

HABBAS CORPUS RESOURCE CENTER

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MICHAEL LAURENCE, Executive Director
JEAN FIELD, Assistant Director

July 6, 2015

Meredee Crutcher Neumiller Infirmary Pharmacy California State Prison San Quentin, CA 94964

Re: Request for Records Pursuant to the California Public Records Act

Dear Public Records Custodian:

I am writing on behalf of Mitchell Carlton Sims to request records pursuant to the California Public Records Act, California Government Code sections 6250 to 6270. According to the California Board of Pharmacy, your pharmacy is licensed as a government owned sterile compounding pharmacy or hospital in the State of California. I seek copies of all records generated or received from January 1, 2011 to the present by any current or former employee of your pharmacy or hospital regarding the following topics:

I. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the California Department of Corrections and Rehabilitation (CDCR) relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemical(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.

¹⁹ The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, prinding, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

- 2. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the CDCR relating to compounding generally, including but not limited to prescription requirements, preparation of compounded solutions, acquiring ingredients for compounded drugs, and storing and transporting compounded drugs.
- 3. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the California Attorney General's Office relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
- 4. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the California Governor's Office relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemical(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
- 5. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the Criminal Justice Legal Foundation relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemicals to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
- 6. Any and all records, contracts, acquisition forms, procurement forms, receipts, bills of sale, or reports concerning the CDCR's potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemicals to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.

Mr. Sims anticipates your response to this request within ten days of your receipt of it as required by section 6253 of the California Government Code.

To assist with the prompt release of responsive material, I ask that you make records available to me as you locate them, rather than waiting until all responsive records have been collected and copied. If it will expedite matters, we can travel to the appropriate offices to physically inspect responsive materials. Please notify me immediately of any copying fee for these materials so that I may provide payment and ensure prompt delivery of the requested material. We are willing to accept materials in electronic format, in order to reduce copying fees, if they are readily available in that format.

If you determine that any of the information I have requested is exempt and will not be disclosed, please provide me with a description of the information withheld and a signed notification citing the legal authorities upon which you rely. See Cal. Gov't Code § 6255. Pursuant to section

Neumiller Infirmary Phaemacy July 6, 2015 Page 3 of 3

6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

If I can provide any additional information that will expedite your processing of my request, please do not hesitate to contact me.

Sincerely,

Sara Cohbra Attorney

San Quentin State Prison San Quentin, CA 94964



July 21, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Re: Public Records Act Request received July 10, 2015

Dear Ms. Cohbra:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR)/ San Quentin State Prison received July 10, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed. Please note due to administrative error this response was not provided to you on July 20, 2015 as it should have been; however the 14-day extension is from the correct date of July 20, 2015 not the date of this letter.

We will provide you a final page count as well as the total cost for duplication for any records that may be disclosed on or before August 3, 2015.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison

San Quentin State Prison San Quentin, CA 94964



August 3, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Re: Public Records Act Request received July 10, 2015

Dear Ms. Cohbra:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received July 10, 2015.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

Please note that the California Department of Corrections and Rehabilitation is still reviewing documents that may be responsive to your request, and it is possible that additional documents and/or exemptions will be identified during the review and compilation of these records.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

Correctional Counselor II, Specialist

Litigation Coordinator San Quentin State Prison

San Quentin State Prison San Quentin, CA 94964



August 14, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Re: Public Records Act Request received July 10, 2015

Dear Ms. Cohbra:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received July 10, 2015. CDCR has completed its review of documents.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

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Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison



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JEAN FIELD, Assistant Director

July 6, 2015

Brandon Costa California Men's Colony Hospital East Facility Highway 1, 1st Fl Rm C170 San Luis Obispo, CA 93409

Re: Request for Records Pursuant to the California Public Records Act

Dear Public Records Custodian:

I am writing on behalf of Mitchell Carlton Sims to request records pursuant to the California Public Records Act, California Government Code sections 6250 to 6270. According to the California Board of Pharmacy, your pharmacy is licensed as a government owned sterile compounding pharmacy or hospital in the State of California. I seek copies of all records¹⁸ generated or received from January 1, 2011 to the present by any current or former employee of your pharmacy or hospital regarding the following topics:

1. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the California Department of Corrections and Rehabilitation (CDCR) relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemical(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.

¹⁸ The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

- 2. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the CDCR relating to compounding generally, including but not limited to prescription requirements, preparation of compounded solutions, acquiring ingredients for compounded drugs, and storing and transporting compounded drugs.
- 3. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the California Attorney General's Office relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
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- 5. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the Criminal Justice Legal Foundation relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemicals to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
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Mr. Sims anticipates your response to this request within ten days of your receipt of it as required by section 6253 of the California Government Code.

To assist with the prompt release of responsive material, I ask that you make records available to me as you locate them, rather than waiting until all responsive records have been collected and copied. If it will expedite matters, we can travel to the appropriate offices to physically inspect responsive materials. Please notify me immediately of any copying fee for these materials so that I may provide payment and ensure prompt delivery of the requested material. We are willing to accept materials in electronic format, in order to reduce copying fees, if they are readily available in that format.

If you determine that any of the information I have requested is exempt and will not be disclosed, please provide me with a description of the information withheld and a signed notification citing the legal authorities upon which you rely. See Cal. Gov't Code § 6255. Pursuant to section

California Men's Colony Hospital July 6, 2015 Page 3 of 3

6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

If I can provide any additional information that will expedite your processing of my request, please do not hesitate to contact me.

Sincerely,

Sara Cohbra Attorney

OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice General Counsel PO. Box 942883 Sacramento, CA 94283-0001



July 24, 2015

Sara Cohbra, Esq. Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Dear Ms. Cohbra:

PUBLIC RECORDS ACT REQUEST

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR)/California Men's Colony received July 14, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a final page count as well as the total cost for duplication for any records that may be disclosed on or before August 6, 2015.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

KELLY MCCLEASE

Attorney III

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Office Of Legal Affairs P. O. Box 942883 Sacramento, CA 94283-0001 (916) 445-0495 (916) 327-8706 fax



August 7, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Re: Public Records Act Request received July 14, 2015.

Dear Ms. Cohbra:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received July 14, 2015, and directed to California Men's Colony Hospital.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

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Sincerely,

KELLY MCCLEASE

Attorney III



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July 6, 2015

Public Records Custodian California Institute for Men 14901 S Central Ave Chino, CA 91710

Re: Request for Records Pursuant to the California Public Records Act

Dear Public Records Custodian:

I am writing on behalf of Mitchell Carlton Sims to request records pursuant to the California Public Records Act, California Government Code sections 6250 to 6270. According to the California Board of Pharmacy, your pharmacy is licensed as a government owned sterile compounding pharmacy or hospital in the State of California. I seek copies of all records¹¹ generated or received from January 1, 2011 to the present by any current or former employee of your pharmacy or hospital regarding the following topics:

1. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the California Department of Corrections and Rehabilitation (CDCR) relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemical(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.

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- 2. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the CDCR relating to compounding generally, including but not limited to prescription requirements, preparation of compounded solutions, acquiring ingredients for compounded drugs, and storing and transporting compounded drugs.
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- 5. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the Criminal Justice Legal Foundation relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemicals to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
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- Mr. Sims anticipates your response to this request within ten days of your receipt of it as required by section 6253 of the California Government Code.

To assist with the prompt release of responsive material, I ask that you make records available to me as you locate them, rather than waiting until all responsive records have been collected and copied. If it will expedite matters, we can travel to the appropriate offices to physically inspect responsive materials. Please notify me immediately of any copying fee for these materials so that I may provide payment and ensure prompt delivery of the requested material. We are willing to accept materials in electronic format, in order to reduce copying fees, if they are readily available in that format.

If you determine that any of the information I have requested is exempt and will not be disclosed, please provide me with a description of the information withheld and a signed notification citing the legal authorities upon which you rely. See Cal. Gov't Code § 6255. Pursuant to section

California Institute for Men July 6, 2015 Page 3 of 3

Sara Cophra

6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

If I can provide any additional information that will expedite your processing of my request, please do not hesitate to contact me.

Sincerely,

Sara Cohbra Attorney DEPARTMENT OF CORRECTIONS AND REHABILITATION Office Of Legal Affairs P. O. Box 942883 Sacramento, CA 94283-0001 (916) 445-0495 (916) 327-8706 fax



August 14, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Re: Public Records Act Request received July 22, 2015.

Dear Ms. Cohbra:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received July 22, 2015, and directed to California Institute for Men.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a). (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to . Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically-prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

KELLY MCCLEASE

Attorney III



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MICHAEL LAURENCE, Executive Director
JEAN FIELD, Assistant Director

July 6, 2015

Steven Porter High Desert State Prison Pharmacy 475-750 Rice Canyon Rd, PO Box 270220 Susanville, CA 96127

Re: Request for Records Pursuant to the California Public Records Act

Dear Public Records Custodian:

I am writing on behalf of Mitchell Carlton Sims to request records pursuant to the California Public Records Act, California Government Code sections 6250 to 6270. According to the California Board of Pharmacy, your pharmacy is licensed as a government owned sterile compounding pharmacy or hospital in the State of California. I seek copies of all records generated or received from January 1, 2011 to the present by any current or former employee of your pharmacy or hospital regarding the following topics:

1. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the California Department of Corrections and Rehabilitation (CDCR) relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemical(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.

⁷² The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

- 2. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the CDCR relating to compounding generally, including but not limited to prescription requirements, preparation of compounded solutions, acquiring ingredients for compounded drugs, and storing and transporting compounded drugs.
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Mr. Sims anticipates your response to this request within ten days of your receipt of it as required by section 6253 of the California Government Code.

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High Desert State Prison Pharmacy July 6, 2015 Page 3 of 3

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Sincerely, Ama Combra

Sara Cohbra Attorney

OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice General Counsel P.O. Box 942883 Sacramento, CA 94283-0001



July 24, 2015

Sara Cohbra, Esq. Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Dear Ms. Cohbra:

PUBLIC RECORDS ACT REQUEST

This is in response to your request for records from the California Department of Corrections and Rchabilitation (CDCR)/High Desert State Prison received July 14, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a final page count as well as the total cost for duplication for any records that may be disclosed on or before August 6, 2015.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

KÉLLY MCCLEASE

Attorney III

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Office Of Legal Affairs P. O. Box 942883 Sacramento, CA 94283-0001 (916) 445-0495 (916) 327-8706 fax



August 7, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Re: Public Records Act Request received July 14, 2015.

Dear Ms. Cohbra:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received July 14, 2015, and directed to High Desert State Prison Pharmacy.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

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Sincerely

KÆLLY MCCLEASE

Attorney III



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JEAN FIELD, Assistant Director

July 6, 2015

Donna Louise Chun California Health Care Facility 7707 S Austin Rd Stockton, CA 95215

Re: Request for Records Pursuant to the California Public Records Act

Dear Public Records Custodian:

I am writing on behalf of Mitchell Carlton Sims to request records pursuant to the California Public Records Act. California Government Code sections 6250 to 6270. According to the California Board of Pharmacy, your pharmacy is licensed as a government owned sterile compounding pharmacy or hospital in the State of California. I seek copies of all records¹⁴ generated or received from January 1, 2011 to the present by any current or former employee of your pharmacy or hospital regarding the following topics:

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California Health Cure Facility July 6, 2015 Page 2 of 3

- 2. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, receiver, liaison, or representative of the CDCR relating to compounding generally, including but not limited to prescription requirements, preparation of compounded solutions, acquiring ingredients for compounded drugs, and storing and transporting compounded drugs.
- 3. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, haison, or representative of the California Attorney General's Office relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
- 4. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the California Governor's Office relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemical(s) to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
- 5. Any and all communications, consultations, and exchange of records with any employee, agent, contractor, liaison, or representative of the Criminal Justice Legal Foundation relating to potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemicals to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.
- 6. Any and all records, contracts, acquisition forms, procurement forms, receipts, bills of sale, or reports concerning the CDCR's potential or actual acquisition, purchase, procurement, retrieval, preparation, or compounding of drug(s) and/or chemicals to be used in lethal injection procedures, including the names and/or classes of such drugs or chemicals.

Mr. Sims anticipates your response to this request within ten days of your receipt of it as required by section 6253 of the California Government Code.

To assist with the prompt release of responsive material, I ask that you make records available to me as you locate them, rather than waiting until all responsive records have been collected and copied. If it will expedite matters, we can travel to the appropriate offices to physically inspect responsive materials. Please notify me immediately of any copying fee for these materials so that I may provide payment and ensure prompt delivery of the requested material. We are willing to accept materials in electronic format, in order to reduce copying fees, if they are readily available in that format.

If you determine that any of the information I have requested is exempt and will not be disclosed, please provide me with a description of the information withheld and a signed notification citing the legal authorities upon which you rely. See Cal. Gov't Code § 6255. Pursuant to section

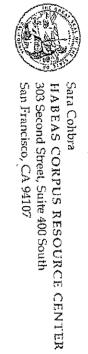
California Health Care Facility July 6, 2015 Page 3 of 3

6253, please disclose all reasonably segregable non-exempt information from any portions of records you claim are exempt from disclosure.

If I can provide any additional information that will expedite your processing of my request, please do not hesitate to contact me.

Sincerely,

Sara Cohbra Attorney





Donna Louise Chun California Health Care Facility 7707 S Austin Rd Stockton, CA 95215

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DEPARTMENT OF CORRECTIONS AND REHABILITATION

Office Of Legal Affairs P. O. Box 942883 Sacramento, CA 94283-0001 (916) 445-0495 (916) 327-8706 fax



August 10, 2015

Sara Cohbra Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, CA 94107

Public Records Act Request received July 29, 2015.

Dear Ms. Cohbra:

Re:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received July 29, 2015, and directed to California Health Care Facility.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

If you have any questions I can be reached at (415) 455-5007.

Sincerely.

KELLYMCCLEASE

Attorney III

From: Matt Stroud [mailto:stroudjournalism@gmail.com]

Sent: Monday, June 01, 2015 8:12 AM

To: Callison, Jeffrey

Cc: Thornton, Terry@CDCR

Subject: Bloomberg reporter seeking records relating to lethal injection drugs

Hello,

This is a request under the California public records law, and under the common law right of access, I am making this request in my capacity as a full-time journalist with Bloomberg. I am seeking documents relating to the recent announcement that Nebraska has obtained pharmaceuticals for the purposes of carrying out a lethal injection execution, and the suggestion that other states may have also communicated with and/or contracted with Harris Pharma to obtain lethal injection drugs. In the following request, "Department" refers to the Department of Corrections and Rehabilitation and "injection drugs" refers collectively to potassium chloride, sodium thiopental, and pancuronium bromide. At any reference to "injection drugs," the intent is to obtain any document referring to any single one or all of those three drugs.

The materials I am requesting are limited to the time period of June 1, 2011 to present time.

I request a copy of the following public records:

- * Any documents including email, letter, phone message or other communication with any and all potential pharmaceutical manufacturers, brokers, or suppliers -- whether domestic or foreign -- showing efforts to obtain injection drugs.
- * Any documents including email, letter, phone message, or other communication with Harris Pharma.
- * Any documents including email, letter. phone message, or other communication with the Department and/or the Governor's office related to the efforts to obtain injection drugs.
- * Any documents including email. letter, phone message or other communication with any representatives of the United States Food and Drug Administration with regard to obtaining a license for the importation and acquisition of injection drugs.
- * Any documentation showing the expiration date for the injection drugs currently in the Department's possession, including a copy of the packaging itself.
- * Any documentation showing the use of public funds to purchase injection drugs including any invoice, purchase order, requisition, check, receipt, or other similar record.

Any names and/or other identifying information of private citizens can be redacted as necessary to avoid unwarranted invasion of personal privacy.

I would like to receive the information in electronic format. I ask that you waive any and all fees associated with this request. I am making the request as a Bloomberg reporter and this request is made as part of newsgathering. If you deny this request for a fee waiver, please advise me in advance of the estimated charges if they are to exceed \$200. If this request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the Act, and inform me of appeals procedures available to me under the law.

As I am making this request as a journalist and the information is of timely value, I would appreciate your communicating with me by telephone at (412) 398-5704 or e-mail at stroudjournalism@gmail.com, rather than by mail, if you have questions regarding this request Thank you for your assistance.

Kindly, Matt Stroud Reporter Bloomberg

412-398-5704

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Office of Public and Employee Communications 1515 S Street, Room 113 South Sacramento, CA 95811 (918) 445-4950



June 11, 2015

Matt Stroud stroudjournalism@gmail.com

Re: Public Records Act Request dated June 1, 2015

Dear Mr. Stroud:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 1, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a final page count as well as the total cost for duplication for any records that may be disclosed on or before June 25, 2015.

If you have any questions I can be reached at (916) 445-4950

Sincerely,

Michelle Mraule PRA Coordinator

Michelle Minuls

Office of Public and Employee Communications

OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice General Counsel R.O. Box 942883 Sacramento, CA 94283-0001



June 25, 2015

Matt Stroud stroudiournalism@gmail.com

Dear Mr. Stroud:

Re: Public Records Act Request dated June 1, 2015

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 1, 2015.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

Please note that the CDCR is still reviewing documents that may be responsive to your request, and it is possible that additional documents and/or exemptions will be identified during the review and compilation of these records.

If you have any questions, I can be reached at (916) 323-5448

Sincerely,

Kélly McClease Attorney III

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Office of Public and Employee Communications 1515 S Street, Room 113 South Sacramento, CA 95811 (916) 445-4950



August 17, 2015

Matt Stroud stroudjournalism@gmail.com

Re: Public Records Act Request dated June 1, 2015

Dear Mr. Stroud:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 1, 2015. CDCR has completed its review of documents.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

If you have any questions, I can be reached at (916) 323-5448.

Sincerely

KELLY MCCLEASE

Attorney III



University of California, Berkeley School of Law 353 Boalt Hall Berkeley, CA 94720-7200

June 17, 2015

PRA Administrators
California Department of Corrections and Rehabilitation
1515 S Street, Suite 314S
Sacramento, CA 94283-0001

Dear PRA Administrator,

I am writing on behalf of the Berkeley Law Death Penalty Clinic to request records from the California Department of Corrections and Rehabilitation (CDCR) pursuant to the state open records law, Cal. Gov't Code Sections 6250 to 6277. I seek copies of all records in the CDCR's possession, regardless of who wrote them, regarding the following:

1. Any and all drugs intended or considered for use in executions.

2. The suppliers of any and all drugs intended or considered for use in supplying drugs for executions.

3. Any pharmacies or drug compounding entities intended or considered for use in supplying drugs for executions.

4. The expiration date and lot numbers of any and all drugs intended or considered for use in executions, currently in the possession of the CDCR.

5. Any and all drug or inventory logs pertaining to any and all drugs intended or considered for use in executions from May 1, 2013 to the present.

6. Any and all chain of custody documents, including form 2176, relating to drugs intended or considered for use in executions.

7. Any and all activity by CDCR from May 1, 2013 to the present to purchase or acquire any drugs for use in executions, including purchase orders

8. All correspondence between CDCR and any party, including pharmacies, manufacturers, distributers, individuals, or the California Board of Pharmacy, from May 1, 2013 to the present regarding drugs intended or considered for use in executions.

9. All correspondence between other state and/or federal agencies from May 1, 2013 to the present regarding drugs intended or considered for use in executions.

The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical from or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, picture, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

 All controlled substance accountability reports pertaining to any and all drugs intended or considered for use in executions, and documents relating thereto, from January May 1, 2013

to the present.

11. The qualifications of members of the lethal injection team, including but not limited to the personnel files and supervisory files reviewed. As used herein, "lethal injection team" means any person involved in the training for and/or participation in lethal injection executions, including but not limited to members of the team who set up and/or monitor IV tubing rigging and/or lines, who mix or otherwise handle the drugs used, who obtain IV lines in an inmate, who conduct any check for unconsciousness, and who monitor the progress of executions such as observing the IV inserted in the inmate, the related tubing, and any monitoring or recording devices such as heart monitors, oxygen measuring devices, and EKGs.

12. All lethal injection training materials from May 1, 2013 to the present, including forms 2177, 2179, 2180, 2181, 2183

13. All documents concerning execution team training, including but not limited to lethal injection team lesson plans and training manuals, drafted or utilized from May 1, 2013 to the present

14. All documentation of execution team training sessions, including but not limited to lethal injection process training files and records of all lethal injection and lethal gas training sessions, including all CDCR forms 2177, 2179, 2180, and 2181, from May 1, 2013 through the present.

15. All documentation pertaining to employee training submitted by any team member, team leader, team administrator, including training credit sheets, overtime requests, travel requests

and reimbursements from May 1, 2013 to the present.

16. Any equipment or structures intended for use during lethal injections, including but not limited to supply inventories, purchase orders and requisitions.

17. Any lethal injection protocols or procedures considered by CDCR from May 1, 2013 to the present, including but not limited to drafts, comments on such drafts and correspondence relating to such drafts.

18. All correspondence to and from the Criminal Justice Legal Foundation (CJLF), and all documents provided to the CJLF in response to any California Public Records Act request

from the CJLF from May 1, 2013 to the present.

19. Any communications with any other California state agency or entity regarding lethal injection procedures and/or drug supplies.

20. Any communications with any other state's agency or entities regarding lethal injection procedures and/or drug supplies.

21. Any communications with any medical personnel pertaining to drugs to be used or protocols to be employed in the executions of inmates.

If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address. I agree to pay any reasonable copying and postage fees of not more than \$25. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided in the open records law, Sec. 6253(c), I will expect your response within ten (10) business days.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Thank you for your assistance.

Sincerely,

Jennifer M. Moreno Staff Attorney

Berkeley Law Death Penalty Clinic 353 Boalt Hall Berkeley, CA 94720-7200

imoreno@law.berkeley.edu

2015 JUN 22 AM 11: 58

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PRA Administrators
California Department of Corrections and Rehabilitation 1515 S Street, Suite 314S
Sacramento, CA 94283-0001

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RECERNANCE DISTRICT



San Quentin State Prison San Quentin, CA 94964



July 2, 2015

Jennifer Moreno Staff Attorney Berkeley Law Death Penalty Clinic 353 Boalt Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 17, 2015

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 17, 2015 and received on June 22, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a page count as well as the cost for duplication for these records on or before July 15, 2015.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison

San Quentin State Prison San Quentin, CA 94964



July 15, 2015

Jennifer Moreno Staff Attorney Berkeley Law Death Penalty Clinic 353 Boalt Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 17, 2015

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 17, 2015 and received on June 22, 2015.

We have identified approximately 56 pages which are responsive to your request. The duplication fees for this request are \$10.88 (66 pages at .12 each (\$7.92)) plus postage of \$2.96). The responsive documents will be mailed upon receipt of this payment. Please mail the payment to: B. Ebert, Litigation Coordinator, San Quentin State Prison, San Quentin, CA 94964.

A portion of the records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), (c), (f) and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

Disclosure of some documents could compromise the safety and security of the institutions, staff, offenders, and others. These records will not be disclosed pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in *Procunier v. Superior Court of Monterey County* (1973) 35 Cal.App.3d 211.

Jennifer Moreno Page 2

Records that would impose an unwarranted invasion of personal privacy, personnel records, or records deemed "protected information" by the Protective Order issued on April 3, 2006 in Morales v. Woodford, et al., U.S. District Court for the Northern District of California case numbers 06 219 and 06 926 (including those indicating names, ranks, job descriptions, and other identifying information of members of the execution team) will be withheld consistent with the Protective Order, pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in Procunier v. Superior Court of Monterey County (1973) 35 Cal.App.3d 211, Government Code §§ 6254 (c) and (k), Penal Code §§ 832.7 and 832.8, and Government Code § 6255.

Please note that the California Department of Corrections and Rehabilitation is still reviewing documents that may be responsive to your request, and it is possible that additional documents and/or exemptions will be identified during the review and compilation of these records.

If you have any questions I can be reached at (415) 455-5007,

Sincerely,

Correctional Counselor II, Specialist

Litigation Coordinator San Quentin State Prison

Zakrzewski, Jerri@CDCR

From:

Mraule, Michelle@CDCR

Sent:

Thursday, August 27, 2015 10:05 AM

To:

McClease, Kelly@CDCR

Subject:

FW: Freedom of Information Request: Department of Corrections Death Penalty

Procedures (Department of Corrections and Rehabilitation)

Here is her original request....

From: 20145-87420283@requests.muckrock.com [mailto:20145-87420283@requests.muckrock.com]

Sent: Tuesday, August 04, 2015 10:50 AM

To: Mraule, Michelle@CDCR

Subject: Freedom of Information Request: Department of Corrections Death Penalty Procedures (Department of

Corrections and Rehabilitation)

August 4, 2015

Department of Corrections and Rehabilitation

To Whom It May Concern:

Pursuant to the California's Sunshine Amendment (Cal. Const. Art. I, § 3(b)), I hereby request the following records:

Policies, procedures and/or training documents pertaining to the execution of death row inmates.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Emily Hopkins

Filed via MuckRock.com

E-mail (Preferred): 20145-87420283@requests.muckrock.com

For mailed responses, please address (see note):

MuckRock

DEPT MR 20145

PO Box 55819

Boston, MA 02205-5819

by the above in order t	o better track, share, and e requester's name rather	MuckRock staff member, but i manage public records reques than "MuckRock News" and	ts. Also note that:	improperly	- 1
				, .	

OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice Assistant Secretary P.O. Box 942883 Sacramento, CA 94283-0001



August 14, 2015

Emily Hopkins Muckrock News 20145-87420283@requests.muckrock.com

Dear Ms. Hopkins:

PUBLIC RECORDS REQUEST RECEIVED ON AUGUST 4, 2015

This letter is in response to your request for public records from the California Department of Corrections and Rehabilitation received August 4, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested records may be publicly disclosed.

We will provide you a final page count; as well as, the total cost for duplication for any records that may be disclosed on or before August 28, 2015.

If you have any questions, please call me at (916) 323-5448.

Sincerely,

KELLY MCCLEASE

Attorney III

Office of Legal Affairs

DEPARTMENT OF CORRECTIONS AND REHABILITATION

Office of Public and Employee Communications 1515 S Street, Room 113 South Sacramento, CA 95811 (916) 445-4950



August 28, 2015

Emily Hopkins 20145-87420283@requests.muckrock.com

Re: Public Records Act Request dated August 4, 2015

Dear Ms. Hopkins:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated August 4, 2015. CDCR has completed its review of documents.

Title 15 CCR Section 3260.1 requires CDCR to charge .12 cents per page for copies made in response to public records requests, plus postage. The total duplication fees for this request are \$13.32 for 111 pages. In most instances, CDCR is able to produce the records within 90 days of the date payment is received. Please make checks or money orders payable to the California Department of Corrections and Rehabilitation. If no payment is received within 90 days of the date of this letter, we will close our files.

The Title 15, State of California, Department of Corrections and Rehabilitation California Code of Regulations, can be locate online at: http://www.cdcr.ca.gov/

Some of the records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952. et seq. and the Code of Civil Procedure § 2018.030.

If you have any questions, I can be reached at (916) 323-5448.

Sincerely

KÉLLY MCCLEASE

Attorney III

Office of Legal Affairs

Hello,

Under the California Public Records Act § 6250 et seq., we request that you provide copies of any and all records in the possession of the Department of Corrections (DOC), regardless of who produced them, regarding attempts to procure execution drugs or attempts to formulate an execution protocol over the past three years.

We request that you provide documents as soon as they are available, rather than waiting until all of the records are compiled.

If any or part of this request is denied, please send a letter listing the specific exemptions upon which you rely for each denial and provide the contact information for the official to whom we may appeal.

We request that you produce responsive materials in their entirety, including all attachments, appendices, enclosures, and/or exhibits.

The California Public Records Act requires a response within ten business days. If access to the records we are requesting will take longer, please contact us with information about when we will receive the documents.

Because this records request is being submitted in the public interest and is likely to contribute significantly to public understanding of the operation or activities of your department, we ask that you waive any fees or charge a substantially reduced fee. However, should you decline to waive or reduce fees, proceed without further approval if the cost does not exceed \$100.00 and send a detailed invoice with the records. If the cost will exceed \$100.00, please inform us of the cost in advance.

All correspondence regarding this request should be sent to Christopher McDaniel. He can be reached at 646.979.4761 or <u>Chris.McDaniel@buzzfeed.com</u>.

Do not hesitate to contact us with any questions. We appreciate your attention to this matter.

Thank you for your time.

Sincerely,

Christopher McDaniel

Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



July 9, 2015

Christopher McDaniel (646)979-4761 Chris.McDaniel@buzzfeed.com

Re: Public Records Act Request received June 30, 2015

Dear Mr. McDaniel:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received June 30, 2015. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a final page count as well as the total cost for duplication for any records that may be disclosed on or before July 23, 2015.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison

Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



July 23, 2015

Christopher McDaniel (646)979-4761 Chris.McDaniel@buzzfeed.com

Re: Public Records Act Request received June 30, 2015

Dear Mr. McDaniel:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) received June 30, 2015.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), and (k); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

If you have any questions I can be reached at (415) 455-5007.

Sincerely,

Correctional Counselor II, Specialist

Litigation Coordinator San Quentin State Prison From:

Porter, Steven@CDCR [Steven.Porter@cdcr.ca.gov]

Sent:

Tuesday, July 21, 2015 12:13 PM Maclachlan, Linda@CDCR

To: Subject:

Request for records

Sara Cohbra, Attorney Habeas Corpus Resource Center 303 Second Street, Suite 400 South San Francisco, Ca 94107

Sara,

Pursuant to our conversation HDSP does not perform lethal injections and does not participate in any part of that process. Items 1 and 3 thru 6 refer to records or information associated with that process. HDSP pharmacy does not have any information or records in our possession that have any relevancy to that subject.

HDSP is classified as a basic institution but we do have a licensed Correctional Treatment Center with 30 beds, 20 of which are medical and 10 that are mental health crisis beds. To service the needs of our CTC inmate/ patients HDSP pharmacy has a sterile compounding license issued by the California State Board of Pharmacy. We compound a low volume and low risk medications consisting mostly of anti biotics. We use a barrier isolator (glove box) and we do not do any hazardous, non sterile to sterile or high risk compounding.

To reemphasize HDSP has not and does not purchase any medications associated with lethal injections. This subject has never even been discussed with pharmacy services in the 6 years I have worked in the department.

Respectfully,

Steven M. Porter, RPh, PIC High Desert State Prison P- 530 251-5100 Ext 5440 F- 530 251-5065 C-530 310-6604 Steven.Porter@cdcr.ca.gov



CALIFORNIA CORRECTIONAL HEALTH CARE SERVICES





USE ASEPTIC TECHNIQUE

Do Not Assemble Until Ready To Use.

Remove piercing pin from pouch. Remove cover from piercing pin. Remove fliptop from diluent vial. Swab stopper. While holding
the diluent vial on a flat surface, insert the piercing pin into the target area of the stopper with a downward twisting motion.

Remove purple caps from powder vial and phlange end of injector. Insert powder vial into injector and rotate clockwise approximately three turns.

Remove covers from luer ends of piercing pin and injector. Push piercing pin onto luer end of injector and turn clockwise until

secure. Position syringe upright and transfer diluent into powder vial by slowly pulling back on powder vial. **Do not displace air into the diluent vial by pushing on the powder vial, as this may cause leakage through the vent in the piercing pin.**When all of the diluent has been transferred, remove piercing pin and empty diluent vial together and discard. Replace luer end cover of injector. Shake until powder is completely dissolved.

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CA-0471 (10/04)

Printed in USA







Food & Drug Administration 12420 Parklawn Drive Rockville MD 20857 RM 3109

April 6, 2012

Benjamin Rice, General Counsel Office of Legal Affairs 1515 S. Street, Suite 502 South Sacramento, CA 95814 Tel: 916-323-6001

Re: Cook v. FDA (formerly Beaty v. FDA), CA No. 1:11-cv-00289 (RJL)

Dear Mr. Rice:

On March 27, 2012, the District Court for the District of Columbia entered its decision and order in Cook v. FDA in favor of plaintiffs, death row inmates, and against the U.S. Food and Drug Administration (FDA). As part of the relief provided to the plaintiffs, the Court ordered FDA to "immediately notify any and all state correctional departments which it has reason to believe are still in possession of any foreign manufactured thiopental that the use of such drug is prohibited by law and that, that thiopental must be returned immediately to the FDA." See attached Order.

Subsequent to receiving the Court's order, FDA contacted your office and was informed that the California Department of Corrections and Rehabilitation is in possession of foreign-manufactured thiopental.

In light of the foregoing, FDA asks that you contact me at your earliest convenience to make arrangements for the return to FDA of any foreign-manufactured thiopental in your possession.

I can be contacted at (301) 796-6673 or by e-mail at Domenic. Veneziano@fda.hhs.gov.

Sincerely,

Domenic J. Veneziano,

Director, Division of Import Operations and Policy

Enclosure: Order, Cook v. FDA, CA No. 1:11-cv-00289 (RJL) (D.D.C. Mar. 27, 2012)

cc: Kamala D. Harris, Attorney General

OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice General Counsel P.O. Box 942883 Sacramento, CA 94283-0001



May 1, 2012

Mr. Domenic J. Veneziano
Director, Division of Import Operations and Policy
Department of Health and Human Services
Food & Drug Administration
12420 Parklawn Drive, Room 3109
Rockville, MD 20857

Dear Mr. Veneziano:

This is subsequent to our conversation on April 17, 2012, and to respond to your letter dated April 6, 2012, requesting that the California Department of Corrections and Rehabilitation (CDCR) contact you to make arrangements for the return to the Food and Drug Administration (FDA) of "any foreign-manufactured thiopental" in the CDCR's possession.

The CDCR has determined that it is unable to acquiesce to the FDA's request. The CDCR is not a defendant in Cook v. FDA (formerly Beaty v. FDA), and is not under the court's jurisdiction.

The CDCR also believes that the holding in Cook was contrary to the United States Supreme Court decision Heckler v. Chaney, 470 U.S. 821, 835 (1985). In Heckler, the Supreme Court looked at the issue of whether, under the circumstances, a state's execution statute conflicted with federal drug statutes. The Court held that there was a presumption of unreviewability of agency decisions not to undertake enforcement action, and that Congress, under the provisions of the federal FDA Act, gave complete authority to the Secretary of Health and Human Services "to decide how and when" the Act is to be enforced. Accordingly, the CDCR does not believe that state execution statutes and procedures were intended to be part of the drug regulatory design. For that reason, the CDCR urges the FDA to appeal the Cook decision and order.

The CDCR is unaware of any laws or imperative that would require it to return the thiopental in its possession. The Drug Control Act and the Pharmacy Practice Act were designed to prevent the illicit sale or distribution of controlled substances and to provide a scheme for drug abuse control. These purposes would not be served or advanced by a strained interpretation making them applicable to a state's execution statutes or protocols. The CDCR is committed to enforcing the laws of the State of California. Given the CDCR's statutory responsibilities, and because the Department believes that the decision in *Cook* is contrary to law, the CDCR must decline to return the thiopental in its possession at this time.

If you have any questions, please call me at (916) 323-6001.

Sincerely,

BENJAMIN T. RICE

General Counsel

California Department of Corrections and Rehabilitation



Sterile Ophthalmics and Injectables



March 4, 2015

The Honorable Jeffrey Beard Secretary, Department of Corrections & Rehabilitation 1515 S Street Sacramento, CA 95811-7243

Dear Secretary Beard:

We at Akorn are aware that two prescription drug products - midazolam injection, USP CIV and hydromorphone hydrochloride injection USP, CII (high potency formulation) - may have been used by some correctional facilities in the United States to administer lethal injections in capital punishment cases. Along with several other pharmaceutical companies, Akorn is a manufacturer of both products.

The use of midazolam and/or hydromorphone for lethal injection is clearly contradictory to the FDA approved indications for both products and - as controlled substances - the procurement or use of these products for executions may be in violation of the Controlled Substances Act. Additionally, such use is contrary to Akorn's commitment to promote the health and wellness of human patients. Akorn strongly objects to the use of its products in capital punishment.

To align with industry standards and to prevent midazolam and hydromorphone from being used for purposes outside FDA approved indications, Akorn will not accept direct orders from departments of correction for any product and we plan to implement additional distribution controls on midazolam and hydromorphone products in the near future.

To reduce the possibility that Akorn midazolam and hydromorphone vials reach correctional facilities for use outside their labeled indications, these distributors will not sell these products directly to departments of correction or secondary distributors and distributors will use their best efforts in other distribution channels to keep the products out of prison systems.

If your prisons have purchased Akom products directly or indirectly for use in capital punishment we ask that you immediately return our products for a full refund. Again, we remind you that we do not support the use of any Akorn product in a manner inconsistent with approved product labeling.

If you have any questions regarding Akorn's commitment to promoting human health or products that you may have purchased from Akorn, I encourage you to contact me directly.

Sincerely,

Joseph Bonaccorsi General Counsel



Joseph Kunconell

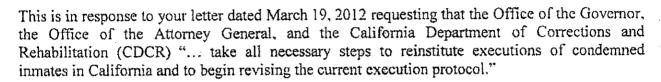
OFFICE OF THE SECRETARY

P.O. Box 942883 Sacramento, CA 94283-0001

April 5, 2012

Mr. Steve Cooley
District Attorney
Los Angeles County District Attorney
18000 Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210

Dear Mr. Cooley:



The CDCR wishes to assure the LA District Attorney's Office that every effort has been made by the Department to reinstitute executions in accordance with the laws of the state of California.

As noted in your letter, the primary impediments to resuming executions have been a series of lawsuits in the Northern District of the United States District Court and in Marin County Superior Court. The District Court lawsuit alleging the State's three-drug protocol offends the Eighth Amendment has been systematically impeded by other lawsuits challenging how a State execution protocol should be implemented into the regulatory scheme. The Department has vigorously litigated the State's constitutional issue with regard to the federal litigation and opposed efforts to stymie the regulatory process under the Administrative Procedures Act (APA).

In defending the regulatory challenges, the Department initially argued forcefully the protocols governing executions was not, and should not be, subject to the APA only to have the appellate court disagree. Thereafter, the Department drafted and submitted for public comment, pursuant to the APA, a three-drug protocol of the type that the U.S. Supreme court in *Baze* and then later, the Ninth Circuit, has held is not cruel and unusual punishment under the Eighth Amendment. After engaging in substantial public participation and responding to roughly 30,000 public comments, and making every effort to comply with the APA, the Department fought and lost the lawsuit in the Marin County Superior Court.

The level of perfection the court has demanded of the Department to meaningfully engage public participation and substantially comply with the mandatory procedural requirements of the APA in adopting regulations is illustrated by a review of the court's ruling. Specifically, the court censured the Department for failing to summarize and/or respond to two dozen or so public comments out of over 29,400. The court stated that "[s]ubstantial compliance...means actual compliance in respect to the substance essential to every reasonable objective of the statute. Where there is compliance as to all matters, technical deviations are not to be given the statute of noncompliance. Substance prevails over form." (citation omitted). The court went on to say that



"[d]espite the large number of public comments properly addressed by the Department, the failure to summarize or respond to these comments is not a "technical defect." Clearly, if missing no more than 24 out of almost 30,000 comments does not constitute "substantial compliance" to advance meaningful participation of the public in the adoption of regulations, the measure that the department is being subjected to in the APA process is daunting.

Drafting a new regulation and submitting it to the APA process is a lengthy process. Anti-death penalty advocates are not going to relinquish their efforts to eliminate the death penalty despite any effort by the Department to adopt a single-drug protocol. It is foreseeable any attempt to adopt a new regulation will be met with additional litigation challenges, further frustrating efforts to carry out the lawful sentences imposed by the courts.

At this time, the Department does have an existing supply of lethal injection chemicals. When the current protocol was drafted, the issues had not ripened. However, when domestic availability became impossible, the CDCR successfully managed to obtain a supply of the necessary drug. Recognizing the certainty of litigation attendant with any effort to revise the regulation, the CDCR must consider whether an effort to change from the three-drug to a single-drug method would, due to timing, render the current supply of thiopental unusable. While switching from thiopental is an option, drug companies have clearly signaled their intent to impede use of their products in executions. As you have noted with sodium thiopental, the domestic manufacturer "...intentionally discontinued production of the drug to prevent its use in executions." Almost simultaneously, the European Union enacted regulations to block export of drugs for use in executions. States are now experiencing similar issues with pancuronium bromide and pentobarbital. Any regulation that identifies a barbiturate or anesthetic by name is subject to attempts by the drug companies to make their availability or packaging un-amenable for use in lethal injections. Looking to generic drugs poses the same and other problems. While it is accurate that a few states have implemented a single-drug method, those states continue to struggle with both litigation challenges and availability of drug supplies.

Recently, the Federal District Court in Beaty, et al., v. Food and Drug Administration, et al interjected an additional facet to the dilemma involved in acquiring supplies of lethal injection chemicals. The District Court in Beaty found that Food and Drug Administration (FDA) had no discretion to permit the entry of foreign manufactured thiopental under its current policies. The accompanying order directed the FDA to immediately notify any and all state correctional departments in possession of foreign manufactured thiopental that it is prohibited by law and that it must be returned immediately to the FDA. In addition, the FDA was permanently enjoined from permitting the entry of, or releasing any future shipments, of foreign manufactured thiopental. Although we believe the FDA will eventually appeal the decision, no final decision has been made at this time. In the meantime, CDCR does not believe the thiopental in its possession is viable for use.

Finally, there is an existing stipulation in the *Morales* case that defendants will not seek to schedule any execution dates until after the matter was resolved. Therefore, absent court intervention, given the stipulation to the court in *Morales* and the *Beaty* decision, the CDCR does not believe that it can perform an execution at this time.

The CDCR is committed to resolving the current impasse to the death penalty so that it can properly carry out the lawful sentences of the State. There are complexities involved to be sure, but all efforts are committed to enforcing the laws of the state of California.

If you have any questions, please call Benjamin T. Rice, General Counsel, at (916) 323-6001.

Sincerely.

MATTHEW L. CATE

Secretary

cc: Benjamin Rice



Thiopental Injection BP

25 x 500 mg vials

Each 20ml vial of powder for solution for injection contains: Thiopental sodium BP 500mg.

Contains no preservative.

For intravenous use.

The contents of the 500 mg vial should be reconstituted with 20 ml of Water for Injections for a 2.5% (w/v) solution or 10 ml of Water for Injections for a 5.0% (w/v) solution and administered by intravenous injection.

Store reconstituted solution between 2°C and 8°C in an upright position and use within 7 hours. Use once following reconstitution and discard any residue.

KEEP OUT OF REACH AND SIGHT OF CHILDREN

Do not store above 25°C

Keep container in outer carton.

Administration and dosage: see SPC.

To be used as directed by your doctor.

Link Pharmaceuticals Ltd.

Horsham, West Sussex, RH12 1AH, UK.

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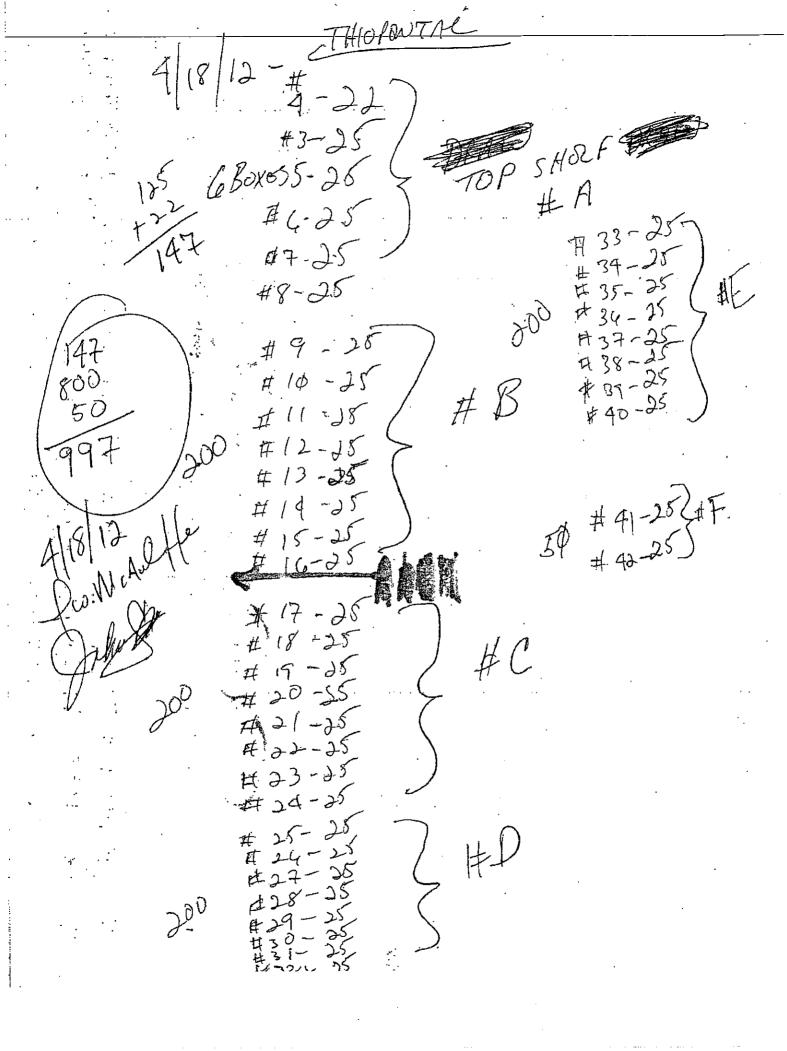
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Requirements; Inventory: page 16.) of all controlled substances on hand must be taken at least every two years. (Drug Enforcement Administrations Practitioner's Manual; Section IV; Recordkeeping All records related to controlled substances must be maintained and available for inspection for a minimum of two years. After an initial inventory is taken, a new inventory

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certify that the above closing inventory is complete id accurate as specified in Title 21, Code of Federal Regulations, Part 1304.11(a)

DEA Witness and Date

Signature/Title/Date

DEA Witness and Date

U.S. DEPARTMENT OF JUSTICE DRUG ENFORCEMENT ADMINISTRATION

NOTICE OF INSPECTION OF CONTROLLED PREMISES

FORM DEA-82 (11-01) Previous editions are obsolete

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* See Reverse

NAME OF INDIVIDUAL NAME OF CONTROLLED PREMISES	TITLE CONSULANT
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NUMBER AND STREET	DATE
California State Prison San Quentin	9 1 - H
CITY AND STATE San Quentin, CA	ZIP CODE TIME (initial Inspection) — /
STATEMENT OF RE	GHTS 1.47 PM
1. You have a constitutional right not to have an administration	tive inspection made without an
administrative inspection warrant.	
 You have the right to refuse to consent to this inspection Anything of an incriminating nature which may be found 	nay be seized and used against you in
a criminal prosecution. 4. You shall be presented with a copy of this Notice of Inspired.	ection.
5. You may withdraw your consent at any time during the co	ourse of the inspection.
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has identified himself/herself to me with his/her credentials and presented me with the 302(f) and 510(a), (b) and (c) of the Controlled Substances Act (21 U.S.C. 822(f) an authorizing an inspection of the above-described controlled premises. I hereby acknowledge addition, I hereby certify that I am the	o 21 th.S.C. 660(a), (b) and (c), printed freebil, owledge receipt of this Notice of Inspection. In
for the premises described in this Notice of Inspection; that I have read the foregoing this matter and have signed this Notice of Inspection pursuant to my authority.	g and understand its contents; that I have authority to act in
I understand what my rights are concerning inspection. No threats or promises have used against me. I voluntarily give consent for inspection of these controlled premis	e been made to me and no pressure of any kind has been es.
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CHEMIQUE PHARMACEUTICALS, INC. 13306 E. WHITTIER BLVD WHITTIER, CA 90602-3052

FAX (562)

Month

INVOICE 107287 November 04, 2010

State of California

Neumiller Infirmary Pharmacy California State Prison, San Quentin San Quentin, CA 94964

Pharmacy Lic# DEA Registered Lica

Product Description CDDE
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STATE OF CALIFORNIA LETHAL INJECTION CHAIN OF CUSTODY SAN QUENTIN STATE PRISON CDCR 2176 (06/10)

LETHAL INJECTION CHAIN OF CUSTODY SAN QUENTIN STATE PRISON

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DEA-41 (8M 986) Pg. 2							-
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11-101-17-	TROYES BY	Hall	.iov(y forest	1: (31	<u>us</u>	Jorg Beng
" State out thes not applicable ""	HESSED BY:						

INSTRUCTIONS

- 1. List the name of the damp is column 1, the number of containers in column 1, the size of such comming to column 3, and is column 4 the commoded substance contain of such pair described in column 3; e.g., complime sufficiently, 5 page, 190 orbs, 195 gr. (16 mg.) or morphise suffice subs. § page, 192 gr. (31mg.). ex.
 - 2. All parkages included on a single line should be identical in name, commanded commolad substance strongth.
 - Propose this form is quadruphines. Mail two (I) expise of this form to the Special Agent in Charge, under reprints cover. Enclose one willistical copy in the chipment with the direct. Ratio can copy for your records. One capy will be manued to you at a receipt. Me further recoipt will be immitted to you make a specifically requested. Any further impirate concerning these single should be addressed to the DEA District Office which survey your area.
 - There is no provision for psymons for daugs surrandared. This is marely a sorribe rendered to registeries analysis them to clear their stocks and seconds of managined facility.
 - Drugs should be shipped upg-sealed the property agrees or coming and (recture receipt sequested) to Special Agrarian Change, Drug Enforcement Administration, of the DEA District Office which survey your great

PRIVACY ACT INFORMÁTION

PRIMATE MAI INT DIMATER.

AIGHORITY: Section 307 of the Controlled Substances Act of 1970/PL 91-513).

PURPOSE To decrease the surrender of controlled substances which have been traverded by registrants to DEA for disposal. POUTBYE USES: This form is required by Federal Registrone for it is surrender of creating and so the bilinating stops as the purposes shared.

A. Other Federal law endocreased and regulatory agencies for law entocement and regulatory purposes.

3. State and local law endocreased and regulatory agencies for law endocreases and regulatory purposes.

EFFECT: Pagins to document the suntancer of americal Controlled Substances may result in prosecution for violation of the Controlled Substances Act.

Under the Peperwork Reduction Act, a possent is not equired to respond to a collection of information unless it displays a currently ratio CMB control manber. Public reporting burden for this collection of information is estimated to entering an interest per interpolate, including the sheet for reviewing instructions, seatedting existing determines and experience of the control of information, and comprising and reviewing the collection of information. Send comments regarding this burden extincts of experience for reducting displayment and studies and appropriate for reducting displayment and studies. Perpetwork Reduction Project no. 1117-0107, Westington, D.C. 20537; and to the Oticle of Management and Budger, Perpetwork Reduction Project no. 1117-0107, Westington, D.C. 2050.

4-19-12

2006 Edition Page 44

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All records related to controlled substances must be maintained and available for inspection for a minimum of two years. After an initial inventory is taken, a new inventory of all controlled substances on hand must be taken at least every two years. (Drug Enforcement Administrations Practitioner's Manual; Section IV;Recordkeeping Requirements; Inventory: page 16.)

OMB Approval No. 1117 - 0007	REGISTRANTS INVENTORY	OF DRUGS						
The follow for proper	ing schedule is an inventory of control disposition.	lled substance	s which is	hereby	y surrendered to	э доп		
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DEA-41 \$71985) Pg. 2	Number	CONTENTS	Con- colled Sub-	FOR DEA			
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INSTRUCTIONS

- List the name of the dang in column 1, the number of constitute in column 2 the size of such manning to column 3, and in column 4 the controlled substance context of such unit described in column 5; v.g., compline units table, 3 pages, 100 utes, 1.4 gr. (16 mg.) or morphise militar table, 2 pages 33 table, 1/2 gr. (2)mg.), sec.
- 2. All packages included on a single line should be identical in name, contain and openalled substances arough.
- Perpure this form in quadruplicane. Mad two (1) copies of this form to the Special Agent in Charge, make appears cover. Enclose our additional copy in the Adiponent with the drame. Rando are copy for your second. One copy will be remained to you as a secsion. No familiar recognitive of the familiar deep your areas specifically requested. Any further implices concerning these drags should be addressed to the DFA District Office which recognitive areas your area.
- 4. There is no province for payment for drugs surrectioned. This is morely a survice rendered to registrants analysing them to deer than needle and records of neutroned insure.
- Drugs should be relipped unpercalled you project of express or excelled mad (orenze receipt requested) to Special Agent in Charge, Drug distinctioned Administration, of the DEA Direct Differs which server your unpu.

PRIVACY ACT INFORMATION

PHYALIT ACT BY CHMATIAN.

AUTH CRITY: Section 307 of the Controlled Substance Act of 1970 \$1.513.)

PURPOSE To document the subsider of controlled substances which have been towarded by registerize to DEA for disposal.
ROUTHAYE USES: This form is required by Frederik Regulations for the substances of unwanted controlled Substances. Disposar shall,
A. Other Frederic law enforcement and regulatory symmetric for we enforcement and regulatory purposes.
B. State and local law enforcement and regulatory symmetric for law enforcement and regulatory purposes.
EFFECT: Folking to decument the substance of unwanted Controlled Substances Act.

Under the Personno's Reduction Act, a person is not required to respond to a collection of immedian unless it displays a currently valid CA/B control runnber. Public reporting burken for this collection of internation is estimated to average 30 minutes per response, including the time for re-forwing instructions, seekering existing data sources, patheting and membering the data needed, and completing and existing the collection of information. Send comments regarding this burken, by the control of the service of the collection of information, including autopulsions are streaming and burken, to the foreign a little control of the collection of the colle

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The foll	owing schedule is an inventory of controlled er disposition.	substanc	es		1,1,4,4,4,4,4,4,4,4,4,4,4,4,4,4,4,4,4,4	- 	
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DEA-41 (87 986) Pg. 2								
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INSTRUCTIONS

- List the name of the drag in column 1, the number of modelines in column 3, the size of each regarder in column 3, and in column 4 the
 controlled antenna content of each mai described in column 3; e.g., margetime calcus laber, 3 page, 100 cate, 114 gr. (16 mg.) or marghine
 calcus is play, 83 then, 1/2 gr. (12 mg.), em.
- All packages included on a single line about he identical to name, concer and compiled substance context.
- Enquire this form, in quadraphicum. Mad two (1) copies of this form, to the Special Agent in Charge, under separate cover. Enclose our additional copy in the shipment with the draw. Assum one copy for your mounts. One copy will be returned to you as a results. No further remove will be furnished to you unless specifically requested. Any further inquiries concerning these strains should be addressed to the DEA District Office which survey your tree.
- There is no provision for navaga for diagr surroutaned. This is marely a surrice readered to registrature embling them to their shocks and recover of tentrated inste.
- Drugs should be shipped upo-socied up prepaid supress or confiled mail (return retriept requested) to Special Azim in Charge, Drug Enforcement Administration, of the DEA District Office which serves your ere.

PRIVACY ACTINE DRINATION

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						DACT	AGE NOD.	r / A				
OMB Approval No. 1117 - 0007	U.S. Deparation of Just REGISTRANTS INVENT	ORY OF DE	RUGS S	URREN		D	_/\	//4				
The following schedule is an inventory of controlled substances which is baraba proper disposition.												
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NOTE: CERTIFIED OF DRUGS) MAL (Recom Receipt Requested) is RECUM SVIA U.S. POSTAL SERVICE. Sceinstuction	KED FOR SHIPME S ON YEWBYER \$280 S	S) et join S) et join	L '								
	NAME OF DRUG OR PREPARATION		Number	CONTENTS (Number of prame. poets,	Con- volled Sub- standi	FOR DEA	a use only					
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	INSTRUCTIONS				7	/ [ノ	

- List the name of the dang is column 1, the nameber of containers in column 2, the size of such container in column 3, and is column 4 the
 controlled privateors commut of such unit described in column 3; e.g., ranghine sulfate tabe, 3 giogn., 100 order, 1/4 gr. (16 mg.) or morphine
 within tabe, 2 pkg. 83 tabe., 1/2 gr. (10 mg.). etc.
- 2. All packages included on a single line about the identical famous, consumed econolised substance among the
- A. Prepare this form in quadruphers. Melt for (1) cepter of this form to be Special Assett in Charge, under septical covers. Earliest one additional copy in the chigment with the diagram. Earliest one sept for your recent. One copy will be returned to you at a totality. We further readers will be immissed to you unless specifically requested. Any further immission concerning those drags should be addressed to the DEA District Office which survey your creat.
- There is no provision for payment for charge summadered. This is marely a mertico mentioned to registratus studies them so their stocks and memoric of measured trees.
- 5. Drugs should be rispeed unpersocied the propried suggests or smilled until (return receipt requested) to Special Again in Charge, Drug Inderessian Administration, of the DEA District Office which server your unse.

PRIVACY ACT INFORMATION

AUTHORITY: Socian 307 of the Controlled Substances Act of 1970 (Pt. 91-513).
PURPOSE: To document the surrender of consoled substances which have been browneded by registrants to DEA for disposal.
ROUTINE USES: This form is required by feebraf Regulations for the surrender of envanted Substances. Disposales of inhumentary payment are made on the blooking categories of uses for the purposes stated.
A. Other Federal law enforcement and regulatory agencies for law enforcement and regulatory purposes.
B. State and local law enforcementarial regulatory agencies for law enforcement and regulatory purposes.
EFFECT: Fedirac to decomment the substances of univariant Controlled Substances Act.
Controlled Substances Act.

Under the Paperwork Reduction Act, a person is not sequired to respond to a collection of information unless it disclayes a currently valid CMB control instruction. Purify reporting burden for this collection of information is estimated to a versory 30 minutes per response, including the time for response, parameter as according entaining the data needed, and completing and restricting the collection of information. Send comments regarding this burden estimate or any other estate, of this collection of information, including auggestions for reducing this burden, to the Day Enforcement Administration, FOI and Records Management Section, Washington, D.C. 20007; and to the Children Management and Badget, Paperwork Reduction Papers not 1117-0007, Washington, D.C. 2000.

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DEA-41 (6/1966) Pg. 2						_
HAME OF DRUG OR PREPARATION	Number of	grans,	STRUCA SOP- FOLISCI COU-	FOR DEA	USE ONLY	_
	Con- Minors	ounces or other units per con-	SE 35	DISPOSITION	GMS. MGS.	-
Registrants will fill in Columns 1,2,3, and 4 ON	LY.	teiner)	Um)			··········
7	2	- - - /	X	WS	6 2	
3		4//	10	V		·
9	1/4/1					_ .
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The controlled substances susandered in accordance with a parkages purporing to contain the dauga listed on 2) Destroyed as indicated and the simplicide forwarded tape of	#i w in a minimum and it is not it in a little in the contract of the contract	(1 POTANSIO	10 20025-2	COLOUR VALUE OF THE	Mi I	mc Rand
DATE 1/3-//	DESTROYED SY	1)a	tian	vid Givo	on the	0817
Suite out lives not applicable.	Munesee al:				All	11-3-
	D'ETTICTIONS					フ

- List the name of the drag is column 1, the number of continues in column 1, the size of each countries in column 3, and in column 4 the
 controlled substance contact of each unit described in column 3, e.g., morphies collisis table. 3 pages, 100 table, 1/4 gr. (16 mg.) or morphies
 colling table. 1 pages 33 table, 1/2 gr. (Simp.), etc.
- 2. All performs included on a rangle line abould be identical in name, common and compiled substance strongth.
- Prepare this form in quadrupitents. Mail two (1) copies of this form to the Special Agent in Charge, under repeate corest. Enclose one additional copy in the adjunctive vice in the control of the prepared to the copy. We further except and to studied to you unless specifically requested. Any further incurrent concerning these drugs should be addressed to the DEA District Office which serves your west.
- 4. There is no provision for psymbol for duct surroudered. This is marely a survive readered to registrates enabling them to clear their stocks and society of marsumed issues.
- Drugs thould be shipped upo-social tip prepaid anners as carafted stall (recurs receips requested) to Special Agent in Charge, Drug -Referenment Administration, of the DEA District Differ which surves your tree.

PRIVACY ACT INFORMATION

PRIVACY ACT INFORMATION

ALTINORITY: Section 307 of the Controlled Substances Act of 1970 (PL 91-518).

PURPOSE To document the surentier of controlled substances which have been travearded by registrants to DEA for disposal, POUTINE USES: This form is sequired by Tederal Regulations for the surentier of unwanted controlled Substances. Disposares of intermedian from this system are made to the following categories of uses for the purposes stated.

A. Other Tederal law embrooment and regulatory againsts for law embrooment and regulatory purposes.

B. State and local law embrooment and regulatory againsts for law embrooment and regulatory purposes.

EEFFECT: Figlium todocument the surrender of unwanted Controlled Substances have result in prosection for violation of the Controlled Substances Act.

Under the Personnok Reduction Act, a posson is not required to respond this collection of intermedian, urbas it displays a currently wild OARD control mimble. Public reporting burden for this collection of intermedian activated to average 30 minutes per expanse, including the time for reducing instructions, searching existing data sources, gestering and maintaining the data needed, and completing and materialing the collection of intermedian, according and producing and existing the collection of intermedian, including suppressing for reducing mis burden, to the Que Enterophent Administration, FOI and Records Management Section, Washington, D.C. 20507, and to the Office of Management and Budget, Peperwork Reduction Projection, 1117-0007, Westlington, D.C. 20503.

82-579 Fleming Way Suite F Indio, CA 92201



Tel: 760.347.4422 Fax: 760.406.5975

For Generations to Come

		•		TRACKING	NO:				
RESULATEDI WASTECLAS PG. II	MENCAL SS 6.2 UN 3291 California Medical Waste		VASTE TRACKING DOC ncy telephone number: 877-412-44						
GENERATOR	Generator Information Queentiin Si E. Sir Francis D San Quentin, C		55 : 产针真民所	This is to certify that the materials described below are properly packaged, marked and labeled and are in proper condition transportation in accordance with the applicable regulations. United States Department of Transportation. NAME OF COMPANY REPRESENTATIVE (Print) SIGNATURE OF THE SENTATIVE					
Type of	Waste: Bio/Sharps	☐ Trace-Chemo [armaceutical Other					
18 G	32 G	Number of containers colle 38 G 48 G	ected 96 G	OTHER St. Weight	Actual Net Wt.				
Comments				Deputy Wei	ghmaster's Intials				
TRANSPORTER	National Green Gas, LLC 82-579 Fleming Way, Suite F Indio, CA 92201 Tel: 760.347.4422 Transporter Registration #: 6031	☐ Other	□ OTHER:	NAME OF COMPANY REPRES	SENTATIVE XX				
TRANSFER STATION	National Green Gas, LLC 82-579 Fleming Way, Suite F Indio, CA 92201 Tel: 760.347.4422 TS/OST-99	Other	OTHER:	NAME OF COMPANY REPRES SIGNATURE OF REPRE	SENTATIVE				
TREATME, ACILITY	National Green Gas, LLC 82-579 Fleming Way, Suite F Indio, CA 92201 Tel: 760.347.4422 TS/OST-99 Treatment Type: Ozonation	Other	OTHER:	CERTIFICATE OF DIS The signature below certifies the above do treated and disposed of in accordance with Regulations and following all conditions wit documented. NAME OF COMPANY REPRES	cumented waste was received, all local, State and Federal hin our permit, on dates SENTATIVE (Print)				
-		•		DATE RECEIVED	Date of Treatment				

82-579 Fleming Way Suite F ** Indio, CA 92201



Tel: 760.347.4422 Fax: 760.406.5975

For Generations to Come

и	EGULATEDA VASTECLAS VG. 11	ESCAL California S 6.2 UN 3294 Medical Waste		AL WASTE TRACKIN mergency telephone number : 87	7-412-4422	TRACKING N	
1	ITOR	Generator Information San Quentin St E.Str Francis D	ate Prison - ACCT# . rake Bivd.	- 10255 / PHARM	packaged, marke transportation in acc	ed and labeled and are in	cable regulations of the
	GENERATOR	San Quentin, C	A 94964	S			· · · · · · · · · · · · · · · · · · ·
					Pharmaceutical [1]	DATE	
	Type of	Waste: Bio/Sharps	☐ Trace-Chemo	Pathological	N Priamaceducal	Est. Weight	Actual Net Wt.
H	8 G	132 G	Number of container 38 G 48 G		OTHER	LSE Weight	7,01541,161,174
1						<u> </u>	
C	Comments	•				Deputy Weigh	master's Intials
	TRANSPORTER	National Green Gas, LLC 82-579 Fleming Way, Suite F Indio, CA 92201 Tel: 760.347.4422 Transporter Registration #: 6031	☐ Other	ОТНЕЯ: 		OF COMPANY REPRESENT IGNATURE OF REPRESEN Date of Transportation	TATIVE \
	STATION	National Green Gas, LLC 82-579 Fleming Way,	☐ Other	OTHER:		OF COMPANY REPRESEN	TATIVE (Print)
	TRANSFER ST	Suite F Indio, CA 92201 Tel: 760.347.4422 TS/OST-99			s	IGNATURE OF REPRESEN Date Received in Transl	
	TREATMEN - ACILITY	National Green Gas, LLC 82-579 Fleming Way, Suite F Indio, CA 92201 Tel: 760.347.4422 TS/OST-99 Treatment Type: Ozonation	☐ Other	OTHER:	The signature below of treated and disposed of Regulations and follow documented. NAME O	ERTIFICATE OF DISTRI pertifies the above docum of in accordance with all ring all conditions within OF COMPANY REPRESEN IGNATURE OF REPRESEN	nented waste was received, local, State and Federal our permit, on dates
	I				DATE RECE		Date of Treatment
- 11					11		

82-579 Fleming Way Suite F Indio, CA 92201



Tel: 760.347.4422 Fax: 760.406.5975

For Generations to Come TRACKING NO: REGULATEDMEDICAL WASTECLASS 5.2 UN 3291 PG. II MEDICAL WASTE TRACKING DOCUMENT 56.215111 California Emergency telephone number: 877-412-4422 Medical Waste QUENTIN STATE FRICAN This is to certify that the materials described below are properly classified, packaged, marked and labeled and are in proper condition for transportation in accordance with the applicable regulations of the GENERATOR Pharmaceutical ☐ Other ☐ Pathological ☐ Trace-Chemo Type of Waste: ☐ Bio/Sharps Est. Weight Actual Net Wt. Number of containers collected OTHER 48 G 32 G 18 G Comments Deputy Weighmaster's Intials OTHER: ☐ Other National Green Gas, LLC *IRANSPORTER* 82-579 Fleming Way, Suite F Indio, CA 92201 . Tel: 760,347,4422 Transporter Date of Transportation Registration #: 6031 Other OTHER: **RANSFER STATION** National Green Gas, LLC NAME OF COMPANY REPRESENTATIVE (Print) 82-579 Fleming Way, Suite F Indio, CA 92201 SIGNATURE OF REPRESENTATIVE Tel: 760.347.4422 TS/OST-99 Date Received in Transfer CERTIFICATE OF DISTRUCTION OTHER: The signature below certifies the above documented waste was received, Other treated and disposed of in accordance with all local, State and Federal National Green Gas, LLC Regulations and following all conditions within our permit, on dates ACILITY 82-579 Fleming Way, documented. Suite F Indio, CA 92201 Tel: 760.347.4422 REATMEN. TS/OST-99 NAME OF COMPANY REPRESENTATIVE (Print) Treatment Type: Ozonation Date of Treatment DATE RECEIVED

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All records related to controlled substances must be maintained and available for inspection for a minimum of two years. After an initial inventory is taken, a new inventory of all controlled substances on hand must be taken at least every two years. (Drug Enforcement Administrations Practitioner's Manual; Section IV; Recordkeeping Requirements;

Inventory: page 16.)

OMB Approval No. 1117 - EXDT	U.S.Departien a Justos (Drug Sti REGISTRANTS INVENTORY OF	omenant ac DRUGS	SUPREN	DERE	D PAC	CAGE NO.	14
The following	owing schedule is an inventory of controlled as disposition.	substance	s wbich is	hereby	s surremdered t	o you!	
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	LETHAL INSECTION FAC	ILITY		JU)	SQS [
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	94964		L	4/	<u>s-455-</u>	<u>s qa</u>	Ψ_
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A-41 (6H986) Pg. 2							
NAME OF DRUG ORPREPARATION	Nundar er Con-	CONTENTS (Number of Clarits, Edicas,	Con- Polica Sub- states	FOR DEA	USE O	NLY	
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	INSTRUCTIONS	Ļ		(7		
1. List the name of the drug in column 1, the number of containers	in column 2, the size of ext	h comment in c	cime3.	and in column 4 the		- // -	

- ore design in the contract examined the contract contract of the contract of t
- 2. All parkeges included on a single line change by Stanfard in some, control and controlled substance strongs.
- Propure this force in gradinghister. Mail two (2) copies of this force to the Special Agent in Charge, under separate cown. Enclose one administration of the industrial for industrial of the i
- 4. There is no provided for payment in days surrendered. This is morely a sension reutisped to regionates embling them to clear their stocks and recently of supported itsues.
- Dauga should be edipped asso-scaled the project in account or earlied and (courte reseipt responsed) to Special Again in Change, Song Participant Administration, of the DEA Direct Order which senses year are.

PRIVACY ACTINFORMATION

PHIVALT ACT INFORMATION

AUTHORITY: Section 307 of the Controlled Subdishes Act of 1970 (P. 1-519).

PURPOSE To document the screenide of controlled subdishes which have been interested by segments to EEA for disposal EQUITING USES: This isom is included by Fourishing to the subconduct of unvarient Committed Subdishese. Disposares of the purpose stated.

Controlled Fourishing the statement of the translation of the subdishes of the purpose stated.

A. Other Fourishing entrolled manufactualities, agentical for adoption and regulatory purposes.

E. Same and logation entropy and adoptions of unvariable to the entropy purpose.

E. FERCET: States to decomment the submitted of unvariable Controlled Subdishese that in prospection for violation of the Controlled Subdishese Act.

Linda: the Papawert Roduction Act, a present is not required to inspired to a collection of information unless is displayed a currently waite OMB.

contain number. Professionaling burden for this collection of information is estimated to everyle 30 minutes per majoritat, including the first for rectaining interpretations, sparting extension of the containing and minute in the containing and or information of information and containing and rectained or any other aspects of information, but offer party entry entry of the process of information and inform

SODIUM THIOPENTAL LOG 2011

Date/	Time	Quantity	Signature ,	
3/14/11		12 grams	Sodium THIOPENTAL	
	Total	24 ViAL	s: 500 mg each	,
	607	T # AW	6022	
	SH	IPPED TO	AZ. X Alla X	8:35
		12 grams	Sodium THIOPENTAL	
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	L	OT # A	W 6022	
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				_

LETHAL INJECTION FACILITY DIAZEPAM INVENTORY

QUANTITY	NOTES	PURPOSE	DATE	STATEMENT STAFFING
			9/27/10	
10	5 mg pills		9/30/10	
10	mg pins		10/11/18	
10	5 mg pills		12/2/10	
10	S my DIVI	- 	2/8/11	
10	S mg pills	In wentory	3/3/11	
10	S and pills	Invert ty	3/4/11	
1/2	5 mg Pills	inventary	3-15-11	
I P	5 And pills	inventory	8-129-11	
	5 mg pills	Inv	9-22-11	
10	5 mg pills	Inventory	10-5-11	
	5 mg pills	INVENTUR!	10-27-11	1
10	5mg fills	TAUTHTOR)	10-28-11	
10	5 mg PILLS	INVENTOR)	11-17-11	
10		INVENTORY	11-18-11	
10	Ing PILLS	DUVELTON'	12-15-11	
10	5mg Pichs	TNVFATORY	12-16-11	
16	5 mg PILLS	INVESTORY	12-12-12	
10	5mc PILLS	THUENTONY		
10	5 mg PLLS	TAKENTORY	29/1	
10	5 mg PILLS	TNVESTORY	3-9-12	
10	Sing Pills	luventry	4-6-12	
10	SMG PILLS	TNUEMONY	6-15-12	
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		•	DATE
TEAM LEADER	•		DATE

Lethal Injection Facility Sanitation Inspection Checklist

Date		
11	130/2015.	

Search Area	Comments	**
Sallyport Corridor	Clean	2.
Sallyport Storage Room	OK	
Staging Area	OK	
Secure Holding Cell Area	OK phone sh	ould sin office
Officer Security Area	OL VE TONE OF	34 11 77 16
Prep Room	OV.	
Break Room	checked ok	
Rest Rooms	Clean toilets flushe	7
Prep Storage Room	OK.	10 A 10
Infusion/Control Room	ox	
Execution Room	Checked ox	a j
Electrical Room	Checked or	- 15/10
Storage Room	Checked OK	
Victim Family Viewing Room	OK.	
Press Viewing Room	OK	end important jurges .
Inmate Family Viewing Room	DC	.vet
All Doors & Gates Functioning	OK	

Lethal Injection Facility Safe Secure	485	
Light and Appliances Functioning	yes	
Tool Inventory	OK	NO Change NO ACCESS
Refrigerator Temperature Indicate Temperature	Temperature_	enpty
Equipment Inventory Attach to Form	done	

Security	Team	N	lem	ber's

10 > 0 10413

11/36/2015

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 4

Item	Quantity	Start
Helmets	-5	5.
Leather Gloves	5	5
Knee Pads	5	5
Elbow Pads	5	5
Shin Guards	5	. 5
PPE Kits	25	25
Gas Masks	6	4
Lanterns	3	5
Shield	2	1
Stokes Liter	1	

Security Team Members

Execution Team Leader

Date Date

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET #1

Item	Quantity	Start
Modified Cuffs	1	1
Leg restraints	2	v
Handcuffs	2	V
Handcuff Key (black)	6	6
Handcuff Key (silver)	. 8	8
Cut Down Tool	1	1
Martin Chain	3	2
Straight Baton	1	1
Leather Belts (extra)	4	G
Expandable Baton	4	4
Mk-4 (OC)	1	1
Waist Restraints	2	2
Metal Detector (wand)	1	<i>I</i>
Heavy Duty Locks	3	3
Transportation Set	1	1

1050 neurs 11/30/2015

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 2

Item	Quantity	Start
Disaster Pouch	4	4
Cut Down Tool	1	
Res-Q-Flo	. 1	1
Tape (box)	2	2
Lanterns	2	2
Video Camera	1(1/2)	Daniel of
(charger/film)	, ,	Removed
Polaroid Camera(film)	1(2)	1.
Wrap	., 1.	1. 1.
Digital Camera	1	1 .
Ankle Straps	3	3
Wrist Straps	4	A

Execution Team Leader

7/-30-15 Date

Date /2015
Date

John Curzon

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 2

10-8-2018 1340 hours

Item	Quantity	Start
Disaster Pouch	4	y
Cut Down Tool	1	7
Res-Q-Flo	1	1
Tape (box)	2	23
Lanterns	2	2
Video Camera (charger/film)	1(1/2)	REMOVED
Polaroid Camera(film)	1(2)	/
Wrap	1	7
Digital Camera	1	1
Ankle Straps	3	3
Wrist Straps	4	4

Security Team Members

Execution Tellin Leader

Administrator

Date 18/8/2015 Date

10/8/15

John Curzon 10-8-2015 13 fo hours

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 4

Item	Quantity	Start
Helmets	5	5
Leather Gloves	5	5
Knee Pads	5	5
Elbow Pads	5	5
Shin Guards	5	5
PPE Kits	25	25
Gas Masks	6	4
Lanterns	3	3
Shield	2	2
Stokes Liter	1	1

Security Team Members

Execution I eath Leader

Date

10/8/2015

Data

10/8/15

YOUN UNIVE

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 1

10-8-2015 1335 hours

Item	Quantity	Start	
Modified Cuffs	1	1	
Leg restraints	_2	2	
Handcuffs	_2	2	
Handcuff Key (black)	6	4] :
Handcuff Key (silver)	8	8	
Cut Down Tool	1	/ .	
Martin Chain	3	2 + Tran	sportation bug = 3
Straight Baton	1	1	
Leather Belts (extra)	4	Le	
Expandable Baton	4	4	
Mk-4 (OC)	1	' /	
Waist Restraints	2	2	
Metal Detector (wand)	1	1	
Heavy Duty Locks	3	3	
Transportation Set	1		

Execution Team Legaler duin 15 trator

Date 10/8/2015



Lethal Injection Facility Sanitation Inspection Checklist

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LETUAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET #4

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Elbow Pads		5	8	
Shin Guards	·	5	3. 5.	/,
PPE4Kins - y		25	26	
Gas Masks		6	6	
Lanterns ,	<u> </u>			
Shield 1		<u> 2 </u>		
Stokes Liter		1	1	4 44

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	Safe Secure					5 2 Line
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Lethal Injection Facility Sanitation Inspection Checklist

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		the Park State State of the State Sta
	Search Area	Comments
	Sallyport Corridor	clean and orderly
7.	Sallyport Storage Room	Clean and orderly
	Staging Area	Clear and astert
,	Secure Holding Cell Area	clear and underformer.
	Officer Security Area	Clear and Desterte
	Prep Room	clear and ordere
	Break Room	clea and village
	Rest Rooms	clear and praesto
	Prep Storage Room	Cless and assert
	Infusion/Control Room	and made
	Execution Room	clear and made
	Electrical Room	Cleur and walls
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	Victim Family Viewing	Clene and restore
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	Inmate Family Viewing Room	Clem and orderly
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9-79-71A

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 1

1tem	Quantity	Start
Modified Cuffs	1	/
Leg restraints	2	3
Handouffs	2	3
Handcuff Key (black)	6	. 6
Handcuff Key (silver)	8	8
Cut Down Tool	1	· /
Martin Chain	3	3
Straight Baton	1.	1
Leather Belts (extra)	4	5
Expandable Baton	4	4
Mk-4 (OC)	1	1
Waist Restraints	2	3
Metal Detector (wand)	. 1	1
Heavy Duty Locks	3	3
Transportation Set	1	

13:45 hour

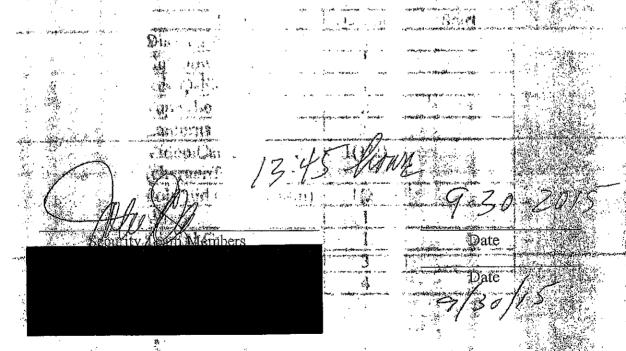
Security Team Members

Date

9-30-1

LETHAL INJECTION FACILITY SEGURITY TEAM SUPPLY INVENTORY CABINET # 2

.[Item	Quantity	Start
	Disaster Pouch	4	4
	Cut Down Tool	1	
. [Res-Q-Flo	, <u>·1</u> .	7 /
1	Tape (box)	2	23"
	Lanterns	. 2	•
	Video Camera	1(1/2)	removed
	(charger/film)		My
-	Polacoid Camera(film)	1 (2)	1 degles
	Wrap		7.
	Digital Camera	1	1
	Ankle Straps	3	3
	Wrist Straps	4	4



LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET #4

Item	Quantity	Start
Helmets	5	5
Leather Gloves	5	5
Knee Pads	5	5
Elbow Pads	5	5
Shin Guards	5	5
PPE Kits	25	25
Gas Masks	6	6
Lanterns	3	3
Shield	2	2
Stokes Liter	1	<i>'</i>

Security Team Members # /

Execution Team Leader

6.7.13

Date / 7/13

Date

			EAM SECU	TRED STORAGE			
START	END	QUANITY	AREA	ITEAM			
9		10 – bx		GLOVES NON-POWDER, Small			
15		10-bx		GLOVES NON-POWDER, Med			
189	1.	. 10 – bx		GLOVES NON-POWDER, Lg			
9		10 - bx		GLOVES NON-POWDER, XLg			
39		100 – ea		ANGIOCATH – 16 GA 1"			
1220		100 - ea		ANGIOCATH – 18 GA 1"			
1100		100 – ea		ANGIOCATH – 20 GA 1"			
95		100 – ea		ANGIOCATH – 22 GA 1"			
32		50 – ea		PRESSURE TUBING 72"			
106		25 – ea		SECONDARY IV – 40"			
97		50 – ea		IV SET 15 DROP – 85"			
43		50 – ea ·		SAFEPORT INJECTOR (3 Way stop)			
40		50 - ea	,	IV START KIT			
41	-	50 – ea		NORMAL SALINE – 1,000cc 0.9%			
$\vec{\mu}$		4 – bx	·	SURGICAL MASK			
<u>リ</u> 2)		5 – bx		ALCOHOL PREP PADS			
7		3 – bx		TAPE 1"			
		3 – bx		TAPE 2"			
22		4 – pkg		NON-STERILE GUAZE 2x2			
76		50 – ea		SHARP CONTAINER-SMALL			
14		10 – ea		SHARP CONTAINER-LARGE			
96		50 - ea		DISPOSABLE RAZOR			
- 1		5 – ea		FACE SHIELD			
16		20 – pkg		MONITORING ELECTRODE (RED DOT)			
2		2 - ea		ECG HEART MONITOR			
71		20 – rolls		ECG PAPER			
2		2 - ea		STETHOSCOPE			
2		50 – ea		OXYGEN SENSOR			
2)		2 – ea		VENOSCOPE			
3	15	2 – ea		MICRO HEAD LANTERN			
3		2 – ea		SCISSORS			
2 3		2 – ea		BLOOD SPILL KIT			
179		5 - bx	: "	INTIMA 22 GAUGE			
7		2 - ea		HAZARDUS WASTE BUCKET			
100				. Intime 18			
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		100		SYRINGE - 20 CC LUER LOCK			
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#5

Signature of IV/Infusion Team Member

Date

Signature of Team Leader

I.V. TEAM SECURED STORAGE								
START	END	QUANITY	AREA	ITEM				
		10-bx		GLOVES NON-POWDER, Small				
		10 – bx		GLOVES NON-POWDER, Med				
		10 – bx		GLOVES NON-POWDER, Lg				
,		10 – bx		GLOVES NON-POWDER, XLg				
		100 – ea		ANGIOCATH – 16 GA 1"				
		100 – ea		ANGIOCATH – 18 GA 1"				
		100 – ea		ANGIOCATH – 20 GA 1"				
	· <u>-</u>	100 ea		ANGIOCATH – 22 GA 1"				
		100 – ea		· INTIMA 18 GAUGE				
		100 – ea		INTIMA 20 GAUGE				
		100 – ea		INTIMA 22 GAUGE				
		50 – ea		PRESSURE TUBING – 72"				
		25 – ea		SECONDARY IV – 40"				
		50 – ea	:	IV SET 15 DROP – 85"				
		50 – ea		SAFEPORT INJECTOR (3 Way stop)				
		50 – ea		IV START KIT				
		50 – ea		NORMAL SALINE - 1,000cc 0.9%				
		4 – bx		SURGICAL MASK				
		5 – bx		ALCOHOL PREP PADS				
		3-bx	: 1	TAPE 1"				
		3-bx		TAPE 2"				
		4 – pkg		NON-STERILE GAUZE 2x2				
-		50 – ea	:	SHARP CONTAINER-SMALL				
		10 – ea		SHARP CONTAINER-LARGE				
		50 ea		DISPOSABLE RAZOR				
		5 – ea		FACE SHIELD				
		20 - pkg	1	MONITORING ELECTRODE (RED DOT)				
		2 - ea		ECG HEART MONITOR				
		20 – rolls		ECG PAPER				
		2 – ea		STETHOSCOPE				
		50 – ea		OXYGEN SENSOR				
		2 – ea		VENOSCOPE				
		2 – ea		MICRO HEAD LANTERN				
		2 – ea	-	SCISSORS				
		2 - ea	· .	BLOOD SPILL KIT				
		2 - ea		HAZARDOUS WASTE BUCKET				
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Signature of IV/Infusion Team Member Date

Signature of Team Leader Date

Lethal Injection Facility Sanitation Inspection Checklist

Date	•	
6/	7/13	

Search Area	7	 Comments		
Coulon Filou	1	Comments		-
Sallyport Corridor				
Sallyport Storage Room			·	
Staging Area			-	_
Secure Holding Cell Area				
Officer Security Area				
Prep Room				
Break Room			<u> </u>	
Rest Rooms				
Prep Storage Room				
Infusion/Control Room				
Execution Room				
Electrical Room				;
Storage Room				
Victim Family Viewing Room				
Press Viewing Room				
Inmate Family Viewing Room				
All Doors & Gates . Functioning				, -

Lethal Injection Facility Safe Secure	YEZ	
Light and Appliances Functioning	YES	
Tool Inventory	AMMERES	¥.
Refrigerator Temperature Indicate Temperature	Temperature 4107	
Equipment Inventory Attach to Form	425	

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Security Team Members

Execution Team Leader

0/7/1

Date 0/7/13

Jean Nammissaura

Attachment #1

Lethal Injection Facility Sanitation Inspection Checklist

Date 9 8 10 - 2015

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Search Area	Comments	
Sallyport Corridor	mal	***
Sallyport Storage Room	1.12 /	
Staging Area		
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Secure Holding Cell Aréa	front	Allucianiani
Officer Security Area	God!	
Prep Room	i. Jacquer de la	
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Rest Rooms	- Jane	
Prep Storage Room		
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Execution Room	and a surrend of the first for the surrender of the surre	die :
Electrical Roun	and the state of t	
Storage Room	and the property of the property of the same of the sa	
Victim Family Viewing	ing an employing registronger and or there will be considered a	pro-photography
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All Doors & Gates Runctioning	and the second s	and the second s
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LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 2

Item	Quantity	Start	
Disaster Pouch	4	4	
Cut Down Tool	1_	1	34
Res-Q-Flo	1	•	. 1855 1855
Tape (box)	2	1 AB	545,00
Lanterns	2	0	*
Video Camera	1(1/2)	2	
(charger/film)		-	
Polaroid Camera (film)	1(2)	3/	
111/2000	A TON		
Digital Camera	1	1	
Ankle Straps	3	3	1 K
Wrist Straps	4	9	

Date

S-10

LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 4

Item	Quantity	Start
Heiniets	5	5
Leather Gloves	5	5
Knee Pads	5	5
Elbow Pads	5	5
Shin Guards	5	5
PPE Kits	25	25
Gas Masks	6	6
Lanterns	3	
Shield	2	2
Stokes Liter	1	1

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8-10-20)

Date

Date

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Safe Seculie Light and Appliances		
Functioning	UMA	
Tool Inventory	OK.	
Refrigerator Temperature	1/2 "	
Indicate Temperature	Temperature 43 OK	
Equipment Inventory Attach to Form	yle	
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Execution Team Leader	 Đat	e Affacimient 4/1
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LETHAL INJECTION FACILITY SECURITY TEAM SUPPLY INVENTORY CABINET # 1

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Item	Quantity	Start
Modified Cuffs	1	1
Leg restraints	. 2	. 3
Handouffs	2	3.
Handcuff Key (black)	* 6	lo
Handouff Key (silver)	- 8	8
Cut Down Tool	1	12.
Martin Chain	3	3
Straight Baton		Listy Transport
Leather Belts (extra)	. A	6
Expandable Baton	4	5
Mk-4 (OC)	1	1
Waist Restraints	2	3
Metal Detector (wand)	1	
Heavy Duty Locks	3	3
Transportation Set	A A	2 1
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Security Team Members



Date

7-6-2015

Lethal Injection Facility Sanitation Inspection Checklist

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Attachment #1

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Actailes June

2015.

EXE

Machine require

Calibration

Search Area	Comme	ents
Sallyport Corridor	Clean	
Sallyport Storage Room	Clean	
Staging Area	Clean	:
Secure Holding Cell Area	Clean	
Officer Security Area	Clean	
Prep Room	Clan	
Break Room	Clean	
Rest Rooms	Clean	brown Chenger
Prep Storage Room	Cless	:
Infusion/Control Room	Clean	
Execution Room	Clem	
Electrical Room	Clean	
Storage Room	Clean	
Victim Family Viewing Room	Clean	
Press Viewing Room	Clear	
Inmate Family Viewing Room	Clean	
All Doors & Gates Functioning	yes.	

Lethal Injection Facility Safe Secure	yer
Light and Appliances Functioning	all Cloth regions batterie
Tool Inventory	Checker June with sengineer
Refrigerator Temperature Indicate Temperature	Temperature
Equipment Inventory Attach to Form	

Securit

Members

1-6-2015

Date

7-6-15

Date

Item	Quantity	Start
Disaster Pouch	. 4	
Car Down Tool	1	
Res OFlo	. 1	
Tape (box)	2	V
Lanterns	2	V
Video Camera	1(1/2)	21
(charger/film)		
Polarold Camera (film)	1(2)	W. Vone
Wrap :		
Digital Camera	1	
Ankle Straps	3	
Witst Straps	.4	V

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Tele-2015

Date

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	Item	Quantity	. Start	
	Modified Cuffs	-1		
	Leg restraints	3-2	1	
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Item	Quantity	Start
Helmets	. 5	
Leather Gloves	5	
Knee Pads	5	
Elbow Pads	5	V
Shin Guards	5	
PPE Kits	25	$\sqrt{}$
Gas Masks	6	
Lanterns	3	1 1
Shield	2	
Stokes Liter	1	-

Security Tean Members

Date

Execution Team Leader

Date

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Signature of IV/Infusion Team Member

Date

.. May 2013.

age 2of 3

. Supply Inventory

Attachment #1

Lethal Injection Facility Sanitation Inspection Checklist

Date	
6-8-2015	

SA

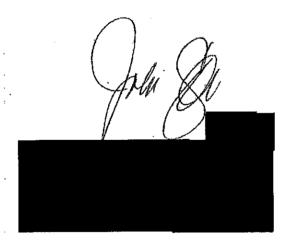
overall cleanliness nuch to be addressed

Search Area	Comments	
Sallyport Corridor	Flow regime cleaning	
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Prep Room	Flor require cleany	
Break Room	Floor need to be cleaned	negg di
Rest Rooms	Floor need to be cleaned	- CLEAN
Prep Storage Room	Dusty /flow	
Infusion/Control Room	Floor require cleaning by	trains.
Execution Room	Dusty	
Electrical Room	neede baser organization	- - -
Storage Room	Quety / floor	
Victim Family Viewing Room	Dusty	
Press Viewing Room	Dusty	
Inmate Family Viewing Room	Duety	
All Doors & Gates . Functioning Lethal Interior	yev .	

facility is in need of cleaning. Specifically, floors mapped, stripped and waxed. Facility has accumulate dust and dirt.

Lethal Injection Facility Safe Secure	yev	
Light and Appliances Functioning	yer	
Tool Inventory	OK	
Refrigerator Temperature Indicate Temperature	Temperature	empty
Equipment Inventory Attach to Form		

Security Team Members	Da	ate
		•
Execution Team Leader		Date



6-8-2015 1115

Item	Quantity	Start
Modified Cuffs	1	/
Leg restraints	, 2	V
Handcuffs 6-8	3	
Handcuff Key (black)	6	V
Handcuff Key (silver)	8	V
Cut Down Tool	1	/
Martin Chain	3	V
Straight Baton	1	ν/
Leather Belts (extra)	3	V
Expandable Baton	4	/
Mk-4 (OC)	1	V
Waist Restraints	3	1
Metal Detector (wand)	. 1	
Heavy Duty Locks	3	V
Transportation Set	1	1

Camera Charge NV America Lock 1. NV

Date

Security Team Members

Execution Team Leader

Date

Item	Quantity	Start
Disaster Pouch	4	Ý
Cut Down Tool	1	1
Res-Q-Flo	1	,
Tape (box)	2	√ ,
Lanterns	2	V
Video Camera	1(1/2)	
(charger/film)	` '	\checkmark
Polaroid Camera(film)	1(2)	
Wrap	1	-
Digital Camera	1 .	
Ankle Straps	.3	V.
Wrist Straps	4	

Maring

M

missing video camera Remove from Inventory

6/8/15		
Security Team Members	Date	•
Execution Team Leader	Date	•

Jul Gu

6-8-2015

Item	Quantity	Start
Helmets	5	V
Leather Gloves	5	
Knee Pads	5	1
Elbow Pads	5	V,
Shin Guards	5	V.,
PPE Kits	25	$\overline{}$
Gas Masks	6	V
Lanterns	3	V
Shield	2.	V
Stokes Liter	1	V

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	<u></u>	and the growth of the same of the same
Security Team Members		Date
Execution Team Leader		Date

1150

6-8-2015

FACILITY KEY SIGN OUT SHEET

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FACILITY KEY SIGN OUT SHEET

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Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



August 30, 2013

Jennifer Moreno University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 11, 2013

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 11, 2013 and received on June 17, 2013.

We have identified approximately 670 pages which are responsive to your request as well as 7 DVD's. The total duplication fees for this request are \$ 119.61. The duplication fees for the documents requested are \$80.40 (670 pages at .12 each). The duplication fees for the DVD's are \$29.95 (7 DVD's at a cost of .85 each plus \$24.00 in labor). The postage for the request is \$9.26. The responsive documents and DVD's will be mailed upon receipt of this payment. Please mail the payment to: B. Ebert, Litigation Coordinator, San Quentin State Prison, San Quentin, CA 94964.

A portion of the records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), (c), (f), (k), and (l); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and 1040; Code of Civil Procedure § 2018.030; Penal Code §§ 832.7 and 832.8.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Disclosure of some documents could compromise the safety and security of the institutions, staff, offenders, and others. These records will not be disclosed pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in Procunier v. Superior Court of Monterey County (1973) 35 Cal.App.3d 211.

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

Jennifer Moreno Page 2

Pursuant to Government Code § 6254 (I), CDCR will not provide any records reflecting communications with the Governor or his staff.

Records that would impose an unwarranted invasion of personal privacy, personnel records, or records deemed "protected information" by the Protective Order issued on April 3, 2006 in Morales v. Woodford, et al., U.S. District Court for the Northern District of California case numbers 06 219 and 06 926 (including those indicating names, ranks, job descriptions, and other identifying information of members of the execution team) will be withheld consistent with the Protective Order, pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in Procurier v. Superior Court of Monterey County (1973) 35 Cal.App.3d 211, Government Code §§ 6254 (c) and (k), and Penal Code §§ 832.7 and 832.8.

Please note that the California Department of Corrections and Rehabilitation is still reviewing documents that may be responsive to your request, and it is possible that additional documents and/or exemptions will be identified during the review and compilation of these records.

If you have any questions I can be reached at (415) 454-1460 extension 5757.

Sincerely,

B. Hoert

Correctional Counselor II, Specialist

Litigation Coordinator San Quentin State Prison

Criminal Justice Legal Foundation



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July 31, 2013

California Department of Corrections and Rehabilitation

PRA Administrators

1515 S Street, Suite 314S

Sacramento, CA 94283-001

Re: Single Drug Lethal Injection Protocol

Dear Sir or Madam:

Enclosed is a Public Records Act request, CDCR form 1432, for the protocol that has been drafted for executions by lethal injections with a single drug. The Department informed the Marin Superior Court that it was working on such a protocol 15 months ago in its notice of appeal in *Sims* v. *CDCR*, and it is widely rumored that the protocol has been completed.

I am aware, of course, that there are exceptions to the Public Records Act for "preliminary drafts" (Govt. Code § 6254, subd. (a)) and for the deliberative process privilege. However, neither applies here. This is a matter of enormous public interest, and no valid government interest is served by continued secrecy.

Legal Advisory Committee

Hon. John A. Arguelles

Hon. George Deukmejian

Hon. Malcolm M. Lucas

Hon. Edwin Meese, III

Hon. Edward Panelli

Very truly yours,

Kent S. Scheidegger

Legal Director & General Counsel

Kent S. Scheidegger

Academic Review Board

Prof. George L. Kelling

Prof. Steven Levitt

Prof. Joseph M. Bessette

KSS:ja Enclosure

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The protocol drafted for execution by lethal	ION OF SUBJECT MATTER:	
The protectionalited for execution by female	injection with a single urag.	
FACILITY OR OFFICE WHERE THE	RECORD IS MAINTAINED:	
CDCR Headquarters		- Alta Market
	Please mark the appropriate box	
	e above record reproduced for my use.	1.0
Reproduce a complete copy of the page photocopied.	above named record for my use. 1 agree to pay	postage and 12 cents for each
REQUESTOR'S NAME (PRINT):	REQUESTOR'S SIGNATURE	DATE
Kent S. Scheidegger	25t5 Weileyen	July 31, 2013
REQUESTOR'S ADDRESS:		
ADDRESS	CITY, STATE	ZIP CODE
2131 L Street	Sacramento, CA	95816
REQUESTOR'S PHONE NUMBER:		**************************************
916-446-0345		
	OR DEPARTMENTAL USE ONLY opriate box(es) and complete the related section	1(s).
An appointment has been made for	r the requestor to inspect the requested record(s).	
Date Time Locatio	л	
Signature of PRA Coordinator Authorizing	Inspection	Date
The requestor has inspected the re-	quested record(s).	
Inspection Date Signature of PR.	A Coordinator authorizing the inspection	
The requestor has requested copies Number of pages copied Total C		
	it considered a public record and will not be di his decision and that the requestor may appeal this	
Signature of PRA Coordinator denying disc	closure	Date
The extent of the inspection req	uested or the reproduction services required, expeen referred to the appropriate Division/Office, for	cceeds the service that can bor further consideration.
Signature of PRA Coordinator making the	referral	Date
-	sion is needed to collect and review the requested	record(s).
Reason:	exceed 14 days beyond the original 10 authorized	days).

Criminal Justice Legal Foundation
2131 L Street, Sacramento, CA 95816 • P.O. Box 1199, Sacramento, CA 95812

Defending Public Safety and Victims' Rights

California Department of Collections in URE Parties Sacramento, CA 94283-0 1515 S Street, Suite 3145 PRA Administrators AUG 0 1 2013 itation

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OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice General Counsel P.O. Box 942883 Sacramento, CA 94283-0001



August 9, 2013

Mr. Kent S. Scheidegger Criminal Justice Legal Foundation 2131 L Street Sacramento, CA 95816

Dear Mr. Scheidegger:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated July 31, 2013 and received on August 1, 2013.

The records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), (k), and (l); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq; and Code of Civil Procedure § 2018.030.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

Pursuant to Government Code § 6254 (I), CDCR will not provide any records reflecting communications with the Governor or his staff.

If you have any questions I can be reached at (916) 445-0495.

Sincerely,

SARA DOLIN Legal Assistant

Office of Legal Affairs



Death Penalty Clinic

University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200 Tel 510.289.1600 Jmoreno@law.berkeley.edu www.deathpenaltyclinic.org

June 11, 2013

PRA Administrators
California Department of Corrections and Rehabilitation
1515 S Street, Suite 314S
Sacramento, CA 94283-0001

Dear PRA Administrator,

I am writing on behalf of the Berkeley Law Death Penalty Clinic to request records from the California Department of Corrections and Rehabilitation (CDCR) pursuant to the state open records law, Cal. Gov't Code Sections 6250 to 6277. I seek copies of all the following records in the CDCR's possession, regardless of who created them:

1. All draft lethal injection regulations and/or protocols created from December 2011 to the present.

2. All draft lethal gas regulations and/or protocols created from December 2006 to the present.

3. All documents concerning the decision whether to use a single-drug or three-drug or other formula to carry out executions by lethal injection.

4. All communications between the CDCR and other states concerning the use of a single-drug formula to carry out executions by lethal injection.

5. All documents consulted or relied upon in creating and/or drafting a single-drug execution protocol.

6. All documents pertaining to the lethal injection facility since it was constructed, including documents relating to the inspection of the chamber, maintenance, removal of equipment, movement of equipment or supplies, placement of equipment and supplies, and reflecting all changes to the lethal injection facility made between February 8, 2011, and the present.

7. All documents pertaining to the lethal gas facility since February 2006, including documents relating to the inspection of the chamber, maintenance, removal of equipment, movement of equipment or supplies, or placement of equipment and supplies, and reflecting all changes to the lethal gas facility made between February 2006 and the present.

8. All lethal injection training materials from January 2010 to the present, including forms 2177, 2179, 2180, 2181, and 2183.

The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical from or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, picture, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

9. All documents concerning execution team training, including but not limited to lethal injection and lethal gas team lesson plans and training manuals, drafted or utilized from January 2010 to the present.

10. All documentation of execution team training sessions, including but not limited to lethal injection process training files and records of all lethal injection and lethal gas training sessions, including all CDCR forms 2177, 2179, 2180, and 2181, from January 2010 through the present.

11. Any documentation pertaining to employee training submitted by any team member, team leader, team administrator, including training credit sheets, overtime requests, travel requests

and reimbursements from January 2010 to the present.

12. All documents concerning the mixing of execution drugs, including but not limited to all records relating to and reporting the mixing of execution drugs during training sessions, from January 2010 to the present.

If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address. I agree to pay any reasonable copying and postage fees of not more than \$25. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided in the open records law, Sec. 6253(c), I will expect your response within ten (10) business days.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Thank you for your assistance.

Sincerely,

Jennifer M. Moreno Staff Attorney



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BerkeleyLaw

Death Penalty Clinic

PRA Administrators
California Department of Corrections and Rehabilitation

1515 S Street, Suite 314S Sacramento, CA 94283-0001

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Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



June 27, 2013

Jennifer Moreno University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 11, 2013

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 11, 2013 and received on June 17, 2013. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a page count as well as the cost for duplication for these records on or before July 11, 2013.

If you have any questions I can be reached at (415) 454-1460 extension 5757.

Sincerely,

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison

Division of Adult Operations

San Quentin State Prison San Quentín, CA 94964



July 11, 2013

Jennifer Moreno University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 11, 2013

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 11, 2013 and received on June 17, 2013.

We have identified approximately 1,255 pages which are responsive to your request. The duplication fees for this request are \$162.73 (1,255 pages at .12 each (\$150.60) plus postage of \$12.13). The responsive documents will be mailed upon receipt of this payment. Please mail the payment to: B. Ebert, Litigation Coordinator, San Quentin State Prison, San Quentin, CA 94964.

A portion of the records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), (c), (f), (k), and (l); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and 1040; Code of Civil Procedure § 2018.030; Penal Code §§ 832.7 and 832.8; and Government Code § 6255.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Disclosure of some documents could compromise the safety and security of the institutions, staff, offenders, and others. These records will not be disclosed pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in *Procunier v. Superior Court of Monterey County* (1973) 35 Cal.App.3d 211.

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

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Pursuant to Government Code § 6254 (I), CDCR will not provide any records reflecting communications with the Governor or his staff.

Records that would impose an unwarranted invasion of personal privacy, personnel records, or records deemed "protected information" by the Protective Order issued on April 3, 2006 in *Morales v. Woodford*, et al., U.S. District Court for the Northern District of California case numbers 06 219 and 06 926 (including those indicating names, ranks, job descriptions, and other identifying information of members of the execution team) will be withheld consistent with the Protective Order, pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in *Procunier v. Superior Court of Monterey County* (1973) 35 Cal.App.3d 211, Government Code §§ 6254 (c) and (k), Penal Code §§ 832.7 and 832.8, and Government Code § 6255.

Please note that the California Department of Corrections and Rehabilitation is still reviewing documents that may be responsive to your request, and it is possible that additional documents and/or exemptions will be identified during the review and compilation of these records.

If you have any questions I can be reached at (415) 454-1460 extension 5757.

Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison



University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200 510.289.1600 jmoreno@law.berkeley.edu

June 4, 2013

PRA Administrators
California Department of Corrections and Rehabilitation
1515 S Street, Suite 314S
Sacramento, CA 94283-0001

Dear PRA Administrator,

I am writing on behalf of the Berkeley Law Death Penalty Clinic to request records from the California Department of Corrections and Rehabilitation (CDCR) pursuant to the state open records law, Cal. Gov't Code Sections 6250 to 6277. I seek copies of all the following records in the CDCR's possession, regardless of who created them:

- 1. All documents related to any and all drugs intended or considered for use in executions.
- 2. All documents related to the expiration date of any and all drugs intended or considered for use in executions currently in the possession of the CDCR.
- 3. All documents related to the lot numbers of any and all drugs intended or considered for use in executions currently in the possession of the CDCR.
- 4. Any and all drug or inventory logs from March 1, 2013 to the present.
- 5. Any and all chain of custody documents, including form 2176, relating to drugs intended or considered for use in executions.
- 6. All documents related to any and all activity by CDCR from March 1, 2013 to the present to purchase or acquire any drugs for use in executions, including purchase orders
- 7. All documents related to the manufacturers and/or distributors of any and all drugs intended or considered for use in executions.
- 8. Any correspondence between CDCR and any party from March 1, 2013 to the present regarding drugs intended or considered for use in executions.
- 9. Any and all equipment and controlled substance accountability reports, and documents relating thereto, from January 2011 to the present.
- 10. All documents related to the provision of any drugs intended or considered for use in executions to other persons, agencies, including Departments of Corrections in other states from January 2011 to the present.

The term "records" as used in this request is defined as "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical from or characteristics." Cal. Gov't Code § 6252, subsection (e). "Writing" is defined as "any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, picture, sounds, or symbols, or combination thereof, and any record thereby created, regardless of the manner in which the record has been stored." Cal. Gov't Code § 6252, subsection (g).

If your agency does not maintain these public records, please let me know who does and include the proper custodian's name and address. I agree to pay any reasonable copying and postage fees of not more than \$25. If the cost would be greater than this amount, please notify me. Please provide a receipt indicating the charges for each document.

As provided in Sec. 6253(c), I will expect your response within ten (10) business days.

If you choose to deny this request, please provide a written explanation for the denial including a reference to the specific statutory exemption(s) upon which you rely. Also, please provide all segregable portions of otherwise exempt material.

Thank you for your assistance.

Sincerely,

Jennifer M. Moreno

Staff Attorney

Death Penalty Clinic

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PRA Administrators California Department of Corrections and Rehabilitation

Sacramento, CA 94283-0001 1515 S Street, Suite 314S

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Berkeley, CA 94720-7200

392 Simon Hall

Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



June 20, 2013

Jennifer Moreno University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 4, 2013

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 4, 2013 and received on June 10, 2013. Your request is under review and a 14-day extension of time is necessary under Government Code Section 6253(c) to determine whether the requested documents may be publicly disclosed.

We will provide you a page count as well as the cost for duplication for these records on or before July 4, 2013.

If you have any questions I can be reached at (415) 454-1460 extension 5757.

Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison

Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



July 3, 2013

Jennifer Moreno University of California, Berkeley School of Law 392 Simon Hall Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 4, 2013

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation (CDCR) dated June 4, 2013 and received on June 10, 2013.

We have identified approximately 134 pages which are responsive to your request. The duplication fees for this request are \$21.40 (134 pages at .12 each (\$16.08) plus postage of \$5.32). The responsive documents will be mailed upon receipt of this payment. Please mail the payment to: B. Ebert, Litigation Coordinator, San Quentin State Prison, San Quentin, CA 94964.

A portion of the records that you requested are exempt from disclosure under the Public Records Act and will not be provided to you. The applicable exemptions, more fully discussed below, include: Government Code §§ 6254 (a), (b), (c), (f), (k), and (l); Business & Professions Code §§ 6068 and 6202; Evidence Code §§ 952, et seq. and 1040; Code of Civil Procedure § 2018.030; Penal Code §§ 832.7 and 832.8; and Government Code § 6255.

Records that are drafts not kept in the ordinary course of business will not be disclosed pursuant to Government Code § 6254 (a).

Disclosure of some documents could compromise the safety and security of the institutions, staff, offenders, and others. These records will not be disclosed pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in *Procunier v. Superior Court of Monterey County* (1973) 35 Cal.App.3d 211.

Documents that are protected by the attorney-client privilege, attorney work product, or were specifically prepared for CDCR's use in pending litigation will not be disclosed pursuant to Government Code §§ 6254 (b) and (k), Business & Professions Code §§ 6068 and 6202; Evidence Code § 952, et seq. and the Code of Civil Procedure § 2018.030.

Pursuant to Government Code § 6254 (1), CDCR will not provide any records reflecting communications with the Governor or his staff.

Records that would impose an unwarranted invasion of personal privacy, personnel records, or records deemed "protected information" by the Protective Order issued on April 3, 2006 in Morales v. Woodford, et al., U.S. District Court for the Northern District of California case numbers 06 219 and 06 926 (including those indicating names, ranks, job descriptions, and other identifying information of members of the execution team) will be withheld consistent with the Protective Order, pursuant to Government Code §§ 6254 (f) and (k), Evidence Code § 1040, as discussed in Procurier v. Superior Court of Monterey County (1973) 35 Cal.App.3d 211, Government Code §§ 6254 (c) and (k), Penal Code §§ 832.7 and 832.8, and Government Code § 6255.

Please note that the California Department of Corrections and Rehabilitation is still reviewing documents that may be responsive to your request, and it is possible that additional documents and/or exemptions will be identified during the review and compilation of these records.

If you have any questions I can be reached at (415) 454-1460 extension 5757.

Sincerely,

R Ebert

Correctional Counselor II, Specialist

Litigation Coordinator San Quentin State Prison

Division of Adult Operations

San Quentin State Prison San Quentin, CA 94964



August 2, 2013

Jennifer Moreno
University of California, Berkeley
School of Law
392 Simon Hall
Berkeley, CA 94720-7200

Re: Public Records Act Request dated June 4, 2013

Dear Ms. Moreno:

This is in response to your request for records from the California Department of Corrections and Rehabilitation dated June 4, 2013 and received on June 10, 2013. You have been provided with 134 pages that are responsive to this request.

Records responsive to numbers one, two, three, five, and seven of this request have been previously provided to you in connection with your Public Record Act Requests dated September 2011, June 2012 and January 2013. Please advise if you would like these records provided to you again at the cost of 12 per page.

There are no records responsive to numbers six, eight, and ten of your request.

If you have any questions I can be reached at (415) 454-1460 extension 5757.

Sincerely,

B. Ebert

Correctional Counselor II, Specialist

Litigation Coordinator

San Quentin State Prison