[DATE] 2023

CA Dept. of Corrections & Rehabilitation
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

**RE: Condemned Inmate Transfer Program (CITP)**

Dear CDCR Administrator,

I am writing to express my concerns regarding the CITP and how it may negatively affect death-sentenced individuals, system-impacted families, and local legal counsel. **As currently drafted, the CITP**:
 **1) Presents undue hardships to prisoners’ mental and physical health**. A relocation forced on those reluctant to move could be psychologically traumatic and damaging, especially to those who are elderly (over 30% of prisoners are 60 years and older), in fragile health, or have long been held on Death Row (over 67% have been housed on Death Row for more than 20 years). If people are to be moved, the process should include medical preauthorization, and they must receive appropriate and timely mental and physical programmatic support to prepare for and sustain this massive transition.

**2) Presents considerable safety concerns.** Many people have spent decades housed in single-cell housing on Death Row, so housing specifications and needs must be carefully evaluated in consultation with healthcare staff and legal counsel to ensure the psychological and physical safety of all prisoners and staff at any institution.

**3) Presents undue hardship to the friends and family of prisoners in the Bay Area** by exacerbating the physical distance between them and their incarcerated loved ones. Research has shown and CDCR on its own website “recognizes that maintaining family and supportive contact through regular visiting is an important and vital way to reduce recidivism.” Involuntary relocations would mean fewer contact visits. Many families have moved to the Bay Area to be closer to their loved ones and may be compelled to move once again. CDCR should consider proximity to family/loved ones in determining the prison to which each person will be relocated. The CITP pilot program was successful in large part because people moved closer to their families.

**4) Presents undue hardship to local counsel** and negatively impedes on their ability to meet their constitutional duty of effective representation to their clients. Requiring post-conviction counsel to visit clients dispersed throughout the state at distant, separate prisons will mean additional time and travel at additional taxpayer expense. Combining visits to multiple death-sentenced clients at San Quentin is more cost-efficient to the State.

**5) Presents disruption to or delay of litigation in the courts** as a result of compromising attorney access to their clients in a timely manner. The CITP also lacks clarity, specificity, and transparency regarding the timeline for the transfers, management of prisoners’ property and legal materials, and work requirements (i.e. those who are elderly, physically disabled, mentally unfit, or with innocence claims should be exempt). Finally, the current CITP does not but **should consider the alternative of allowing those who wish to remain at San Quentin to do so**.

I urge CDCR officials to carefully consider modifying the parameters and scope of the current CITP when finalizing regulations and to take sufficient time in determining moves and options for each individual, commensurate with their health requirements, security needs, and case factors.

Respectfully Submitted,