

## DIVISION OF ADULT INSTITUTIONS

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



August 14, 2018

Edwin Hutchison, CDCR# P68859  
San Quentin State Prison

RE: Sentence Reduction

Mr. Hutchison,

This letter is regarding your correspondence dated June 24, 2018, requesting a recall of sentence.

In your letter to S. Kernan, Agency Secretary, you requested that staff complete a Diagnostic Study and Evaluation Report in order for you to have your case reviewed for a recall of commitment.

The Department Operations Manual (DOM), California Penal Code and California Code of Regulations (CCR) Title 15 were referenced in providing a response to your request.

CCR Title 15 Section 3076.2 states "Requests for consideration which are initiated by the facility at any time or by the sentencing court more than 120 days after the date of the inmate's commitment shall be referred to the Classification and Parole Representative (C&PR)". Therefore your request for a Recall of Commitment would normally start at the institution.

DOM Article 6 Recall of Commitment Section 62020.4 states "Departmental staff shall recommend to the Director and request that recall consideration be considered for those inmates who, in the interest of justice, could be properly managed outside the Department and where alternate placement had not been explored by the sentencing court". Based on this mandate, inmates shall not direct their request to the Director it must originate from Departmental staff, however your case was submitted for a review and the diagnostic study has been completed. Within the next 30 days the Director and Agency Secretary will review your case and if approved a recommendation will be made to the courts requesting a recall of commitment, at that time you will be contacted by a Public Defender who will provide you with additional information.