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IN THE SUPREME COURT OF THE STATE OF CALIFORNIA

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**PEOPLE OF THE STATE OF
CALIFORNIA,**

Plaintiff/Respondent,

v.

ALLEN DIMEN DELEON,

Defendant/Appellant.

Case No. **S230906**

First Appellate District, Division Three, Case No. A140050
Solano County Sup. Ct. No. FCR302185
Honorable Robert S. Bowers, Jr., Judge

**APPLICATION FOR LEAVE TO FILE AMICUS CURIAE
BRIEF; AMICUS CURIAE BRIEF IN SUPPORT OF
APPELLANT DELEON**

SHARON PETROSINO
Orange County Public Defender
DANIEL J. COOK
Chief Deputy Public Defender
DAVID DWORAKOWSKI
Assistant Public Defender
State Bar Number 135285
14 Civic Center Plaza
Santa Ana, California 92701
(714) 834-2144
david.dworakowski@puddef.ocgov.com
Attorneys for Amicus Curiae

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(714) 834-2144
david.dworakowski@puddef.ocgov.com
Attorneys for Amicus Curiae

**APPLICATION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF**

Pursuant to California Rules of Court, rule 8.520, the Orange County Public Defender (OCPD) respectfully request leave to file the attached brief of amici curiae in support of the appellant, Allen Dimen Deleon. This application is timely made within thirty days after the filing of the last Reply Brief on the merits.

THE AMICI CURIAE AND THEIR INTEREST

The OCPD provides legal representation to indigent persons in criminal, juvenile, mental health and dependency cases in Orange County, California. Established in 1944, today over 185 attorneys are employed by the OCPD, Alternate, and Associate Defender, with the support of investigators, paralegals and clerical staff, who provide legal representation in approximately 75,000 cases annually. In the wake of Realignment, the OCPD represents almost all parolees appearing before the Orange County Superior Court on alleged violations.

The OCPD was counsel of record in *Williams v. Superior Court* (2014) 230 Cal.App.4th 636, a decision acknowledging the constitutional due process principles afforded parolees, including

a parolee's entitlement to a timely arraignment and probable cause hearing. Notably, in the case before review, the First Appellate District Court, Division Three, rejected the conclusion in *Williams* that due process requires a probable cause hearing of a parole revocation charge with 15 days of arrest. (Slip opn. at pp. 3, 5, 10.)

The OCPD believes their Amicus brief will provide valuable assistance to this Court in its consideration of the important issues raised, especially how Orange County has successfully implemented *Williams*' due process requirements to a timely arraignment and probable cause hearing.

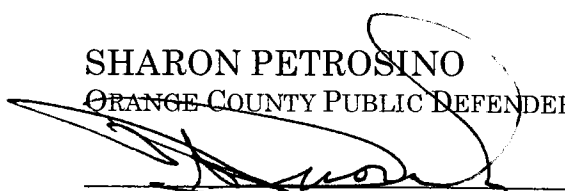
CONCLUSION

For all the foregoing reasons, amici curiae respectfully request that the court accept the accompanying brief for filing and consideration in this case.

Respectfully submitted,

DATED: 9/6/2016

SHARON PETROSINO
ORANGE COUNTY PUBLIC DEFENDER


By: DAVID DWORAKOWSKI
Assistant Public Defender
Managing Attorney Writs and
Appeals Department

PROOF OF SERVICE

I hereby declare:

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 14 Civic Center Plaza, Santa Ana, California 92701.

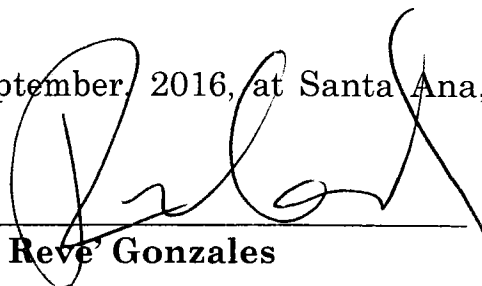
On September 6, 2016, I served a true and correct copy of the **Application for leave and Amicus Curiae Brief** on the interested parties in this action by placing a copy thereof in a sealed envelope with postage prepaid thereon in the United States Mail at Santa Ana, California, addressed as follows:

State of California
Office of the Attorney General
Attn: Darren Indermill
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550

Roberta Simon
Attorney at Law
P.O. Box 10728
Oakland, CA 94610

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

Executed this 6th day of September, 2016, at Santa Ana, California.



Reve Gonzales

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ORANGE COUNTY PUBLIC DEFENDER
IN SUPPORT OF APPELLANT DELEON**

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Orange County Public Defender
DANIEL J. COOK
Chief Deputy Public Defender
DAVID DWORAKOWSKI
Assistant Public Defender
State Bar Number 135285
14 Civic Center Plaza
Santa Ana, California 92701
(714) 834-2144
david.dworakowski@pudf.ocgov.com
Attorneys for Amicus Curiae

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ISSUE PRESENTED

In light of the changes made to the parole revocation process in the 2011 Realignment Legislation (Stats. 2011, ch. 15; Stats. 2012, ch. 43), is a parolee entitled to a probable cause hearing conducted according to the procedures outlined in *Morrissey v. Brewer* (1972) 408 U.S. 472 [33 L. Ed. 2d 484, 92 S. Ct. 2593] (“*Morrissey*”) before parole can be revoked?

STATEMENT OF THE CASE AND FACTS

On August 23, 2013, DeLeon’s parole agent conducted a search of DeLeon’s motel room, locating a cell phone that contained a video of an adult male masturbating, and pictures of women with their breasts and vaginas exposed and engaged in sexual acts. (10/3/13 RT 27-28.) DeLeon was charged with a violation of parole and booked into county jail. (Supp. CT 1.)

The Department of Corrections and Rehabilitation determined there was probable cause to support a revocation of parole. (Supp. CT 6-7.) The petition to revoke was referred to the superior court on August 30, and a petition to revoke parole was filed in the superior court on September 4, 2013. (CT 1; Supp. CT 1-32; 9/25/13 RT 8.)

On September 6, 2013 - 14 days after DeLeon's arrest - the trial court reviewed the parole violation report, ex parte, found probable cause to support revocation, and revoked DeLeon's parole supervision. A revocation hearing was scheduled for September 11. (CT 1; 9/25/13 RT 5, 10.)

On September 11, 2013 – 19 days after his arrest – DeLeon first appeared before the trial court, represented by counsel. (9/25/13 RT 4.) At the hearing, DeLeon moved to discharge the petition and dismiss the parole violation due to a violation of his due process rights because he had not been given a probable cause hearing within 15 days of arrest. (9/11/13 RT 4-5.) The trial court ordered briefing on the issue. (9/11/13 RT 4-5.)

On September 25, 2013, following a hearing, the trial court denied DeLeon's motion to dismiss. (CT 16; 9/25/13 RT 9.) The court found that a judicial officer reviewed the charges and passed upon probable cause on September 6, 2013, the 14th day of DeLeon's detention, which the court deemed was constitutionally adequate. (9/25/13 RT 8-10.)

On October 3, 2013 – 41 days after DeLeon's arrest – the final revocation hearing was held. (CT 19-20.) The court found

DeLeon in violation of parole, and sentenced him to 180 days in jail. (10/3/13 RT 35-37.)

DeLeon appealed, contending that the trial court's failure to hold a timely and proper probable cause hearing consistent with *Morrissey* violated his due process rights (see *Morrissey*, *supra*, 408 U.S. 472.) On October 28, 2015, the First District Court of Appeal filed an opinion affirming the judgment, and holding, as relevant here, superior courts are not required to conduct preliminary probable cause hearings as specified in *Morrissey*, before revoking parole, and that a timely single hearing afforded constitutionally adequate process. Rehearing was denied on November 20, 2015, and review was granted on February 3, 2016.

SUMMARY OF ARGUMENT

Revocation of supervised release deprives a person of a conditional liberty interest, and may only be had with due process protections. (*Morrissey*, *supra*, 408 U.S. at p. 482 [parole revocation]; *People v. Vickers* (1972) 8 Cal.3d 451, 458 (“*Vickers*”) [probation revocation].) To conform to due process, revocation of conditional release requires a two-step process: (1) an initial

probable cause hearing to determine whether there is probable cause to believe the parolee has committed acts that would constitute a violation of parole conditions, and (2) a final revocation hearing to determine whether the facts warrant revocation. (*Morrissey, supra*, 408 U.S. at p. 485; *Vickers, supra*, 8 Cal.3d at p. 456.) The probable cause hearing can be likened to a preliminary hearing in a criminal proceeding. (*Morrissey, supra*, 408 U.S. at p. 485.) To conform to due process, the probable cause determination must be preceded by notice of the hearing and the alleged violations, and must provide an opportunity for the supervised person to speak on his own behalf, present evidence, and question adverse witnesses. (*Id.* at pp. 485-486; *Vickers*, 8 Cal.3d at pp. 456-457.)

In California, the power to grant and revoke parole was historically vested in the Department of Corrections and Rehabilitation, not the courts, and the Board of Parole Hearings conducted parole probable cause and revocation hearings. (*Williams v. Superior Court* (2014) 230 Cal.App.4th 636, 650-1 (“*Williams*”).) Then, beginning in 2011, the Legislature began enacting realignment legislation, which established, among other

things, “a uniform process for revocation of probation, parole, and postrelease supervision of felons.” (*Id.* at p. 643.) The realignment legislation placed responsibility for parole revocation proceedings in the courts. (Pen. Code §3000.08, subd. (f).) The Legislature intended this uniform procedure to comply with the due process requirements under *Morrissey*, *Vickers*, and their progeny. (*Williams*, *supra*, 230 Cal.App.4th at p. 651; see Stats. 2012, Ch. 43 §2.)

In *Williams*, the appellate court addressed the due process issues surrounding parole revocation proceedings in Orange County Superior Court post-realignment. The court applied the *Morrissey* and *Vickers* safeguards to the statutory framework for parole revocation. It concluded that revocation of parole conforms to due process if the parolee is arraigned within 10 days of arrest and afforded a judicial probable cause hearing within 15 days of arrest and a formal revocation hearing within 45 days of arrest. (*Williams*, *supra*, 230 Cal.App.4th at p. 643.)

The Court of Appeal in *DeLeon* declined to follow *Williams*. There, following his arrest, DeLeon languished in jail for 19 days before his first appearance in the superior court (9/25/13 RT 4),

and the superior court's probable cause determination did not satisfy the constitutional requirements of *Morrissey*. Instead, 14 days after his arrest, and while DeLeon remained at county jail, the trial court reviewed the parole violation report, *ex parte*, finding probable cause to support revocation, and revoking DeLeon's parole supervision. (CT 1; 9/25/13 RT 5, 10.) The *DeLeon* court concluded that *Morrissey* governs the measure of process due in parole revocation proceedings conducted by an administrative agency, not by the courts. (Slip Op. at pp. 9-10.) The Court found that the proceedings satisfied due process because of the minimal risk of an erroneous deprivation of liberty. (*Ibid.*)

In the present case, Respondent concedes that due process under *Morrissey* requires a parolee arrested on a violation receive a timely probable cause hearing prior to revoking parole for that violation. (RB 10.) Respondent further concedes that it is of no consequence that post-realignment parole revocation proceedings are now judicial rather than administrative proceedings. (RB 11.) Respondent proposes a unitary hearing 30 days after arrest, which it contends "does not appear to be a significant delay

between arrest and a final revocation hearing.” (RB 19.)

Respondent’s proposal violates the express holding of *Morrissey* as well as the Legislature’s intent in enacting the realignment legislation. In Orange County’s experience, Respondent’s proposal requiring parolees to remain in custody 30 days before an opportunity to be heard results in the erroneous deprivation of liberty.

A 2016 study of parole revocation cases in Orange County supports that a probable cause hearing held within 15 days of arrest is a valuable safeguard, and promotes the effective administration of justice. (Exhibit A.) Indeed, of the probable cause hearings held in 2016 from January through August, 16.2% of the cases were dismissed at the hearing. (Exhibit B.) Additionally, nearly a third, 27.9%, of all parolees served less than 30 days of actual time in custody. (*Ibid.*) Under Respondent’s proposal, these individuals would be confined until the 30-day unitary hearing, serving unwarranted jail time. Such a result violates due process and the goals of realignment.

In sum, as Orange County’s experience shows, a timely arraignment, probable cause and revocation hearing is essential

to ensuring Constitutional and statutory protections for the accused in parole revocation proceedings and safeguarding the orderly administration of justice in California.

ARGUMENT

I

WHEN A PAROLEE IS HELD IN CUSTODY FOR AN ALLEGED PAROLE VIOLATION, THE PAROLEE MUST RECEIVE A TIMELY PROBABLE CAUSE HEARING CONSISTENT WITH THE CONSTITUTIONAL PROCEDURAL DUE PROCESS PRINCIPLES ESTABLISHED IN *MORRISSEY*, *VICKERS* AND ITS PROGENY AND CONSISTENT WITH STATE LAW

A. Relevant United States Supreme Court Law Concerning Parole Revocation Hearings.

The constitutional requirements of a probable cause hearing in a parole revocation proceeding conducted by the superior court pursuant to Penal Code section 1203.2 are governed by *Morrissey* and its progeny. *Morrissey* holds that the Due Process Clause entitles a person whose parole is revoked to two hearings: first, after a parolee's arrest and detention for an alleged parole violation, a "prompt preliminary hearing" to determine whether there is probable cause or reasonable ground to believe that the arrested parolee has committed acts that

would constitute a violation of parole conditions, (408 U.S. at p. 485); and, second, a final revocation hearing “leading to a final evaluation of any contested relevant facts and consideration of whether the facts as determined warrant revocation,” (*Id.* at p. 488). *Morrissey* explained that, although the preliminary hearing is to be informal, (see *Id.* at p. 487), due process requires that the probable cause determination “be made by someone not directly involved in the case,” (*Id.* at p. 485); that the parolee be given notice of the preliminary hearing, its purpose, and the alleged parole violations, (*Id.* at pp. 486-87); that the parolee be permitted to speak and present evidence and witnesses at the hearing, (*Id.* at p. 487); that the parolee be permitted to confront and cross-examine adverse witnesses, (*Ibid.*); and that the hearing officer state the reasons for his or her decision and identify the supporting evidence. (*Ibid.*)

The Court determined that a probable cause hearing is necessary prior to a revocation hearing because “the liberty of a parolee, although indeterminate, includes many of the core values of unqualified liberty and its termination inflicts a ‘grievous loss’ on the parolee and often on others.” (*Morrissey*,

supra, 408 U.S. at p. 482.) While the State’s interests include “imposing extensive restrictions on the individual’s liberty” to “return the individual to imprisonment without the burden of a new adversary criminal trial if in fact he has failed to abide by the conditions of parole,” society also has an interest in “whatever may be the chance of restoring [the parolee] to a normal and useful life within the law. Society thus has an interest in not having parole revoked because of erroneous information or because of an erroneous evaluation of the need to revoke parole.” (*Id.* at pp. 483-484.) “And society has a further interest in treating the parolee with basic fairness: fair treatment in parole revocations will enhance the chance of rehabilitation by avoiding reactions to arbitrariness.” (*Id.* at p. 484.)

The Court’s intention in *Morrissey* to impose a two-hearing requirement is reaffirmed in *Gagnon v. Scarpelli* (1973) 411 U.S. 778, 93 S.Ct. 1756, 36 L.Ed.2d 656, in which, one year after *Morrissey*, the Court extended the same due process protections to probation revocations. (*Id.* at p. 782.) In *Gagnon*, the Court described *Morrissey* as follows: “Specifically, we held that a parolee is entitled to two hearings, one a preliminary hearing at

the time of his arrest and detention to determine whether there is probable cause to believe that he has committed a violation of his parole, and the other a somewhat more comprehensive hearing prior to the making of the final revocation decision.” (*Id.* at pp. 781-82.) In response to Wisconsin’s argument that the *Morrissey* requirements would cause practical problems for states with interstate compacts regarding supervision of probationers and parolees, the *Gagnon* Court was unmoved, stating, “[s]ome amount of disruption inevitably attends any new constitutional ruling. We are confident, however, that modification of the interstate compact can remove without undue strain the more serious technical hurdles to compliance with *Morrissey*.” (*Id.* at p. 782, fn. 5)

A few years later, the Court said that no preliminary hearing is required if the parolee has already been convicted of a subsequent offense. *Moody v. Daggett* (1976) 429 U.S. 78, 86-89 & n.7, 50 L. Ed. 2d 236, 97 S. Ct. 274.

B. Relevant Law Concerning Parole Revocation Hearings in California.

Historically in California, the power to grant and revoke parole was vested in the Department of Corrections and Rehabilitation, not the courts. (*In re Prather* (2010) 50 Cal. 4th 238, 254.) “In 2011, the Legislature enacted realignment legislation which amended a ‘broad array of statutes concerning where a defendant will serve his or her sentence and how a defendant is to be supervised on parole.’ [Citation.]” (*Williams, supra*, 230 Cal.App.4th at p. 650.) “In 2012, as part of the realignment system, the Legislature amended section 1203.2 (which previously dealt solely with the revocation of probation) to apply to the revocation of supervision (§1203.2, subs. (a), (f)(3)), thereby establishing a uniform process for revocation of parole, probation, and postrelease supervision of most felons.” (*Williams, supra*, 230 Cal.App.4th at pp. 650-651.) “Consequently, under current section 1203.2, the court has authority to revoke the supervision of a person on grounds specified in the statute. (§1203.2, subs. (a), (b).) Previously the Board of Parole Hearings conducted parole probable cause and revocation hearings. [Citation.]” (*Williams, supra*, 230 Cal.App.4th at pp. 650-651.)

In enacting the realignment legislation, the Legislature expressed its intent that the amendments to the parole revocation process were intended to incorporate the procedural due process protections held to apply to probation revocation procedures under *Morrissey*, *Vickers*, and their progeny. (Stats 2012, Ch. 43 §2; *Williams, supra*, 230 Cal.App.4th at p. 651.)

“Section 3000.08, govern[s] parole supervision [and] contains the following relevant provisions. If a parole agent or peace officer has probable cause to believe a parolee is violating parole, the agent or officer may, without warrant, ‘arrest the person and bring him or her before the court, or the court may, in its discretion, issue a warrant for that person’s arrest[.]’ (*Id.* subd. (c).) If the supervising parole agency finds ‘good cause’ that the parolee violated the law or a parole condition, the agency may impose additional conditions of supervision and ‘immediate, structured, and intermediate sanctions [...] including flash incarceration[.]’ (*Id.* subd. (d)), [...] Periods of ‘flash incarceration’ [...] are encouraged as one method of punishment for violations of a parolee’s conditions of parole.’ (*Id.* subd. (d)), ‘If the supervising parole agency has determined [...] that intermediate sanctions

[...] are not appropriate, the supervising parole agency shall, pursuant to [s]ection 1203.2, petition [the court] to revoke parole.’ (*Id.* subd. (f)). If the court finds the parolee has violated the conditions of parole, it may (1) return the person to parole supervision with modifications of conditions, if appropriate, (2) revoke parole and order the person to confinement in county jail, or (3) refer the person to reentry court or an evidence-based program. (*Ibid.*)” (*Williams, supra*, 230 Cal.App.4th at pp. 651-652.)

In 2008, “[...] California voters passed Proposition 9, entitled ‘Victims’ Bill of Rights Act of 2008: Marsy’s Law,’” which enacted Penal Code section 3044. (*Williams, supra*, 230 Cal.App.4th at pp. 649-650.) As relevant here, section 3044 entitles a parolee “to a probable cause hearing no later than 15 days following his or her arrest for violation of parole” (*Id.*, subd. (a)(1)), and an “evidentiary revocation hearing no later than 45 days following his or her arrest for violation of parole” (*Id.*, subd. (a)(2)).

The due process requirements articulated in *Morrissey* were applied to probation revocation proceedings pursuant to

Penal Code section 1203.2. In *Vickers*, the Court held that probation revocation proceedings need not be identical to parole revocation procedures, so long as equivalent safeguards are in place to assure that a probationer is not arbitrarily deprived of his or her liberty for a significant period of time. (*Vickers, supra*, 8 Cal.3d at p. 458.) The probationer is also entitled to representation by retained or appointed counsel at formal revocation proceedings. (*Id.* at pp. 461-462.) Thereafter, in *People v. Coleman* (1975) 13 Cal. 3d 867, the court clarified that a unitary hearing, combining both the preliminary hearing and formal revocation will usually suffice in probation revocation cases so long as “equivalent due process safeguards” assure that the probationer is not arbitrarily deprived of his conditional liberty for any “significant period of time.” (*Id.* at pp. 894-895.)

C. Due Process, As Articulated in *Morrissey*, Requires A Timely Probable Cause Hearing After a Parolee’s Arrest On an Alleged Parole Violation.

Respondent concedes that due process under *Morrissey* requires a parolee arrested on a violation receive a timely probable cause hearing prior to revoking parole for that violation.

(RB 10.) Respondent further concedes that it is of no consequence that post-realignment parole revocation proceedings are now judicial rather than administrative proceedings. (RB 11.) As Respondent indicates, probation revocation proceedings are judicial proceedings in California, but *Morrissey* remains applicable under those circumstances (*Vickers, supra*, 8 Cal.3d at pp. 458-461); moreover, in enacting the realignment law, the Legislature expressed an intent for *Morrissey* and *Vickers* to apply to parole revocation proceedings. (*Williams, supra*, at p. 651; see Stats. 2012, Ch. 43 §2; RB11.) There is no dispute in this case that *Morrissey's* requirements apply to judicial parole revocation proceedings. (RB 12-13.)

D. Unitary Hearing Does Not Satisfy Due Process.

Respondent claims that *Morrissey* does not require two separate hearings and that a unitary hearing procedure satisfies due process. (RB 14, 18.) Nothing in *Morrissey* suggests this. The *Morrissey* Court issued a broad ruling and identified certain basic requirements that states must follow to ensure due process: a probable cause hearing followed by a revocation hearing. The two

proceedings are separate and serve different functions.

(*Morrissey, supra*, 408 U.S. at pp. 485-487.)

As part of its rationale for a separate probable cause hearing, *Morrissey* notes that “there is typically a substantial time lag between the arrest” and the final parole revocation determination, and that “it may be that the parolee is arrested at a place distant from the state institution, to which he may be returned before the final [parole revocation] decision is made.” (*Morrissey, supra*, 408 U.S. at 485.) Neither situation is necessarily true post realignment. Still, the uses of the word(s) “typically” and “it may be,” show that the broadening ruling is not limited to cases where there is substantial time lags between arrest and final revocation hearing or when the place of arrest and the place of the final hearing are distant. The Court issued a broad rule requiring a preliminary hearing in addition to final revocation hearing. Moreover, as discussed below, post-realignment there are multiple reasons why due process requires a separate probable cause hearing within 15 days.

E. A Unitary Hearing Occurring More Than 15 days After Arrest Does Not Qualify as A “Prompt” Probable Cause Hearing Under *Morrissey* Post-Realignment.

The Court saw its decision in *Morrissey* as “deciding the minimum requirements of due process.” (*Morrissey, supra*, 408 U.S. at pp. 488-89.) *Morrissey* did not intend to establish an absolutely inflexible scheme. Respondent contends that a unitary hearing up to 30 days after arrest “does not appear to be a significant delay between arrest and a final revocation hearing.” (RB 19.) Under Respondent’s view of the law, a 30- day period during which California parolees are incarcerated without a finding of probable cause, and without an opportunity to be heard, satisfies *Morrissey*. Considering that post realignment the maximum sentence a parolee serves on a violation is 180 days, (90 actual days considering good time credits)(§ 3000.08), if the court delays a probable cause hearing until 30 days after arrest, the individual will have served a third of their potential maximum sentence before a finding of probable cause is even made! Such a scenario does not constitute a “prompt” probable cause hearing under *Morrissey*. (*Morrissey, supra*, 408 U.S. at p. 485)

Moreover, Respondent fails to take into consideration that *Morrissey* and *Vickers* are pre-realignment cases, and the

consideration before those courts regarding the impact on due process and the administration of justice were different than in the instant case.

The core legislative goal of realignment is to improve public safety with smarter sanctions that seek to preserve gains in stability of parolees, to get people back into the community, reinvest money spent incarcerating parolees into better evidentiary practices, and look for alternatives to lengthy incarceration for *de minimis* violations. A probable cause hearing, within 15 days of arrest is essential to ensuring constitutional protections for the accused in parole revocation proceedings and safeguarding the orderly administration of justice.

F. Parole Revocation Hearings in Orange County Show That a Probable Cause Hearing Within 15 Days of Arrest Is Both Necessary and Workable.

Following the appellate court's ruling in *Williams*, parole revocation proceedings in Orange County afford a timely arraignment and probable cause hearing within 15 days of arrest. Despite early objections from the superior court that it could only handle the burdens of parole revocation proceedings if they were heard only one day a week (*Williams, supra*, 230 Cal.App.4th at

p. 646), Orange County's courts appear to be easily complying with the *Williams*' ruling. In fact, arraignments and probable cause hearings have often been held even earlier than the *Williams* court required. (See Exhibit A.)

In Orange County, from January to August of 2016, there have been 43 probable cause hearings timely held in parole revocation cases. (Exhibits A, B.) Of these, 16.2% resolved in outright dismissal of the petition, a clear indication that these individuals were erroneously deprived of their liberty. If these parolees had been forced to languish in custody awaiting their 30-day unitary hearing, they would have spent, at a minimum, an additional 15 days in custody before the petition was dismissed. A timely probable cause hearing served the interests of justice by identifying at an early stage frivolous revocation petitions. A timely probable cause hearing also reduced the amount of money the State spent incarcerating parolees not found in violation of their parole.

In addition, Orange County's study reveals that 27.9% of all parole cases resolved with the court determining that the parolee should spend less than 30 *actual days* in custody, when

taking into account their earned day for day good time/work credit. (Exhibit A, B.) All parolees in Orange County's Study received good time/work credit. (Exhibit A.) Respondent's unitary hearing proposal at 30 days exceeds the time period these individuals were lawfully incarcerated according to the court's findings.

Respondent argues that the state does not have adequate resources to implement a probable cause hearing within 15 days. (RB 19.) Yet, as the Orange County experience shows, Respondent's proposal delays resolution of cases, and dramatically increases the money the state must pay in incarceration costs, not to mention the additional disruption to the parolee's liberty interests.

Respondent's claim that the probable cause hearings would be a burden on counsel, the parolee, and witnesses, because the hearing is duplicative is equally unavailing. (RB 19.) Orange County's study demonstrates that probable cause hearings are not duplicative and are a very important part of protecting against erroneous petitions, promoting fairness and justice as well as preserving judicial and State resources. The interests of

both parolees and the State are served by a timely probable cause hearing.

CONCLUSION

Even if the Constitution permits California to consolidate the preliminary and final revocation hearings into a single proceeding, a 30-day delay is unconstitutional. Under *Morrissey's* dual hearing structure, a wrongfully detained parolee has a prompt opportunity to contest the probable cause finding and perhaps regain his or her liberty. But under the Attorney General's proposal, a parolee can sit in jail for thirty days, one-third of their maximum sentence when considering day-for-day good time credits, with no opportunity to demonstrate that he or she is wrongfully detained, deserving of flash incarceration, or deserving of a lesser sentence than 30 actual days in custody (60 days with good time credits). This does not satisfy *Morrissey's* requirement of a preliminary hearing held "as promptly as convenient after arrest." (*Morrissey*, 408 U.S. at p. 485.) It also does not comport with the goal of Realignment to limit the amount of time parolees spend in custody on technical and lesser violations so as not to needlessly disrupt their ability to reintegrate into society.

Whether this Court determines that the 15-day time frame for holding a timely preliminary probable cause hearing found in Penal Code section 3044, subdivision (a)(1) applies to judicial parole revocation proceedings, or whether this Court finds support for the 15-day probable cause hearing in *Morrissey* and *Williams*, the statutorily and constitutionally based 15-day time frame must remain.

Dated: September 9, 2016

Respectfully submitted,

SHARON PETROSINO
PUBLIC DEFENDER
ORANGE COUNTY
DAVID DWORAKOWSKI
ASSISTANT PUBLIC DEFENDER

A handwritten signature in black ink, appearing to read 'David Dworakowski', written over a horizontal line.

DAVID DWORAKOWSKI
Attorney

CERTIFICATE OF WORD COUNT

I, David Dworakowski, hereby certify that, according to the computer program used to prepare this document, there are 4,094 words.

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

Executed this 9th day of September, 2016, in Santa Ana, California.

A handwritten signature in black ink, appearing to read 'David Dworakowski', is written over a horizontal line.

DAVID DWORAKOWSKI
Attorney for Real Party

PROOF OF SERVICE

I hereby declare:

I am employed in the County of Orange, State of California. I am over the age of 18 and not a party to the within action. My business address is 14 Civic Center Plaza, Santa Ana, California 92701.

On September 6, 2016, I served a true and correct copy of the **BRIEF OF AMICUS CURIAE IN SUPPORT OF APPELLANT DELEON** on the interested parties in this action by placing a copy thereof in a sealed envelope with postage prepaid thereon in the United States Mail at Santa Ana, California, addressed as follows:

State of California
Office of the Attorney General
110 West "A" Street, Suite
1100
P.O. Box 85266
San Diego, CA 92186-5266

Appellate Defenders, Inc.
555 West Beech Street, Suite
300 San Diego, CA 92186-5266

California Court of Appeal
Fourth District, Division
Three
601 W. Santa Ana Blvd.,
Santa Ana, CA 92701
Att.: Clerk of the Court

Deputy County Clerk
Attn: Hon. Richard M. King
Orange County Sup. Ct.
Central Justice Center
700 Civic Center Drive West
Santa Ana, CA 92701

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

Executed this 6th day of September, 2016, at Santa Ana, California.

IN THE SUPRME COURT OF THE STATE OF CALIFORNIA

PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff/Respondent,

v.

ALLEN DIMEN DELEON,

Defendant/Petitioner;

ORANGE COUNTY PUBLIC
DEFENDER,

Amicus curiae.

No. S230906

Court of Appeal No. A140050

Solano County Sup. Ct. No.
FCR302185

Volume I
(Exhibits A-B)

**BRIEF OF AMICUS CURIAE
ORANGE COUNTY PUBLIC DEFENDER
IN SUPPORT OF APPELLANT DELEON**

ORANGE COUNTY PUBLIC DEFENDER'S OFFICE

SHARON PETROSINO
Public Defender
DANIEL J. COOK
Chief Deputy Public Defender
DAVID DWORAKOWSKI
Assistant Public Defender
State Bar No. 135285
14 Civic Center Plaza
Santa Ana, California 92701
(714) 834-2144

Attorneys for Amicus Curiae

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EXHIBIT A
(Orange County Parole Study)

Exhibit A

Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Acevedo, R	P-01907	1/21/16 3/9/16 5/16/16 6/13/16 7/15/16	1/27/16 3/15/16 5/20/16 6/20/16 7/21/16	A - 1/28/16 A - 3/16/16 DISMISSAL DISMISSAL DISMISSAL			60d OCJ - 16C 75d OCJ - 16C
Aguas, R	P-01613	1/8/16 4/18/16	1/14/16 4/22/16	A - 1/15/16 A - 4/25/16			75d OCJ - 18C 90d OCJ - 20C
Aguirre, E	P-00387	2/22/16 3/23/16	2/26/16 3/30/16	A - 2/29/16 A - 4/7/16			60d OCJ - 18C 90d OCJ - 32C
Akin, S	P-02323	4/4/16	4/7/16	A - 4/8/16			45d OCJ - 18C
Alarazabal, B	P-02206	5/23/16	5/26/16	A - 5/27/16			45d OCJ - 12C
Albarran, A	P-00822	1/4/16 5/3/16	1/18/16 5/10/16	A - 1/11/16 A - 5/11/16			120d OCJ - 18C 180d OCJ - 18C
Aldana, F	P-02282	2/16/16	2/23/16	D - 2/24/16	DISMISSAL		11d in custody
Alexander, E	P-02085	6/16/16	6/30/16	A - 7/1/16			60d OCJ - 32C
Aljarrah, J	P-01815	3/8/16 8/1/16	3/15/16 8/4/16	A - 3/16/16 A - 8/18/16			120d OCJ - 18C 150d OCJ - 42C
Alvarado, J	P-02184	1/15/16	1/21/16	A - 1/22/16			30d OCJ - 16C
Ambriz, R	P-02374	5/4/16	5/10/16	A - 5/11/16			30d OCJ - 18C
Anderson, A	P-02237	1/21/16 3/4/16	1/27/16 3/9/16	A - 1/28/16 A - 3/10/16			30d OCJ - 18C 60d OCJ - 14C
Aragon, M	P-01929	2/8/2016 5/16/16	2/10/16 5/20/16	A - 2/25/16 D - 5/20/16	CRT-PC - 5/27/16	A - 6/21/16	120d OCJ - 42C 120d OCJ - 76C
Archer, B	P-00078	1/8/16	1/14/16	D - 1/15/16	CRT-PC - 1/22/16	A - 2/19/16	135d OCJ - 88C
Arellano, J	P-02307	3/7/16	3/11/16	A - 3/14/16			30d OCJ - 20C
Armendariz, C	P-02002	2/8/16	2/10/16	A - 2/18/16			30d OCJ - 28C
Astorga, G	P-01818	1/21/16	1/27/16	Arr set 9/1/16			
Avalos, E	P-02423	7/18/16	7/20/16	A - 7/21/16			60d OCJ - 16C
Avila, J	P-02418	6/3/16	6/9/16	A - 6/10/16			60d OCJ - 14C
Barbosa, F	P-02392	5/12/16	5/18/16	A - 5/19/16			180d OCJ - 18C
Barnes, K	P-00119	5/11/16	7/14/16	D - 7/15/16		A - 8/12/16	180d OCJ - 180C
Batt, V	P-01837	2/16/16	2/18/16	A - 2/19/16			90d OCJ - 16C
Becerra, E	P-02266	2/3/16	2/9/16	A - 2/16/16			45d OCJ - 28C
Bell, B	P-02280	2/12/16 4/14/16 6/27/16 8/2/16	2/18/16 4/20/16 6/30/16 8/8/16	A - 2/19/16 A - 4/21/16 A - 7/1/16 D - 8/9/16		A - 8/25/16	30d OCJ - 18C 30d OCJ - 18C 60d OCJ - 16C 90d OCJ - 50C
Benitez, J	P-02401	5/17/16	5/23/16	A - 5/24/2016			30d OCJ - 18C
Benson, T	P-02489	7/24/16	7/29/16	A - 8/22/16			120d OCJ - 60C
Berch, B	P-02253	1/28/16 5/6/16 6/21/16 7/26/16	2/3/16 5/12/16 6/27/16 8/2/16	A - 2/4/16 A - 6/1/16 D - 6/28/16 D - 8/3/16	CRT-PC - 8/10/16	RH set - 9/23/16	30d OCJ - 18C 60d OCJ - 54C 60d OCJ - 32C
Berry, D	P-01878	1/8/16	1/14/16	D - 1/15/16	CRT-PC - 1/29/16	A - 2/5/16	180d OCJ - 58C
Blain, J	P-01623	3/22/16 5/18/16	3/28/16 5/24/16	A - 3/29/16 D - 5/25/16	CRT-PC - 6/10/16	DISMISSAL	60d OCJ - 82C 64d in custody
Bonilla, M	P-01997	2/19/16	2/25/16	A - 2/26/16			30d OCJ - 18C
Boyes, B	P-01278	4/13/16 6/7/16	5/2/16 6/7/16	A - 5/3/16 A - 7/20/16			30d OCJ - 30C 180d OCJ - 126C
Briceno, J	P-02003	4/7/16	4/13/16	A - 4/15/16			90d OCJ - 22C
Bridges, J	P-00823	4/1/16	4/7/16	A - 4/8/16			170d OCJ - 18C
Brooks, T	P-01938	6/22/16	7/13/16	A - 7/14/16			30d OCJ - 30C
Brown, B	P-02066	5/6/16	5/12/16	A - 5/13/16			120d OCJ - 16C
Burke, T	P-00259	1/12/16 6/16/16	1/19/16 6/21/16	A - 1/20/16 A - 6/23/16			120d OJC - 18C 120d OCJ - 16C
Burnell, W	P-00222	3/14/16 6/14/16	3/18/16 6/21/16	A - 3/21/16 A - 6/22/16			120d OCJ - 18C 150d OCJ - 18C

Admit D = Deny
Credits d = Days

NV = No violation
V = In violation

CRT-PC = Court finds probable cause
OCJ = Orange County Jail

Exhibit A

Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Burns, P	P-01920	11/25/15 2/8/16 4/21/16	12/2/15 2/10/15 4/28/16	A - 1/28/16 D - 2/11/16 D - 4/29/16	CRT-PC - 2/18/16 A - 5/6/16	V AND NV	135d OCJ - 130C 56d OCJ - 56C 90d OCJ - 32C
Butler, P	P-01679	3/10/16 6/20/16	3/15/16 6/24/16	A - 3/16/16 A - 6/27/16			30d OCJ - 16C 45d OCJ - 20C
Cabrera, D	P-02339	4/6/16 5/24/16 5/24/16	4/12/16 5/26/16 6/30/16	A - 4/13/16 A - 5/27/16 A - 7/1/16			30d OCJ - 18C 60d OCJ - 10C 75d OCJ - 16C
Calhoun, J	P-02026	4/4/16	4/11/16	A - 4/12/16			60d OCJ - 18C
Camacho, A	P-00489	1/27/16	2/3/16	A - 2/4/16			75d OCJ - 20C
Campbell, R	P-00488	5/16/16 6/6/16	5/19/16 6/10/16	A - 5/20/16 A - 6/13/16			30d OCJ - 16C 180d OCJ - 20C
Campos, C	P-00584	1/7/16 4/18/16	1/13/16 4/25/16	A - 1/14/16 A - 4/26/16			30d OCJ - 16C 60d OCJ - 18C
Campos, R	P-00118	2/4/16 3/9/16 8/11/16	2/10/16 3/15/16 8/17/16	A - 2/11/16 A - 3/16/16 A - 3/18/16			60d OCJ - 16C 60d OCJ - 16C 60d OCJ - 16C
Canavan, K	P-01914	4/15/16	4/21/16	A - 4/22/16			30d OCJ - 18C
Cardenas, S	P-02074	3/2/2016 8/15/16	3/8/16 8/18/16	A - 3/9/16 A - 8/19/16			60d OCJ - 18C 90d OCJ - 12C
Carlo, F	P-00612	1/7/16	1/13/16	A - 1/15/16			150d OCJ - 20C
Carter, T	P-01428	1/7/16 2/25/16 4/19/16	1/14/16 3/2/16 4/25/16	D - 1/15/16 A - 3/3/16 D - 4/26/16	A - 1/22/16 CRT-PC - 5/6/16	 A - 5/26/16	45d OCJ - 32C 60d OCJ - 16C 180d OCJ - 88C
Carvajal, K	P-02019	5/3/16	5/9/16	A - 5/10/16			30d OCJ - 18C
Castaneda, H	P-02396	7/18/16	7/21/16	D - 7/22/16	CRT-PC - 7/27/16	A - 8/19/16	72d OCJ - 72C
Castro, A	P-02167	6/3/16	6/9/16	A - 6/10/16			30d OCJ - 16C
Castro, S	P-00281	10/26/15 4/12/16 7/6/16 8/8/16	10/30/15 4/18/16 7/13/16 8/12/16	D - 11/2/15 A - 4/19/16 A - 7/14/16 D - 8/15/16	CRT-PC - 11/9/15	V RH set - 9/9/16	180d OCJ - 164C 60d OCJ - 18C 60d OCJ - 18C
Cedillo, I	P-01326	2/2/16	2/9/16	A - 2/10/16			90d OCJ - 18C
Chaklos, N	P-02271	5/17/16	5/24/16	A - 5/25/16			30d OCJ - 18C
Chambers, M	P-02176	1/25/16	1/29/16	A - 2/1/16			30d OCJ - 18C
Champion, C	P-00704	7/27/16	8/2/16	A - 8/3/16			180d OCJ - 18C
Chavez, L	P-01996	8/1/16	8/4/16	A - 8/5/16			150d OCJ - 12C
Ciobann, E	P-02199	12/23/15	12/29/15	A - 1/6/16			32d OCJ - 32C
Coolidge, O	P-01986	5/6/16	5/12/16	A - 5/13/16			45d OCJ - 18C
Cortez, R	P-02426	6/13/16	6/16/16	D - 6/17/16		A - 6/22/16	26d OCJ - 26C
Crane, M	P-01574	7/14/16	7/20/16	A - 7/21/16			30d OCJ - 18C
Crawford, J	P-02250	4/19/16	4/25/16	A - 4/26/16			30d OCJ - 16C
Crowl, J	P-01714	2/25/16	3/2/16	A - 3/3/16			90d OCJ - 18C
Cuevas, R	P-00059	2/5/16 3/21/16 6/13/16 8/1/16	2/10/16 3/28/16 6/17/16 8/8/16	A - 3/17/16 A - 3/29/16 A - 6/20/16 A - 8/9/16			60d OCJ - 60C 120d OCJ - 18C 90d OCJ - 16C 180d OCJ - 18C
Cumpian, P	P-00108	2/8/16	2/10/16	A - 3/3/16			120d OCJ - 56C
Dahart, S	P-02444	6/27/16	6/30/16	D - 7/1/16		DISMISSAL	
Daniels, R	P-00280	2/1/2016 4/4/16 8/4/16	2/5/16 4/7/16 8/10/16	A - 2/22/16 D - 4/8/16 A - 8/11/16	CRT-PC - 4/15/16	V	120d OCJ - 48C 180d OCJ - 68C 90d OCJ - 24C
Davis, T	P-02119	3/2/2016 4/6/16 8/12/16	3/9/16 4/12/16 8/18/16	A - 3/10/16 A - 4/13/16 A - 8/19/16			30d OCJ - 18C 180d OCJ - 18C 180 OCJ - 16C
Davitt, P	P-01869	4/18/16	4/22/16	A - 4/25/16			30d OCJ - 20C
Delgado, M	P-02371	5/4/16	5/6/16	A - 5/23/16			150d OCJ - 78C
Dement, E	P-02161	1/5/16	1/12/16	A - 1/13/16			45d OCJ - 18C
Depooter, A	P-01446	2/11/16	2/18/16	D - 2/22/16	DISMISSAL		

Admit D = Deny
Credits d = Days

NV = No violation
V = In violation

CRT-PC = Court finds probable cause
OCJ = Orange County Jail

Exhibit A

Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Dershem, B	P-01857	12/29/15	1/4/16	A - 1/5/16			75d OCJ - 18C
Dewolf, R	P-02113	12/29/15 4/7/16	1/4/16 4/13/16	A - 2/24/16 D - 4/14/16	A - 4/20/16		175d OCJ - 116C 180d OCJ - 30C
Diaz, O	P-02265	2/4/16	2/9/16	A - 2/10/16			60d OCJ - 14C
Dominguez, D	P-02315	3/14/16	3/21/16	A - 4/13/16			150d OCJ - 64C
Drake, R	P-02260	2/1/16	2/5/16	A - 2/8/16			30d OCJ - 16C
Earl, E	P-02027	3/9/16	3/15/16	A - 3/16/16			30d OCJ - 16C
Easley, G	P-02346	4/12/16 8/11/16	4/19/16 8/16/16	A - 4/20/16 A - 8/17/16			30d OCJ - 18C 90d OCJ - 16C
Edlemon, R	P-02020	1/12/16 7/7/16	1/15/16 7/13/16	A - 1/19/16 A - 7/15/16			90d OCJ - 18C 120d OCJ - 20C
Ede, S	P-00370	3/2/2016 6/24/16	3/7/16 6/30/16	D - 3/8/16 A - 7/1/16	CRT-PC - 3/16/16	A - 3/24/16	180d OCJ - 50C 180d OCJ - 16C
Egelston, D	P-00225	3/7/16	3/11/16	A - 3/14/16			180d OCJ - 16C
Emiliano, P	P-00344	1/20/16 3/25/16	1/27/16 3/30/16	A - 1/28/16 A - 4/1/16			120d OCJ - 18C 90d OCJ - 18C
Erickson, J	P-00232	2/8/16	2/10/16	A - 3/10/16			90d OCJ - 68C
Escudero, R	P-02347	4/12/16	4/20/16	A - 4/21/16			30d OCJ - 18C
Esmausili, S	P-01360	1/11/16	1/15/16	A - 1/19/16			120d OCJ - 18C
Farris, J	P-02451	6/29/16	7/6/16	DISMISSAL			
Feliciano, G	P-01493	7/11/16	7/15/16	A - 7/18/16			90d OCJ - 20C
Fernandez, E	P-01980	7/19/16	7/26/16	D - 7/27/16	CRT-PC - 8/5/16	RH set - 9/2/16	
Ferree, A	P-02182	2/8/16 6/6/16	2/10/16 6/9/16	A - 2/18/16 A - 6/10/16			60d OCJ - 22C 60d OCJ - 14C
Ficquette, S	P-01663	3/7/16 5/17/16	3/11/16 5/24/16	A - 3/14/16 A - 5/25/16			60d OCJ - 18C 90d OCJ - 18C
Figueroa, J	P-01555	5/19/16	5/25/16	A - 5/26/16			150d OCJ - 18C
Fischen, S	P-01667	5/12/16	5/19/16	A - 5/20/16			30d OCJ - 18C
Flores, I	P-01665	2/23/16	2/23/16	A - 2/24/16			45d OCJ - 18C
Flores, S	P-01900	6/2/16	6/2/16	A - 7/14/16			150d OCJ - 100C
French, T	P-01830	1/29/16 4/6/16 7/5/16	2/4/16 4/12/16 7/12/16	A - 2/5/16 A - 4/13/16 A - 7/13/16			120d OCJ - 18C 150d OCJ - 18C 160d OCJ - 18C
Garcia, J	P-01972	12/28/15	12/31/15	A - 1/4/16			30d OCJ - 18C
Garcia, J	P-00784 (Pro Per)	1/7/16	1/14/16	D - 1/15/16		A - 2/19/16	100d OCJ - 88C
Garcia, H	P-01395	1/14/16	1/21/16	A - 1/22/16			90d OCJ - 18C
Garcia, F	P-01888	5/23/16	6/9/16	A - 6/10/16			60d OCJ - 40C
Gasca, G	P-02255	1/27/16	2/3/16	A - 2/4/16			45d OCJ - 18C
George, J	P-02373	5/3/16	5/10/16	A - 5/11/16			60d OCJ - 18C
Gilburt, T	P-00259	1/12/2016 6/16/16	1/19/16 6/21/16	A - 1/20/16 A - 6/23/16			120d OCJ - 18C 120d OCJ - 16C
Goddard, J	P-01579	5/9/16 6/13/16	5/13/16 6/20/16	A - 5/16/16 A - 6/21/16			45d OCJ - 20C 90d OCJ - 18C
Gomez, Je	P-01609	5/31/16	6/3/16	A - 8/2/16			135d OCJ - 134C
Gomez, Jo	P-02381	5/9/16	5/12/16	A - 5/13/16			30d OCJ - 16C
Gomez, S	P-02331	3/29/16	4/4/16	A - 4/5/16			60d OCJ - 18C
Gonzalez, C	P-00122	2/4/16	2/10/16	A - 2/25/16			120d OCJ - 44C
Gonzalez, J	P-01760	4/15/16	4/21/16	A - 4/22/16			120d OCJ - 16C
Gray, E	P-01636	5/17/16	5/24/16	A - 5/25/16			18d OCJ - 18C
Guerra, S	P-01882	5/2/16	5/6/16	A - 5/9/16			90d OCJ - 18C
Guerrero, R	P-01848	1/26/16 4/4/16	1/29/16 4/8/16	A - 2/1/16 A - 4/11/16			60d OCJ - 16C 90d OCJ - 18C
Guido, J	P-01692	8/17/15	1/14/16	A - 1/15/16			150d OCJ - 150C
Hagen, I	P-02406	5/20/16	5/26/16	A - 5/27/16			60d OCJ - 18C
Halliday, S	P-01244	1/19/16 4/19/16	1/22/16 4/25/16	D - 1/26/16 A - 4/26/16		A - 2/19/16	90d OCJ - 70C 60d OCJ - 70C
Hamilton, J	P-00452	10/16/15 1/19/16 4/18/16	10/22/16 1/22/16 4/22/16	A - 1/13/16 A - 1/25/16 A - 4/25/16			175d OCJ - 175C 180d OCJ - 20C 132d OCJ - 22C

Admit D = Deny
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Exhibit A

Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Hamm, M	P-02232	1/27/16	2/3/16	A - 2/4/16			90d OCJ - 18C
Harris, T	P-00553	7/25/16	8/11/16	D - 8/12/16	CRT-PC - 8/18/16	RH set - 9/18/16	
Henderson, M	P-02219	1/8/16 3/30/16	1/14/16 4/6/16	A - 1/15/16 A - 4/7/16			90d OCJ - 18C 60d OCJ - 18C
Hernandez, Ju	P-01868	1/15/16	1/21/16	A - 1/22/16			150d OCJ - 18C
Hernandez, Jo	P-02097	1/19/16	1/25/16	A - 1/26/16			60d OCJ - 16C
Hernandez, A	P-02264	2/2/16	2/8/16	A - 2/9/16			16d OCJ - 16C
Hernandez, H	P-01672	5/18/16	5/24/16	A - 5/26/16			90d OCJ - 20C
Hernandez, M	P-02361	4/25/16	5/2/16	A - 5/3/16			180d OCJ - 18C
Hernandez, Y	P-02223	3/15/16 6/17/16	3/21/16 6/23/16	A - 3/22/16 A - 6/24/16			60d OCJ - 18C 90d OCJ - 16C
Herrera, M	P-01478	2/22/2016 8/12/16	2/29/16 8/18/16	A - 3/1/16 A - 8/19/16			90d OCJ - 18C 120d OCJ - 16C
Hershey, P	P-02117	2/9/16	2/16/16	A - 2/7/16			30d OCJ - 18C
Hicatt, A	P-02221	1/11/16	1/15/16	A - 1/19/16			60d OCJ - 18C
Hishmeh, G	P-02400	6/22/16	6/27/16	A - 6/28/16			30d OCJ - 16C
Hobaugh, J	P-01309	4/18/16	4/21/16	A - 4/22/16			120d OCJ - 10C
Hoisington, K	P-02394	5/12/16	5/18/16	A - 5/19/16			170d OCJ - 18C
Howard, J	P-02285	2/19/16	2/25/16	A - 2/26/16			45d OCJ - 18C
Iakopo, S	P-00150	2/1/16	2/8/16	A - 2/24/16			160d OCJ - 48C
Ibarra, J	P-02325	3/28/16	4/1/16	A - 4/4/16			60d OCJ - 20C
Irby, J	P-00006	12/30/15 3/4/16 5/11/16 6/27/16	1/6/16 3/9/16 5/18/16 6/30/16	A - 2/4/16 A - 3/10/16 A - 5/19/16 A - 7/1/16			90d OCJ - 76C 100d OCJ - 16C 60d OCJ - 18C 90d OCJ - 16C
Jackson, B	P-02045	1/22/16	1/28/16	A - 1/29/16			30d OCJ - 16C
Jacques, M	P-01301	2/26/16	3/8/16	A - 3/19/16			60d OCJ - 18C
Jaso, R	P-00355	2/5/16 5/3/16	2/10/16 5/9/16	A - 3/10/16 A - 5/10/16			120d OCJ - 70C 120d OCJ - 18C
Johnson, D	P-02124	12/04/15 5/11/16	1/5/16 5/18/16	A - 1/6/16 A - 5/19/16			90d OCJ - 68C 120d OCJ - 18C
Johnson, R	P-01724	4/12/16 6/29/16	4/18/16 7/6/16	A - 4/19/16 A - 8/11/16			90d OCJ - 18C 90d OCJ - 88C
Kalama, P	P-02348	4/13/16 5/17/16	4/20/16 5/23/16	A - 4/21/16 A - 5/27/16			30d OCJ - 18C 60d OCJ - 24C
Kelley, A	P-02213	5/26/16	5/26/16	A - 5/27/16			64d OCJ - 64C
Kelly, R	P-02130	2/16/16 5/3/16	2/19/16 5/6/16	A - 2/22/16 A - 5/17/16			30d OCJ - 20C 60d OCJ - 32C
Kelsey, D	P-01631	2/29/16 5/4/16	3/3/16 5/10/16	A - 3/4/16 A - 6/15/16			120d OCJ - 16C 120d OCJ - 86C
Kamczynski, C	P-02172	6/8/16 8/3/16	6/13/16 8/9/16	A - 6/14/16 A - 8/10/16			60d OCJ - 16C 45d OCJ - 16C
Kosmal, R	P-02469	8/12/16	8/25/16	A - 8/26/16			30d OCJ - 18C
Krebs, C	P-01955	1/8/16	1/26/16	A - 1/27/16			60d OCJ - 42C
Laguna, A	P-02262	6/7/2016 7/18/16	6/7/16 7/21/16	A - 6/8/16 A - 7/22/16			90d OCJ - 16C 30d OCJ - 12C
Landcraft, B	P-00862	6/16/16	6/22/16	A - 6/23/16			30d OCJ - 18C
Laporte, E	P-00413	12/14/15 3/2/16	12/18/15 3/9/16	A - 1/6/16 A - 3/10/16			60d OCJ - 48C 36d OCJ - 36C
Lara, R	P-00176	3/4/16	3/9/16	A - 3/10/16			90d OCJ - 14C
Ledezma, M	P-00197	2/17/16	2/24/16	A - 2/25/16			30d OCJ - 20C
Lemons, M	P-00537	3/29/16	4/5/16	A - 4/6/16			60d OCJ - 20C
Linnville, M	P-02135	7/25/16	7/29/16	A - 8/15/16			60d OCJ - 46C
Lippiatt, D	P-01447	1/25/16	1/28/16	A - 1/29/16			30d OCJ - 12C
Lofton, D	P-00017	1/19/16 4/11/16 7/14/16	1/22/16 4/14/16 7/19/16	A - 1/25/16 A - 6/28/16 Arr set 9/14/16			135d OCJ - 18C 180d OCJ - 164C
Long, B	P-00196	8/4/16	8/12/16	A - 8/29/16			75d OCJ - 52C
Lopez, G	P-02433	6/17/16	6/23/16	D - 6/24/16	A - 7/1/16		90d OCJ - 32C

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Exhibit A

Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Lopez, L	P-01265	5/12/16	5/18/16	D - 5/19/16	A - 6/10/16		120d OCJ - 62C
Lopez, D	P-00181	8/19/16	8/25/16	A - 8/31/16			60d OCJ - 28C
Luna, O	P-02129	3/11/16	3/17/16	A - 3/18/16			30d OCJ - 16C
Malott, P	P-01449	3/29/16 5/9/16 6/27/16	4/5/16 5/13/16 6/30/16	A - 4/6/16 A - 5/16/16 A - 7/1/16			60d OCJ - 18C 90d OCJ - 16C 180d OCJ - 10C
Manfredonia, J	P-01595	2/5/16	2/11/16	A - 2/16/16			90d OCJ - 22C
Marin, F	P-01464	1/19/16 5/2/16	1/25/16 5/6/16	A - 3/16/16 A - 5/9/16			176d OCJ - 118C 70d OCJ - 16C
Martin, J	P-02178	2/22/16	2/29/16	D - 3/1/16	DISMISSAL		12d in custody
Martinez, B	P-02159	3/10/16 5/5/16	3/17/16 5/6/16	A - 3/18/16 A - 5/9/16			30d OCJ - 18C 60d OCJ - 10C
Martinez, Jose	P-01992	4/11/16	4/14/16	A - 4/27/16			90d OCJ - 40C
Martinez, Josep	P-00446	6/2/16	6/2/16	A - 6/6/16			120d OCJ - 24C
Martinez, M	P-02354	4/29/16	5/5/16	A - 5/6/16			30d OCJ - 16C
Martinez, S	P-00740	8/11/16	8/23/16	Arr set 9/14/16			
Mathews, T	P-01299	8/8/16	8/1/16	D - 8/25/16	PCH set - 9/1/16		
Maxwell, M	P-02434	6/17/16	6/23/16	D - 6/24/16	DISMISSAL		15d in custody
Mazzola, M	P-01923	3/7/16 7/7/16	3/11/16 7/14/16	A - 3/14/16 A - 7/15/16			180d OCJ - 16C 90d OCJ - 18C
McClure, S	P-01271	2/22/16	2/25/16	A - 2/26/16			60d OCJ - 16C
McDaniel, J	P-02169	11/30/15 2/22/16 5/9/16	12/3/15 2/29/16 5/12/16	A - 1/13/16 A - 3/1/16 A - 5/16/16			120d OCJ - 96C 30d OCJ - 18C 180d OCJ - 16C
McEnroe, F	P-02362	3/28/16	5/2/16	A - 5/3/16			
McLelland, T	P-01514	3/30/16 5/3/16 7/8/16 8/12/16	4/5/16 5/6/16 7/14/16 8/17/16	A - 4/6/16 A - 5/9/16 D - 7/15/16 D - 8/18/16	DISMISSAL CRT-PC - 8/25/16	RH set - 9/23/16	60d OCJ - 18C 90d OCJ - 16C 15d in custody
Melendez, W	P-01356	12/28/15	12/31/15	A - 1/4/16			120d OCJ - 20C
Mendez, S	P-00227	12/30/15	1/6/16	A - 1/7/16			180d OCJ - 18C
Mendez, M	P-02519	8/12/16	8/25/16	A - 8/26/16			30d OCJ - 18C
Mendiola, P	P-02092	6/23/16	6/29/16	D - 6/30/16	CRT-PC - 7/7/16	A - 8/19/16	120d OCJ - 118C
Mendoza, U	P-02254	1/28/16	2/3/16	A - 2/4/16			150d OCJ - 14C
Mendoza, C	P-02193	3/14/16	3/18/16	A - 3/21/16			150d OCJ - 18C
Mendoza, I	P-02304	7/20/16	7/26/16	A - 7/27/16			60d OCJ - 18C
Meyen, D	P-01699	8/22/16	8/25/16	A - 8/26/16			90d OCJ - 16C
Mika, C	P-02337	4/4/16	4/11/16	A - 4/12/16			30d OCJ - 18C
Millionzi, A	P-01803	3/28/16	4/19/16	A - 4/20/16			120d OCJ - 48C
Minjarez, G	P-00130	5/6/16	5/12/16	A - 5/13/16			90d OCJ - 16C
Monk, W	P-02228	3/21/2016 06/2/16 8/3/16	3/25/16 6/2/16 8/9/16	A - 3/28/16 A - 7/11/16 D - 8/10/16	A - 8/18/16		60d OCJ - 20C 90d OCJ - 90C 90d OCJ - 32C
Montes, J	P-02305	3/4/16	3/10/16	A - 3/11/16			60d OCJ - 18C
Montiel, B	P-02122	3/4/16	3/10/16	A - 3/11/16			60d OCJ - 18C
Montoya, A	P-00711	5/18/16	5/23/16	A - 5/24/16			42d OCJ - 16C
Moon, M	P-01925	7/5/16	7/11/16	D - 7/12/16	CRT-PC - 7/19/16	A - 8/12/16	180d OCJ - 78C
Moore, A	P-00705	2/11/16 5/6/16	2/17/16 5/10/16	A - 3/3/16 A - 5/11/16			120d OCJ - 46C 90d OCJ - 16C
Moraga, E	P-01552	6/23/16	6/29/16	A - 6/30/16			135d OCJ - 16C
Moreno, J	P-00814	12/14/15	12/18/15	A - 1/13/16			66d OCJ - 64C
Moreno, A	P-00248	5/18/16 8/16/16	5/24/16 8/22/16	D - 5/25/16 Arr set 9/28/16	CRT-PC - 6/1/16	A - 6/17/16	150d OCJ - 62C
Morones, J	P-02286	5/5/16	5/12/16	A - 5/13/16			30d OCJ - 18C
Murillo, J	P-01979	3/3/16	3/9/16	A - 3/17/16			60d OCJ - 32C
Mutz, E	P-02352	4/18/16 7/18/16	4/22/16 7/21/16	A - 4/25/16 D - 7/22/16	A - 7/27/16		180d OCJ - 20C 90d OCJ - 20C
Myers, W	P-00404	1/20/16 5/12/16	1/27/16 5/18/16	A - 1/28/16 A - 5/19/16			120d OCJ - 18C 150d OCJ - 16C
Navarro, J	P-02225	1/19/16	1/21/16	A - 1/22/16			60d OCJ - 16C

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Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Navarro, R	P-00509	8/1/16	8/4/16	A - 8/5/16			30d OCJ - 14C
Newman, J	P-02311	3/14/16	3/21/16	A - 4/20/16			180d OCJ - 76C
Ngo, H	P-02290	2/23/16	3/1/16	A - 3/2/16			30d OCJ - 18C
Nguyen, H	P-00703	3/2/16	3/9/16	D - 3/10/16		A - 4/14/16	90d OCJ - 88C
Nguyen, K	P-01715	3/23/16	3/29/16	A - 4/7/16			120d OCJ - 32C
Norkin, J	P-00313	5/12/16	5/18/16	A - 5/19/16			180d OCJ - 18C
Owlinscovel, N	P-01899	5/5/16	5/13/16	A - 5/23/16			120d OCJ - 38C
Ophir, C	P-01924	2/22/16	2/26/16	A - 2/29/16			60d OCJ - 20C
Ortega Lagunas, O		4/25/16	5/2/16	A - 5/3/16			90d OCJ - 18C
		7/5/16	7/1/16	DISMISSAL			
Ortiz, J	P-01354	1/26/16	1/29/16	A - 2/1/16	CRT-PC - 4/22/16	A - 5/6/16	90d OCJ - 22C
		4/6/16	4/12/16	D - 4/13/16			178d OCJ - 64C
		7/8/16	7/13/16	A - 7/14/16			180d OCJ - 16C
Osirio, R	P-01984	5/2/16	5/5/16	A - 7/20/16			180d OCJ - 162C
Otero, M	P-02236	1/20/16	1/27/16	A - 1/28/16			30d OCJ - 18C
Otey, C	P-02452	6/30/16	7/6/16	A - 7/7/16			30d OCJ - 18C
Paniagua, R	P-01513	6/8/16	6/13/16	A - 6/14/16			90d OCJ - 16C
Paola, G	P-02324	3/22/16	3/29/16	D - 3/30/16			180d OCJ - 180C
Papez, A	P-01952	12/28/15	12/31/15	A - 1/4/16		A - 5/6/16	90d OCJ - 20C
		3/28/16	4/1/16	D - 4/4/16			120d OCJ - 82C
Parra, D	P-00054	1/28/16	2/3/16	D - 2/4/16	A - 2/11/16		160d OCJ - 32C
Patino, Y	P-00779	2/26/2016	3/3/16	A - 3/4/16			90d OCJ - 16C
		6/17/16	6/23/16	A - 6/24/16			120d OCJ - 8C
Pena, M	P-02516	8/1/16	8/18/16	A - 8/19/16			150d OCJ - 18C
Perez, B	P-01937	1/5/16	1/12/16	A - 1/13/16			30d OCJ - 18C
		3/9/16	3/15/16	A - 3/16/16			60d OCJ - 18C
Perez, I	P-00828	4/26/16	5/3/16	A - 5/4/16			90d OCJ - 18C
Pernambuco, C	P-02341	4/20/16	4/26/16	A - 4/27/16			180d OCJ - 18C
Pinski, H	P-02460	7/6/16	7/12/16	D - 7/13/16	CRT-PC - 7/15/16	DISMISSAL	32d in custody
Portis, I.	P-01202	2/17/16	2/23/16	A - 2/24/16			160d OCJ - 18C
		6/2/16	6/9/16	A - 6/15/16			170d OCJ - 28C
Powell, W	P-00326	1/4/16	1/6/16	A - 1/7/16			150d OCJ - 14C
Powell, A	P-02292	2/25/16	3/2/16	A - 3/3/16			90d OCJ - 18C
Pratt, W	P-02372	5/2/16	5/6/16	A - 5/9/16			90d OCJ - 18C
Purvis, R	P-02281	2/12/16	2/18/16	A - 2/19/16			90d OCJ - 18C
Quiroz, R	P-00752	3/3/16	3/9/16	A - 3/10/16			120d OCJ - 18C
Ramirez, A	P-00572	1/20/16	1/26/16	A - 1/27/16			120d OCJ - 18C
		7/7/16	7/13/16	A - 7/14/16			135d OCJ - 18C
Ramirez, M	P-02077	1/25/16	1/29/16	A - 2/1/16			30d OCJ - 18C
		4/29/16	5/5/16	A - 5/6/16			
Ramirez, F	P-02407	5/24/16	5/27/16	A - 5/31/16			30d OCJ - 18C
Ramos, A	P-00851	2/5/16	2/10/16	DISMISSAL			
Ramos, M	P-02248	5/17/16	5/24/16	A - 5/25/16			30d OCJ - 18C
Rancour, D	P-02405	5/20/16	5/25/16	A - 5/26/16			30d OCJ - 16C
Rapids, J	P-02215	2/4/16	2/8/16	A - 2/24/16			45d OCJ - 44C
		4/12/16	4/18/16	A - 4/20/16			120d OCJ - 18C
		7/25/16	7/29/16	A - 8/1/16			120d OCJ - 20C
Rennie, J	P-02145	1/15/16	1/21/16	A - 1/22/16			60d OCJ - 18C
		2/18/16	2/25/16	A - 2/26/16			75d OCJ - 18C
Reynolds, C	P-01344	1/5/16	1/12/16	A - 3/25/16			162d OCJ - 162C
Reynoso, M	P-01849	6/13/16	6/17/16	A - 6/20/16			60d OCJ - 16C
Riley, B	P-00335	2/11/2016	2/16/16	A - 2/17/16			45d OCJ - 16C
		5/4/16	5/10/16	A - 5/11/16			45d OCJ - 16C
		7/7/16	7/13/16	A - 7/14/16			45d OCJ - 18C
Rios, T	P-01704	5/11/16	5/18/16	A - 5/19/16			60d OCJ - 18C
Rivas, W	P-02306	3/7/16	3/10/16	A - 3/11/16			16d OCJ - 16C
Rivera, H	P-02082	12/29/15	1/4/16	A - 1/5/16			60d OCJ - 18C
Rodriguez, A	P-02261	2/1/16	2/5/16	A - 2/8/16			30d OCJ - 18C

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Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Rodriguez, J	P-02238	1/20/16 2/29/16 4/13/16 5/31/16 7/28/16	1/27/16 3/4/16 4/19/16 6/3/16 8/4/16	A - 1/28/16 A - 3/7/16 D - 4/20/16 D - 6/6/16 A - 8/18/16	CRT-PC - 4/27/16 A - 6/10/16	A - 5/20/16	30d OCJ - 18C 60d OCJ - 22C 90d OCJ - 78C 120d OCJ - 30C 150d OCJ - 44C
Rosales, Ja	P-00173	2/25/16	3/2/16	A - 3/3/16			150d OCJ - 16C
Rosales, Ju	P-01515	6/29/16	7/5/16	A - 7/6/16			60d OCJ - 18C
Rosewitz, M	P-00669	1/27/16 3/30/16 6/27/16	2/3/16 4/5/16 6/30/16	A - 2/4/16 A - 4/6/16 A - 7/1/16			90d OCJ - 20C 60d OCJ - 18C 75d OCJ - 16C
Ruesga, C	P-01798	1/14/16	1/21/16	A - 1/22/16			60d OCJ - 18C
Ruiz, L	P-02220	1/8/16	1/14/16	A - 1/15/16			60d OCJ - 18C
Salas, J	P-02267	2/8/16	2/10/16	A - 2/25/16			45d OCJ - 42C
Saldana, I	P-01578	3/14/16	3/18/16	A - 3/21/16			45d OCJ - 18C
Salinas, A	P-02230	6/6/2016	6/9/16	6/10/16			60d OCJ - 16C
Sanchez, C	P-00819	1/25/16	1/28/16	A - 1/29/16			90d OCJ - 12C
Sanchez, A	P-01836	3/4/16	4/12/16	A - 4/20/16			120d OCJ - 100C
Sanders, S	P-02446	6/28/16	7/5/16	A - 7/6/16			30d OCJ - 18C
Schaar, B	P-01411	1/28/16 2/29/16	2/2/16 3/3/16	A - 2/3/16 A - 3/4/16			45d OCJ - 16C 60d OCJ - 12C
Schulz, A	P-02078	12/29/15 4/21/16	12/31/15	A - 1/4/16 D - 4/27/16	A - 5/4/16		90d OCJ - 16C 120d OCJ - 30C
Serrano, A	P-02422	7/10/16	7/15/16	A - 8/1/16			46d OCJ - 46C
Shopshire, C	P-01796	3/30/16	4/6/16	A - 4/7/16			30d OCJ - 18C
Shopshire, S	P-01788	4/1/16	4/6/16	A - 4/7/16			30d OCJ - 18C
Shore, R	P-01523	3/10/16	3/16/16	A - 3/17/16			30d OCJ - 16C
Sian, J	P-02103	3/17/16	3/22/16	A - 3/23/16			60d OCJ - 16C
Silva, E	P-01296	1/25/16 5/23/16	1/29/16 5/26/16	A - 2/1/16 A - 5/27/16			100d OCJ - 16C 180d OCJ - 12C
Smith, V	P-01805	1/3/16	1/6/16	A - 1/7/16			120d OCJ - 16C
Soto, A	P-02034	1/22/16 6/3/16	1/28/16 6/9/16	A - 1/29/16 A - 6/10/16			60d OCJ - 18C 90d OCJ - 16C
Stark, M	P-02226	1/19/16 5/4/16	1/21/16 5/9/16	D - 1/22/16 D - 5/18/16	CRT-PC - 1/29/16 CRT-PC - 6/8/16	V V	120d OCJ - 94C 180d OCJ - 176C
Stayton, S	P-02313	3/10/16	3/17/16	A - 3/18/16			60d OCJ - 18C
Stearns, S	P-02287	2/22/16	2/29/16	A - 3/1/16			45d OCJ - 18C
Stewart, B	P-01533	12/28/15	12/31/15	A - 1/4/16			180d OCJ - 20C
Tavalu, T	P-02140	10/29/15	11/5/16	D - 6/1/16	DISMISSAL		267d in custody
Taylor, F	P-00854	2/29/16 5/2/16	3/3/16 5/6/16	A - 3/4/16 D - 5/9/16		V AND NV	60d OCJ - 16C 180d OCJ - 80C
Thresher, R	P-01423	6/24/16	6/30/16	A - 7/1/16			60d OCJ - 16C
Torres, Al	P-02340	4/8/16 6/13/16	4/14/16 6/16/16	A - 4/15/16 A - 6/17/16			90d OCJ - 18C 120d OCJ - 12C
Torres, Ar	P-01775	7/18/16	7/21/16	A - 8/24/16			180d OCJ - 82C
Tran, K	P-01850	5/16/16	5/20/16	A - 5/23/16			180d OCJ - 18C
Trujillo, V	P-02064	1/6/16	1/12/16	A - 1/13/16			30d OCJ - 16C
Turner, C	P-02404	5/18/16	5/24/16	CRT-PC			
Urbina, E	P-02011	4/12/16	4/19/16	A - 4/20/16			60d OCJ - 18C
Uribe, J	P-01994	2/22/2016 8/4/16	2/29/16 8/10/16	A - 3/1/16 Arr set 9/12/16			45d OCJ - 18C
Uribe, A	P-02089	2/8/16 3/7/16	2/10/16 3/11/16	A - 2/11/16 A - 3/21/16			14d OCJ - 14C 45d OCJ - 28C
Valadez, J	P-01739	8/11/16	8/18/16	A - 8/31/16			175d OCJ - 42C
Vaughn, J	P-02512	8/11/16	8/17/16	A - 8/18/16			30d OCJ - 18C
Vega, F	P-02088	1/5/16 1/29/16 6/2/16	1/12/16 2/4/16 6/2/16	A - 1/13/16 A - 3/23/16 D - 7/28/16	DISMISSAL		30d OCJ - 18C 120d OCJ - 110C 71d in custody

Admit D = Deny
Credits d = Days

NV = No violation
V = In violation

CRT-PC = Court finds probable cause
OCJ = Orange County Jail

Exhibit A

Name	Case Number	Violation Date	Filing Date	Arraignment	Probable Cause Hearing (PCH)	Revocation Hearing (RH)	Sentence
Velasquez, G	P-00257	1/25/16	1/29/16	DISMISSAL			
Velasquez, J	P-02142	5/16/16	5/19/16	A - 5/20/16			30d OCJ - 16C
Velasquez, C	P-02160	6/14/16	6/20/16	A - 6/21/16			90d OCJ - 18C
Velez, E	P-00810	4/18/16 7/18/16	4/21/16 7/22/16	A - 4/22/16 A - 7/25/16			120d OCJ - 16C 90d OCJ - 18C
Verdin, J	P-02090	2/1/16	2/8/16	A - 2/9/16			60d OCJ - 18C
Villafana, G	P-00147	2/22/16	2/25/16	A - 2/26/16			90d OCJ - 16C
Villamar, A	P-02501	8/5/16	8/1/16	D - 8/12/16	CRT-PC - 8/17/16	RH set - 9/9/16	
Wagen, L	P-02367	5/1/16	5/5/16	A - 5/6/16			180d OCJ - 14C
Wagner, G	P-01655	2/16/2016 4/18/16 6/7/16	2/22/16 4/20/16 6/7/16	A - 2/23/16 A - 4/21/16 D - 6/8/16	A - 6/15/16		90d OCJ - 18C 90d OCJ - 14C 180d OCJ - 28C
Warnar, J	P-01583	5/13/16	5/19/16	A - 5/20/16			60d OCJ - 18C
Warren, R	P-02192	12/16/15	12/22/15	12/23/2015	CRT-PC - 1/6/16		
Warsop, S	P-01572	4/21/16	4/26/16	A - 4/27/16			60d OCJ - 16C
Weller, B	P-01871	3/16/16	3/22/16	A - 3/23/16			60d OCJ - 16C
Wiggins, R	P-01927	4/29/16	5/10/16	A - 5/11/16			90d OCJ - 28C
Wilcox, K	P-02334	4/1/16	4/7/16	D - 4/8/16	CRT-PC - 4/15/16	A - 6/24/16	180d OCJ - 172C
Williams, B	P-02379	5/5/16	5/11/16	CRT-PC			
Williams, R	P-02428	6/13/16	6/17/16	A - 6/20/16			60d OCJ - 20C
Wilson, D	P-02257	1/29/16	2/4/16	A - 3/9/16			120d OCJ - 84C
Wons, T	P-01722	6/28/16	7/5/16	A - 7/6/16			60d OCJ - 18C
Yelkin, J	P-01658	2/1/16	2/4/16	A - 3/23/16			120d OCJ - 120C
Zabrin, J	P-00643	7/11/16	7/15/16	A - 7/18/16			90d OCJ - 18C
Zavaleta, J	P-02393	5/12/16	5/18/16	A - 6/13/16			170d OCJ - 68C
Zeno, J	P-01651	2/18/2016 5/10/16	2/25/16 5/16/16	A - 2/26/16 A - 5/17/16			75d OCJ - 18C 180d OCJ - 16C
Zepeda, P	P-00743	7/6/16	7/13/16	A - 7/14/16			30d OCJ - 18C
Zazanabar, W	P-01217	6/6/16	7/14/16	A - 7/27/16			150d OCJ - 110C

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EXHIBIT B
(Declaration of Matthew David Razo)

Exhibit B

Declaration of Matthew David Razo

I, Matthew Razo, hereby declare and state as follows:

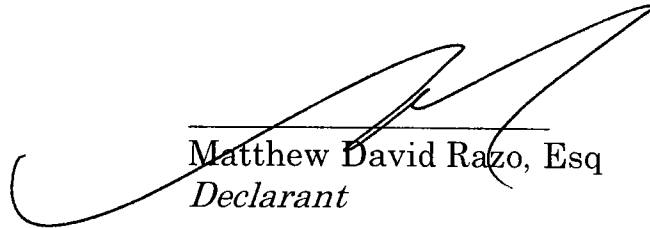
1. I am an attorney licensed to practice law in all California State Courts. My state bar number is 308785.
2. I am currently on assignment as a law clerk with the Orange County Public Defender's Office.
3. I have reviewed all parole cases handled by the Orange County Public Defender's Office for the period beginning January 1, 2016, and ending August 31, 2016.
4. Pursuant to my review, I have generated Exhibit A, which is an accurate representation of the parole violations handled by the Public Defender's Office during this time period and their outcome.
5. My review reveals the following:
 - 16.2% of Probable Cause Hearings end in dismissal.As of the time of this filing, forty-three probable cause hearings have been held. Of the forty-three hearings, seven ended with a dismissal of the petition.
 - 27.9% of parolees were sentenced to less than thirty actual days in Orange County Jail.

Exhibit B

As of the time of this filing 420 petitions were resolved. Of the 420 petitions resolved, 117 were either dismissed or resolved for less than thirty actual days of Orange County Jail.

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

Executed on September 6, 2016, at Santa Ana, California.



Matthew David Razo, Esq
Declarant