills associated with a law library and promoting current and reliable legal information through the library."¹³²

Ellen completed a 4-hour "Instructor Development" advanced workshop in December 2015. CCWF's Community Resource Manager, Philip Johnson, wrote: "Richardson is now capable of assisting others in their personal paths to rehabilitation."¹³³ She was commended for commitment and dedication to the LWOP community through her work on the LWOP committee, which provides the LWOP population with opportunities for self-improvement, insight, positive values, and morale, and aims to be a constructive influence within the institution.¹³⁴ She recently completed a four-hour Causative Factors workshop and facilitated a two-day Commutation Preparation Workshop for other

¹²⁸ Ex. E (Chronos and Certificates) at 24-25.

¹²⁹ Ex. E at 2.

¹³⁰ Ex. E at 10, 128-136.

¹³¹ See Ex. E at 128, 134, 137.

¹³² Ex. E at 134.

¹³³ Ex. E at 131-132.

¹³⁴ Ex. E at 130.

inmates.¹³⁵ In the facilitator role, “Ms. Richardson assisted the group in gaining self-awareness, personal growth and understating the information she provided.”¹³⁶ She also completed a three-day “Power of Positive Thinking” workshop.¹³⁷ Ellen is a regular participant in the SWEAT exercise program, and earned many laudatory chronos for her participation in community activities.¹³⁸

This exceptional record of programming and conduct speaks to Ellen’s effort to become a more stable, self-aware, and compassionate person. She is an active participant in her rehabilitation. Despite her LWOP sentence, she works extremely hard to better herself, her community, and society at large.

C. Support Letters

Letters of support from CCWF staff and Ellen’s support network outside of prison underscore Ellen’s work ethic and good character.

Emilia Montalvo, a Library Technical Assistant at CCWF and Ellen’s supervisor, wrote of Ellen’s intelligence, hard work, community involvement, integrity, values and faith.¹³⁹ She concluded: “I am aware of the charges against Ellen, but regardless, she would be a valuable asset to any society.”¹⁴⁰

The CCWP advocates that have worked with Ellen for years echo this sentiment. For example, Colby Lenz writes:

Ms. Richardson is one of the most thoughtful and caring people I have ever met, inside or outside of prison. She works tirelessly to better herself and to

¹³⁵ Ex. E (Chronos and Certificates) at 134-135.

¹³⁶ Ex. E at 135.

¹³⁷ Ex. E at 133-134.

¹³⁸ Ex. E at 128-130, 136.

¹³⁹ Ex. G (Support letters) at 9.

¹⁴⁰ *Id.*

support other prisoners to do the same. Ms. Richardson has achieved a degree of rehabilitation in prison that I have seen unmatched in my 16 years of work with women prisoners, and I believe she is deserving of a sentence reduction. . . .

During her time in prison, Ms. Richardson has pursued every self-help course and individual growth effort possible. She has become a lead facilitator of self-help groups and a trusted mentor and peer supporter in prison. Her insight into her past and her crime are clear and consistent. She understands the harm she caused and she works everyday to be a more thoughtful, insightful and giving person. I trust Ms. Richardson with my life and I recommend her for commutation with great regard and not a single reservation.¹⁴¹

Similarly, Andrea Bible writes:

Ellen Richardson has been sentenced to die in prison. Despite that fact, she maintains a positive and hopeful spirit. She seeks to contribute to helping improve others' lives in whatever ways she can. I strongly believe that Ellen is an asset to the community, wherever she lives. I have no reason to believe that she poses any risk to public safety if she is released. I fully trust that were she to be released tomorrow, she would go on to live a positive, law-abiding life.¹⁴²

From Adrienne Skye Roberts:

Overall, Ellen is a self-aware, responsible, and thoughtful woman who poses no risk to public safety. I believe she should be granted an opportunity to represent herself, her impressive prison record and her rehabilitation to the Board of Parole. I encourage you to grant Ellen a commutation of sentence.¹⁴³

Amy Little adds: "[W]e urge you to commute her sentence and give her the opportunity to show the Board of Parole that she has rehabilitated, grown tremendously and deepened her insight into her crime. She is more than ready to return to society."¹⁴⁴

Former inmates – those who themselves have been rehabilitated – also recognize

Ellen's gains. Cynthia Springer writes:

¹⁴¹ Ex. G (Support letters) at 6-7.

¹⁴² Ex. G at 2.

¹⁴³ Ex. G at 5.

¹⁴⁴ Ex. G at 3.

[Ellen] never displayed any violence, rule-breaking behaviors or any negative behaviors the entire time I spent with her [at VPS]. I even witnessed Correctional Officers asking [Ellen] for her opinions on how to resolve issues within the unit.

[Ellen] and I are still in contact via letters and I share my life, my family with her. Still to this date she has yet to ask for anything. In my current life I use what she taught me. We will always come face to face with trials. There is never a time when our life stops moving, incarcerated or free. So it is important that we learn to go with an ever-flowing stream of events. If we don't, our lives can become a stagnant pond. And, even facing her long sentence, she went with a positive flow and faced daily events.

It is my strong opinion that Ellen Richardson should be released into society. She would be beneficial to her family and others that she comes [into contact] with. She poses no physical harm to society. She never takes pride in her crime and has suffered great losses while being incarcerated. It is my prayer that you sincerely give her a chance to be released.¹⁴⁵

Likewise, from Karen Mitra:

Ellen was instrumental in beginning numerous programs for personal growth and support for domestic violence victims. She has educated women and assisted in the building of their self-esteem and rebuilding their lives. She has contributed to the defense of many inmates through the hours spent working in the law library. Ellen has made beauty from ashes in her life and the many women she has encountered through her 20 years of incarceration.

As a real estate investor, I have beginning stage plans to purchase and open a home for women and their children to transition back into society. I believe Ellen would be an undeniable asset to these women and this endeavor.

In my personal opinion, no one is more deserving of a commutation of sentence than Ellen Richardson.¹⁴⁶

These letters are not hollow pronouncements. They come from people who have known and worked with Ellen for years. They offer evidence of Ellen's rehabilitation and assurance that she will continue to be an asset to society, whether inside or outside prison.

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¹⁴⁵ Ex. G (Support letters) at 10.

¹⁴⁶ Ex. G at 11.

D. Parole plans and community support

Although Ellen understands the reality of her LWOP sentence, she has parole and relapse prevention plans and an extensive support system that will serve her if the opportunity for parole does arise.

Ellen's plans include short, medium and long-term goals.¹⁴⁷ If granted parole, Ellen would initially reside in a transitional living facility, such as Crossroads or Beit T'Shuvah.¹⁴⁸ Her husband of 12 years, Michael Cox, also offers permanent housing and full financial support.¹⁴⁹ Ellen has marketable administrative skills through her highly regarded work in the law library and previous experience in the insurance industry. CCWP's statewide network offers her employment support.¹⁵⁰ Her sister, as well as advocates and former inmates, offer emotional and moral support.¹⁵¹

Ellen's relapse prevention plans revolve primarily around maintaining healthy relationships. She identifies her triggers and early signs of abuse to which she will be vigilantly attentive. She plans to maintain contact with family and friends, attend a support group, engage in a healthy lifestyle and meaningful activities, and utilize her support system, including organizations that support victims of domestic violence.¹⁵²

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¹⁴⁷ See, e.g., Ex. F (Parole plans) at 1-2.

¹⁴⁸ See Ex. F at 9-12.

¹⁴⁹ Ex. G (Support letters) at 12. Ellen and Michael married in 2004. They knew each other prior to Ellen's incarceration, and after he read about her case, they began corresponding by mail and developed a relationship. After many visits over several years, they married in a ceremony at Valley State Prison for Women. Michael is retired and lives with his family in Ahwahnee, California. See Ex. D (Richardson decl. and writings) at 2.

¹⁵⁰ Ex. G at 5.

¹⁵¹ See Ex. B (Ellison letter) at 2; Ex. G.

¹⁵² Ex. F at 2-8.

V. CONCLUSION

Ellen is seeking the possibility of parole, not immediate release. She deserves consideration. Intimate partner battering and its effects played a role in her crime and was not investigated or raised at the time of trial. Now age 63, Ellen has spent her 20 years of incarceration developing insight into the causative factors of her criminal conduct, including her traumatic history of abuse. She accepts responsibility for her crime and understands its impact. She is remorseful. And despite her LWOP sentence, Ellen has fully engaged in the hard work of rehabilitation, and in the process, contributed greatly to her community.

In recognition of her rehabilitation and the mitigating factors in her favor, Ellen respectfully asks the Governor to commute her LWOP sentence to an indeterminate term of 25 years to life, and give her the opportunity to prove she is rehabilitated and suitable for parole.

Dated: March 31, 2017

Respectfully submitted,



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COMMUTATION OF SENTENCE

Gary Roberson

In 1998, Gary Roberson fatally shot the victim during an altercation. On January 12, 2001, the Superior Court of California, County of Contra Costa, sentenced Mr. Roberson to 25 years to life for first degree murder plus a 25-years-to-life sentence enhancement, a total prison term of 50 years to life.

Mr. Roberson was 21 years old at the time of the crime and is now 44. He has been incarcerated for 22 years. Mr. Roberson has expressed sincere remorse for his crime.

While in prison, Mr. Roberson has devoted himself to his rehabilitation. Mr. Roberson has maintained an exemplary disciplinary record. He has engaged in extensive self-help programming, earned two vocations, and is currently enrolled in college courses. Mr. Roberson has been commended by prison staff for his exceptional conduct and praised by his supervisors for his work ethic and positive attitude.

Mr. Roberson committed a serious crime that ended the life of the victim. Since then, Mr. Roberson has demonstrated a sincere commitment to his rehabilitation and self-improvement. I have carefully considered and weighed the evidence of Mr. Roberson's positive conduct in prison, the fact that he was a youthful offender, his good prospects for successful community reentry, and his designation as a high medical risk for extreme illness from COVID-19. I have concluded that Mr. Roberson is ready to be released on parole.

This act of clemency for Mr. Roberson does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Gary Roberson to release him on parole.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Governor Gavin Newsom - State Capitol - Sacramento, California 95814

RE-APPLICATION FOR COMMUTATION AND PARDON

Complete this form if in the last three years, you submitted a commutation or pardon application to a past administration, or obtained a Certificate of Rehabilitation, and wish Governor Newsom to consider your application. Do not submit any additional documents about your case until requested to do so by the Governor's Office or the Board of Parole Hearings. If you submitted an application to Governor Newsom after January 7, 2019, your application is pending; do not submit this form. Learn more about the commutation and pardon process at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

Name (Last/First/Middle): Roberson, Gary - E Name on Prior Application (if different): N/A

Date of Birth: [REDACTED] 1976 Social Security Number: [REDACTED]

CDCR Number: T-06032 Name of Facility/Prison: San Quentin State Prison

Residence Address: 1 MAIN STREET, San Quentin, CA 94964

Mailing Address (if different): S.Q.S.P #5-W-11, San Quentin, CA 94974

Home/Cell Phone: N/A Work Phone: N/A Email: N/A

I previously submitted:

- ☒ Application for Commutation of Sentence
☐ Certificate of Rehabilitation
☐ Application for Pardon

Did you receive a case number or any correspondence from the Governor's Office or the Board of Parole Hearings regarding your application? Have you been interviewed regarding your application? If yes, please describe:

N/A

Gary Roberson
 Applicant Signature

April 16th, 2019
 Date

SUBMIT COMPLETED FORM TO:

THE OFFICE OF THE GOVERNOR, STATE CAPITOL, ATTN: LEGAL AFFAIRS/CLEMENCY, SACRAMENTO, CA 95814.
 DO NOT SUBMIT ANY OTHER DOCUMENTS AT THIS TIME.

3984-18



Governor Edmund G. Brown Jr. · State Capitol · Sacramento, California 95814

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FEB 06 2018

GOVERNOR'S OFFICE
LEGAL AFFAIRSAPPLICATION FOR
COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.

APPLICANT INFORMATION

Name: GARY LEE ROBERSON JR. Date of Birth: [REDACTED] 76 Inmate ID: # T-06032
Address: 5-W-11 San Quentin, CA 94974 Facility: San Quentin State Prison

1. Conviction Summary:

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.

Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
P.C. 187 (11) Murder 1st	10/30/98	CONTRA COSTA COUNTY	25 TO LIFE
P.C. 1802253 (d) (01)	10/30/98	CONTRA COSTA COUNTY	25 TO LIFE

GBI

2. Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):

On the date of 10/30/98 I, Gary Roberson Jr. senselessly murdered Mr Carlos Green. After a fist-fight which I lost. I then returned with a handgun and cowardly shot Carlos to death, out of anger and hurt pride. The worst decision of my life.

3. Explain why you are requesting a commutation (attach additional pages as necessary):

After being given the opportunity for a consultational hearing on July 13, 2018. By way of the Youth offenders Act "SB-261". I've previously and/or since, have completed all recommendations set forth by the board of Prison Hearings (Vocation, self-help groups, education, institutional behavior and parole plans).

4. Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):

I am fully ready to stand accountable for my actions, and ~~that~~ demonstrate that I fully understand the impact that my criminal life-style and life-crime had on my many victims, as well as its effect on my community. (Continued)

5. If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):

Rev. 09/25/2013

Application for Commutation of Sentence, Page 1

(#4. Continued)

As a result of numerous self-help groups, as well as as count-less Alcohol recovery programs, and Anger management courses. I've been able to now identify my causative factors that contributed to my life-crimes. Through Jesus Christ, along with the before mentioned positive programs. I've addressed my unresolved issues that I'd struggled with as a youth. I was impulsive, uneducated, irresponsible, angry, anti-social, substance abuser. After twenty years of incarceration and much self-reflection. I am now a thoughtful, educated, responsible, pro-social, recovering alcoholic, with numerous coping skills. I've remained disciplinary free for the past six-teen years. (last rules violation 2002). I've become a mentor in the institution. I mentored the youth in person, and letter writing, as well as programs such as U.I.T.Y. (Understanding, Mentoring, Inspiring, The Youth). In an attempt to dettore them from Prison - To -

(PC#1)

Pipe-lines which plagues our urban communities today. I did the youth a great dis-service in my community. Now I try to help re-build some of the communities I've help to tear down. Directly or indirectly. I'm currently involved in a wonderful Mentoring program called SOURCES (Sources, Outreach, Utilization, of Inmate Resources, Experiences, and Studies). This program allows me share the pitfalls of the criminal life-style. While extending my own experiences and wisdom. Letting them know I can relate to them and where they come from. We emphasize positive decision making, education and healthy family relationships. With that said, I am truly apologetic and remorseful for myself being the source of Mrs. Theresa Greene's hurt, pain, and loss. As a parent my heart goes out to her, as a Christian my prayers are with her constantly. My deepest regrets and remorse.

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a pardon or commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office. If you are requesting a pardon for more than one conviction involving more than one county, each District Attorney must be given notice.

I, Carey Lee Roberson Jr declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of CONTRA COSTA County with notice of my intent to apply for a pardon or
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.

Mary Roberson
Applicant's Signature

2/1/18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of CONTRA COSTA County: Please take notice that I, GARY LEE ROBERSON JR,
was convicted of the crime of P.C. 187(11) Murder 1st / P.C. 1202253(d)(1),
committed in CONTRA COSTA County, California, on the date of OCTOBER 30, 1998

I will submit this application to the Governor of the State of California.

Gary Roberson

Applicant's Signature

2/1/18

Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,
do hereby acknowledge receipt of notice from _____,
that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Chan Saeteurn

In 2002, Chan Saeteurn and his crime partner fatally shot a rival gang member. On March 7, 2005, the Superior Court of California, County of Sacramento, sentenced Mr. Saeteurn to 15 years to life for second degree murder plus a ten-year sentence enhancement, a total prison term of 25 years to life.

Mr. Saeteurn was 18 years old at the time of the crime and is now 36. He has been incarcerated for 17 years. Mr. Saeteurn has expressed genuine remorse for his crime. While in prison, Mr. Saeteurn has maintained a good disciplinary record. He earned his GED, has participated in extensive self-help programming, and completed vocational training. Mr. Saeteurn currently works as a barber and has been involved in the prison's dog training program for many years. He has been commended by prison staff for his exceptional conduct, positive attitude, patience, and work ethic.

Mr. Saeteurn committed a serious crime that ended the victim's life. Since then, Mr. Saeteurn has devoted himself to his rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of Mr. Saeteurn's positive conduct in prison, the fact that he was a youthful offender, and his good prospects for successful community reentry. I have concluded that Mr. Saeteurn merits an earlier opportunity to make his case to the Board of Parole Hearings so it can determine whether he is suitable for parole.

This act of clemency for Mr. Saeteurn does not minimize or forgive his conduct or the harm it caused. It does recognize the work he has done since to transform himself.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Chan Saeteurn to make him eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State





Governor Gavin Newsom · State Capitol · Sacramento, California 95814

APPLICATION FOR A COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence (a reduction of sentence/punishment) from the Governor. If you have submitted a commutation application in the last three years, please complete the [re-application form](#). The Governor's Office and/or the Board of Parole Hearings may contact you for additional information relating to this application. If the Governor grants you a commutation, some information from your application will appear in an annual public report about clemency the Governor is required to submit to the California Legislature. Learn more about commutation application at www.gov.ca.gov/clemency or mail a request for information to: **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814.**

APPLICANT INFORMATION

(Attach additional pages as necessary.)

Name (Last/First/Middle): **Saeteurn, Chan** Date of Birth: **[REDACTED]-1984**
CDCR Number: **V71854** Social Security Number: **[REDACTED]**
Name of Facility/Prison: **CHCF** Facility/Prison Address: **7707 Austin Road, Stockton, CA 95215**

1. Conviction Summary (Note: The Governor's Office will review a complete copy of your criminal history report.)

List conviction(s) for which you are requesting a commutation of sentence.			
Crime(s):	Date(s) of conviction:	County of conviction(s):	Sentence(s):
PC187(A)	3-7-2005	Sacramento	25 years to life

Were you under 26 years of age at the time of the crime(s) for which you are seeking a commutation of sentence? ☒ YES ☐ NO

List all prior conviction(s) in California, any other state or country, or in federal court.			
Crime(s):	Date(s) of conviction:	Location of conviction(s):	Sentence(s):

2. Describe the circumstances of your crime(s).

Please see attached.

3. Describe how a commutation of sentence may impact your life.

Please see attached.

4. Describe your life since your conviction (e.g., efforts in self-development, including identifying and addressing treatment needs, professional and educational achievement; any set-backs, conduct violations, or new convictions; insight about past conduct; and future goals).

Please see attached.

5. If you have paid any money or given any gift to anyone to assist you in preparing this application, you are required by law to list their name, address, phone number, email address, the nature of your relationship, and amount paid or gift given.

APPLICANT DECLARATION

Complete the following statement after you have served your Notice of Intent

I, Chan Saeteurn, declare under penalty of perjury under the laws of the State of
(Print Applicant Full Name)

California that the information I have provided on this application is true and correct. I further declare that I have served (mailed or

delivered) my notice of intent to apply for clemency on the District Attorney of the County of Sacramento.
(Name of County or Counties)

Michelle Kuo, Attorney for Chan Saeteurn

Applicant Signature

September 14, 2020

Date

Submit this completed 2-page form to the **Office of the Governor, State Capitol, Attn: Legal Affairs/Clemency, Sacramento, CA 95814**. You may, but are not required to, include copies of relevant documents that support your application (e.g., certificates of achievement, photographs, letters of support, etc.). Do not send original documents, as application documents cannot be returned. Please update the Governor's Office promptly if your contact information changes. Submit a completed [Notice of Intent to Apply for Clemency](#) to the district attorney in the county of your convictions for which you are seeking a commutation of sentence.

2. Describe the circumstances of your crime(s).

My family moved to california from a thailand refugee camp after the vietnam war. We lived in the north side of sacramento in a apartment complex filled with other refugees who fled their war torn country. During the years we lived there I spent my days playing with other Asian kids. I felt like I really belonged in this tight knit community. In 1989, my parents saved enough money to buy a house in a middle class neighborhood that was predominately white. I was five years old at the time. Soon after we converted from out native shaman religion into christianity and started attending a local church down the street from our house. I really started to feel out of place because all the kids in the neighborhood and at the church didn't look the same as I did. The rules around my house began to change as well. I didn't understand why I couldn't climb my neighbors fruit trees or venture onto other peoples lawns. I was confused why it was okay for me to run around barefoot when we lived in the asian community but now I couldn't go outside with out shoes on. A couple years later we started to attend a Asian church in a bad part of town. I was excited to start going there because I thought I could relate to the other kids. These kids saw me as a outsider because I didn't look like everyone else. I was torn between two worlds. I started to hang out with kids at the asian church who smoked ciggarettes and stole from stores. I knew these things were bad but my need to belong and fit in was so strong I did it anyways.

From as early as I can remember my father was always working or busy at church events. He provided everything we needed in life but was emotionally unavailable. I held resentments towards him for many years because of that. Any attention I would receive from him was only when I got in trouble, so to fill my void I had inside I got in trouble deliberately to get attention from my father. When I was about twelve years old I got beat up by gang members in a park near my house. Everything before this moment was innocent and I had no worries in the world. When I got beat up my sense of security and innocence was taken.

I felt shocked and embarrassed. With no one to turn to I held all these feelings in. Not long after I started middle school, I joined a local gang. This group of guys gave me a false sense of security and belonging. I was finally accepted and I could now identify with people who have similar issues as I did. This feeling didn't last long. After about a year the members in my gang grew out of it or had kids and started families. My gang and all the feelings that came with it was dismantled.

Again I was left alone in the world without any positive guidance. I was again in search to be accepted and to identify, so I met other troubled teens and hung out with them in their neighborhoods, Picking up more bad behaviors along the way. Doing so, my obsession of needing to belong, the compulsion to act on it by doing whatever it took to fit in and the progression of my criminality was out of control. The lifestyle I was living wasn't getting me any where.

On sept.11,2002 I spoke with my brother about moving to the bay area with him to start over. He agreed and said I could move that same weekend. I quit my job as a ware house worker that same day and drove around to different houses where my friends lived to say my good byes. I eventually went to a Del Taco restaurant where I use to work at to give my friends girlfriend a ride home. While dropping her off I saw some girls standing out side of Mr. Tommy Xiongs house. I left and went to pick up my co-defendant John vue and told him that since I was leaving that weekend, we should party and that I knew where some girls were. As we drove by the house the girls were gone but I saw a car that was the same make and modal as my own so I drove by slowly noticing a group of guys on the other side of the car. We were both giving each other dirty looks. I said "whats up cuz?" he in turn said "Fuck You!" when he said that I felt embarrassed and disrespected. At the time I felt my reputation was being threatened and all the trauma from the past brought back old feelings of being belittled and the embarrassment turned into anger. I drove back to my codefendants house where all his brothers were drinking. my pride, ego, and

arrogance would not let me let it go. I rounded up all of my friends brothers and told them that we needed to go beat these guys up for disrespecting me. So we all went back over there in two cars. As we drove in front of the house no one was there. We revved our engines and honked our horns. I drove past the house and stopped while the occupants in the other car was yelling and telling the guys in the house to come out. I looked back over my shoulder and saw the door open. I see five to eight guys run out of the house towards us. I immediately grab my gun, got out of the car and started shooting towards to crowd until my gun jammed. I got back in the car and drove back to my codefendants house where we continued to drink and I was being praised for shooting at the crowd of guys. Soon after my codefendants sister received a call from Mr. Tommy Xiongs sister and told her that her brother was dead. she interrupted our celebration and said that Tommy Xiongs sister called and said that I killed her brother. At that moment my heart sank to my stomache and I knew my life was over. Reality set in and I knew I really messed up this time. Not knowing what to do, I told a friend to pick me up and he took me to the bay area where I was for six months until I was arrested.

3. Describe how a commutation of sentence may impact your life?

A commutation of sentence will impact my life in many ways. First I would be given the freedom to broaden the ways I could make amends to Mr. Tommy Xiong and his family who are the victims of my crime. I would be able to help heal the community who are stuck in a distorted belief system and show them that change is possible. I have been incarcerated since the age of eighteen and I have spent my twenties and thirties wondering if I would ever get a chance to be with my family as a free man. I would be extremely grateful to be given the chance to help my parents tend to our family farm where they grow and sell straw berries and different kinds of vegetables. As a son I know it is my responsibility to care for my aging parents and grandparents. I want to give them a sense of security and show them that even

though I messed up in the past I still grew up to be the productive person they raised me to be. I came to prison a confused and misguided kid. I have matured in prison and have become a responsible man with integrity, hope, faith, and am filled with optimism. Giving me a second chance at living a productive life in society will be proof that our judicial and prison system works. I have taken full advantage of what the prison system has to offer to rehabilitate and change my life. By doing so I am giving my self the best chance at being successful in life.

4. Describe your life since your conviction.

Early in my prison term I was still operating from a old distorted belief system caused by unresolved childhood trauma and negative influences. The issues from my childhood trauma made me very codependant on how others perceived me. My need for acceptance, attention, and a sense of belonging was so strong I did what ever it took to be accepted by people I thought were my friends. With these feelings of needing acceptance, resentments towards my father, anger from being bullied, and low self esteem being unchecked got me in a lot of trouble. I believe that because I never resolved any of these issues I continued to do what ever it took to fit in and eventually received three rule violations in prison.

After my last rule violation in 2012, I did a lot of self reflecting and realized that even though I was in prison I was still making victims and was continuing to hurt my family by living a destructive lifestyle. I was finally fed up with my self and made a decision to change my life. Since I dedicated my life to rehabilitation and positive change. I achieved my G.E.D, high school diploma, I have completed seven courses from coastline community college in pursuit of a business degree. I have several vocational trades like Electician, Fiber optic and Copper cabling installation. I'm certifide in janitorial work from Health Care Facility Maintenance. I have certifications in vocational landscaping and computer literacy. I am currently

assigned as a staff barber where I cut and style the hair of all staff members here at California Health Care Facility and am a volunteer service dog trainer for Canine Companions for Independence (C.C.I) where we help train service dogs for people with disabilities. I am also certified as a customer service specialist which is very helpful while performing my duties as a staff barber. My efforts to rehabilitate did not go unnoticed. I was recently recommended by the Secretary of California Department of corrections and rehabilitations that my sentenced be recalled and I be resentenced to time served under penal code section 1170(d)(1).

Since my decision to change my life I have immersed myself in several self-help groups. I attend both twelve step recovery groups and cognitive behavior therapy classes. By internalizing the curriculum of these groups I have learned so much about my self and loved it so much, I now facilitate some of these groups after work and on my days off as a chance to give back and help people who are still early in their recovery. From attending victims impact groups I realized the magnitude of of victims I have made due to my reckless and callous behavior.

On Sept.11 2002 I killed Mr. Tommy Xiong in front of his home. This was a horrible and cowardly act on my part and I have been spending the last eighteen years thinking about how much pain and suffering Mr. Tommy Xiong and his family had to and are still going through. I think about Mr. Tommy Xiong and his family everyday. I often think about the hardships his mom had to go through of raising her children as a single mother and then me turning her life upside down and losing her eldest son. The son who was helping her take care of the family. It must have been extremely difficult for her to not only lose her son but now having to take on all the responsibilities he was helping her with. I understand now how much of a financial, emotional, and physical burden I put on her and the whole Xiong family. I never want to be the cause of anything like this ever again and to be sure I won't, I have learned several coping and social skills to deal with my codependency and anger issues.

I know now from years of self-help and cognitive behavior therapy groups that being aware of my thoughts and feelings is key to not reoffending again. I have learned to take my life apart deal with my issues, put in safe guards and put my life back together again so I can live life now with out leaving a trail of destruction and heart ache.

I understand now that because of cultural barriers, emotional neglect from my father, being bullied, and negative influences caused resentments, low self esteem, and codependency issues which led me to use drugs and alcohol, live a criminal life style and progressed until I ultimately killed MR. Tommy Xiong.

If given a second chance to return to society I plan on helping my parents grow their vegetable and berry farm business while attending barber college in pursuit of a career as a barber. Once I have finished barber college I would like to help our community heal by using my platform as a farmer and barber to guide and teach at risk youth how to live life with out making all the mistakes as I did. I want to live the rest of my life with a positive message to people who are in recovery or in a rough time in their life. I would also like to continue training service dogs for Canine Companions for Independence (C.C.I) because I believe in their mission of helping people who cant help them selves by providing them with a service dog to give them independence and who will love them unconditionally. I can't speak for everyone but for me, prison has been a gift. I truly believe that coming to prison saved my life and showed me everything that was wrong with me. I was lucky enough to have the right people in my life to show me how to change and now that I have, I understand how precious life is and it would be a blessing to be able to have the chance to help heal the communities I once terrorized. In my youth I was once part of the problem but now I would love to have a chance to be part of the solution.

EXECUTIVE DEPARTMENT STATE OF CALIFORNIA

COMMUTATION OF SENTENCE

Anna Villa

In 2003, Anna Villa fatally stabbed her co-worker in the bar where they worked. On June 28, 2004, the Superior Court of California, County of Los Angeles, sentenced Ms. Villa to 25 years to life for murder with a one-year sentence enhancement, a total prison term of 26 years to life.

Ms. Villa was 28 years old at the time of the crime and is now 45. She has been incarcerated for more than 17 years. She has expressed sincere remorse for the crime.

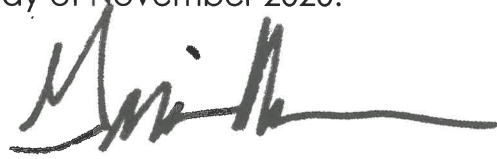
Since entering prison, Ms. Villa has worked hard to better herself. She has maintained an exemplary disciplinary record while in prison. Ms. Villa earned a certificate in Business and Office Technologies, attended college courses, and participated in extensive self-help programming. She has been commended by prison staff for her exceptional conduct, excellent work ethic, and professional attitude. Two correctional officers praised Ms. Villa for her commitment to accepting responsibility for her actions and her maturity.

Ms. Villa committed a serious crime that took the life of the victim. Since then, Ms. Villa has dedicated herself to her rehabilitation and becoming a productive citizen. I have carefully considered and weighed the evidence of her positive conduct in prison and her good prospects for successful community reentry. I have concluded that Ms. Villa merits an earlier opportunity to make her case to the Board of Parole Hearings so it can determine whether she is suitable for parole.

This act of clemency for Ms. Villa does not minimize or forgive her conduct or the harm it caused. It does recognize the work she has done since to transform herself.


THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby commute the sentence of Anna Villa to make her eligible for immediate parole consideration and release upon a grant of parole subject to all applicable review periods.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State



Am 1394-18.



RECEIVED

SEP 18 2018

**GOVERNOR'S OFFICE
LEGAL AFFAIRS**

STATE OF CALIFORNIA

OFFICE OF THE GOVERNOR

THE HONORABLE EDMUND G. BROWN, JR.

In re **ANA ROSA VILLA**

**APPLICATION FOR COMMUTATION
OF SENTENCE**

Charles F.A. Carbone, Esq. (CA SBN 206536)
LAW OFFICE OF CHARLES CARBONE
P.O. Box 2809
San Francisco, CA 94126
Telephone: (415) 981-9773
Facsimile: (415) 981-9774
charles@charlescarbone.com
www.prisonerattorney.com

Attorney for Ana Rosa Villa



Governor Edmund G. Brown Jr. • State Capitol • Sacramento, California 95814

APPLICATION FOR COMMUTATION OF SENTENCE

Complete this application to request a commutation of sentence from the Governor. A commutation is a reduction or elimination of a sentence. **If granted, this application will become a public record, however specific personal information will be redacted (hidden) before it is made available to the public.**

APPLICANT INFORMATION

Name: Ana Rosa Villa Date of Birth: [REDACTED]/75 Inmate ID: X06410

Address: 16756 Chino-Corona Rd, Corona, CA 92880 Facility: CIW

1. **Conviction Summary:**

List all prior convictions, including any in other states or countries. Attach additional pages if necessary.			
Offense(s):	Date of offense(s):	County of conviction(s):	Sentence(s):
PC 187; 12022(b)(1)	8/2/2003	Los Angeles	26 years-to-life

2. **Briefly describe the circumstances of the crime(s) for which you are requesting a commutation (attach additional pages as necessary):**
See attached.

3. **Explain why you are requesting a commutation (attach additional pages as necessary):**
See attached.

4. **Provide a brief statement explaining why you should be granted a commutation (attach additional pages if necessary):**
See attached.

5. **If you have paid any money or given any gift to anyone to assist in the preparation of this application, list their name, address, and amount paid or given (required by Penal Code section 4807.2):**

Charles F.A. Carbone, Law Office of Charles Carbone, PO Box 2809, San Francisco, CA 91426; \$5000

STATEMENT OF NOTICE TO DISTRICT ATTORNEY AND DECLARATION UNDER PENALTY OF PERJURY

This application may be submitted to the Board of Parole Hearings for investigation and recommendation pursuant to Penal Code section 4812. This application may also be submitted to law enforcement or other agencies for investigation or recommendation.

Penal Code sections 4804 and 4805 require that you give the District Attorney in the county of conviction written notice of your intention to apply for a commutation. You must complete the Notice of Intent to Apply for Executive Clemency (attached) and mail it to the District Attorney before submitting this application to the Governor's Office.

I, Ana Rosa Villa, declare under penalty of perjury under the laws of the State of California that I
(Print Full Name)
have served the District Attorney of the County of Los Angeles with notice of my intent to apply for a
(Name of County*)
commutation.

I further declare under penalty of perjury under the laws of the State of California that the information I have provided on this application is true and correct. I understand that any omission or misstatement of facts may result in the denial of the application and the filing of perjury charges against me.



Applicant's Signature

4/28/18
Date

*If Applicable, List Additional Counties Here (Send Notice of Intent to Apply for Executive Clemency to All Counties Listed)

NOTICE OF INTENT TO APPLY FOR EXECUTIVE CLEMENCY

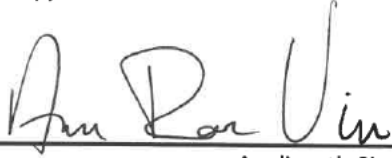
This notice is required by Penal Code sections 4804 and 4805.

To the District Attorney of Los Angeles County: Please take notice that I, Ana Rosa Villa,

was convicted of the crime of Murder, 1st deg. & personal use of weapon,

committed in Los Angeles County, California, on the date of 5/18/2004.

I will submit this application to the Governor of the State of California.



Applicant's Signature



Date

DISTRICT ATTORNEY ACKNOWLEDGEMENT

This section to be completed by the District Attorney only.

I, _____, District Attorney of the County of _____,

do hereby acknowledge receipt of notice from _____,

that he/she intends to apply to the Governor of the State of California for a commutation of sentence.

Signed _____

Date _____

District Attorney: Please Return this Notice to the Governor's Office, Attn: Legal Affairs, State Capitol, Sacramento, CA 95814.

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APPLICATION FOR COMMUTATION OF SENTENCE

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10 **STATE OF CALIFORNIA**

11 **OFFICE OF THE GOVERNOR**

12 **THE HONORABLE EDMUND G. BROWN, JR.**

13
14 In re ANA ROSA VILLA,

15 **APPLICATION FOR**
16 **COMMUTATION OF SENTENCE**

17
18 **I. INTRODUCTION**

19 In 2003, Ana Rosa Villa entered prison utterly broken: a survivor of trauma and abuse,
20 she had released her anger in a violent act toward another human being. In the past 15 years,
21 Villa rebuilt herself, healthier and stronger. She is on the cusp of earning an Associates Degree
22 in Business Administration and certification as an Electronic Services Technician. She is a
23 long-time resident of the Enhanced Programming Unit or "Honor Yard" at CIW, an active
24 participant in NA/AA and other rehabilitative programs, and a faithful member of the
25 Protestant Spanish Church. Officers, staff, and other inmates who work closely with Villa
26 commend her positive attitude, commitment to rehabilitation, leadership, and hard work.
27
28

1 Villa has a strong support network, most importantly from her tightknit family, who offer
2 her housing and other support upon release. She plans to parole to one of two transitional
3 programs that have offered her admission.

4 Villa will become eligible for parole in 2026, but there is nothing to be gained from eight
5 more years of her incarceration. She is ready to rejoin free society, and her transformation
6 warrants reassessing her sentence. She respectfully requests that the Governor commute her
7 sentence to 15-years-to-life, so that she may be immediately eligible for parole consideration
8 and rejoin her family at the earliest possible opportunity.
9

10 11 **II. CRIMINAL CONVICTION**

12 Villa was convicted by jury of first-degree murder and use of a deadly weapon. Ex. A
13 (Court of Appeal Opinion; Abstract of Judgement; Superior Court Criminal Case Summary) at 1-
14 5. (Her first trial resulted in a mistrial following a hung jury. *See id.* at 6-8.) She was
15 sentenced to 26-years-to-life in prison. *Id.* at 1, 2-3, 4.
16

17 The crime occurred in August 2003. Ex. B (Personal Writing) at 1.¹ The victim, Laura
18 Rojas, was a coworker of Villa's at a bar called Mariscos in Los Angeles. *Id.* at 7. One night at
19 the bar, Villa and Rojas got into an argument, and Rojas threw several beer bottles at Villa, one
20 of which hit her in the face, severely injuring her and leaving an 11-inch wound. *Id.* When Villa
21 saw Rojas again, she confronted her, they fought, and Villa stabbed Rojas with a knife, killing
22 her. *Id.* at 7-8.
23
24

25
26 ¹ Villa's appellate attorney filed a *Wende* brief in the appellate court raising no issues. Ex. A at 1.
27 Villa did not submit a pro se brief, and the appellate court affirmed the judgment. *Id.* Thus, the
28 appellate opinion has no factual summary and the facts presented here are drawn from Villa's
personal writing, attached as Ex. B.

III. INSIGHT AND REMORSE

Through self-reflection and rehabilitative programming, Villa developed insight into the causative factors of her commitment offense and its far-reaching impact. She is able to connect her crime to traumatic experiences in her youth and young adulthood, anti-social thinking, and deficiencies in problem-solving and coping skills. Her personal writings demonstrate insight, acceptance of responsibility, and remorse.

Villa traces the roots of her commitment offense to her childhood. Her family was extremely poor; their lives were a struggle to make ends meet, devoid of celebrations and holidays. Ex. B at 2. Her father, an alcoholic, was verbally and physically abusive towards her, her mother, and her siblings. *Id.* She was terrified of him. *Id.* But even when her family finally escaped his abuse with the help of a restraining order, Villa did not find safety. Her mother in turn became abusive, and exposed Villa to her promiscuous sexual activity. *Id.* at 2-3. Villa recognizes her mother's behavior as part of the cycle of violence that many abuse victims perpetuate. *Id.*

Villa ran away from home before age 12 to escape her mother's abuse and ended up in her father's custody. His alcoholism persisted, and he eventually abandoned her to the care of a neglectful aunt and uncle. *Id.* at 3. She found temporary solace with another relative only to be forcibly returned home by her parents, who had reunited in the interim. *Id.*

The violence in Villa's home continued unabated for months until her father was shot and nearly killed during an altercation on the street. (When police officers arrived to inform the family, she thought initially they were responding to reports of his abuse.) *Id.* at 3. Her father was in a coma for three months and returned home permanently paralyzed. At age 12, Villa became her father's caretaker, feeding, showering, and dressing him. She conveys the disorientation and depression caused by this turn of events: the man who should have been

1 her protector but was her abuser, now diminished and unable to provide for his family; fear of
2 his death coupled with fear of abuse; empathy tinged with hatred and disgust. *Id.* at 2-3.

3 Villa's father's accident furthered her mother's disintegration. *See id.* at 3. Villa's father
4 was eventually placed in the care of his biological family, and her mother returned to her
5 destructive lifestyle. When not abusing Villa and her siblings, she neglected them. *Id.*

7 At age 14, Villa's uncle and her mother's boyfriend began to sexually abuse her. When
8 Villa reported the abuse to her mother, she did nothing. *Id.* at 4. Rather than loved, Villa felt
9 despised. *Id.* She describes being "broken, depressed, and tired." *Id.* at 4. She considered
10 suicide. *Id.* Ultimately, she ran away from home and spent the rest of her childhood in foster
11 care. *Id.* This sexual abuse and the concurrent loss of her relationship with her mother left
12 Villa with permanent emotional scars. *Id.*

14 Villa left foster care to live on her own in Los Angeles at 17 years old. *Id.* Her first job was
15 in a bar, and she was excited by the music, drinking, and attention. *Id.* She entered a
16 relationship and quickly got married, but her husband was an alcoholic, and she began to see
17 signs of abuse. *Id.* at 4-5. Before she could gather the strength to leave, she became pregnant
18 with twins. *Id.* at 5. During Villa's pregnancy, her brother was murdered, and she grew
19 severely depressed. *Id.* She had a miscarriage and almost died from blood loss. She was 19
20 years old. *Id.*

22 Villa remained with her husband and had a child. *Id.* at 5. When she was 23, she and her
23 husband separated, and she began to raise her son on her own. *Id.* She struggled to support
24 and care for her son, but was too stubborn and prideful to seek help, even from her own family.
25 *Id.* She felt like a failure. *Id.* Eventually, Villa could no longer afford her rent and became
26 homeless. *Id.* She relinquished her son to his father's care. *Id.* The loss of her home and child
27 took an emotional toll. *Id.*

1 For the next several years, Villa worked odd jobs in the service industry, but never found
2 stability. *Id.* at 6. She was professionally unskilled, lacked adequate communication, conflict-
3 resolution, and coping skills, and was vulnerable to abuse by unscrupulous bosses and
4 landlords. Working at Dodger's Stadium, she was sexually assaulted by a co-worker and rather
5 than speak up, simply stopped going to work. *Id.*

7 But even after Villa entered a seemingly healthy relationship, started attending school,
8 and had a part time job, she could not escape her deeply-entrenched dysfunction. *Id.* at 6-7.
9 Feeling bullied by her co-worker, Laura Rojas, Villa tried to stand up for herself. In response,
10 Rojas threw several beer bottles at Villa, one of which hit her in the face and left a disfiguring
11 wound. *Id.* at 7. Villa's depression resumed; she was angry and rageful and humiliated by her
12 scarred face; she wanted Rojas to feel her pain. *Id.* She became focused on retaliating, and was
13 overcome by negative thoughts, unable to heed her better nature, and without consideration of
14 the long-term consequences of her actions. *Id.* When she next saw Rojas, they fought, and she
15 stabbed Rojas with a knife, killing her. *Id.*

17 Now, nearly 15 years later, Villa is ashamed of her conduct. *Id.* at 1, 7-8. She recognizes
18 her many failings: poor-decision making; choosing violence to solve her conflict with Rojas;
19 lack of empathy and respect for human life; and failure to properly address the emotional and
20 physical trauma that underlay her personal struggles. *Id.* at 7-8.

22 Villa recognizes that Rojas was undeserving of the violence and suffering she inflicted and
23 believes her life sentence is fair. *Id.* at 1, 7-8. She appreciates the magnitude of the harm she
24 caused: Rojas was a mother, a sister, a daughter, an aunt, and a friend to many, all of whom
25 irretrievably suffered from her death. *Id.* at 1. Villa acknowledges that her words of regret are
26 inadequate given the magnitude of their loss. *Id.* Her response is to accept responsibility for
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28

1 her conduct, continue her rehabilitation, and work towards amends by having a positive
2 impact on her community. *Id.*

3 4 **IV. IN-CUSTODY CONDUCT & PROGRAMMING**

5 Villa is deeply involved in rehabilitative efforts, engaging in meaningful self-reflection,
6 gaining knowledge and understanding about herself and others, developing new skills, and
7 earning a wealth of certificates in the process.

8
9 As previously noted, Villa is nearing two major academic and professional achievements:
10 her Associate Degree in Business Administration and a vocational certificate as an Electronic
11 Systems Technician. Ex. C (Chronos and Certificates) at 15-21. Her electronics instructor, M.
12 Tawfik, writes that "Ms. Villa is a serious and dedicated student who displays outstanding
13 initiative and excellent work habits." *Id.* at 16. He adds that her certification will "allow her to
14 be a productive member of society upon her release." *Id.* Villa also took a sculptural crafts
15 course through California State University, San Bernardino in 2015. *Id.* at 22. She pays it
16 forward, so-to-speak, as a member of Sharing Our Stitches, a community-based self-help
17 organization that donates hand-made blankets, quilts, and other items to people in need. *Id.* at
18 45-46.

19
20 Recognizing the role alcohol and drugs played in her life and crime, Villa is a long-time
21 participant in Alcoholics Anonymous/Narcotics Anonymous. *Id.* at 1-14. Through sharing her
22 own experiences, hearing the stories of others, and working the steps, Villa has addressed the
23 issues that led her to use and the trauma of growing up and living with alcoholic and drug
24 addicted parents and partners.

25
26 Villa furthered her personal development in numerous relevant classes and programs
27 through Prison Fellowship, including "Addictions," "Emotional Healing," "Victims Impact,"
28

1 "Change Plan," "Personal Growth," and "Lifer Course." *Id.* at 23-32. She also completed the 20-
2 hour Alternatives to Violence Project Basic Workshop, and the 60-hour Beyond Violence
3 Curriculum, both focused on developing skills for non-violent conflict resolution. *Id.* at 33-35.
4 Facility Captain R. Leonard praised Villa for her dedication to these efforts. *Id.* at 35.

6 Her hard work has earned her more than commendation: in March 2015, Villa was
7 selected by institutional leadership for placement in the Enhanced Programming Unit or
8 "Honor Unit" at CIW. *Id.* at 37-40. To maintain her placement in the Honor Unit, she must
9 remain disciplinary free, maintain an alcohol- and drug-free lifestyle, treat staff and inmates
10 with respect, and exhibit behavioral and social standards "beyond reproach." *Id.*² Villa not
11 only met these standards but exceeded them. She is active in monthly community meetings
12 and donates free time to plan and facilitate community programs. *Id.* at 37, 39. Villa's
13 placement in this unit proves she did more than earn certificates by simply going through the
14 motions; she played an active role in her own rehabilitation and made a favorable impression
15 on those tasked with maintaining public safety.

17 Like Captain Leonard and Vocational Instructor Tawfic, officers and staff with whom Villa
18 regularly interacts are quick to praise her pro-social attitude and rehabilitation. For example,
19 C/O Gaytan, who recently supervised Villa for 18 months, writes:

21 I have watched Inmate Villa grow as a person by challenging herself by enrolling in
22 self-help groups and Chaffey College. Inmate Villa has made great strides in her
23 attempt to prepare herself for her future endeavors striving for self-reliance,
24 rebuilding relationships, accepting responsibility for her actions and finding
alternative solutions for rehabilitation. Inmate Villa is a positive role model in her
housing unit.

25 *Id.* at 41.

27 ² Villa had only one Rules Violation Report during her incarceration for destruction of state
28 property in 2011.

1 In January 2018, C/O Donoso described Villa as a “model inmate”:

2 The purpose of the chrono is to commend [Villa] for her exemplary behavior while
3 housed at the California Institution for Women (CIW). For approximately one (1)
4 year, while stationed as a House Officer in Latham 2, where Inmate Villa currently
5 resides, I had occasion to observe her day to day activities. I have observed her to
6 be respectful, mature, and well-mannered with both staff and her peers. Inmate
7 Villas has demonstrated a positive attitude towards staff and her peers and adheres
to all rules and regulations, which indicates to me that she has chosen to use her
time wisely while incarcerated. Inmate Villa is to be commended for being a model
inmate, and her overall excellent program.

8 *Id.* at 42.

9 Reverend Lois M. Woodard, Protestant Chaplain at CIW, who has known Villa for four
10 years, endorses her commutation request, as follows:

11 I have known Inmate Ana R. Villa for approximately four years. She is a faithful
12 member of the Protestant Spanish Church. She will receive a[n] Associate Degree in
13 Business Administration in March of this year from the Chaffey College Program.
14 [¶] She will also receive a certificate in Electronic[s] within this year. She has
15 completed many Self-Help Groups, such as “Beyond Valence,” “Prison Fellowship,”
and “Co-Dependency (COTA).” [¶] She has demonstrated consistency and
determination. I recommend her to be considered for Sentence Reduction.

16 *Id.* at 43. Soledad Moreno, Library Assistant at CIW, who has known Villa for years, writes:

17 I have worked with Mrs. Villa since her arrival here at CIW. Villa has participated in
18 many [Inmate Leisure Time Activity Groups] groups in the evening. She participates
19 in AA/NA/Coda/Al-Anon [] groups. Mrs. Villa spends a great deal of her off time in
20 the library to prepare for her hearing and her documents. She takes her recovery
21 very serious[ly] and surrounds herself with other inmates who take their recovery
as serious[ly] as she does. I believe[] Mrs. Villa has done a great job by
programming and continu[ing] her rehabilitation.

22 *Id.* at 44.

23 Letters from fellow inmates, Maria De La Riva and Azul Galeana, confirm Villa’s positive
24 impact. Ex. E at 4-5. Both consider Villa a true friend, somewhat of a rarity in prison. *Id.* Both
25 attest to her positive attitude and personal growth throughout the years. *Id.* Galeana said she
26 watched in admiration as Villa reached out for help with her studies: “that is an act that
27 requires humility,” a pro-social quality they did not possess when they committed crimes. *Id.*

1 at 5. Both authors believe that Villa will pose no danger to free society if released. *Id.* at 4-5.
2 Galeana adds: "I know that with her strength, education, knowledge and all the tools obtained
3 in her rehabilitation, she will be a testimony for our youth, her family and all these people
4 around her." *Id.* at 5.

5
6 These chronos and letters demonstrate that Villa is engaged in pro-social activities,
7 serves as a role model to other inmates, contributes to her community, and has made great
8 strides in her rehabilitation.

9 10 **V. PAROLE PLANS & FAMILY SUPPORT**

11 Villa knows that adjusting to life outside of prison will present challenges, and she is
12 ready for them. *See, generally.* Ex. D (Parole Plans) at 1-7. She plans to parole to Crossroads or
13 a similar transitional program in Los Angeles offering housing, employment assistance, 12-step
14 meetings, transportation, clothing, food, and other forms of re-entry support. Ex. D at 1-5.
15 Crossroads and A New Way of Life Re-Entry Project have accepted her for placement. *Id.* at 1-
16 4. She will also receive services through the Prison Fellowship Welcome Home Reentry Center
17 as a result of her participation in the Prison Fellowship Academy Pre-Release Program. *Id.* at
18 5. She will seek and maintain stable employment and her training as an Electronic Services
19 Technician ensures she has marketable skills. *Id.* at 6-7; Ex. C at 16. And she plans to
20 contribute to her community by volunteering with community groups focused on women and
21 children. Ex. D at 6-7.

22
23
24 Villa has been sober for many years, but she knows that sobriety outside of prison is a
25 different challenge than sobriety inside, so she developed a relapse-prevention plan. *See* Ex. D
26 at 6-7. In addition to transitional housing, she will regularly attend AA/NA meeting and work
27
28

1 with a sponsor. *Id.* She also plans to strengthen her family ties and build relationships with
2 other women in recovery. *Id.*

3 Villa has a support network of family and friends in the free community ready to lend
4 support. *See, generally, Ex. E (Support Letters).* Her aunt, Amalia Jimenez Ramirez, confirms
5 her family's willingness to support Villa upon her release and personally attests to Villa's
6 growth and change during the last 15 years:

8 My family and I have seen all the progress and improvements that Ana Rosa has
9 made in the last few years. Every time we had the opportunity to visit with her, we
10 have been blessed by her demeanor and tranquility that she exudes. I and all her
11 family are convinced that she has experienced a transformation in her character,
12 and all these years in prison have been the catalyst that have given way to her
13 transformation. She has been able to overcome the depression that she has suffered
14 in the past and is now the motivation for her to be a helping hand to others. Ana
15 Rosa is a source of hope and strength to all her inmate friends as well as to her
16 family.

17 Ex. E (Support Letters) at 1.

18 Irene Johnson, a community member who has known and corresponded with Villa for 10
19 years, will continue to provide friendship and moral and spiritual support when Villa is
20 released. *See Ex. E at 3.* Johnson notes that Villa has worked hard in her studies while
21 incarcerated and has expressed remorse and regret for Rojas' murder. She concludes that Villa
22 "is ready to take her place and be a positive member of our society." *Id.*

23 Donaciano Jimenez, Villa's uncle, further attests to Villa's positive change:

24 These t[ough] times have help[ed] her become a better person. You can see that she
25 has a different demeanor for life and the choices she wants to make moving forward.
26 She is so vigorously trying to make a better person of herself that she is currently
27 taking school courses while she is serving her time. Just talking to her gives you a
28 positive outcome as to what the future holds for her.

29 *Id.* at 6. Jimenez offers Villa guidance and spiritual support upon her release. *Id.* Another
30 uncle, Jose Jimenez, Sr., writes that he has seen Villa's rehabilitation in the way she uses her
31 own insight to assist other inmates struggling with depression: "She has helped other inmates

1 with their own emotional battles, as she was battling her own depressive state fifteen years
2 ago. Now she is a source of positivism to us, her friends and her son." *Id.* at 7.

3 Marlene Millan, Villa's cousin, likewise describes the growth she witnessed during Villa's
4 incarceration:

5
6 Throughout her sentence, Ms. Villa, my cousin, has demonstrated a change in
7 character and demeanor. She has a changed outlook in life that is now centered in
8 religion, peace, and benevolence. She has become selfless as evidenced by her
9 interactions with peers, friends and family. She is positive, hopeful and willing to be
10 a change for those she encounters. Through communication with her, we have been
11 able to see this and we are filling a sense of hope that she can be a positive
12 contributor to society if released.

13 *Id.* at 8.

14 Armando Sanchez Gomez, a family friend who has known Villa for approximately 15
15 years, witnessed her positive change: "I can tell that prison [] has made an impact in her life. She
16 wants to make a better person for herself. She also sees a brighter future for herself if given the
17 opportunity. She has a great positive attitude that makes her seem like a completely different
18 person." *Id.* at 9. He will provide support and guidance upon her release. *Id.*

19 Finally, cousin Deysy Ramirez, discusses the changes she has witnessed in Villa, and
20 offers housing support upon release. *Id.* at 10. Ramirez explains that Villa is aware of her past
21 mistakes and takes responsibility for her crime. She has made great strides in her education and
22 work and tries to make the best of her situation. On a personal note, Deysy reports that she and
23 her children love to visit Villa because she is playful, loving, and makes everyone laugh. *Id.* She
24 sums up by writing: "She has changed as a person in a good way." *Id.*

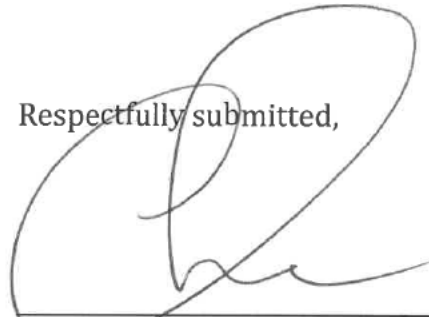
25 VI. CONCLUSION

26 Villa does not ask for release from prison, but rather that the Governor commute her
27 sentence to 15-years-to-life so that she may become immediately eligible for parole
28

1 consideration. This act of clemency will not endanger public safety; Villa's multi-faceted
2 rehabilitation, including her demonstrated commitment to playing a positive role in her
3 community, ensures that if and when the Board of Parole Hearings grants her parole, she will
4 lead a productive and law-abiding life.
5

6
7 Dated: September 12, 2018

Respectfully submitted,



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www.prisonerattorney.com

Attorney for Ana Rosa Villa

1
2 **PROOF OF SERVICE**

3 I am a citizen of the United States, over 18 years of age, and not a party to this action. I
4 reside in the county of San Francisco, State of California. My business mailing address is PO
5 Box 2809, San Francisco, California 94126.

6 On the date set forth below, I served a copy of the document(s) described as:

7 **APPLICATION FOR COMMUTATION OF SENTENCE**

8 on the parties in this action by placing a true copy thereof enclosed in a sealed envelope
9 addressed as follows:

10 Los Angeles County District Attorney's Office
11 211 West Temple Street, Suite 1200
12 Los Angeles, CA 90012

13 I caused such envelope with postage thereon fully prepaid to be placed in the United
14 States Mail at San Francisco, California.

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

16 Executed on 9/14/2018, 2018 at San Francisco, California.

17 

18 Charles Carbone, Esq.
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REPRIEVE EXECUTIVE ORDER AND GRANTS 2020

Governor Newsom's 2020 Reprieve Grants Index

Last Name	First Name	Reprieve Date
Beyett	Lynn	11/10/2020
Johnson	Larry	11/10/2020
Salles	Ronald	11/10/2020
Starr	Darlo	11/10/2020

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

MEDICAL REPRIEVE OF SENTENCE

Lynn Beyett

On December 23, 1998, the Superior Court of California, County of San Mateo, sentenced Lynn Beyett to 25 years to life for robbery as a third strike plus 11 years in sentence enhancements, a total prison term of 36 years to life.

Mr. Beyett is 68 years old and has been incarcerated for 23 years. Medical staff have determined that Mr. Beyett has an elevated risk of morbidity should he become infected with COVID-19.

I have carefully considered and weighed the evidence of Mr. Beyett's medical condition, his advanced age, and other relevant case factors. I have concluded that Mr. Beyett's temporary emergency medical transfer to an appropriate alternative placement in the community to continue serving his sentence is consistent with public safety and public health.

This temporary medical reprieve of sentence does not minimize or forgive Mr. Beyett's past conduct or the harm it caused.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant a reprieve to Lynn Beyett to make him immediately eligible to be transferred to an alternative custody placement in the community approved by the Department of Adult Parole Operations. This reprieve allowing Mr. Beyett to continue serving his sentence in the community under the supervision of the California Department of Corrections and Rehabilitation (CDCR) is temporary and may be nullified at any time for any reason, resulting in Mr. Beyett's immediate return to CDCR custody.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

MEDICAL REPRIEVE OF SENTENCE

Larry Johnson

On May 23, 1996, the Superior Court of California, County of Fresno, sentenced Larry Johnson to 25 years to life for burglary as a third strike plus 12 years of sentence enhancements, a total prison term of 37 years to life.

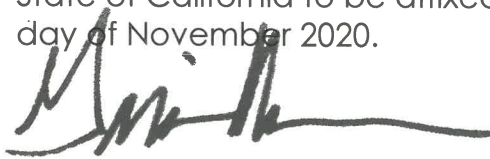
Mr. Johnson is 71 years old and has been incarcerated for 25 years. Medical staff have determined that Mr. Johnson has an elevated risk of morbidity should he become infected with COVID-19.

I have carefully considered and weighed the evidence of Mr. Johnson's medical condition, his advanced age, his mobility restriction, and other relevant case factors. I have concluded that Mr. Johnson's temporary emergency medical transfer to an appropriate alternative placement in the community to continue serving his sentence is consistent with public safety and public health.

This temporary medical reprieve of sentence does not minimize or forgive Mr. Johnson's past conduct or the harm it caused.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant a reprieve to Larry Johnson to make him immediately eligible to be transferred to an alternative custody placement in the community approved by the Department of Adult Parole Operations. This reprieve allowing Mr. Johnson to continue serving his sentence in the community under the supervision of the California Department of Corrections and Rehabilitation (CDCR) is temporary and may be nullified at any time for any reason, resulting in Mr. Johnson's immediate return to CDCR custody.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

MEDICAL REPRIEVE OF SENTENCE

Ronald Salles

On December 3, 2002, the Superior Court of California, County of Los Angeles, sentenced Ronald Salles to 25 years to life for robbery as a third strike plus six years of sentence enhancements, a total prison term of 31 years to life.

Mr. Salles is 71 years old and has been incarcerated for 18 years. Medical staff have determined that Mr. Salles has an elevated risk of morbidity should he become infected with COVID-19.

I have carefully considered and weighed the evidence of Mr. Salles's medical condition, his advanced age, and other relevant case factors. I have concluded that Mr. Salles's temporary emergency medical transfer to an appropriate alternative placement in the community to continue serving his sentence is consistent with public safety and public health.

This temporary medical reprieve of sentence does not minimize or forgive Mr. Salles's past conduct or the harm it caused.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant a reprieve to Ronald Salles to make him immediately eligible to be transferred into an alternative custody placement in the community approved by the Department of Adult Parole Operations. This reprieve permitting Mr. Salles to continue serving his sentence in the community under the supervision of the California Department of Corrections and Rehabilitation (CDCR) is temporary and may be nullified at any time for any reason, resulting in Mr. Salles's immediate return to CDCR custody.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020



GAVIN NEWSOM
Governor of California

ATTEST:



ALEX PADILLA
Secretary of State



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

MEDICAL REPRIEVE OF SENTENCE

Darlo Starr

On May 10, 2001, the Superior Court of California, County of Los Angeles, sentenced Darlo Starr to 25 years to life for burglary as a third strike and 25 years to life for attempted burglary as a third strike, plus 20 years of sentence enhancements, a total prison term of 70 years to life.

Mr. Starr is 87 years old and has been incarcerated for 20 years. Medical staff have determined that Mr. Starr has an elevated risk of morbidity should he become infected with COVID-19.

I have carefully considered and weighed the evidence of Mr. Starr's medical condition, his advanced age, his mobility restriction, and other relevant case factors. I have concluded that Mr. Starr's temporary emergency medical transfer to an appropriate alternative placement in the community to continue serving his sentence is consistent with public safety and public health.

This temporary medical reprieve of sentence does not minimize or forgive Mr. Starr's past conduct or the harm it caused.

THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the authority vested in me by the Constitution and statutes of the State of California, do hereby grant a reprieve to Darlo Starr to make him immediately eligible to be transferred into an alternative custody placement in the community approved by the Department of Adult Parole Operations. This reprieve permitting Mr. Starr to continue serving his sentence in the community under the supervision of the California Department of Corrections and Rehabilitation (CDCR) is temporary and may be nullified at any time for any reason, resulting in Mr. Starr's immediate return to CDCR custody.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State