

**DECLARATION OF DANIEL B. VASQUEZ IN SUPPORT OF RAY  
ALLEN'S PETITION FOR CLEMENCY  
AND PETITION FOR WRIT OF HABEAS CORPUS**

I, Daniel B. Vasquez, declare under the penalty of perjury under the laws of the state of California as follows:

1. I own and currently operate a corrections consulting firm, Corrections Consulting & Investigative Services.
2. I have devoted my entire thirty-six year professional career to the field of correctional science. I began that career in 1965 as a correctional officer with the then California Department of Corrections (CDC), now the California Department of Corrections and Rehabilitation, while I attended college. After working my way up through the ranks for thirty years with the CDC, including positions as acting superintendent and warden of two state prisons, I became Warden of San Quentin State Prison. I served as Warden there for ten years, from December 1983 until the end of 1993. As Warden at San Quentin State Prison, I was responsible for the administration and operation of a prison with a yearly operating budget of over \$110,000,000 that employed over 1500 staff.
3. I was also responsible as the Warden of San Quentin State Prison for all aspects of the confinement and execution of condemned prisoners. I supervised the reactivation of the lethal gas chamber and was responsible for and carried out the execution of Robert Harris on April 21, 1992, and David Edwin Mason on August 24, 1993. Following Mr. Harris's execution, I was called upon by then-Attorney General Daniel Lungren to study the procedures for execution by lethal injection to determine its feasibility as an alternative method of execution in California. To that end, I reviewed the lethal injection procedures in Texas and witnessed the execution of Justin Lee May in May of 1992.

4. Since leaving my position as Warden of San Quentin, I have continued to work in the field, including as Warden of Soledad, as Director of the Santa Clara County Department of Corrections, and as a consultant to and the Warden of California City Correctional Center, a privately operated prison administered by Corrections Corporation of America, based in Nashville, Tennessee. A copy of my curriculum vitae is attached to this declaration.

5. I was asked by the attorneys for Clarence Ray Allen, an inmate on San Quentin's Condemned Row scheduled for execution on January 17, 2005, to render an opinion on the appropriateness of clemency for Mr. Allen and whether his execution would serve the legitimate penological interests of the State. To that end, I met with Mr. Allen on December 20, 2005, and reviewed a copy of what counsel represented to me was a complete copy of Mr. Allen's CDC Central File made available to counsel, and which appeared to be such to me. I also reviewed a copy of Mr. Allen's clemency application and pertinent exhibits supporting it.

6. I vividly recall during my ten years as Warden of San Quentin personally serving Mr. Allen with one of his death warrants. In our mutual naiveté about the process at the time, we each invested that ceremony with much more significance and gravity than – in now looking back on it—it had in reality, and Mr. Allen was visibly shaken by the experience. I presided over pre-execution procedures for him until his execution dates were stayed by the courts.

7. I believe that the death penalty is an appropriate punishment and that the State of California has the right to enforce its criminal laws to serve its legitimate interests. I also believe that along with that right the State of California has a duty to administer the death penalty in a fair and humane way in accordance with civilized notions of decency. I believe that clemency is an integral part of ensuring the fair and humane administration of the death penalty, and that

