

OFFICE OF THE SECRETARY

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February 14, 2013

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

RECEIVED

FEB 15 2013

Debra M. Cornez, Director
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

STATE OF CALIFORNIA
OFFICE OF
ADMINISTRATIVE LAW

Dear Ms. Cornez:

This letter is in response to a Petition for Determination recently received by your office on October 22, 2012. The petition was dated October 16, 2012 authored by Bismark Martinez and challenges a policy put forth in various memoranda excluding Cuban, Vietnamese, Cambodian, and Laotian inmates from participation in the California Department of Corrections and Rehabilitation's (CDCR) fire camp program.

CDCR has reviewed the relevant memoranda and California Code of Regulations (CCR), Title 15, Division 3, Section 3375.2(a)(4), as well as obtained information from the United States Immigration and Customs Enforcement regarding deportation operations. As a result, CDCR will no longer enforce the exclusion of Cuban, Vietnamese, Cambodian, and Laotian inmates; and henceforth determine fire camp eligibility utilizing the same criteria being used with all other foreign-born CDCR inmates.

I make this certification in accordance with Section 280 of Title 1, CCR. A copy of this certification has been sent to Mr. Martinez as required by Section 280 (a) of Title 1, CCR.

If you have any questions or concerns, please contact Daniel Cueva, Special Assistant to the Undersecretary, at 916-323-4548, or Tim Lockwood, Chief, Regulation and Policy Management Branch (RPMB), at 916-445-2212.

Sincerely,

TERRI MCDONALD
Undersecretary, Operations
California Department of Corrections and Rehabilitation

Enclosures

cc: Jeffrey A. Beard, PhD, Secretary, California Department of Corrections and Rehabilitation
Tim Lockwood, Chief, Regulation and Policy Management Branch