

Mrs. Calvin

11/22/07

I received your letter a few months back. I wasn't going to respond but my mom keeps on suggesting that I should. When she asked me to do it as her Christmas present I finally gave in.

Here it is from the beginning. I was sixteen when I committed my crime. I wasn't doing good in school and I was drinking alot. I used to smoke weed & take C.S.D. on occasion also. One night in '95 we were hanging out (██████████ & I) by the end of the night for some stupid reason we had killed an innocent women, a family friend. A person I had grown up with. I was perscribed Paxil a short time before the incident and in '97 my lawyers used the argument that the drug can make kids hostile. I had never been violent before and had no criminal history. Paxil was the only thing new in my life at the time. I was sentenced to L.W.O.P.


My parents are still spending their hard earned money trying to get me out no matter how many times I tell them not to.

I entered prison at 18 and was surrounded by drugs, gangs, racism, violence. I made the decision to stay away from drugs and as a result am able to handle my situation with a clear head. When I was nineteen I was told by the older inmates that when a youngster drives up they have to "put in work". I was pressured to beat somebody up to prove my worth. That situation was a big learning experience for me. So I decided to seclude myself by hiding in books and not associate with too many people. I've seen violence. I have seen things that I don't want to talk about. There is much that I am not going to ever talk about because I am not looking for sympathy.

What makes me angry more than anything is that someone had to lose their life in order for me to appreciate life. I can follow

rules now but at too high a price. I don't really remember the person I was ~~when~~<sup>at</sup> sixteen but I know that I hate him for making a stupid decision that will affect many lives forever. I didn't realize much then. The direct result of anything was completely lost to me. Yes I would love another chance at life but do I deserve it? My parents mean so much to me I don't want to let them down again. That's the only reason why I'm still alive.

I don't have any real hope for freedom again. But I do appreciate what you are trying to do. And I wish you luck. Let me know if there is any way I can help out.



## Instructions

Date: 7-30-07

You are being asked to complete this because you were sentenced to life without parole for a crime alleged to have occurred when you were under 18 years old. If your case has appeals of any type that are still going on, you should talk with your attorney before completing this form. Please complete this form and return it to: Elizabeth Calvin, Attorney at Law, Human Rights Watch, 11500 W. Olympic Blvd., Ste. 441, Los Angeles, CA 90064. I will not use your name in any materials. All quotes will be used with a fake name. If you would like to remain completely anonymous, please complete the form but do not include your name or CDCR number and I will throw out your envelope so there is no identifying information connected with the form. Please feel free to use additional paper. Answer whatever questions you feel comfortable answering. Your perspective is *so important* to this work, thanks for your help.

## Background

1. Name: \_\_\_\_\_
2. CDCR number: \_\_\_\_\_
3. Birth date: \_\_\_\_\_
4. Race: \_\_\_\_\_

## Conviction that resulted in the Life without Parole ("LWOP") Sentence

5. How old were you at time of the alleged crime? 16
6. What city, town or neighborhood were you living in at the time? \_\_\_\_\_
7. With whom were you living? (For example with family, friends, on the street, in foster care, etc.) Foster care
8. What crime(s) were you convicted of? MURDER, ROBBERY, ARSON, and Stealing A CAR
9. What was your sentence? LWOP + 10 years
10. Were there co-defendants? ☒ Yes ☐ No If yes, how many? one
  - a. If there were co-defendants, how old were they at the time of the crime?  
List ages: 20 years old
  - b. Did any co-defendants plead guilty? ☒ Yes ☐ No
  - c. What ages were the co-defendants who pled guilty? 20 years old
  - d. What were the sentences of all your co-defendants? Please state whether each pled guilty or had a trial. For example: "Pled—got 25 to life."  
Pled—got 5 years
11. Were you convicted of felony murder (involved in a felony that resulted in a murder)?  
☒ Yes ☐ No

12. Were you the person convicted of physically committing the crime? ☐ Yes ☒ No

a. If your answer is no, were you aiding/abetting, an accomplice, or involved in act with other people that resulted in the LWOP sentence? ☒ Yes ☐ No

b. If yes, please explain. I WAS CONVICTED BY A JURY THAT SAID "I DIDN'T PERSONALLY COMMIT THE MURDER. I WAS SITTING IN THE GET AWAY CAR"

13. Were you offered a plea agreement from the prosecuting attorney? ☐ Yes ☒ No

a. If yes, did you accept the plea agreement? ☐ Yes ☐ No

b. If offered a plea agreement, was the plea agreement for a sentence less than the sentence you are serving currently? ☐ Yes ☐ No ☐ I don't know

14. Did you have a trial? ☒ Yes ☐ No

a. If yes, was it with a jury? ☒ Yes ☐ No

15. What was the age, gender and race of the victim(s) of the crime? [REDACTED]

16. Did you know the victim(s)? ☒ Yes ☐ No

a. If yes, what was your relationship with the victim(s)? [REDACTED]

17. If you could communicate with the family of the victim(s) or any surviving victims, what would you say? I AM SO, SO, SO, SORRY AND I WOULD GIVE ANYTHING TO TAKE BACK WHAT HAPPENED TO [REDACTED] I WOULD ASK FOR FORGIVENESS AND MERCY FROM THE FAMILY AS WELL. BUT MOST OF ALL I AM SO SO SORRY.

18. Prior to your sentencing hearing, did your attorney tell you that you could have people speak on your behalf at the sentencing hearing? ☐ Yes ☒ No

19. At your sentencing hearing did anyone speak up for you? ☐ Yes ☒ No

a. If yes, who and what did they say? \_\_\_\_\_

20. At your sentencing hearing, did your attorney argue that you should get a sentence less than LWOP, for example, 25 to life? ☐ Yes ☒ No a. Please describe: \_\_\_\_\_

21. Did the judge say anything about why he or she chose a LWOP sentence?

☐ Yes ☒ No a. Please describe: \_\_\_\_\_

22. Do you have an attorney helping you on appeal right now? ☐ Yes ☒ No

a. If yes, who? \_\_\_\_\_

23. Were you accused of being a member of a gang in your crime? ☐ Yes ☒ No

24. If you were involved, why do you think you got involved with this crime? BECAUSE FOR ONE I WASN'T THINKING CLEARLY. I ALSO ALLOWED MYSELF TO BE TRICKED BY MY CRIME PARTNER INTO THINKING IT WASN'T AS BAD AS IT REALLY WAS. BUT FOR THE MOST PART I WAS STUPID AND YOUNG AND I HAD NO DIRECTION IN MY LIFE SO I FOUND MYSELF FOLLOWING THE FIRST PERSON THAT LEAD ME.

25. Looking back at your actions that day, what would have you done differently? I wouldn't have been apart of the crime I would have made a better choice and I wouldn't of been the get away driver for anybody in any crime.

#### Life Prior to Arrest

26. As a teenager, did you receive any counseling, treatment, probation, or participate in other programs (for example, Boys and Girls Club, YMCA, mentoring, etc.) intended to keep you out of trouble? ☐ Yes ☒ No a. Please describe: \_\_\_\_\_

27. What was the last grade you completed in school before being arrested? 11<sup>th</sup>

28. What were your grades like in school? [Check one] ☐ Mostly A's and B's  
☒ Mostly B's and C's ☐ Mostly C's and D's ☐ Mostly failing ☐ Other: \_\_\_\_\_

29. Were you ever enrolled in special education? ☒ Yes ☐ No

30. Has anyone ever told you that you have learning disabilities?

☒ Yes ☐ No a. If yes, what are the disabilities? I was told that I Had something called "ADD" and that's why I was placed in Special Educational classes.

31. Had you ever been diagnosed with any major physical or mental health issues prior to your arrest? ☒ Yes ☐ No a. If yes, please provide some details: I was in a mental hospital as a kid but I don't know why.

32. Did you drink alcohol or take drugs prior to your arrest? ☐ Yes ☒ No  
a. If yes, how often and how? \_\_\_\_\_

33. Did you ever receive any mental health counseling or treatment for substance abuse prior to your arrest? ☐ Yes ☒ No

34. Were you taking any type of medication before your arrest? ☐ Yes ☒ No  
a. If yes, what medication and what was it for? \_\_\_\_\_

35. Do you feel mental health problems, disabilities or substance abuse played a role in your crime? ☐ Yes ☒ No

36. Had you ever been in foster care, a group home or lived with people other than your parents? ☒ Yes ☐ No a. If yes, please describe: I was placed into Foster care when I was 18 months old. And when the crime happened I was living in a group home with 6 other boys.

37. Are there things that happened in your childhood that you would like to share?

I WAS SEXUALLY ABUSED by my great aunt son. And I'm still dealing with that issue. And just being honest I've NEVER FELT like I was or am loved by anyone.

## Experience in CDCR

38. How old were you when you entered the CDCR? 18 YEARS old
39. Can you describe your experience as a young person entering CDCR? Do you remember how you felt? I WAS SO SCARED and I guess it SHOWED. So FOR the first 2 years I was having to protect myself from all of the guys that wanted to hunt me.
40. How long have you been in prison? 7 YEARS
41. Do you have access to programs (For example, GED, other education, AA, NA, counseling, etc.) in prison? ☐ Yes ☒ No
- a. Why or why not? BECAUSE I am an LWOP. Only people with Parole Dates get good ACCESS to programs.
- b. If yes, what self-improvement programs have you participated in since being at CDCR? N/A
42. Are you taking any medication now? ☐ Yes ☒ No
- a. If yes, what medication and what is it for? \_\_\_\_\_
43. What do you do with your time? I Sit in A CELL Reading my bible and working out.
44. Have you been assaulted or threatened while serving your sentence? ☒ Yes ☐ No
- a. Have you witnessed violence while serving your sentence? ☒ Yes ☐ No
- b. If yes to either, please describe: I WAS ASSAULTED by 4 [REDACTED] inmates that tried to kill me by putting a ROPE around my neck. I HAVE ALSO SEEN A guy Stab my last cellmate in the back's NECK.
- c. How has that affected you? I HAVE BEEN on Edge for the last 7 YEARS of my life. I can't trust anyone, and I pray that no one kills or hurts me in any kind of way.
45. What has it been like for you to be in prison? It has been "HARD." I don't Have good family support so I go without alot of the things I need to keep clean. I also stress out on a Daily wondering if this is the place that I am going to Die in.

## Perspective

46. How would you describe your life at the time of the crime? I was happy being FREE. But I WAS also SCARED of turning 18 years old knowing that I was going to be kicked out on the streets. I also had no Direction in my life.
47. What were your interests at the time? What was your personality like? Were there pressures that you felt at that time? I was a somewhat quiet person. I was interested in going to college if I could. And the pressures of not having family was my saddest moment in life and still to this Day.
48. Can you describe how you are the same or different than you were at the time of the crime? I am now a man that has goals in life. I now have compassion for human life and others. I HAVE Desires to have a family one Day as well as a job to support myself. I want to be an Example to other young people that might be headed Down the SAME WZONDI

Road that I went down. I am Different in the way that I want to live my God given life. I want to love people, I just want to be a good and better person that can be trusted.

49. What are your interests now? What is your personality like? What pressures do you have? I'm still a stick to myself kind of person. And the pressures come from wondering if I'm ever gonna get out one day.

50. If you were released from prison, what would you hope to do? I would go to a trade school to learn how to drive 18 wheeler trucks across the U.S. I would also look to find a good wife to start a family to love and support.

51. Many people serving LWOP are in prisons far from family and friends. Do you have people visit you? ☐ Yes ☒ No a. If yes, how often? [Check one]

☐ Once every 5 to 10 years

☐ Every month

☐ Once every 2 to 5 years

☐ Every week

☐ Once a year

☐ Other \_\_\_\_\_

☐ Several times a year

52. Would you please describe the experience of being separated from family and friends?

It was hard on the streets not having family. So being in prison with no family is like missing something that I never had and probably won't even be able to start up my own.

53. What are your hopes for the future? To one day be free again. To one day feel of value to other people. And to be a better person in this life as I live on.

54. If you had the opportunity to appear before a parole board, what would you say?

I would express my regret for my actions in the crime. Then I would go to to explain to them how I would go about my life to be a useful person to others and myself as I lived freely.

55. Is there anything else you would like to say about the sentence of life without parole for juveniles? It is really harsh and it leaves us with no hope. At times it make a person want to be dead. We grow as men over the years and we change for the better. And if given the chance we could be great examples of what CDCR can do for a person that's willing to change.

56. Do you have family members or friends whose contact information you could give us?

(Names, relationship, phone number. For example: "My mother, Linda Smith, Tel:

(123)456-7890 Not sure on the number. my great Aunt [REDACTED]

57. Do you have a photo of yourself taken within one year of the crime that you or a family member could send us? ☐ Yes ☒ No

58. Is there anything else you would like to tell me?

I just want you to know that I am truly a changed man. And I would be a useful person to the world if given the chance so I beg that I am given the chance for parole one day. Also I just want to thank all who fights for people like myself.

## Instructions

Date: 7-28-07

You are being asked to complete this because you were sentenced to life without parole for a crime alleged to have occurred when you were under 18 years old. If your case has appeals of any type that are still going on, you should talk with your attorney before completing this form. Please complete this form and return it to: Elizabeth Calvin, Attorney at Law, Human Rights Watch, 11500 W. Olympic Blvd., Ste. 441, Los Angeles, CA 90064. I will not use your name in any materials. All quotes will be used with a fake name. If you would like to remain completely anonymous, please complete the form but do not include your name or CDCR number and I will throw out your envelope so there is no identifying information connected with the form. Please feel free to use additional paper. Answer whatever questions you feel comfortable answering. Your perspective is *so important* to this work, thanks for your help.

## Background

1. Name: \_\_\_\_\_
2. CDCR number: \_\_\_\_\_
3. Birth date: \_\_\_\_\_
4. Race: \_\_\_\_\_

## Conviction that resulted in the Life without Parole ("LWOP") Sentence

5. How old were you at time of the alleged crime? 17
6. What city, town or neighborhood were you living in at the time? \_\_\_\_\_
7. With whom were you living? (For example with family, friends, on the street, in foster care, etc.) I WAS LIVING WITH MY COUSIN.
8. What crime(s) were you convicted of? MURDER / ROBBERY / GUN ENHANCEMENT
9. What was your sentence? L.W.O.P. + 4 YEARS
10. Were there co-defendants? ☐ Yes ☐ No If yes, how many? \_\_\_\_\_
  - a. If there were co-defendants, how old were they at the time of the crime?  
List ages: \_\_\_\_\_
  - b. Did any co-defendants plead guilty? ☐ Yes ☐ No
  - c. What ages were the co-defendants who pled guilty? \_\_\_\_\_
  - d. What were the sentences of all your co-defendants? Please state whether each pled guilty or had a trial. For example: "Pled—got 25 to life." \_\_\_\_\_
11. Were you convicted of felony murder (involved in a felony that resulted in a murder)?  
☒ Yes ☐ No



12. Were you the person convicted of physically committing the crime? ☒ Yes ☐ No  
a. If your answer is no, were you aiding/abetting, an accomplice, or involved in act with other people that resulted in the LWOP sentence? ☐ Yes ☐ No  
b. If yes, please explain. \_\_\_\_\_
13. Were you offered a plea agreement from the prosecuting attorney? ☐ Yes ☒ No  
a. If yes, did you accept the plea agreement? ☐ Yes ☐ No  
b. If offered a plea agreement, was the plea agreement for a sentence less than the sentence you are serving currently? ☐ Yes ☐ No ☐ I don't know
14. Did you have a trial? ☒ Yes ☐ No  
a. If yes, was it with a jury? ☒ Yes ☐ No
15. What was the age, gender and race of the victim(s) of the crime? [REDACTED]
16. Did you know the victim(s)? ☐ Yes ☒ No  
a. If yes, what was your relationship with the victim(s)? \_\_\_\_\_
17. If you could communicate with the family of the victim(s) or any surviving victims, what would you say? \_\_\_\_\_  
**SEE ATTACHED**
18. Prior to your sentencing hearing, did your attorney tell you that you could have people speak on your behalf at the sentencing hearing? ☐ Yes ☒ No
19. At your sentencing hearing did anyone speak up for you? ☐ Yes ☒ No  
a. If yes, who and what did they say? \_\_\_\_\_
20. At your sentencing hearing, did your attorney argue that you should get a sentence less than LWOP, for example, 25 to life? ☐ Yes ☒ No a. Please describe: \_\_\_\_\_
21. Did the judge say anything about why he or she chose a LWOP sentence?  
☒ Yes ☐ No a. Please describe: BECAUSE THE AGGRAVATING OUTWEIGHED THE MITIGATING.
22. Do you have an attorney helping you on appeal right now? ☐ Yes ☒ No  
a. If yes, who? \_\_\_\_\_
23. Were you accused of being a member of a gang in your crime? ☐ Yes ☒ No
24. If you were involved, why do you think you got involved with this crime? BECAUSE OF POOR JUDGEMENT, DRUGS, AND BEING EASILY INFLUENCED BY OTHERS.

25. Looking back at your actions that day, what would have you done differently? I WOULD'VE STOPPED USING DRUGS. I WOULD'VE GOT MYSELF OUT OF THAT SITUATION.

#### Life Prior to Arrest

26. As a teenager, did you receive any counseling, treatment, probation, or participate in other programs (for example, Boys and Girls Club, YMCA, mentoring, etc.) intended to keep you out of trouble? ☒ Yes ☐ No a. Please describe: I WAS ON PROBATION AT 15 YRS OLD 'TIL 17 YRS OLD. I RECEIVED DRUG & ALCOHOL TREATMENT AT 15 YRS OLD.
27. What was the last grade you completed in school before being arrested? 7<sup>TH</sup> GRADE
28. What were your grades like in school? [Check one] ☐ Mostly A's and B's  
☐ Mostly B's and C's ☒ Mostly C's and D's ☐ Mostly failing ☐ Other: \_\_\_\_\_
29. Were you ever enrolled in special education? ☐ Yes ☒ No
30. Has anyone ever told you that you have learning disabilities?  
☒ Yes ☐ No a. If yes, what are the disabilities? A PSYCHOLOGIST EVALUATED ME & SAID I HAD SOME DISABILITIES BUT I'M NOT TOO SURE WHAT THEY WERE.
31. Had you ever been diagnosed with any major physical or mental health issues prior to your arrest? ☒ Yes ☐ No a. If yes, please provide some details: DEPRESSION. I WAS SENT TO A MENTAL HEALTH HOSPITAL AND WAS PUT ON A 72 HR. SUICIDE WATCH / EVALUATION.
32. Did you drink alcohol or take drugs prior to your arrest? ☒ Yes ☐ No  
a. If yes, how often and how? I WAS DRINKING ALCOHOL & USING METH. ON A DAILY BASIS.
33. Did you ever receive any mental health counseling or treatment for substance abuse prior to your arrest? ☒ Yes ☐ No
34. Were you taking any type of medication before your arrest? ☐ Yes ☒ No  
a. If yes, what medication and what was it for? \_\_\_\_\_
35. Do you feel mental health problems, disabilities or substance abuse played a role in your crime? ☒ Yes ☐ No
36. Had you ever been in foster care, a group home or lived with people other than your parents? ☒ Yes ☐ No a. If yes, please describe: I WAS HOMELESS AT AGE 15. I ENDED -UP ~~ENDING~~ ~~MOVING~~ GETTING MYSELF INTO A CHRISTIAN GROUP HOME.
37. Are there things that happened in your childhood that you would like to share?  
I WAS PHYSICALLY, VERBALLY, & SEXUALLY ABUSED. I RAN-AWAY FROM HOME TO ESCAPE THE ABUSE AND FOUND MYSELF HOMELESS IN THE PROCESS.

## Experience in CDCR

38. How old were you when you entered the CDCR? 19 YEARS OLD

39. Can you describe your experience as a young person entering CDCR? Do you remember how you felt? BEING <sup>WAS</sup> IN PRISON <sup>WAS</sup> VERY HARD. THERE <sup>WAS</sup> THE CONSTANT PRESSURE TO JOIN A PRISON GANG, TO PROVE YOURSELF TO THEM. I FELT VULNERABLE, ALONE, AND INTIMIDATED.

40. How long have you been in prison? 8 YEARS

41. Do you have access to programs (For example, GED, other education, AA, NA, counseling, etc.) in prison? ☒ Yes ☐ No

a. Why or why not? BECAUSE OF MY CUSTODY REDUCTION, I AM NOW ABLE TO PARTICIPATE IN SELF-HELP GROUPS

b. If yes, what self-improvement programs have you participated in since being at CDCR? BREAKING BARRIERS A MEDITATION GROUP.

42. Are you taking any medication now? ☐ Yes ☒ No

a. If yes, what medication and what is it for? \_\_\_\_\_

43. What do you do with your time? RIGHT NOW I'M STUDYING REALLY HARD FOR THE GED. I ALSO READ, WRITE, MEDITATE, AND WORK-OUT.

(44.) Have you been assaulted or threatened while serving your sentence? ☒ Yes ☐ No

a. Have you witnessed violence while serving your sentence? ☒ Yes ☐ No

b. If yes to either, please describe: \_\_\_\_\_

SEE ATTACHED

c. How has that affected you? \_\_\_\_\_

45. What has it been like for you to be in prison? PRISON WAS HARD FOR THE FIRST COUPLE OF YEARS. BUT I'VE COME TO REALIZE ~~THAT~~ AND I AM A FIRM BELIEVER ~~AND~~ THAT LIFE IS WHAT YOU MAKE OF IT. SO THINGS HAVE BEEN PRETTY GOOD FOR ME NOW.

## Perspective

46. How would you describe your life at the time of the crime? MY LIFE WAS CHAOTIC. I WAS USING DRUGS EVERY DAY. THAT'S WHAT MY LIFE REVOLVED AROUND. I DID NOTHING ELSE BUT GET HIGH.

47. What were your interests at the time? What was your personality like? Were there pressures that you felt at that time? DRUGS WERE MY ONLY INTEREST. I WAS VERY QUIET AND, AT THE SAME TIME, I WAS ALWAYS TRYING TO BE WHAT OTHERS THOUGHT I SHOULD BE. I WAS ALWAYS TRYING TO EMULATE SOMEONE.

48. Can you describe how you are the same or different than you were at the time of the crime? I KNOW WHO I AM NOW. MY LIFE IS NOT RULED

by my insecurities and childhood fears. I know I can tell someone "NO", and it doesn't make me a bad person.

49. What are your interests now? What is your personality like? What pressures do you have? I ENJOY WRITING; it gives me perspective & peace of mind. I'm VERY SOCIAL & DOWN TO EARTH. I HAVE A GOOD SENSE OF HUMOR AND A POSITIVE ATTITUDE. MY PRESSURES ARE: TO STAY POSITIVE AND TO DO WELL ON THE G.E.D.

50. If you were released from prison, what would you hope to do? I WOULD LIKE TO WORK WITH THE TROUBLED YOUTH & HELP THEM TO REALIZE THAT THE CHOICES THEY MAKE NOW CAN EFFECT THEIR WHOLE LIVES. I WOULD ALSO LIKE TO <sup>GO TO</sup> A CULINARY INSTITUTE TO BECOME A CHEF.

51. Many people serving LWOP are in prisons far from family and friends. Do you have people visit you? ☒ Yes ☐ No a. If yes, how often? [Check one]

☐ Once every 5 to 10 years

☒ Every month

☐ Once every 2 to 5 years

☐ Every week

☐ Once a year

☐ Other \_\_\_\_\_

☐ Several times a year

52. Would you please describe the experience of being separated from family and friends?

IT'S VERY DIFFICULT BECAUSE IT PUTS A STRAIN ON THE RELATIONSHIP. IT'S HARD TO HAVE THOSE BONDS AND INTERACTIONS WITH MY LOVE ONES. AND WHAT HAPPENS IS WE END UP GROWING APART FROM BEING SEPARATED.

53. What are your hopes for the future? I REALLY HOPE AND WOULD LIKE TO TAKE A COLLEGE COURSE IN CREATIVE WRITING. I ALSO HOPE THAT L.W.O.P. SENTENCES ARE ERADICATED FOR MINORS.

54. If you had the opportunity to appear before a parole board, what would you say?

SEE ATTACHED

55. Is there anything else you would like to say about the sentence of life without parole for juveniles?

JUVENILES SHOULD HAVE THE CHANCE TO PROVE THEMSELVES REHABILITATED AND REMORSEFUL AND, IN TIME, POSSIBLY BEING RELEASED FROM PRISON.

56. Do you have family members or friends whose contact information you could give us?

(Names, relationship, phone number. For example: "My mother, Linda Smith, Tel:

(123)456-7890

57. Do you have a photo of yourself taken within one year of the crime that you or a family member could send us? ☐ Yes ☐ No I'm not too sure. I'll have to check.

58. Is there anything else you would like to tell me?

## QUESTIONNAIRE:

QUESTIONS 17, 44(b)(c), AND 54

17 - I AM SO DEEPLY SORRY FOR TAKING [REDACTED] FROM YOU. I THINK ABOUT WHAT I'VE DONE EVERY SINGLE DAY, AND IT EATS AT ME. I FEEL THE PAIN, THE HURT THAT I CAUSED YOU; AND IT MAKES ME SICK. IT DISGUSTS ME AND I FEEL HORRIBLE. I AM SO, SO SORRY. I KNOW SORRY WON'T BRING [REDACTED] BACK BUT THERE ARE NO WORDS TO DESCRIBE HOW SORRY I FEEL. I HATE WHAT I'VE DONE BUT I'M TRYING TO BECOME A BETTER PERSON.

44(B) - I WAS TOLD BY AN INMATE THAT WAS AFFILIATED IN A GANG - THAT I HAD TO ASSAULT ANOTHER INMATE, AND IF I REFUSED I WOULD GET STABBED. IN FEAR OF BEING STABBED, I CARRIED OUT THE ASSAULT.

44(C) - CARRYING OUT THE ASSAULT MADE ME FEEL LIKE A WORTHLESS DEGENERATE. I HATED MYSELF FOR IT. SO I MADE MYSELF A PROMISE: ~~THAT~~ I WOULD NEVER LET SOMEONE INTIMIDATE ME INTO DOING SOMETHING I DIDN'T WANT TO DO. I STILL FELT GUILTY FOR WHAT I'VE DONE, SO I DECIDED TO TALK TO THE CAPTAIN & ~~THE~~ THE CAPTAIN'S C.O.S ABOUT THE INCIDENT. →

AFTER TALKING ABOUT THE INCIDENT, I WAS  
PLACED ON A SENSITIVE NEEDS YARD (PROTECTIVE  
CUSTODY).

54-

I AM AWARE OF WHAT I'VE DONE AND I ACCEPT  
FULL RESPONSIBILITY FOR TAKING ANOTHER HUMAN  
LIFE. I KNOW THE CRIME I COMMITTED IS VERY  
HORRIBLE AND TRAGIC, AND IN NO WAY IS IT, NOR  
WILL IT BE JUSTIFIABLE, BUT I BEG THAT YOU  
TAKE INTO CONSIDERATION THE CIRCUMSTANCES,  
WHICH LED UP TO THE CRIME, MY LIFE AT  
THAT TIME, AND THE POSITIVE CHANGES I'VE  
MADE. I AM NOT THE SAME PERSON I WAS.  
AND THIS HORRIBLE CRIME I COMMITTED IS  
ISOLATED. IT WOULD NEVER HAPPEN AGAIN.

  
7-28-07



## Instructions

Date: 7/31/07

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## Background

1. Name: [REDACTED]
2. CDCR number: [REDACTED]
3. Birth date: [REDACTED]
4. Race: [REDACTED]

## Conviction that resulted in the Life without Parole ("LWOP") Sentence

5. How old were you at time of the alleged crime? 17 yrs. old + 3 months.
6. What city, town or neighborhood were you living in at the time? WATSONVILLE CAL.
7. With whom were you living? (For example with family, friends, on the street, in foster care, etc.) With My Family
8. What crime(s) were you convicted of? MURDER<sup>1st</sup> - CAR JACKING - + KIDNAPPING
9. What was your sentence? L.W.O.P. + 5 yrs...
10. Were there co-defendants? ☒ Yes ☐ No If yes, how many? ONE
  - a. If there were co-defendants, how old were they at the time of the crime?  
List ages: HE WAS 19 yrs. Old.
  - b. Did any co-defendants plead guilty? ☐ Yes ☒ No
  - c. What ages were the co-defendants who pled guilty?
  - d. What were the sentences of all your co-defendants? Please state whether each pled guilty or had a trial. For example: "Pled—got 25 to life." HE HAD TRIAL TOGETHER WITH ME. FIRST HE GOT 35 TO LIFE BUT ON HIS APPEAL THEY DROPPED THE KIDNAPPING SO NOW HE GOT'S 25 TO LIFE...
11. Were you convicted of felony murder (involved in a felony that resulted in a murder)?  
☒ Yes ☐ No



12. Were you the person convicted of physically committing the crime? ☒ Yes ☐ No  
a. If your answer is no, were you aiding/abetting, an accomplice, or involved in act with other people that resulted in the LWOP sentence? ☐ Yes ☐ No  
b. If yes, please explain. THERE WAS ONE PERSON TESTIFYING AGAINST ME ALLEGING I CONFESSED TO HIM THAT I WAS THE ONE WHO DID IT. PLUS MY CO-DEFENDANT SAID THAT HE WAS JUST THERE WITH ME SO THEY GOT ME AS I WAS THE ONE WHO COMMITTED THE CRIME....
13. Were you offered a plea agreement from the prosecuting attorney? ☐ Yes ☒ No  
a. If yes, did you accept the plea agreement? ☐ Yes ☐ No  
b. If offered a plea agreement, was the plea agreement for a sentence less than the sentence you are serving currently? ☐ Yes ☐ No ☐ I don't know
14. Did you have a trial? ☒ Yes ☐ No  
a. If yes, was it with a jury? ☒ Yes ☐ No
15. What was the age, gender and race of the victim(s) of the crime? [REDACTED]
16. Did you know the victim(s)? ☐ Yes ☐ No YES & NO  
a. If yes, what was your relationship with the victim(s)? [REDACTED]
17. If you could communicate with the family of the victim(s) or any surviving victims, what would you say? Oh! THIS IS A HARD QUESTION..... I DON'T THINK THERE WOULD BE ENOUGH WORDS TO EXPRESS TO THEM HOW SORRY I AM FOR CAUSING THEM SUCH A TERRIBLE PAIN BUT I WOULD ASK THEM TO PLEASE FORGIVE ME I WAS SO YOUNG BACK THEN I DON'T KNOW WHAT I WAS DOING. I WISH I HAD THE POWER TO GO BACK IN TIME & GIVE THEM THEIR SON BACK... BUT NO DOUBT THERE'S NOT ENOUGH WORDS TO SAY HOW SORRY I AM....
18. Prior to your sentencing hearing, did your attorney tell you that you could have people speak on your behalf at the sentencing hearing? ☐ Yes ☐ No DON'T REMEMBER...
19. At your sentencing hearing did anyone speak up for you? ☒ Yes ☐ No  
a. If yes, who and what did they say? I DO KIND OF REMEMBER MY DAD CAME FOR MY SENTENCING & I BELIEVE HE DID SPEAK FOR ME BUT TO BE HONEST I DON'T EXACTLY REMEMBER WHAT HE SAID. BUT I THINK HE APPEALED TO VICTIM'S FAMILY.
20. At your sentencing hearing, did your attorney argue that you should get a sentence less than LWOP, for example, 25 to life? ☒ Yes ☐ No a. Please describe: I REMEMBER HE MENTIONED TO THE JUDGE ABOUT NOT GIVING ME THE MAX SENTENCE BUT IT WASN'T REALLY A STRONG ARGUMENT THAT WOULD GIVE A REASON NOT TO.....
21. Did the judge say anything about why he or she chose a LWOP sentence?  
☐ Yes ☐ No a. Please describe: IF HE DID OR DIDN'T I CAN'T REMEMBER...
22. Do you have an attorney helping you on appeal right now? ☐ Yes ☒ No  
a. If yes, who? \_\_\_\_\_
23. Were you accused of being a member of a gang in your crime? ☒ Yes ☐ No
24. If you were involved, why do you think you got involved with this crime? IT WAS A MESSY THING I WAS YOUNG, HANGING AROUND WITH THE WRONG CROWD, DRINKING & USING DRUGS... IT WAS ALL TOGETHER....



25. Looking back at your actions that day, what would have you done differently? EVERYTHING!!  
I WOULD DO EVERYTHING DIFFERENTLY FROM NOT COMMITTING WHAT  
IN BEING ABUSE OF, TO STOP DOING ALL THE WRONG THINGS I WAS DOING.

#### Life Prior to Arrest

26. As a teenager, did you receive any counseling, treatment, probation, or participate in other programs (for example, Boys and Girls Club, YMCA, mentoring, etc.) intended to keep you out of trouble? ☒ Yes ☐ No a. Please describe: I WAS IN A  
DRUG TREATMENT PROGRAM FOR A WHILE BUT DIDN'T LAST LONG...

27. What was the last grade you completed in school before being arrested? 7<sup>th</sup> grade.

28. What were your grades like in school? [Check one] ☐ Mostly A's and B's  
☐ Mostly B's and C's ☐ Mostly C's and D's ☒ Mostly failing ☐ Other: \_\_\_\_\_

29. Were you ever enrolled in special education? ☐ Yes ☒ No

30. Has anyone ever told you that you have learning disabilities?

☐ Yes ☒ No a. If yes, what are the disabilities? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

31. Had you ever been diagnosed with any major physical or mental health issues prior to your arrest? ☐ Yes ☒ No a. If yes, please provide some details: \_\_\_\_\_  
\_\_\_\_\_

32. Did you drink alcohol or take drugs prior to your arrest? ☒ Yes ☐ No  
a. If yes, how often and how? Every Day. & I Smoked & Snored.

33. Did you ever receive any mental health counseling or treatment for substance abuse prior to your arrest? ☐ Yes ☒ No

34. Were you taking any type of medication before your arrest? ☐ Yes ☒ No  
a. If yes, what medication and what was it for? \_\_\_\_\_  
\_\_\_\_\_

35. Do you feel mental health problems, disabilities or substance abuse played a role in your crime? ☐ Yes ☒ No IF ANYTHING DRUG ABUSE... YES...

36. Had you ever been in foster care, a group home or lived with people other than your parents? ☐ Yes ☒ No a. If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_

37. Are there things that happened in your childhood that you would like to share?

THE SEPARATION OF MY PARENTS THAT WAS VERY DIFFICULT FOR ME  
& SHORT AFTER THAT IT WAS WHEN I STARTED USING DRUGS...



## Experience in CDCR

38. How old were you when you entered the CDCR? 18 yrs old.

39. Can you describe your experience as a young person entering CDCR? Do you remember how you felt? AFTER HEARING SO MANY STORIES ABOUT PRISON I DIDN'T KNOW WHAT TO EXPECT SO YEAH IT WAS A WEIRD FEELING THAT I WOULDN'T KNOW HOW TO EXPLAIN JUST KNOWING THIS WILL BE YOUR HOME FOR THE REST OF YOUR LIFE IT WAS SCARY....

40. How long have you been in prison? Almost 10 yrs. Now.

41. Do you have access to programs (For example, GED, other education, AA, NA, counseling, etc.) in prison? ☒ Yes ☐ No

a. Why or why not? BUT IS VERY DIFFICULT TO GET IN THEM PROGRAMS THIS PRISON IS SO OVER CROWDED THAT IS NOT MUCH SPACE FOR EVERY BODY...

b. If yes, what self-improvement programs have you participated in since being at CDCR? THE ONLY SELF IMPROVEMENT I'VE BEEN DOING IS MY PERSONAL STUDIES AT MY CELL. SINCE IS WHERE I SPEND MOST OF MY TIME. THERES VERY LITTLE PROGRAM IN THIS LEVEL IN 180'S DESIGN. ALWAYS ON LOCK DOWN...

42. Are you taking any medication now? ☐ Yes ☒ No

a. If yes, what medication and what is it for? \_\_\_\_\_

43. What do you do with your time? WHEN NOT ON LOCK DOWN I WORK FROM 8:00 AM TO 2:00 PM. AFTER THAT I WRITE A LOT & DRAW & READ. & WHEN ON LOCK DOWN. EXERCISE. READ. WRITE. DRAW. THAT'S ABOUT IT. BESIDES CONVERSATING WITH MY CELLY....

44. Have you been assaulted or threatened while serving your sentence? ☐ Yes ☒ No

a. Have you witnessed violence while serving your sentence? ☒ Yes ☐ No

b. If yes to either, please describe: AFTER AWHILE ONE GET TO SEE MANY THINGS. BUT I CAN'T REALLY GET INTO ANY DETAIL ON THIS. BUT YES ONE WITNESS VIOLENCE ALL THE TIME...

c. How has that affected you? I JUST TRY NOT TO GET INVOLVED IN WHAT DOESN'T CONCERN ME & STAY BUSY DOING MY OWN THING. THAT'S ALL...

45. What has it been like for you to be in prison? IN A WAY IT HAS BEEN VERY DIFFICULT TO BE AWAY FROM YOUR LOVE ONES BUT I TRY TO STAY POSITIVE & ALWAYS TRY TO MAKE THE BEST OUT OF EACH DAY SO THAT HAS HELPED ME ALOT TO GROW MENTALLY & AS A PERSON & BE ABLE TO SEE THINGS FROM A DIFFERENT PERSPECTIVE....

## Perspective

46. How would you describe your life at the time of the crime? I WAS LOST WITHIN ME. I DIDN'T KNOW WHAT I WANTED FROM LIFE SO I DIDN'T KNOW WHAT I WAS DOING OR WHERE I WAS GOING WITH EVERYTHING IN GENERAL...

47. What were your interests at the time? What was your personality like? Were there pressures that you felt at that time? MY WHOLE INTEREST BACK THEN WAS JUST TO GET HIGH & BE WITH MY FRIENDS. I WAS TOLD I WAS FUN TO BE WITH SO I GUESS I HAD A GOOD PERSONALITY... & I DON'T THINK I HAD ANY PRESSURES...

48. Can you describe how you are the same or different than you were at the time of the crime? I AM WAY MUCH DIFFERENT NOW. BECAUSE NOW I CAN SEE THINGS CLEAR & I CAME TO UNDERSTAND MYSELF & FINALLY KNOW THE TRUE MEANING OF LIFE & WHAT I WOULD WANT FROM IT. MY MENTALITY IS TOTALLY DIFFERENT NOW AS WELL AS MY INTERESTS....



49. What are your interests now? What is your personality like? What pressures do you have? MY MAIN INTEREST IS MY FAMILY OUT THERE I WANT TO BE ABLE TO BE THERE FOR THEM & MAKE THINGS RIGHT. I HAVE GOOD CHARACTER & ALWAYS TRYING TO FIND THE POSITIVE THINGS ON EVERYTHING... I HAVE NO PRESSURES...
50. If you were released from prison, what would you hope to do? FIRST OF ALL START MY OWN FAMILY & START AN OVER AGAIN! MAYBE I WOULD LIKE TO GET INVOLVED IN SOME KIND OF PROGRAM WHERE I CAN TALK TO THE YOUNG ONES SO THEY WON'T DO THE SAME MISTAKES I DID... I WOULD REALLY LIKE THAT.
51. Many people serving LWOP are in prisons far from family and friends. Do you have people visit you? ☒ Yes ☐ No a. If yes, how often? [Check one]
- |  |                                      |
|--|--------------------------------------|
| <input type="checkbox"/> Once every 5 to 10 years        | <input type="checkbox"/> Every month |
| <input type="checkbox"/> Once every 2 to 5 years         | <input type="checkbox"/> Every week  |
| <input type="checkbox"/> Once a year                     | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Several times a year |                                      |
52. Would you please describe the experience of being separated from family and friends? THERE'S NOTHING MORE DIFFICULT THAN BE SEPARATED FROM YOUR FAMILY IS FRUSTRATING NOT BEING ABLE TO BE THERE FOR THEM OR DO ANYTHING FOR THEM.. IS THE WORST FEELING I CAN'T EXPLAIN.
53. What are your hopes for the future? MAINLY THAT SOME KIND OF LAW WILL CHANGE SO MANY LIKE ME COULD GET A NOTHER CHANCE, FOR WE WAS REAL YOUNG AT THAT TIME WE DIDN'T KNOW WHAT WE WAS DOING. MANY OF US LEARNED FROM OUR EXPERIENCE & ALL WE WANT IS A SECOND CHANCE...
54. If you had the opportunity to appear before a parole board, what would you say? WHAT I JUST SAID. I KNOW I DID WRONG BUT I WAS YOUNG I DON'T KNOW WHAT I WAS DOING TO PLEASE GIVE ME A SECOND CHANCE TO SHOW EN- I CAN DO THINGS RIGHT...
55. Is there anything else you would like to say about the sentence of life without parole for juveniles? I UNDERSTAND THEY WANT TO PUNISH PEOPLE FOR WHAT THEY DO BUT TO CONSIDER GIVING L.W.O.P. TO A JUVENILE, ALL THEIR DOING IS THROWING HIS LIFE AWAY INSTEAD WHY NOT HELP HIM TO BECOME A BETTER PERSON & WHO KNOWS THAT SAME PERSON MAY GET TO BE SOMEBODY IMPORTANT IN LIFE. SOME TIMES ALL WE NEED IS A 2ND CHANCE THAT'S ALL...
56. Do you have family members or friends whose contact information you could give us? (Names, relationship, phone number. For example: "My mother, Linda Smith, Tel: (123)456-7890 MY SISTER [REDACTED])
57. Do you have a photo of yourself taken within one year of the crime that you or a family member could send us? ☒ Yes ☐ No
58. Is there anything else you would like to tell me? I JUST WANT TO SAY THANK YOU FOR TAKING YOUR TIME IN TRYING TO HELP OUT PEOPLE LIKE ME NOT ~~ALL~~ EVERYBODY DOES THAT AND I REALLY APPRECIATE TAKING INTEREST IN ME. THANK YOU!!!