

**OFFICE OF THE SECRETARY**

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July 14, 2010

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OFFICE OF  
 ADMINISTRATIVE LAW

Susan Lapsley, Director  
 Office of Administrative Law  
 300 Capitol Mall, Suite 1250  
 Sacramento, CA 95814

*Debra Bowen*  
 DEBRA BOWEN  
 SECRETARY OF STATE

2010 JUL 20 PM 1:29  
 ENDORSED FILED  
 IN THE OFFICE OF

Dear Ms Lapsley:

This letter is in response to two Petitions for Determination that were recently received by your office. One was authored by Robert Garcia dated May 5, 2010 and the other by Carter White of the University of California Davis Civil Rights Clinic dated May 24, 2010. Both petitions challenge a 60-day limit on the use of picture identification issued by the Mexican Consulate as proof of identity when approved visitors arrive to visit inmates at facilities operated by the California Department of Corrections and Rehabilitation (CDCR).

After reviewing the appropriate section in Title 15, Division 3, Section 3173, the CDCR will no longer enforce a 60-day limit on the use of picture identification issued by the Mexican Consulate also known as the Matricula Consular de Alta Seguridad for proof of identification for approved visitors. I make this certification in accordance with Section 280 of Title 1, California Code of Regulations (CCR).

However, the CDCR will enforce the provisions of sections 3172 (e) and 3172.1(b)(6)(C) of Title 15, Division 3, CCR that require those who are applying to be visitors provide sufficient personal identification to perform a criminal records clearance before being approved as a visitor. Copies of this certification have been sent to Mr. Garcia and Mr. White as required by Section 280 (a) of Title 1, CCR.

If you have any questions or concerns, please contact me at 323-6001, or Tim Lockwood, Chief, Regulation and Policy Management Branch (RPMB), at 255-5500.

Sincerely,

SCOTT KERNAN  
 Undersecretary, Operations,

cc: Matthew L. Cate, Secretary, California Department of Corrections and Rehabilitation  
 Tim Lockwood, Chief, RPMB