



# **PATHWAYS TO FREEDOM**

**A Toolkit on the State of Resentencing in  
Central California Women's Facility**

**Unapologetically HERS,  
Healing Experiences through Research Solutions**



# TABLE OF CONTENTS

Acknowledgments .....	3
About UAHERS .....	4
Overview & Methodology .....	5
Data Collection & Analysis .....	6
Key Findings .....	7
Recommendations .....	10
Data & Demographics .....	12
Opportunities for Resentencing .....	15
Appendix A: Glossary of Resentencing Terms .....	20
Appendix B: Contact Information .....	22
Appendix C: Meet the Team .....	26
Appendix D: Court Addresses .....	30
Appendix E: Resources for Resentencing .....	36

# ACKNOWLEDGMENTS

This report's research findings and recommendations were produced through the collaborative efforts of Community Researchers from the Central California Women's Facility (CCWF), including Vegas Bray, Wendy Fong, Claudia Gaby Granados, Cleo Martinez-Costa, Erica Olson, and Angela Zuniga. Their contributions—informed by their lived experiences, professional expertise, and insightful analysis—were integral to every aspect of the research process, from its conception to the final recommendations presented in this report.

Our work was made possible by the Race Gender & Human Rights Fund's steadfast commitment to and investment in transformative, systems change efforts. We are grateful for their unwavering support, which has helped to strengthen our efforts and contribute to the broader movement for liberation. We are honored to share our insights and learnings to advance the movement around decarceration.

The authors of this report extend a special thank you to the CCWF Community Resource Manager Courtney Waybright and other staff members for their support in making sure our research partners inside received materials in a timely manner.

We are full of gratitude for the UAHERS team and movement partners, including Chyrl Lamar, Rachael Zafer, Dr. Holly Joshi, Hafsa Al-Amin, Sandra Johnson, Robert Elster, and Daniela Medina who shared experiences, knowledge, and expertise.

Finally, it is important to acknowledge that this research report was made possible through the invaluable insights, collaboration, and participation of numerous incarcerated individuals. Their perspectives and experiences were critical to informing the research process, and we are grateful for their willingness to share their knowledge and expertise. Without their contributions, this report would not have been possible, and we are deeply appreciative of their involvement.





# ABOUT UAHERS

**“We have to talk about liberating minds  
as well as liberating society.” - Angela Davis**

Unapologetically HERS, Healing Experiences through Research Solutions (UAHERS) is a purpose-driven organization focused on improving knowledge-based opportunities and capacity-building efforts in California women’s prisons. It was co-founded in 2020 by Executive Director Aminah Elster (she/her/hers), who responded to the urgent needs of incarcerated women during the COVID-19 pandemic. With a deep commitment to prison abolition and criminal justice, UAHERS has been a powerful force for change, using research, evaluation, and experiential knowledge to elevate the voices, lived experiences, preferences, and choices of imprisoned people.

UAHERS Participatory Action Research Leadership Program is a leadership development program designed to increase the impact of peer-led interventions, through research and analysis, and helps advocates access the expertise of imprisoned people in the design of social impact efforts. Through our Participatory Action Research Leadership Program, we provide community research training with the aim of helping individuals develop critical thinking, analytical, and communication skills that can be applied both inside and outside of prison.

Participatory Action Research (PAR) is a research methodology that aims to actively involve the people impacted by social issues or problems in the research process. It is a collaborative and democratic approach that empowers individuals and communities to be part of the research process, rather than serving as passive subjects.

Community researchers are valued in PAR for their firsthand knowledge and understanding of the community or group being studied, and their ability to provide insights and perspectives that may not be accessible to outsiders. Involving community researchers in the research process can help to build trust and promote a sense of ownership and empowerment among community members.

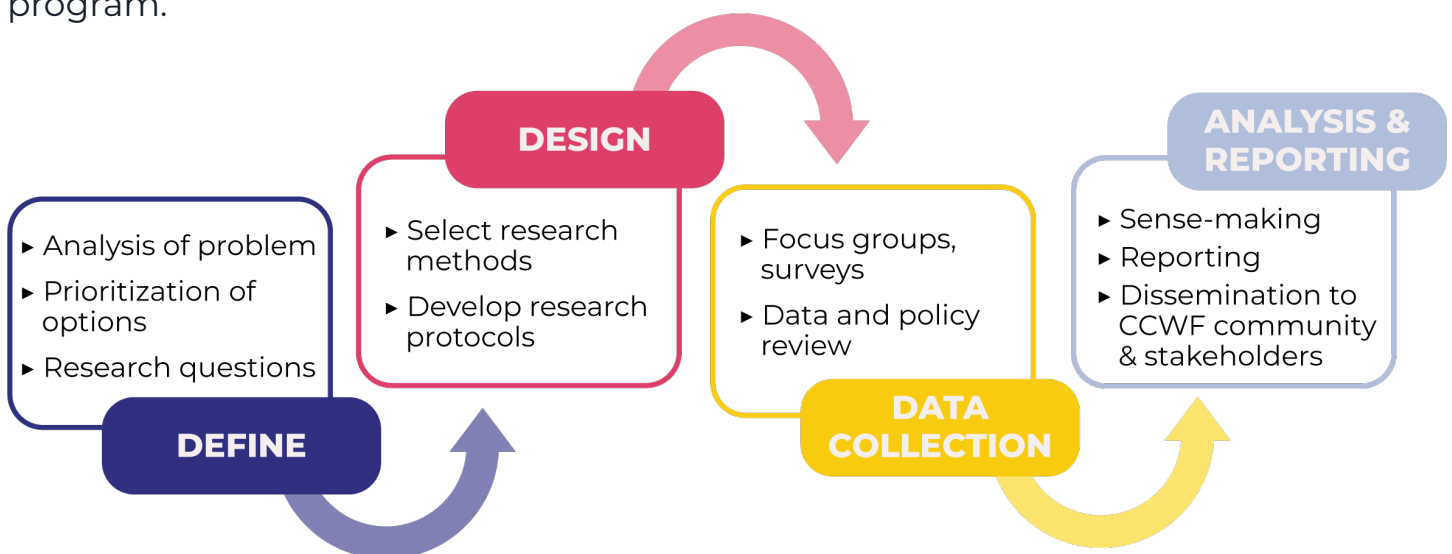
# OVERVIEW & METHODOLOGY

The purpose of this toolkit is to provide incarcerated individuals with information and resources related to current resentencing opportunities and other avenues for pursuing liberation. It is important to note that while this toolkit provides valuable information, it does not constitute legal advice and should not be misconstrued as such. Our goal is to empower individuals with the knowledge and resources they need to make informed decisions and take appropriate action.

Over a 34-week period in 2022 and 2023, Community Researchers were trained in participatory action research, the role of the criminal legal system, current resentencing opportunities, and community research. Inquiry into the utility and expansion of resentencing was guided by the following research questions:

- ▶ What attitudes and mis/perceptions exist in the community regarding resentencing opportunities?
- ▶ What solutions are there to better engage the community in specific CJ policy reform efforts?
- ▶ How do the current processes and requirements around resentencing options create barriers for access?
- ▶ How do the current legislative bills and supports match up with proximate leaders and community needs?
- ▶ How do we create better approaches to addressing resentencing gaps?
- ▶ What is the community's experience with accessing resentencing options, and what does the larger advocacy community need to know to be more inclusive of the needs of those incarcerated in CA women's prisons?

The visual below outlines the major stages of the participatory action research project. The program was facilitated by the UAHERS team who partnered with Community Researchers throughout the course of the program and participated in weekly one-on-one meetings with Community Researchers throughout the program.



# DATA COLLECTION & ANALYSIS

The research methods used in this project were carefully chosen to ensure that the voices and experiences of incarcerated individuals were central to the research process. The research team, consisting of UAHERS researchers and Community Researchers, utilized a range of methods, including observations, meetings, and one-on-one conversations with Community Researchers, review of background documents, CA legislation landscape analysis, surveys, and focus groups.

Throughout the research process, incarcerated individuals from CCWF yards B, C, & D, were engaged. Community Researchers utilized their vast networks to conduct outreach to peers and other incarcerated individuals, resulting in 231 completed surveys and two focus groups of 13 individuals.

Community Researchers facilitated the focus groups, supported note-taking, disseminated surveys, and analyzed the data. UAHERS developed protocols and trained Community Researchers on research methods and participatory action research. Thematic analysis of the data was conducted in collaboration with Community Researchers. Focus groups lasted for 60 minutes, and surveys took approximately 10 minutes to complete. The protocols included questions about participants' knowledge and perception of resentencing, barriers and opportunities to expanding resentencing, current narratives around resentencing, and recommendations for the broader advocacy space.

The resulting thematic analysis of the focus group, and analysis of survey data, revealed several key themes, which are summarized in this report along with Community Researchers' recommendations to support the increased utilization and expansion of resentencing efforts and reducing gender disparities in resentencing.



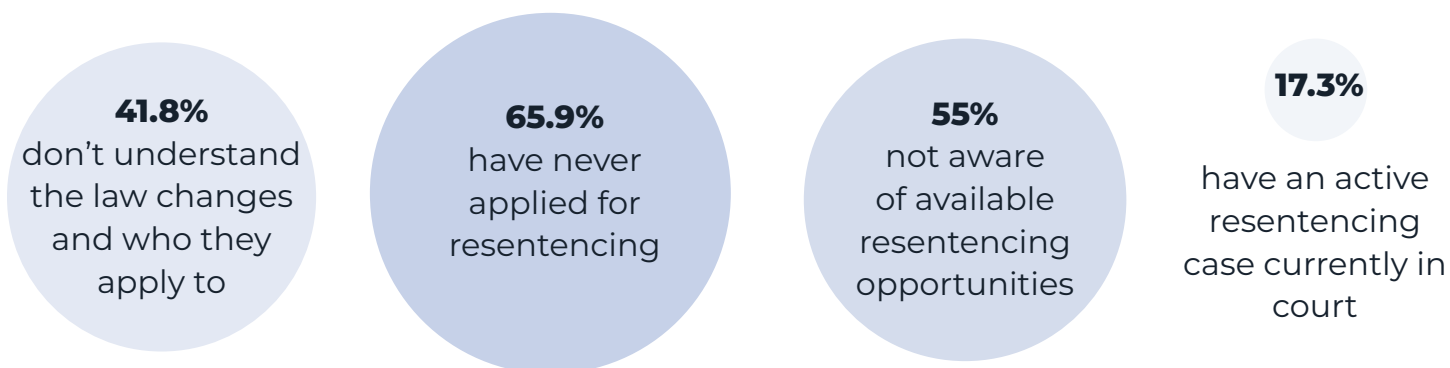
# KEY FINDINGS

Research conducted by the PARLP team surfaced significant barriers to accessing, understanding, and applying for currently available resentencing opportunities. Those barriers include:

## Minimal Or No Knowledge Of Resentencing Opportunities

One of the most significant barriers to accessing resentencing opportunities is the lack of information and education about legal updates and changes. 65.9% of survey and focus group respondents have never applied for resentencing and 55% of respondents are not aware of the available options for resentencing. 41.8% of respondents do not understand recent law changes and who is impacted.

## Respondents' Awareness Of Resentencing Opportunities\*



“In county jail, I was unaware of [a resentencing procedure] which would have changed my decision to take a plea. Were there in-house legal educators to consult with, better decisions on my behalf could have been made. My lawyer either didn't know, or didn't care about the change in the law and how it could benefit me. Now that I'm in the process of resentencing, the DA is using that against me. We need advocates so that we aren't victimized by a system that doesn't care.” — Focus Group Participant

## Insufficient Support And Resources

For those who do pursue resentencing, their progress is often slowed and even halted by a lack of support and resources. 34.5% of respondents did not know where to receive help with applying for resentencing, and 37.5% shared that they did not have the help or support they needed to apply for resentencing. People interested in applying for resentencing often do not know where to find no-cost support or legal guidance. Respondents had limited or no access to community based organizations that could connect them to the people and tools they need to successfully navigate the resentencing process.

# KEY FINDINGS



“Although there is the possibility of resentencing for my personal sentence and time, it’s difficult to get to that point because of the lack of help.” — Focus Group Participant

## Respondents’ Challenges To Accessing Resentencing Opportunities\*

**37.3%**  
did not have the help or support they needed to apply for resentencing

**34.5%**  
did not know where to receive help with applying for resentencing

**31.1%**  
did not qualify for current resentencing opportunities

\*Respondents were permitted to select more than one option.

## Difficulty Navigating Resentencing Language

Respondents shared a common frustration of not understanding legal terminology and feeling confused about resentencing eligibility requirements. Respondents also noted that available information is in English and is not accessible in other languages. 20.3% of respondents shared that Spanish is their primary language.



“I have witnessed my peers become frustrated when attempting to read legislative bills or even letters from their attorneys.”  
— Community Researcher

## Anticipated and Existing Bias

Respondents shared an expectation that bias is embedded in the resentencing process. 30.3% of respondents believe racial bias played a role in their sentencing process—and many expect the same in the resentencing process. Respondents also shared a belief that sentencing enhancements—including prior and weapons enhancements—would negatively impact their ability to navigate the resentencing process.

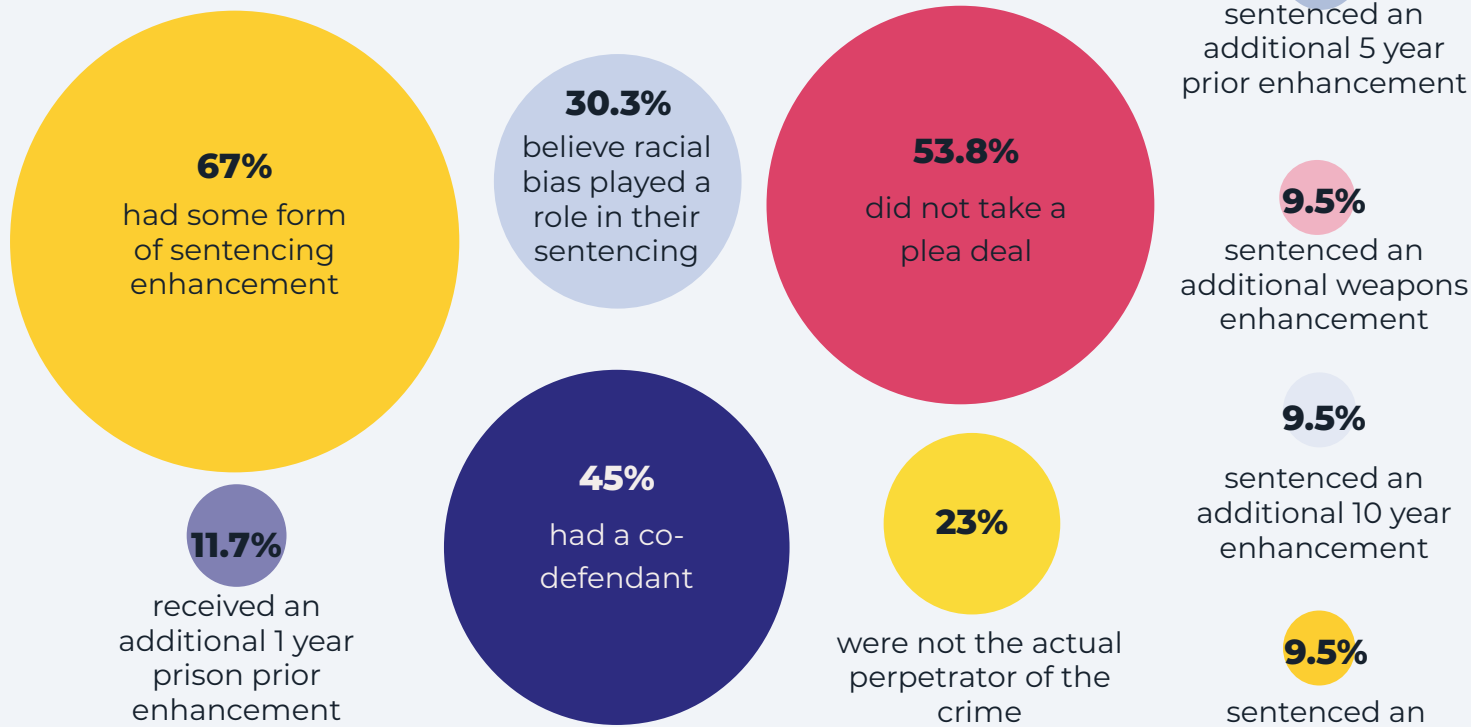


# KEY FINDINGS



“There are several people who were once LWOPs and lifers who are now living productive and successful lives. By speaking about it and standing up to the stigmas they put on us, we can expand resentencing opportunities.” — Community Researcher

## Respondents' Experience During Sentencing\*



\*Respondents were permitted to select more than one option.

## Misinformation and Misperceptions

Respondents also shared some of the misinformation and misperceptions about the resentencing process. Some respondents had not considered eligibility due to having taken a plea, because they have a LWOP sentence, or have an active appeal. Others anticipated negative media coverage or resistance from community members.



“I see many women very hopeless and don't even try because they have been let down or misinformed.” — Focus Group Participant

# RECOMMENDATIONS

The following recommendations were composed by Community Researchers after a contextual analysis of the data and a thorough review of research findings. They are meant to inform and support the utility and expansion of resentencing opportunities.

## Create Paid Peer Support Positions for People Inside

Community Researchers have voiced a pressing need for paid positions to aid in the dissemination of critical information. We recommend creating paid training opportunities that offer comprehensive support to those seeking accurate information about resentencing options. These advocacy positions would be invaluable in guiding community members through the complex process of identifying the appropriate court filing forms, navigating the resentencing process, and ultimately achieving a successful outcome. Investment in these positions would provide essential support to the CCWF community, ensuring that every person has the tools and resources necessary to pursue liberation.

## Develop Accessible Information, Bilingual Materials & Programs

Community Researchers agree that it is crucial to increase the availability of resentencing information that is easy to read and understand and bilingual materials and programs. All members of the CCWF community must have access to important information regarding resentencing opportunities and available support from community-based organizations.

Materials that are easy to understand can combat misinformation, negative stigma, and the underutilization of current resentencing options. Resources that explain legal terminology and the legal process would help to make the resentencing process less intimidating.

Offering materials and programs in Spanish will demonstrate a commitment to equity, inclusion, and community empowerment. By increasing the availability of these critical resources inside, we can provide support to those who need it the most within the CCWF community.



“I feel as though everyone does not have the opportunity to be resentenced and I don’t feel as though that is right or fair. Everyone should have a chance to go out and do right after doing so many years behind bars.” — Focus Group Participant

# RECOMMENDATIONS

## Create Meaningful Learning & Engagement Opportunities Inside

There was a strong interest in replicating the participatory action research process. Recognizing and uplifting the leadership of all participants, and fostering healthy communication and relationships, can create a transformative experience that builds knowledge, and capacity for leadership and advocacy. Through this approach, individuals would engage in collaborative and inclusive learning experiences that help them develop valuable insights on complex issues, develop innovative solutions, and build lasting relationships. These opportunities would help more inside leaders become engaged, informed, and empowered to take action on issues that matter to them.

## Increase Advocacy, Policy & Legislation Efforts

Current resentencing opportunities could be strengthened with the successful passage and implementation of policy mechanisms that allow for individuals to refer themselves for resentencing. By making criminal justice reform legislation retroactive, lessening the criteria and establishing mechanisms for people to refer themselves, policymakers and advocates can help restore lives and provide relief to individuals who have been disproportionately impacted by harsh sentencing laws.

Increasing advocacy efforts for all incarcerated persons to be eligible for resentencing, regardless of the crime and the length of their sentence, is crucial. Options that center people convicted of violent crimes, people who were sentenced to life without parole sentences, people who served in the Armed Forces, and people who experienced intimate partner violence must be created. By expanding resentencing opportunities, we can help to address the systemic issues that have led to mass incarceration and disproportionately impacted communities of color and low-income individuals.

## Hold Law Enforcement Agencies Accountable

It is essential that law enforcement agencies utilize resentencing referral pathways. Designated CDCr staff should be trained to provide clear and accurate resentencing information, refer individuals, and answer questions about the recall and resentencing process.

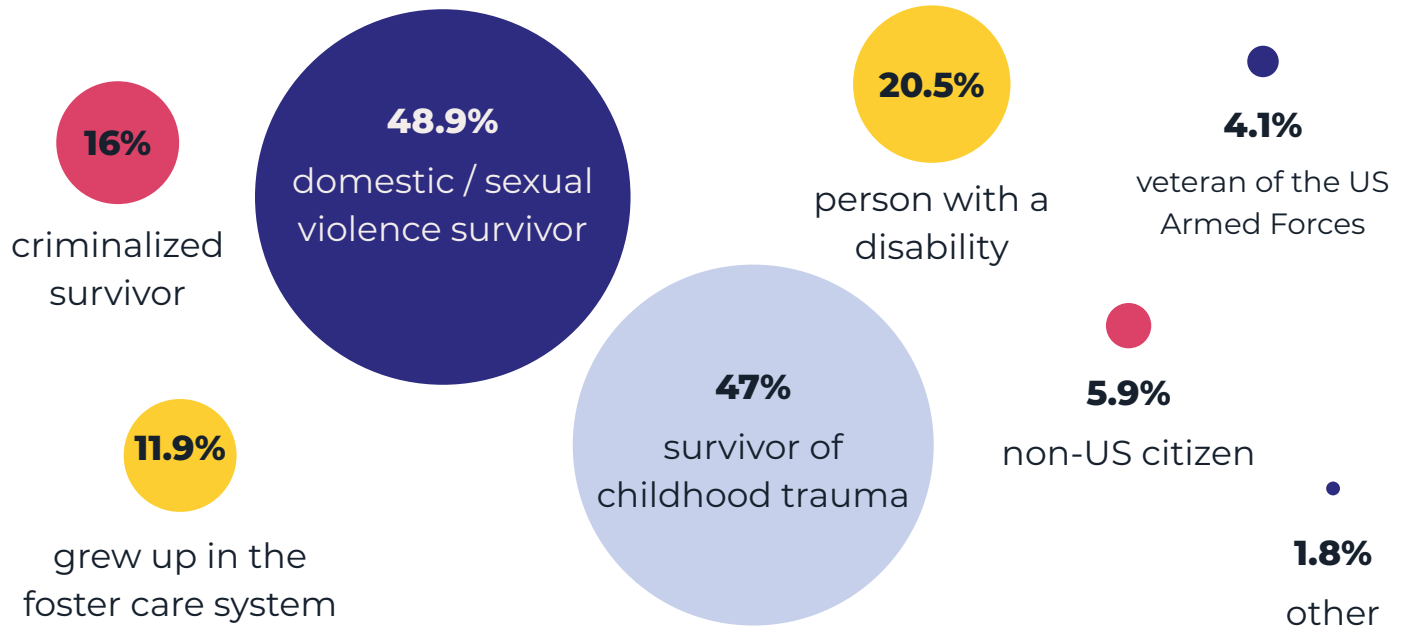
Despite being given the power to refer individuals for resentencing, many law enforcement agencies and CDCr staff are reluctant to do so, or are unaware of the necessary steps for making referrals. Training opportunities will ensure that CDCr staff can provide accurate information to those who are eligible for resentencing.

It is crucial that law enforcement agencies that hold the power to refer people for resentencing actually engage in the process. By providing clear and accurate information, CDCr staff can ensure that people are not missing out on opportunities for resentencing simply because they are unaware of the process.

# DATA & DEMOGRAPHICS

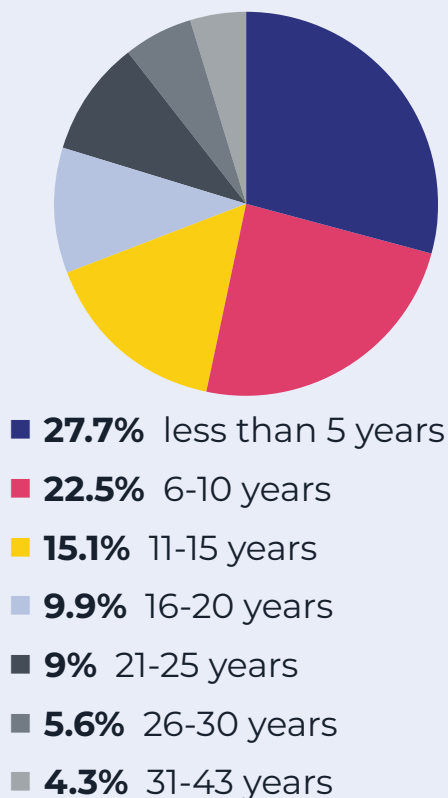
## Lived Experiences

All respondents have a history of incarceration. Respondents self-identified as\*:

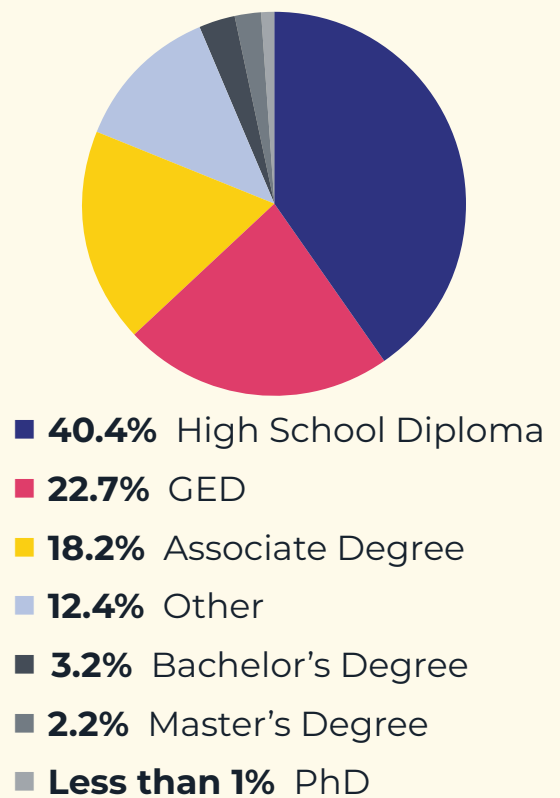


\*Respondents were permitted to select more than one option.

## Time Served



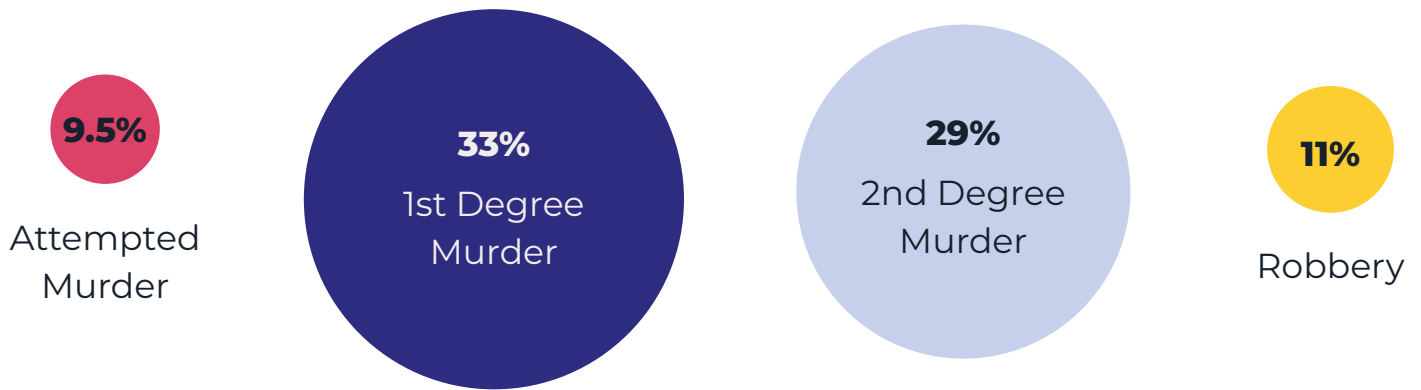
## Highest Level of Education



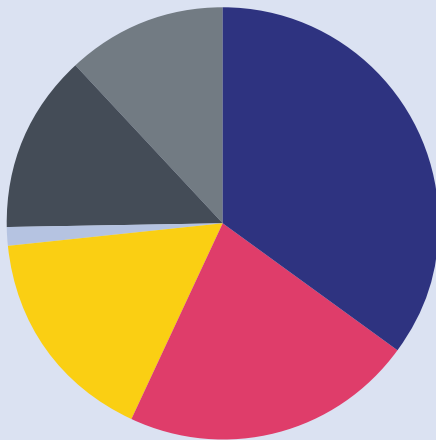
# DATA & DEMOGRAPHICS

## Current Convictions

The four most common convictions leading to respondent's current incarceration are:

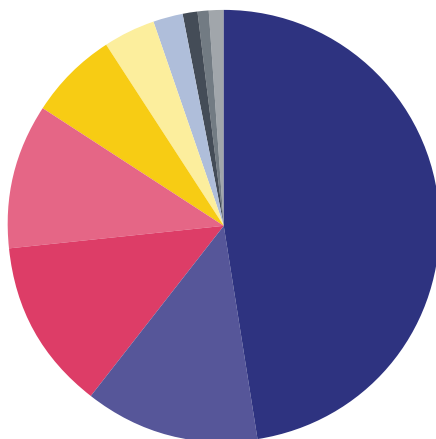


## Age at the Time of Commitment Offense



- **28.5%** 24 years of age or younger
- **17.7%** 25 - 27 years of age
- **13.4%** 31 - 34 years of age
- **1.2%** 28 - 30 years of age
- **10.8%** 35 - 40 years of age
- **9.5%** 41 - 61 years of age

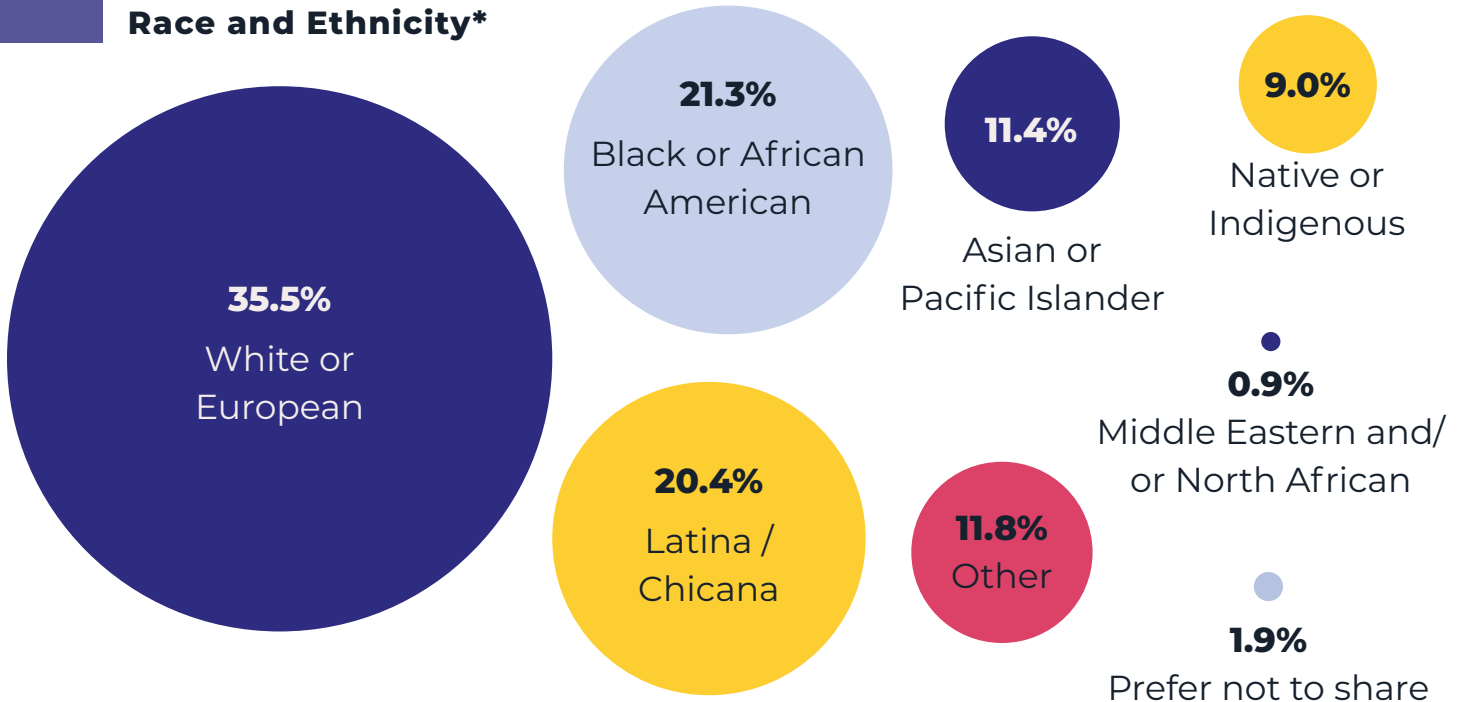
## Length of Sentence



- **47.6%** Life
- **13%** Life Without Parole
- **13%** 2-6 years
- **10.8%** 7-13 years
- **3.9%** 14-19 years
- **6.5%** 20-25 years
- **2.2%** 26-30 years
- **1.3%** 31-35 years
- **less than 1%** Death Penalty
- **less than 1%** 5-18 months

# DATA & DEMOGRAPHICS

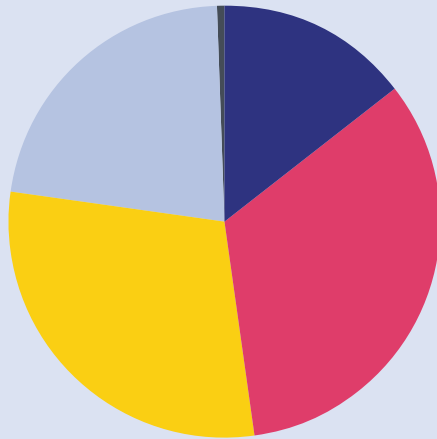
## Race and Ethnicity\*



\*Respondents were permitted to select more than one option.

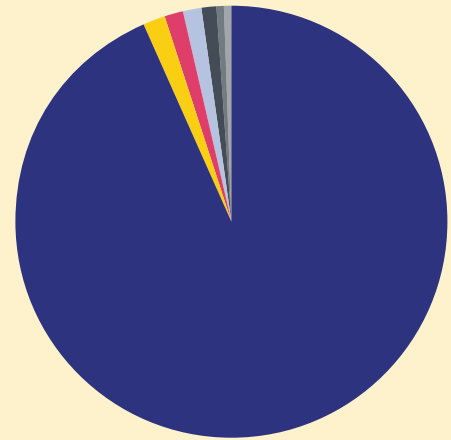
## Age

- 14.7% 18-29
- 33.3% 30-39
- 29.4% 40-49
- 22.1% 50 or over
- Less than 1% under 18



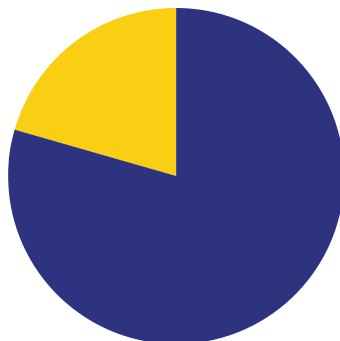
## Gender

- 93.5% Female or Woman
- 1.7% Transgender Man
- 1.3% Transgender Woman
- 1.3% Gender Fluid, Gender Non-Conforming, or Genderqueer
- 1.3% Other
- Less than 1% Male or Man
- Less than 1% prefer not to share



## Primary Language

- 79.7% English
- 20.3% Spanish



# OPPORTUNITIES FOR RESENTENCING

The following resentencing summaries include a community organization marked with a “▶” that you can write to for more information and support applying for resentencing. Resources at the end of this toolkit include a glossary of resentencing terms (Appendix A), a longer list of community organizations (Appendix B), court addresses (Appendix D), and additional resources (Appendix E). For more information, please write to UAHERS at 14500 East 14th Street #3641, San Leandro, CA 94578.

With 33% of respondents reporting having a 1st Degree Murder conviction, 29% reporting having a 2nd Degree Murder conviction, 11% reporting having a Robbery conviction, and 9.5% reporting having an Attempted Murder conviction, the following opportunities may benefit you.

## Recall & Resentencing

### California Penal Code section 1172.1

A potential opportunity to get back into court to be sentenced anew by the court on its own motion is through PC 1172.1, which allows the court to file a motion (within 120 days of sentencing) or by a government agency via a recommendation letter at any time. Authorized referring agencies are: CDCR, BPH, the District Attorney, the Attorney General, and the Sheriff.

Penal Code section 1172.1 does not exclude anyone from a resentencing referral. This law clearly states that anyone can be referred for resentencing, including people who accepted plea bargains, people with LWOP sentences, people with Death Penalty sentences, and people who are no longer in custody.

Despite the clear inclusion of all people in the language of the law, because this type of resentencing is “discretionary” (or optional) for the law enforcement agencies who have the power to make referrals, specific eligibility criteria will depend upon which agency is making the resentencing referral.

This law was amended by AB 200 (effective July 1, 2022) and AB 1540 (effective January 1, 2022). Previously it was chaptered in Penal Code section 1170(d)(1), then PC section 1170.03, and the law has been referred to by a variety of shorthands and legal terms, including: “1170,” “recall and resentencing,” “sentence review,” and “prosecutor-initiated resentencing.”

▶ **Ella Baker Center** | 1419 34th Ave, Suite 202, Oakland, CA 94601 | 510-428-3939

## Prosecutor-Initiated Resentencing

### Assembly Bill 2942

In 2019, the California State Legislature passed Assembly Bill 2942. The bill allows prosecutors to reevaluate past sentences and determine whether the sentence is no longer in the interest of justice. The prosecuting agency can then recommend a sentence reduction/release to the Court.

The 2021-2022 Budget appropriates \$18 million in General Funds to nine California counties to engage in Prosecutor-Initiated Resentencing (PIR). The funds are to be used exclusively for the three-year Pilot Program that begins on September 1, 2021, and ends on September 1, 2024.

# OPPORTUNITIES FOR RESENTENCING

For the 23% of respondents reporting that they were not the actual perpetrator of the crime and 45% reporting having had a co-defendant, you might want to check out SB 1437 Felony Murder, SB 775, and People v. Strong.

## Felony Murder

### **SB 1437** *[retroactive]*

Under SB 1437, a person can only be convicted of murder if they were the actual killer or they aided, abetted, or assisted the actual killer. It also created a legal path for those convicted of murder under the old law to petition for resentencing to a lesser crime.

- ▶ **Felony Murder Elimination Project** | P.O. Box 441, Clayton, CA 94517 | 925-285-1504

### **SB 775** *[retroactive]*

SB 775 allows those with similarly invalid manslaughter or attempted murder convictions to seek resentencing. It also clarified and strengthened procedural protections, including that counsel must be appointed, if requested, upon the filing of a facially sufficient petition.

- ▶ **Felony Murder Elimination Project** | P.O. Box 441, Clayton, CA 94517 | 925-285-1504

## People v. Strong

The California Supreme Court ruled on People v. Strong. Mr. Strong was sentenced to life without parole (LWOP) as an accomplice under felony murder. The Court ruled that a pre-2015 special circumstance finding does not automatically bar his opportunity to petition for resentencing relief with SB 1437.

- ▶ **California Coalition for Women Prisoners** | 4400 Market Street, Oakland, CA 94608  
Attn: Drop LWOP Coalition

For the 4.1% of respondents identifying as a veteran of the US Armed Forces, it might be helpful to consider SB 1209.

## Veterans Resentencing

### **SB 1209** *[retroactive]*

Since 2015, courts have been required to consider “mental health problems” resulting from military service as a mitigating factor in imposing a determinate sentence.

In 2019, this provision was applied retroactively to people sentenced before 2015. Beginning in 2023, the law was expanded to any type of sentence—not just determinate ones—and those changes apply retroactively. The law's expansion in 2022 to apply to people serving indeterminate sentences may significantly expand the group of people eligible for resentencing as the law now applies to people serving the longest prison sentences

- ▶ **Initiate Justice** | P.O. Box 15836, Los Angeles, CA 90015



# OPPORTUNITIES FOR RESENTENCING

With 67% of respondents reporting having some form of sentencing enhancement, it may be a good idea to consider the following changes with respect to sentencing enhancements below.

## Removal of the 1 and 3 Year Sentence Enhancements

### **SB 483** [*retroactive*]

In 2017 and 2019, California repealed sentence enhancements that added three years of incarceration for prior drug offenses and one year for each prior prison or felony jail term. Beginning January 2022, SB 483 authorized courts to retroactively reduce the sentences for people serving a sentence with one of these enhancements. Counsel is assigned for these resentencings. The incarcerated person's entire sentence can be considered, including whether other sentence enhancements should continue to be imposed.

▶ **Ella Baker Center** | 1419 34th Ave, Suite 202, Oakland, CA 94601 | 510-428-3939

## Gang enhancements

### **AB 333** [*retroactive*]

AB 333 is a change to the gang enhancement, narrowing how participation in a gang is defined. It requires that the benefit to the gang be more than reputational, and separates gang enhancement allegations from the underlying charges at trial. AB 333 does not change the amount of time the enhancement can add, which ranges from 2 to 10 years or the imposition of a life sentence in certain circumstances.

▶ **Anti-Recidivism Coalition (ARC)** | 2830 G St., Suite 210, Sacramento, CA 95816

## Gun enhancements

### **SB 620**

SB 620 ended the mandatory application of gun (or firearm) enhancements under PC sections 12022.5 and 12022.53 and allows the judge to strike or dismiss the enhancement at sentencing or resentencing. This law went into effect on January 1, 2018.

▶ **Anti-Recidivism Coalition (ARC)** | 2830 G St., Suite 210, Sacramento, CA 95816

## Aiding & Abetting

### **People v. Chiu**

June 2, 2014 the CA Supreme Court ruled in *People v. Chiu* that an aider and abettor may not be convicted of first degree premeditated murder under the "natural and probable consequences" (NPC) doctrine. This ruling could have positive implications for thousands of people convicted of first degree murder under the natural and probable consequences doctrine. The NPC doctrine holds that "aiders and abettors should be responsible for the criminal harms they have naturally, probably, and foreseeably put in motion." However, the Supreme Court explained in this ruling that murder in the first degree requires that the perpetrator act with "malice aforethought" which is inconsistent with "natural and probable" aider and abettor culpability.

▶ **California Coalition for Women Prisoners** | 4400 Market Street, Oakland, CA 94608

# OPPORTUNITIES FOR RESENTENCING

With 28.5% of respondents reporting that they were 24 years of age or younger at the time of their commitment offense, it might be worthwhile to see how SB 260 or SB 261 might benefit you and your situation.

## Youth Offender Parole Hearing

### SB 620

SB 260 was enacted in 2013 and applies to individuals who committed certain crimes when they were under the age of 18 and were sentenced to long-term incarceration.

Under SB 260, individuals who were sentenced to life without the possibility of parole for crimes committed when they were under the age of 18 are now eligible for parole consideration after serving 15 years of their sentence. Individuals who were sentenced to other long-term sentences for crimes committed when they were under the age of 18 are now eligible for parole consideration after serving 20 years of their sentence.

Provides for special parole hearings for eligible individuals, which take into account the individual's age at the time of the crime, their level of maturity and growth since then, and their potential for rehabilitation.

▶ **Youth Law Center** | 832 Folsom Street, #700, San Francisco, CA 94107

### SB 621

Individuals who were sentenced to long-term incarceration for crimes committed when they were under the age of 23 are now eligible for parole consideration after serving a minimum of 15 years of their sentence. This includes individuals who were originally sentenced to life without the possibility of parole.

SB 261 provides for special parole hearings for eligible individuals, which take into account the individual's age at the time of the crime, their level of maturity and growth since then, and their potential for rehabilitation.

▶ **Anti-Recidivism Coalition (ARC)** | 2830 G St., Suite 210, Sacramento, CA 95816

With 30.3% of respondents reporting that racial bias played a role in their sentencing, the Racial Justice Act is meant to address racial bias in the criminal legal system.

## Racial Justice Act *[retroactive]*

### AB 2542 & 256

AB 2542 & 256 target structural racism and bias in the criminal legal system by prohibiting the use of race, ethnicity, or national origin in seeking or obtaining convictions or in imposing sentences. It allows a person to seek dismissal of charges, or vacating of a conviction or sentence, if the charge, conviction or sentence was tainted by racial bias.

AB 256, passed in 2022, extended the RJA retroactively with a phased-in timeline for relief. The first two phases include people sentenced to death and people facing deportation (who became eligible in January 2023) and individuals in prison serving a sentence (eligible in January 2024).

▶ **California Coalition for Women Prisoners** | 4400 Market Street, Oakland, CA 94608

# OPPORTUNITIES FOR RESENTENCING

For the 48.9% of respondents identifying as a domestic/sexual violence survivor, 47% identifying as a survivor of childhood trauma, and 16% identifying as a criminalized survivor, Justice for Survivors might be a resentencing option for you.

## Justice for Survivors

### AB 124

AB 124 supports survivors of violence, including domestic violence, sexual violence, and human trafficking, by providing trauma-informed charging, sentencing, resentencing relief, and trial advocacy considerations. Because of AB 124, the resentencing court—in addition to the new criteria defined by AB 1540—is now also required to consider if the person being resentenced:

- ◆ Has experienced psychological, physical, or childhood trauma, including but not limited to abuse, neglect, exploitation, or sexual violence
- ◆ Was a victim of intimate partner violence or human trafficking before or at the time of the offense
- ◆ Was under the age of 26 at the time of the offense

This defense does not apply to a violent felony for the sentencing component, but it does apply for resentencing. This law went into effect on January 1, 2022.

▶ **Sister Warriors Freedom Coalition** | 832 Folsom Street #700, San Francisco, CA 94107

For the 47.6% of respondents reporting being sentenced to a Life sentence and the 13% reporting being sentenced to Life Without Parole, commutations provide an opportunity to reduce your sentence via the state Governor.

## Commutation & Clemency

People serving a sentence for a criminal conviction can petition the California Governor to have their sentence reduced or eliminated by applying for a commutation of sentence. Executive Clemency is another term for commutation.

All people serving sentences for criminal convictions can apply for a commutation of sentence. This includes people who have been incarcerated for less than 10 years. People with active appeals in the courts can also apply, they just have to mention this in their application. People with prior felony convictions can also apply.

Applicants do not need an attorney to apply for commutation. Some applicants do work with attorneys, but it is not necessary.

▶ **Asian Americans Advancing Justice** | 55 Columbus Ave, San Francisco, CA 94111

▶ **California Coalition for Women Prisoners** | 4400 Market Street, Oakland, CA 94608

# APPENDIX A: GLOSSARY OF RESENTENCING TERMS

**Clemency/Commutation** - Clemency is a broad term that refers to the power of an executive, such as a governor or president, to pardon or reduce the sentence of a convicted criminal. Clemency can take several forms, including pardons, reprieves, and commutations.

Commutation is a specific form of clemency that involves a reduction in the length or severity of a criminal sentence. Commutation can take several forms, such as reducing a sentence from life imprisonment to a fixed term or from a death sentence to life imprisonment.

**Community Based Organization (CBO)** - a non-profit, voluntary organization that is designed and run by members of a particular community to address the social, economic, cultural, and environmental needs of that community.

**Community Researcher** - a member of the community or group that is being studied who actively participates in the research process as a researcher. This means that the community researcher is involved in designing the research questions, collecting and analyzing data, and interpreting the findings.

**Habeas Corpus Petition** - a legal term that refers to a legal action that allows an individual who is in custody or imprisonment to challenge the lawfulness of their detention. The phrase “habeas corpus” comes from Latin, and means “you shall have the body.”

**Participatory Action Research (PAR)** - a research methodology that aims to actively involve the people affected by a particular issue or problem in the research process. It is a collaborative and democratic approach that empowers individuals and communities to be part of the research process, rather than just being passive subjects.

**Policy Advocacy** - efforts to promote or influence policy change at the local, state, or national level. Policy advocacy can take many forms, such as lobbying, grassroots organizing, media campaigns, public education, and litigation.

# APPENDIX A: GLOSSARY OF RESENTENCING TERMS

**Prosecutor Initiated Resentencing Pilot** - a program that was created by the California Department of Corrections and Rehabilitation (CDCR) in 2021 to allow prosecutors to initiate resentencing for eligible individuals who are currently serving a sentence in state prison. Under the program, prosecutors are allowed to review cases of individuals who were convicted of certain offenses and are currently serving a sentence that is longer than the current law would allow. If the prosecutor determines that the individual is eligible for resentencing, they can file a motion with the court requesting resentencing.

**Prospective** - a law or policy that is enacted with the intention of applying only to future events or circumstances. This means that the law or policy affects situations that occur after the law or policy was put into effect, and does not apply to situations that occurred before the law or policy was enacted.

**Resentencing** - the adjustment of a criminal sentence due to a problem or error with the original punishment or due to changes in state or federal law. There can be numerous reasons that can be grounds for significant reductions in both state and federal criminal justice sentences in the United States.

**Retroactive** - a law or policy that is enacted with the intention of applying to events or circumstances that occurred before the law or policy was put into effect. This means that the law or policy affects situations that have already happened or are in progress, as opposed to only applying to future situations.

**Sentence Enhancement** - a legal mechanism that increases the severity of the punishment or sentence for a criminal offense.

**Toolkit** - a set of resources or materials that are designed to provide guidance, information, and support for a specific task or goal. Toolkits can be physical or digital, and may include a range of materials such as templates, checklists, worksheets, guides, videos, and other resources.

# APPENDIX B: CONTACT INFORMATION

## **Attorney General of California**

Attn: Post-Conviction  
Review Unit  
P.O. Box 944255  
Sacramento, CA 94244-2550

## **Board of Parole Hearings**

P.O. Box 4036  
Sacramento, CA  
95812

## **California Department of Corrections and Rehabilitation**

Attn: Jeff Macomber,  
Secretary of Operations  
P.O. Box 942883  
Sacramento, CA 94283

[Jeff.Macomber@cdcr.ca.gov](mailto:Jeff.Macomber@cdcr.ca.gov)

## **District Attorney Sentence Review Units**

There are currently active PC 1172.1 Resentencing Units in the following counties:

### **Alameda County District Attorney**

1225 Fallon Street, Room 900, Oakland, CA 94612

### **Kern County District Attorney**

1215 Truxtun Avenue, Bakersfield, CA 93301

Intake forms online: [www.kerncounty.com/home/  
showpublisheddocument/6382/637556585393330000](http://www.kerncounty.com/home/showpublisheddocument/6382/637556585393330000)

### **San Joaquin County District Attorney**

ATTN: Post-Conviction Sentence Review Unit  
222 E Weber Ave # 202, P.O. Box 990, Stockton, CA 95202

Intake forms online:  
<https://www.sjgov.org/department/da/units/special-operations/pcru>

# APPENDIX B: CONTACT INFORMATION

## 9 PILOT COUNTIES IN THE CALIFORNIA COUNTY RESENTENCING PILOT PROGRAM

### **Contra Costa County District Attorney**

900 Ward Street  
Martinez, CA 94553

### **Humboldt County District Attorney**

825 5th Street  
Eureka, CA 95501

### **Los Angeles County District Attorney**

211 W. Temple Street,  
Suite 1200 Los Angeles,  
CA 90012

Information available at:  
[https://da.lacounty.gov/  
policies/resentencing](https://da.lacounty.gov/policies/resentencing)

### **Merced County District Attorney**

550 West Main Street  
Merced, CA 95340

### **Riverside County District Attorney**

3960 Orange Street,  
Riverside, CA 92501

Intake forms online:  
[www.rivcoda.org/  
resources/conviction-  
review-committee](http://www.rivcoda.org/resources/conviction-review-committee)

### **San Diego County District Attorney**

330 W. Broadway, Suite  
1300 San Diego CA 92101

Intake forms online:  
[www.sdcca.org/office/  
ConvictionReview](http://www.sdcca.org/office/ConvictionReview)

### **San Francisco County District Attorney**

880 Bryant Street, Third  
Floor, San Francisco, CA  
94103

Intake forms online:  
[www.sfdistrictattorney.  
org/policy/conviction-  
review](http://www.sfdistrictattorney.org/policy/conviction-review)

### **Santa Clara County District Attorney**

70 West Hedding Street,  
West Wing, San Jose, CA  
95110

### **Yolo County District Attorney**

301 Second Street,  
Woodland, CA 95695

Intake forms online:  
[www.yoloda.org/the-das-  
office/conviction-  
sentence-review-unit](http://www.yoloda.org/the-das-office/conviction-sentence-review-unit)

# APPENDIX B: CONTACT INFORMATION

## ORGANIZATIONS ASSISTING WITH RESENTENCING

### **Stanford's Three Strikes Clinic**

Mills Legal Clinic at Stanford Law School  
559 Nathan Abbott Way, Stanford, California 94305-8610 | 650-736-7757

Michael Romano [mromano@stanford.edu](mailto:mromano@stanford.edu)  
Susan Champion: [schampion@law.stanford.edu](mailto:schampion@law.stanford.edu)  
Milena Blake: [milenab@stanford.edu](mailto:milenab@stanford.edu)

### **For the People**

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

### **Silicon Valley De-Bug & Participatory Defense Hubs**

701 Lenzen Ave, San Jose, CA 95126 | 408-971-4965

[info@siliconvalleydebug.org](mailto:info@siliconvalleydebug.org)  
[www.participatorydefense.org/hubs](http://www.participatorydefense.org/hubs)

### **ACLU of Northern California**

ATTN: Intake  
39 Drumm Street, San Francisco, CA 94111 | 415-621-2488

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

### **Office of the State Public Defender**

1111 Broadway, 10th Floor Oakland, CA 94607  
510-267-3300



# APPENDIX B: CONTACT INFORMATION

## APPELLATE PROJECTS IN CALIFORNIA

### **First District Appellate Project (FDAP)**

475 14th Street, Suite 650, Oakland, CA 94612 | 415-495-3119

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

Serving First District Counties: Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Napa, San Francisco, San Mateo, Solano, and Sonoma

### **California Appellate Project Los Angeles (CAPLA)**

520 S. Grand Avenue, 4th Floor Los Angeles, CA 90071 | 213-243-0300

[www.cap-la.org](http://www.cap-la.org)

Serving Second District Counties: (Division 6) San Luis Obispo, Santa Barbara, and Ventura Counties, and (Divisions 1 - 5, 7 & 8) Los Angeles County

### **Central California Appellate Program – CCAP**

2150 River Plaza Dr., Suite 300, Sacramento, CA 95833 | 916-441-3792

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

Serving Third District Counties: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Lassen, Modoc, Mono, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity, Yolo, and Yuba; and serving Fifth District Counties: Fresno, Kern, Kings, Madera, Mariposa, Merced, Stanislaus, Tulare, and Tuolumne

### **Appellate Defenders, Inc. (ADI)**

555 West Beech Street, Suite 300 San Diego, CA 92101 | 619-696-0282

[www.adi-sandiego.com](http://www.adi-sandiego.com)

Serving Fourth District Counties: (Division 1) San Diego and Imperial; (Division 2) Inyo, Riverside, San Bernardino; and (Division 3) Orange

### **Sixth District Appellate Program (SDAP)**

95 S. Market St., Suite 570 San Jose, CA 95113 | 408-241-6171

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

Serving Sixth District Counties: Monterey, San Benito, Santa Clara, and Santa Cruz

# APPENDIX C: MEET THE TEAM

## Vegas Bray



Vegas Bray is an advocate for criminal justice reform, systems change, and support for those who wish to direct their internal pain and anger into a healthy outlet in order to promote necessary changes inside and outside of her community.

Vegas is currently incarcerated in the Central California Women's Facility (CCWF), serving a sentence of 50 years to life, and is a facilitator of Healing Trauma, Beyond Violence, FACE-IT, and Felons Against Distracted and Drunk Driving (FADD).

Vegas is dedicated to giving back to others and providing resources to help prevent repeated mistakes. As a Community Researcher with Unapologetically HERS, Vegas plans to continue her extensive research into policy reforms and identifying the barriers that stand in the way of incarcerated people's freedom. Elevating these challenges from inside the prison and speaking to individuals about the importance of decarceration is central to her and, she believes, confirms the importance of participatory action research.

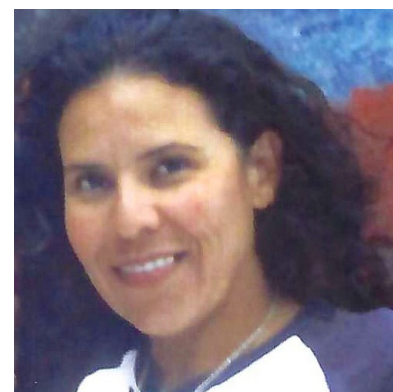
Vegas is committed to gaining knowledge and being an advocate for those who fear that their voices will not be heard.

Gaby is an enthusiastic and passionate soul who is always willing to serve and inspire change. An advocate, community researcher, and facilitator, Gaby is a courageous woman who is strengthened and sustained by her desire to improve the circumstances of all those impacted by the beast of incarceration.

Gaby was sentenced to 25 years to life and, for the past 19 years, has used every opportunity to educate, restore, and give back to her community and peers. Gaby loves to volunteer her time keeping her community clean by recycling and removing litter. She also teaches aerobics classes, translates curriculum for the Spanish speaking community, and mentors young lifers learning to navigate the prison environment and critical life changes.

Gaby currently facilitates a Life Scripting group where she guides and empowers her peers to dream and be determined to transform their "messes into messages of resilience" and is a Community Researcher in partnership with Unapologetically HERS, Healing Experiences through Research Solutions, where she organizes to uplift the voices of her peers and fights to see more people being resentenced and released.

## Claudia Gaby Granados



# APPENDIX C: MEET THE TEAM

## Wendy Fong



Wendy is an advocate, researcher, and systems change agent who is currently serving an LWOP sentence at Central California Women's Facility. She has been incarcerated for the last 10 years. During this time, Wendy has strived to gain insight through self-help groups such as codependency, Beyond Violence, Denial Management, Domestic Violence, AWARE, and several others. She is also pursuing her Associates Degree.

Through Wendy's journey to gain insight, she learned how her core beliefs were formed and how they influenced her decisions that led to her incarceration. Wendy has used her past traumas of sexual abuse, intimate partner violence, and childhood trauma to educate and encourage her peers.

In addition to educating people within her community, Wendy works with an urban school in the Bay Area where she educates the younger generation about the effects of violence, injustices within the criminal legal system, mass incarceration, and other areas in need of systemic change.

Wendy also prides herself on gaining a voice, allowing her to advocate for people in her community that cannot advocate for themselves. She has served her community as an Inmate Advisory Council representative, and works with outside organizations such as Survived & Punished, the California Coalition for Women Prisons, and Unapologetically HERS. Wendy looks forward to continuing her path in helping her community and inspiring positive change.

Chyrl Lamar is a proximate leader, advocate and mentor with over 30 years of direct experience with the carceral system. Chyrl is a Program and Outreach Advocate with the California Coalition for Women Prisoners (CCWP) and a Peer Mentor/Thought Partner for Unapologetically HERS, where she supports people inside the Central California Women's Facility with leadership development, capacity building, and systems change work.

In addition, Chyrl is on the Board of Directors for the Felony Murders Elimination Project (FMEP) whose goal is the elimination of the felony murder rule and to bring relief to those who are serving harsh disproportionate sentences

When not advocating, you can find Chyrl listening to music of many genres and crocheting—both of which she finds relaxing.

## Chyrl Lamar



# APPENDIX C: MEET THE TEAM

## Cleo Martinez-Costa



Cleo is a proximate leader, organizer, and researcher with a passion for systems change. Cleo's personal experiences with disproportionate sentencing drives her work toward policy change, centering discriminatory sentencing, and racial, gender, and reproductive justice.

Cleo is a founding member of Unapologetically HERS and an enthusiastic member of the inside LWOP Support group where she serves in a leadership capacity. Cleo is a trained facilitator of the Offender Mentor Program, Healing Trauma, Survivors of Incest & Rape, Beyond Violence, and a certified Domestic Violence advocate.

Cleo dedicates her time and knowledge supporting peers experiencing language barriers with parole board preparation help. Despite being faced with a life without parole (LWOP) sentence, Cleo is committed to developing collective efficacy in order to become a productive and safe member of society again.

Cleo is currently completing her Associate's Degree with Merced College in both Psychology and Social Behavior and plans to use her expertise to drive criminal legal reform.

Erica Olson is a systems change advocate, striving to change the inequality that permeates the criminal legal system. Erica uses her voice to fight for those who do not have the ability or the knowledge to do so themselves. She also uses her voice and leadership in the position of an IAC representative to ensure that her peers are treated fairly.

Erica's journey in creating change is one that is important to her. She strongly believes that incarcerated people have the ability to transform their own lives by repairing, healing, and educating one another.

Erica has been incarcerated for 30 years on a Life Without Parole sentence. Throughout the years, Erica has worked diligently to educate herself by engaging in numerous self help groups such as, AWARE, LOVE, Healthy Relationships, and Anger Management. Erica loves to learn and is generous with her peers, passing on her experiences and knowledge with hope that they too can be on a healthy path forward. Erica is involved in community outreach and research projects such as Gifted Hands, The Pillowcase Dress Project, Comfort Care, and Participatory Action Research Leadership Program. These programs allow Erica to be of service and to give back to the community both inside and outside the prison walls.

## Erica Olson



# APPENDIX C: MEET THE TEAM

## Angela Zuniga



Angela N. Zuniga is a community researcher, proximate leader and advocate. She currently serves as the Sergeant at Arms for the Inmate Advisory Executive Council inside the Central California Women's Facility and is a Community Researcher with Unapologetically HERS, Healing Experiences through Research Solutions.

Angela is a proud Hispanic woman who is currently serving a fifteen to life sentence. She works as a peer mentor providing several groups to peers such as Healing Trauma, FACE-IT, Beyond Violence and Felons Against Distracted and Drunk Driving. Angela is also involved in the Beyond Incarceration Program and Helping Others With Life Skills (H.O.W.L), which provides the institution with several self-help groups such as Criminal and Addictive Thinking, Cage Your Rage, Offender Responsibility etc.

Angela has four years of leadership experience and considers herself to be solution focused, effective in communication, and reducing conflict and hostility between staff and peers.

Overall, Angela uses her past as a way to bring expertise to her facilitation skills. With every opportunity she is presented with, she strives to make a difference in a positive way. Angela is currently working towards obtaining two Associates Degrees, in Psychology and Sociology. Angela believes that having these two degrees will help open additional doors to understanding the perceptions of people who have suffered trauma, in addition to how society thinks as a whole,. This will provider her with more points of needed change that she can focus her attention on while continuing her journey of outreach and systemic change.

Aminah is a Black feminist, prison abolitionist, legal/policy advocate, and researcher with years of experience managing programs, leading policy advocacy work around criminal justice, and driving participatory action research initiatives.

Aminah is the co-founder and Executive Director of Unapologetically HERS, Healing Experiences through Research Solutions, co-organizer with the California Coalition for Women Prisoners and Survived and Punished, independant consultant, and researcher.

Aminah is skilled at building relationships with local and national community-based organizations, policymakers, and system partners. Aminah is committed to centering incarcerated and formerly incarcerated women of color, and comes to this work with a gender-specific lens. She holds a bachelor's degree in legal studies from the University of California, Berkeley and is the co-author of *Criminal Record Stigma in the College-Educated Labor Market*.

## Aminah Elster



# APPENDIX D: COURT ADDRESSES

## PUBLIC DEFENDERS & DISTRICT ATTORNEYS IN ALL CALIFORNIA COUNTIES

Note: Some counties do not have their own public defender offices. For those counties information is provided for superior courts or the law office contracted by the county to provide public defense services.

<b>Alameda</b>	Alameda County Public Defender 1401 Lakeside Drive, Suite 400 Oakland, CA 94612	Alameda County District Attorney 1225 Fallon Street, Room 900 Oakland, CA 94612
<b>Alpine</b>	Superior Court of Alpine County 14777 CA-89, P.O. Box 518 Markleeville, CA 96120	Alpine County District Attorney P.O. Box 248 Markleeville, CA 96210
<b>Amador</b>	Contract Public Defender: Ciummo Law - Amador Office 201 Clinton Road, Suite 202 Jackson, CA 95642  Amador County Superior Court 500 Argonaut Lane Jackson, California, 95642	Amador County District Attorney 708 Court Street #202 Jackson, CA 95642
<b>Butte</b>	Butte County Superior Court - Criminal Department 1 Court Street Oroville, CA 95965	Butte County District Attorney Admin. Bldg, 25 County Center Drive Oroville, CA 95965
<b>Calaveras</b>	Contract Public Defender: Ciummo Law - Calaveras Office 265 West St. Charles Street, Ste. 4 San Andreas, CA 95249  Calaveras County Superior Court 400 Government Center Drive San Andreas, CA 95249-9794	Calaveras County District Attorney 891 Mountain Ranch Road San Andreas, CA 95249
<b>Colusa</b>	Colusa County Superior Court 532 Oak Street Colusa, CA 95932	Colusa County District Attorney 346 5th Street, Suite 101 Colusa, CA 95932
<b>Contra Costa</b>	Contra Costa Contra Costa County Public Defender - Main Branch 800 Ferry Street Martinez, CA 94553	Contra Costa County District Attorney 900 Ward Street Martinez, CA 94553
<b>Del Norte</b>	Del Norte County Superior Court 450 H Street, Room 209 Crescent City, CA 95531	Del Norte County District Attorney 450 H Street, Room 171 Crescet City, CA 95531

# APPENDIX D: COURT ADDRESSES

<b>El Dorado</b>	El Dorado County Public Defender 3976 Durock Rd, Suite 104 Shingle Springs, CA 95682	El Dorado County District Attorney 778 Pacific Street Placerville, CA 95667
<b>Fresno</b>	Fresno County Public Defender 220 Tulare Street, Suite 300 Fresno, California 93721	Fresno County District Attorney 2220 Tulare Street, Suite 1000 Fresno, CA 93721
<b>Glenn</b>	Glenn County Superior Court 526 W Sycamore St #B Willows, CA 95988	Glenn County District Attorney P.O. Box 430 Willows, CA 95988
<b>Humboldt</b>	Humboldt County Public Defender 1001 Fourth Street Eureka, CA 95501	Humboldt County District Attorney 825 5th Street Eureka, CA 95501
<b>Imperial</b>	Imperial County Public Defender 895 Broadway El Centro, California 92243	Imperial County District Attorney 940 West Main Street, Suite 102 El Centro, CA 92243
<b>Inyo</b>	Contract Public Defender 148 North Main Street, # 201 Bishop, California, 93514  Inyo County Superior Courts - Criminal Division 168 North Edwards Independence, CA 93526	Inyo County District Attorney 168 North Edwards Independence, CA 93526
<b>Kern</b>	Kern County Public Defender 1315 Truxtun Avenue Bakersfield, CA 93301	Kern County District Attorney 1215 Truxtun Avenue Bakersfield, CA 93301
<b>Kings</b>	Kings County Superior Court 1640 Kings County Dr. Hanford, CA 93230  Public Defense Coordinator Marianne Gilbert 4125 W Noble Ave #199 Visalia, CA 93277	Kings County District Attorney 1400 West Lacey Blvd Hanford, CA 93230
<b>Lake</b>	Lake County Superior Court 255 N. Forbes Street, 4th Floor Lakeport, CA 95453	Lake County District Attorney 225 N. Forbes Street Lakeport, CA 95453
<b>Lassen</b>	Lassen County Public Defender 2950 Riverside Dr. Suite 103 Susanville, CA 96130	Lassen County District Attorney 2950 Riverside Dr, Suite 102 Susanville, CA 96130

# APPENDIX D: COURT ADDRESSES

<b>Los Angeles</b>	Los Angeles County Public Defender - Main Branch 210 West Temple Street, 19-513 CSF Los Angeles, CA 90012	Los Angeles County District Attorney 211 W. Temple Street, Suite 1200 Los Angeles, CA 90012
<b>Madera</b>	Contract: Ciummo Law - Madera Public Defender Office 221 North I Street Madera California 93637  Madera County Superior Court 200 South G Street Madera, CA 93637	Madera County District Attorney 209 West Yosemite Avenue Madera, CA 93637
<b>Marin</b>	Marin County Public Defender 3501 Civic Center Drive, Suite 139 San Rafael, CA 94903	Marin County District Attorney 3501 Civic Center Drive, Room 130 San Rafael, CA 94903
<b>Mariposa</b>	Mariposa Superior Court - Main Courthouse 5088 Bullion Street, P.O. Box 28, Mariposa, California 95338	Mariposa County District Attorney P.O. Box 730 Mariposa, CA 95338
<b>Mendocino</b>	Mendocino County Public Defender 175 S. School Street Ukiah, CA 95482	Mendocino County District Attorney P.O. Box 1000 Ukiah, CA 95482
<b>Merced</b>	Merced County Public Defender 2150 M Street Merced, CA 95340	Merced County District Attorney 550 West Main Street Merced, CA 95340
<b>Modoc</b>	Modoc County Superior Court 205 S East St. Alturas, CA 96101	Modoc County District Attorney 204 S. Court Street, Room 202 Alturas, CA 96101
<b>Mono</b>	Mono County Superior Court 100 Thompsons Way, P.O. Box 1037 Mammoth Lakes, CA 93546	Mono County District Attorney P.O. Box 2053 Mammoth Lakes, CA 93546
<b>Monterey</b>	Monterey County Public Defender 168 West Alisal, 2nd Floor Salinas, CA 93901	Monterey County District Attorney P.O. Box 1131 Salinas, CA 93902
<b>Napa</b>	Napa County Public Defender 1127 First Street, Suite B Napa, CA 94559	Napa County District Attorney P.O. Box 720 Napa, CA 94559
<b>Nevada</b>	Nevada County Public Defender 109 North Pine Street Nevada City, CA 95959	Nevada County District Attorney 201 Commercial Street Nevada City, CA 95959



# APPENDIX D: COURT ADDRESSES

<b>Orange</b>	Orange County Public Defender 14 Civic Center Plaza Santa Ana, CA 92701	Orange County District Attorney 401 Civic Center Drive West Santa Ana, CA 92701
<b>Placer</b>	Contract Public Defender: Koukol & Associates 3785 Placer Corporate Drive, Suite 550, Rocklin, CA 95765  Placer County Superior Court - Criminal Division 10820 Justice Center Drive Roseville CA 95678	Placer County District Attorney 10810 Justice Center Drive Roseville, CA 95678
<b>Plumas</b>	Plumas County Superior Court 520 Main St. #104 Quincy, CA 95971	Plumas County District Attorney 520 Main Street, Room 404 Quincy, CA 95971
<b>Riverside</b>	Riverside County Public Defender 4075 Main St. Suite 100 Riverside, CA 92501	Riverside County District Attorney 3960 Orange Street Riverside, CA 92501
<b>Sacramento</b>	Sacramento County Public Defender - Criminal Division 700 H Street, Suite 0270 Sacramento, CA 95814	Sacramento County District Attorney 901 G Street Sacramento, CA 95814
<b>San Benito</b>	San Benito Superior Court 50 Fourth Street Hollister, CA 95023	San Benito County District Attorney 419 4th Street Hollister, CA 95023
<b>San Bernardino</b>	San Bernardino County Public Defender - Administration 172 West 3rd Street, 2nd Floor San Bernardino, CA 92415-0008	San Bernardino County District Attorney 303 W. Third Street San Bernardino, CA 92415
<b>San Diego</b>	San Diego County Public Defender - Administrative Office 450 B Street, Suite 1100 San Diego, California 92101	San Diego County District Attorney 330 W. Broadway, Suite 1300 San Diego CA 92101
<b>San Francisco</b>	San Francisco Public Defender's Office 555 7th Street San Francisco, CA 94103	San Francisco County District Attorney 880 Bryant Street, Third Floor San Francisco, CA 94103
<b>San Joaquin</b>	San Joaquin County Public Defender 102 South San Joaquin Street Stockton, CA 95202	San Joaquin County District Attorney P.O. Box 990 Stockton, CA 95202

# APPENDIX D: COURT ADDRESSES

<p><b>San Luis Obispo</b></p>	<p>Contract Public Defender: San Luis Obispo Defenders 991 Osos Street, Suite A San Luis Obispo, CA 93401</p> <p>San Luis Obispo Superior Court - Criminal Division 1050 Monterey Street, Room 220 San Luis Obispo, CA, 93408</p>	<p>San Luis Obispo County District Attorney 1035 Palm Street, 4th Floor San Luis Obispo, CA 93408</p>
<p><b>San Mateo</b></p>	<p>San Mateo County Bar Association Private Defender Program 333 Bradford St #200 Redwood City, CA 94063</p>	<p>San Mateo County District Attorney 400 County Center, Third Floor Redwood City, CA 94063</p>
<p><b>Santa Barbara</b></p>	<p>Santa Barbara County Public Defender- Court House Office 1100 Anacapa Street Santa Barbara, CA 93101</p>	<p>Santa Barbara County District Attorney 1112 Santa Barbara Street Santa Barbara, CA 93101</p>
<p><b>Santa Clara</b></p>	<p>Santa Clara County Public Defender - Main Office 120 W. Mission St. San Jose, CA 95110</p>	<p>Santa Clara County District Attorney 70 West Hedding Street, West Wing San Jose, CA 95110</p>
<p><b>Santa Cruz</b></p>	<p>Santa Cruz Superior Court - Criminal Division 701 Ocean Street Santa Cruz, CA 95060</p> <p>Contract Public Defender: Biggam, Christensen and Minsloff 2103 North Pacific Avenue Santa Cruz, CA 95060</p>	<p>Santa Cruz County District Attorney 701 Ocean Street, Room 200 Santa Cruz, CA 95060</p>
<p><b>Shasta</b></p>	<p>Shasta County Public Defender 1815 Yuba St. Redding, CA 96001</p>	<p>Shasta County District Attorney 1355 West Street Redding, CA 96001</p>
<p><b>Sierra</b></p>	<p>Sierra County Superior Court - Criminal Division 100 Courthouse Square Downieville, CA 95936</p>	<p>Sierra County District Attorney 100 Courthouse Square Downieville, CA 95936</p>
<p><b>Siskiyou</b></p>	<p>Siskiyou County Public Defender 322 1/2 West Center Street Yreka, CA 96097</p>	<p>Siskiyou County District Attorney 311 Fourth Street, Room 204 Yreka, CA 96097</p>
<p><b>Solano</b></p>	<p>Solano County Public Defender - Main Office 675 Texas Street, Suite 3500 Fairfield, CA 94533</p>	<p>Solano County District Attorney 675 Texas Street, Suite 4500 Fairfield, CA 94533</p>

# APPENDIX D: COURT ADDRESSES

<b>Sonoma</b>	Sonoma County Public Defender 600 Administration Drive, 1st Floor Room 111 Santa Rosa, CA 95403	Sonoma County District Attorney 600 Administration Drive, Room 212J Santa Rosa CA 95403
<b>Stanislaus</b>	Stanislaus County Public Defender 1021 I Street, #201, P.O. Box 3428 Modesto, CA 95353	Stanislaus County District Attorney 832 12th Street, Suite 300 Modesto, CA 95353
<b>Sutter</b>	Sutter County Public Defender 604 B Street Suite 1 Yuba City, CA 95991	Sutter County District Attorney 446 Second Street, Suite 102 Yuba City, CA 95991
<b>Tehama</b>	Tehama County Superior Court - Criminal Division 1740 Walnut Street Red Bluff, CA 96080	Tehama County District Attorney P.O. Box 519 Red Bluff, CA 96080
<b>Trinity</b>	Trinity County Superior Court - Main Courthouse 11 Court Street Weaverville, CA 96093	Trinity County District Attorney P.O. Box 310 Weaverville, CA 96093
<b>Tulare</b>	Tulare County Public Defender Visalia Courthouse RM G35 221 South Mooney Blvd Visalia, CA 93291	Tulare County District Attorney 221 South Mooney Blvd, Suite 224 Visalia, CA 93291
<b>Tuolumne</b>	Tuolumne County Superior Court 99 N. Washington St. Sonora, CA 95370	Tuolumne County District Attorney 423 North Washington Street Sonora, CA 95370
<b>Ventura</b>	Ventura County Public Defender Hall of Justice 800 S. Victoria Avenue, Room # 207 Ventura, CA 93009	Ventura County District Attorney 800 South Victoria Avenue Ventura, CA 93009
<b>Yolo</b>	Yolo County Public Defender 814 North Street Woodland, CA 95695	Yolo County District Attorney 301 Second Street Woodland, CA 95695
<b>Yuba</b>	Yuba County Superior Court 215 Fifth Street, Suite 200 Marysville, CA 95901	Yuba County District Attorney 215 Fifth Street, Suite 152 Marysville, CA 95901

# RESOURCES FOR RESENTENCING

## Writing Letters to California Officials

### How do I request a review for resentencing from one of the four agencies authorized to make referrals?

#### Requesting Review from CDCR

CDCR's official policy per the Departmental Operations Manual (DOM) is that it does not accept referrals from incarcerated people, lawyers, or their families, so if you send a request you could get a routine response stating that. However, a number of people have been successful at alerting their counselors and CDCR staff in Sacramento that they are eligible under a specific "cohort" (a group of people with similar enhancements or case factors). CDCR staff in Sacramento is compiling lists of names and requesting assistance in identifying all potentially eligible people. Each person's experience may differ. Some facilities and Sacramento staff will take self-referrals from people who are currently incarcerated, some will take referrals from attorneys and/or loved ones, and some will not.

Here are some ideas for how to approach CDCR to request review for a resentencing referral:

#### 1. Find a trusted staff person to refer you to the CDCR Secretary to be reviewed for a resentencing referral on the basis of your "exceptional conduct."

You can ask a program or correctional staff person to send a referral for you for the "exceptional conduct" resentencing cohort. Potential referrers include work supervisors, teachers, religious leaders, or block sergeants. The person referring you should use their CDCR email to send your name and CDC# to [CDCR-DAI-1170-D-Recall-of-Sentence@cdcr.ca.gov](mailto:CDCR-DAI-1170-D-Recall-of-Sentence@cdcr.ca.gov). They can include a 1-2 page letter explaining why they are recommending you for resentencing and release.

The CDCR Recall and Resentence Recommendation Program (RRRP) only accepts and reviews exceptional conduct referrals from institutional staff via institutional email addresses. The CDCR RRRP does not accept self-referrals or referrals for exceptional conduct from family members of people in prison, their friends, or attorneys at this time.

Here are some tips for securing a staff referral from someone working at a CDCR facility:

- Participate in groups/programs where the staff and the program have a good reputation (or start your own program if one is not available).
- Provide the staff member with some documents that show your strength as a resentencing referral candidate. This can include laudatory chronos and program certificates, a list of your program and work history, your post-release plans, support letters, and even a template/example letter of what they could write about you.
- It may be helpful to involve your counselor in this process and inform them of the staff referring you, but it is not required.
- Ask multiple people in case someone does not want to recommend you.

## **2. Notify CDCR Staff in Sacramento that you are eligible for a resentencing cohort.**

Some staff in the Office of Legal Affairs have requested assistance in compiling lists of all of the potentially eligible people for resentencing referrals. You or your support network can draft a letter to send to Sacramento to mention your eligibility for an existing cohort and to make a persuasive case why you are a good candidate for a referral back to court.

See the following resource in the Appendix: “Template Letter - Requesting PC § 1172.1 Review from CDCR (Policy Reforms).” You can also request the “Template Letter - Requesting PC § 1172.1 Review from CDCR (Case Law)” from the Resource List.

The Office of Legal Affairs has also requested assistance from lawyers and community organizations in planning new “cohorts” on the basis of recent case law, policy reforms, and other factors that could impact a large number of people.

## **3. Submit a Form 602 Administrative Appeal to your counselor.**

If it feels safe to do so, you can submit a Form 602 administrative appeal to your Counselor, notifying them that you are eligible for resentencing. Please be cautious if you fear retaliation or other staff misconduct or negative treatment.

Officially, 602 appeals are not being heard for “Exceptional Conduct” referrals, although we have heard of a few instances of people successfully using the 602 process to be deemed eligible for resentencing based on exceptional conduct.

How CDCR responds to your Form 602 Appeal may depend on your eligibility criteria:

For people appealing under the Retroactive Changes in Law and the In-Custody Behavior/ Exceptional Conduct Cohort, CDCR may deny your appeal because they do not have to consider and grant resentencing recommendation requests for these discretionary cohorts.

For people who received a sentence that is now unlawful (the Sentencing Discrepancy Cohort), resentencing should be mandatory, and there is a clear right to appeal for resentencing relief through the administrative appeals process (602 form).

If CDCR does any of the following in response to your Form 602, you can appeal:

- If CDCR says they have a policy of denying every request  
You can appeal and argue that a “blanket denial” is an “abuse of discretion”
- If CDCR delays and does not respond to your request
- If you face discrimination or unlawful conduct while attempting your request

Filing an appeal for any non-response or denial preserves the topic in the record in case you need to argue it again in court later.

For more information about filling out administrative appeals forms, you can refer to the Prison Law Office’s (PLO) Guide to Administrative Appeals, which should be made available in your prison law library. PLO’s contact information and the Blank 602 Administrative Appeals Form which should be made available at CDCR facilities is listed in the Resource List.

## Requesting Review from the District Attorney in Your County of Conviction

Approaching the District Attorney's office is something to do with caution because any statements you or your support network make in self-advocacy or communications could be used against you by the District Attorney's office to try to establish inconsistencies. These alleged inconsistencies could be used to undermine your reliability and readiness for parole in future parole hearings or hurt your case in other ongoing proceedings (such as an SB 1437 (Felony Murder) resentencing petition).

You can use the advice in this Toolkit to think about what information to highlight and how to frame the case in order to minimize risks if you decide to reach out to the DA. If your criminal case is still on appeal and you are represented by an attorney, the California Rules of Professional Conduct prohibit the District Attorney from communicating directly with you.

Here is what For The People's Sentence Review Project advises:

"It is not recommended that you or your support network write to your District Attorney about your case. In an effort to explain why you believe your case warrants review, you may accidentally make a statement that could be viewed as inconsistent with your readiness for release. Even if you feel confident in your statements, anything written to the District Attorney can be raised at future parole hearings and possibly used against you. The Sentence Review Project is developing a template that you can use. This template will be made available once offices begin accepting requests. If you do contact your District Attorney, you should limit the information you provide to questions contained in the attached intake form from the Sentence Review Project."

Here is the limited scope of information that Sentence Review Project recommends providing to a District Attorney on their Intake Form:

- Name, Age, CDC#, Facility
- List of all convictions, including priors, and county(/ies) of conviction
- Age at the time of conviction and original sentence (list all enhancements)
- # of years already served
- Parole Status (parole eligibility date and/or upcoming hearing date)
- List of all programming (certificates, degrees, classes, groups, etc.) and leadership roles
- Letters of recommendation and support (chronos, job & housing offers, family, friends)
- List of any serious Rules Violation Reports in last 5 years
- # of children and/or grandchildren
- Description of your support network and re-entry plan (housing, employment, family, relationships, etc.)

## **Here are some ideas for how to request resentencing from a District Attorney:**

### **1. Contact the Public Defender's Office**

You can write to your Public Defender's office if they represented you in your case to request assistance with obtaining a resentencing referral from the District Attorney. You can share with the Public Defender the type of PC section 1172.1 resentencing you believe you are eligible for, and describe aspects of your sentence, your life, your time while incarcerated, and your role in your family and support network that could be helpful to make the case to the DA that you should receive a resentencing referral. If you were represented by a court-appointed attorney outside of the public defender's office, or a private attorney, you can also contact them about advising or assisting you with advocating with the District Attorney.

### **2. Contact the District Attorney's Office**

You can directly contact the District Attorney of the county of your conviction. With the recent passage of AB 2942, District Attorney offices are still coming on board to use their new PC section 1172.1 resentencing powers and may be receptive to strong arguments about why your case should be one of the first cases they consider for a referral in their county. Some counties may be setting up a review process through their conviction integrity units or a new resentencing referrals unit. Your support network can call or search online to see if the District Attorney has developed a process and criteria for PC § 1172.1 resentencing, and if there is a specific webpage or mailing address for requesting review.

## **Requesting Review from the Board of Parole Hearings**

The Board of Parole Hearings is also empowered to make these resentencing referrals, but as of mid-2019, BPH's position is that it defers to CDCR to select people for PC section 1172.1 resentencing review. Title 15 outlines that the Board of Parole Hearings is involved in CDCR's PC section 1172.1 referral process to the extent that BPH provides a final level of approval for people with indeterminate sentences (that is, sentences that require parole review, such as a 15-to-life sentence) whom CDCR would like to refer back to court.

## **Requesting Review from the County Correctional Administrator (likely the Sheriff's Office)**

The Sheriff can also recommend people for PC section 1172.1 resentencing who are serving their sentences in jails. Sheriffs may be motivated or encouraged to write these letters to reduce overcrowding in local jails in the aftermath of California's Realignment for Nonviolent Offenders (Proposition 47). Some people have been sending letters to the Sheriff in their county informing them of recent reforms (such as SB 180) to request a recommendation for resentencing.

We don't know how various county Sheriffs are handling the resentencing referral process or what criteria they could be using.

**Template Exceptional Conduct Referral Letter  
from Facility Staff to CDCR in Sacramento**

**[DATE]**

Michael Masters, Captain, Classification Services Unit, CDCR

Sent via email to [CDCR-DAI-1170-D-Recall-of-Sentence@cdcr.ca.gov](mailto:CDCR-DAI-1170-D-Recall-of-Sentence@cdcr.ca.gov), [Mike.Masters@cdcr.ca.gov](mailto:Mike.Masters@cdcr.ca.gov)

RE: Requesting Recall of Commitment for **[NAME]**, CDCR #**[xxxxx]** from **[NAME]** per CPC § 1172.1 and 15 CCR §§ 3076 et seq.

To the Office of the Secretary,

I write in my capacity as a \_\_\_\_\_. I have served in the position of \_\_\_ for \_\_\_ years. I write to ask you to initiate the recall of the sentence of \_\_\_\_\_. I ask for this on the basis of \_\_\_\_\_.

I have known \_\_\_\_\_ for \_\_\_\_\_ years. We first met in the capacity of \_\_\_\_\_. Since then we have interacted \_\_\_\_\_.

I have witnessed the following rehabilitative activities \_\_\_\_\_. They are a leader in \_\_\_\_\_.

The transformation I have seen in \_\_\_\_\_ is evidenced by \_\_\_\_\_. They approach their responsibilities of \_\_\_\_\_ with \_\_\_\_\_. The activity of \_\_\_\_\_ changed them and now they are \_\_\_\_\_. Other positive changes they have made include \_\_\_\_\_.

[If relevant: Their advanced age of \_\_\_ reduced the risk for future violence by \_\_\_\_\_. Their diminished physical condition due to the diagnosis of \_\_\_ reduced the risk for future violence by \_\_\_\_\_. The extensive time served of \_\_\_ years has reduced the risk for future violence by \_\_\_\_\_. ]

I feel they would not pose a safety risk if releases, as shown by \_\_\_\_\_.

Sincerely,

**[NAME]**

Enclosures:

**[chronos] [report card] [certificates]**

CC

Secretary of Operations, Division of Adult Institutions  
California Department of Corrections and Rehabilitation  
P. O. Box 942883, Sacramento CA 94283

Sent via email to [jeff.macomber@cdcr.ca.gov](mailto:jeff.macomber@cdcr.ca.gov)



# Resentencing Letter Template

**[DATE]**

Jeff Macomber  
Secretary of Operations, Division of Adult Institutions  
California Department of Corrections and Rehabilitation  
P. O. Box 942883, Sacramento CA 94283  
Sent Via Certified Mail or email [jeff.macomber@cdcr.ca.gov](mailto:jeff.macomber@cdcr.ca.gov)

Krista Dunzweiler  
Chief Deputy General Counsel, Office of the Secretary  
California Department of Corrections and Rehabilitation  
PO Box 942883, Sacramento, CA 94283-0001  
Sent Via Certified Mail or email [krista.dunzweiler@cdcr.ca.gov](mailto:krista.dunzweiler@cdcr.ca.gov)

RE: Resentencing Request for **[NAME]** , CDCR #**[xxxxx]** per California Penal Code § 1172.1

To the Office of the Secretary,

I am writing to request that you make a recommendation to the court to resentence me based on recent changes to California laws. Per the authority granted to the CDCR Secretary by the legislature in California Penal Code §1172.1 and the administrative guidelines in California Code of Regulations Title 15, §§ 3076 et seq, the CDCR Secretary is vested with the power and discretion to recommend resentencing in extreme cases of exceptional in-custody behavior (§ 3076(a)(1)), new information (§ 3076(a)(2)), and, or, changed circumstances demonstrating a person’s continued incarceration is not in the interest of justice (§ 3076(a)(3)). With the recent passage of AB 1812 on June 27, 2018 amending CPC § 1172.1, the CDCR Secretary and trial court of commitment offense have expanding guidance and purview to submit a request for recall of commitment and resentence someone convicted of a disproportionate sentence who demonstrated exceptional in-custody behavior. § 1172.1 now explicitly encourages the Secretary and courts to release people who demonstrate positive change post-conviction.

I believe I am eligible for resentencing based on changing circumstances ( CPC § 1170(d)(1), 15 CCR § 3076(a)(3). Recent legislation creates new grounds to resentence me in the interest of justice.

**Choose the Paragraph Below that Best Fits Your Circumstances**

**SB 620: Firearm Enhancement**

On October 11th, 2017, Governor Brown signed SB 620 into law. SB 620, by Senator Steven Bradford (D-Los Angeles), provides judges the power to strike or dismiss firearm enhancements (PC §12022.5 and PC §12022.53) at sentencing or resentencing. Mandatory gun enhancements were previously applied when a defendant used a gun during a felony crime. As of January 1st, 2018, courts now have the discretion to decide whether to impose gun enhancements.

## Resentencing Letter Template (continued)

### **SB 180: Drug Sentencing Enhancement**

On October 11th, 2017, Governor Brown signed SB 180 into law. SB 180, by Senator Holly Mitchell (D-Los Angeles), repeals the three-year sentence enhancement for prior drug convictions (HSC §11370.2), with the exception of prior convictions involving a minor (HSC §11380). The enhancement was applied when a person is currently charged with possession for sale, sale, manufacturing, transportation, or similar drug offenses. As of January 1st, 2018 prosecutors cannot charge people with the enhancement.

### **SB 1393: Enhancement for Prior Serious Offense**

On September 30, 2018, Governor Brown signed SB 1393 into law. SB 1393, by Senator Holly Mitchell (D-Los Angeles), provides judges the power to strike or dismiss enhancements for prior serious felony convictions (PC § 667 and PC §1385) at sentencing or resentencing. Mandatory five year enhancements were previously applied when a defendant had a prior serious convictions. As of January 1st, 2019, courts now have the discretion to decide whether to impose gun enhancements.

### **Explain your conviction and the number of years you received from the enhancement.**

Given the recent changes in the law, I respectfully request that your office make a recommendation to the court to resentence me. Please contact me with any questions or requests for additional materials.

Respectfully,

**Name**

**Prison ID #**

**Address**

# PETITION FOR RECALL AND RESENTENCE

PENAL CODE §1170(D)(1), *PEOPLE V. HEARD* (2022) 85 CAL. APP. 5<sup>TH</sup> 608

PEOPLE OF THE STATE OF CALIFORNIA, County of _____ v. DEFENDANT: _____ DATE OF BIRTH: _____	CASE NUMBER: _____
---	-----------------------

Pursuant to *People v. Heard* (2002) 85 Cal. App. 5<sup>th</sup> 608, I request that my sentence be recalled and that a new sentencing hearing be set.

- 1. I was \_\_\_\_\_ years old at the time of my crime.
- 2. I was sentenced to \_\_\_\_\_.
- 3. I have served at least 15 years of my sentence.
- 4. At least one of the following is true (check all that apply):
  - I was convicted of felony murder or aiding and abetting murder.
  - I do not have a juvenile adjudication for assault or other felony crime(s) with a significant potential for harm to victims prior to this offense.
  - I committed the offense with at least one adult codefendant.
  - I have performed acts that tend to indicate rehabilitation or the potential for rehabilitation, including, but no limited to, availing myself of rehabilitation, educational or vocational programs, using self-study for self-improvement, and/or showing evidence of remorse.
- 5. I was not convicted of torturing the victim (Pen. Code §206), and the victim was not a public safety official, including local, state or federal law enforcement personnel or firefighter.
- 6. I have remorse and have worked towards rehabilitation. I have included an initial statement on separate paper. I will supplement this statement, if necessary, upon the advice of counsel once this court appoints an attorney to represent me.

7. I request that the court appoint an attorney to represent me for this petition. I am indigent.

8. I have mailed a copy of this Petition to the following:

**Office of the District Attorney**

**Office of the Public Defender**

County of \_\_\_\_\_

County of \_\_\_\_\_

[Street Address]

[Street Address]

[City, State, Zip]

[City, State, Zip]

**OR**

[Trial Attorney Name]

[Firm Name]

[Street Address]

[City, State, Zip]

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

**DATE:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**PRINTED NAME:** \_\_\_\_\_

**CITY:** \_\_\_\_\_

**STATE:** \_\_\_\_\_



Lined area for text entry.