

Case Nos. 13-15263, 13-15267

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

JOHN DOE, *et al.*,

Plaintiffs-Appellees,

v.

DAPHNE PHUNG, *et al.*,

Intervenors-Appellants,

and

KAMALA D. HARRIS, Attorney General of the State  
of California,

Defendant-Appellant.

On Appeal from the United States District Court  
for the Northern District of California  
No. 3:12-cv-05713-THE  
The Honorable Thelton E Henderson, Judge

**APPELLEES' SUPPLEMENTAL EXCERPTS OF RECORD**

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*Counsel for Plaintiffs-Appellees JOHN DOE, et al.*

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DATED: May 8, 2013

Respectfully submitted,

By: /s/ Michael T. Risher

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Linda Lye  
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NORTHERN CALIFORNIA, INC.  
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*Counsel for Plaintiffs-Appellees  
JOHN DOE, et al.*



1 KAMALA D. HARRIS  
 Attorney General of California  
 2 PETER K. SOUTHWORTH  
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 3 ROBERT D. WILSON  
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 7 E-mail: Robert.Wilson@doj.ca.gov  
 Attorneys for Kamala D. Harris,  
 8 Attorney General of California

9  
 10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 **JOHN DOE, JACK ROE, AND**  
 13 **CALIFORNIA REFORM SEX OFFENDER**  
 14 **LAWS, ON BEHALF OF THEMSELVES AND**  
 15 **OTHERS SIMILARLY SITUATED,**

16 Plaintiffs,

17 v.

18 **KAMALA D. HARRIS, ATTORNEY**  
 19 **GENERAL OF CALIFORNIA, AND CITY OF**  
 20 **ALAMEDA,**

21 DEFENDANTS.

Case No. 3:12-cv-05713-TEH

**STIPULATION OF COUNSEL RE  
 EXTENSION OF TEMPORARY  
 RESTRAINING ORDER AND BRIEFING  
 AND HEARING SCHEDULE  
 REGARDING PLAINTIFFS' MOTION  
 FOR PRELIMINARY INJUNCTION**

Courtroom: 12  
 Judge: Hon. Thelton E. Henderson  
 Trial Date: Not Set  
 Action Filed: November 6, 2012

22 On November 7, 2012, the court granted Plaintiffs' request for a temporary restraining  
 23 order ("TRO") pending a hearing on a motion whether a preliminary injunction should issue  
 24 against Defendant Kamala D. Harris, California Attorney General (the "Attorney General") in  
 25 this action. In issuing the order, the court invited the parties to meet and confer to attempt to  
 26 reach an agreement on an extension of the TRO and a briefing and hearing schedule on the  
 27 motion for a preliminary injunction. In a mutual effort to facilitate an efficient and expeditious  
 28 resolution of this matter, the parties, through their respective counsel, have met and conferred and

1 have reached an agreement regarding those dates and other issues. There have been no previous  
2 time modifications agreed to by the parties.

3 IT IS THEREFORE STIPULATED AND AGREED THAT:

4 1. Plaintiffs and defendant Attorney General wish to resolve the motion for a  
5 preliminary injunction without litigating the issue of class certification at this time, and the  
6 Attorney General does not concede the putative class meets the requirements of Rule 23 of the  
7 Federal Rules of Civil Procedure.

8 2. Plaintiffs and defendant Attorney General have agreed that the TRO and any  
9 preliminary injunctive relief granted by the Court will apply both to the named Plaintiffs and to  
10 all persons who are required to register under California Penal Code § 290, including those whose  
11 duty to register arises during the pendency of the TRO and any preliminary injunctive relief.

12 3. Based on agreement of counsel, the application of the TRO to “all California state  
13 and local law enforcement officers” shall be deleted. However, the California Department of  
14 Justice and local law enforcement will not require registrants to submit the information covered  
15 by the TRO so long as the TRO remains in effect.

16 4. The Attorney General does not concede any of the grounds for Plaintiffs’  
17 Administrative Motion to Proceed Anonymously and to file portions of their declarations under  
18 seal (Doc. 19), but will not oppose that motion. Plaintiffs will provide the Attorney General with  
19 the names and dates-of-birth of Plaintiffs Doe and Roe under a stipulated protective order that  
20 prohibits the Attorney General from publicizing or disseminating this information to any other  
21 person or entity, including local law-enforcement agencies, or from using it for any purpose other  
22 than defending this litigation, so that the Attorney General may evaluate their standing to bring  
23 this case. Plaintiffs agree that they will litigate this matter only as a facial challenge until further  
24 notice, in which case the Attorney General will not take any discovery from Plaintiffs Doe or Roe  
25 without leave of court. If Plaintiffs do decide to raise an as-applied challenge, they will provide  
26 the Attorney General with at least 45 days notice before filing any motion or other paper with the  
27 Court that raises such a challenge, so that the Attorney General may take any appropriate  
28 discovery.

1 5. The parties agree that the TRO, as modified by this stipulation, shall remain in effect  
2 until the Court issues its ruling on Plaintiffs' Motion for a Preliminary Injunction or January 11,  
3 2013, whichever occurs first.

4 6. The parties agree to request that the hearing on the preliminary injunction shall be set  
5 for December 17, 2012. The Attorney General's opposition papers shall be filed by November  
6 26, 2012. Plaintiffs shall file any reply papers by December 3, 2012.

7 7. The proponents of Proposition 35 have filed a Motion to Intervene in this action.  
8 Consistent with the requirement in the TRO that any brief by Defendant-Intervenors be filed at  
9 the same time as the Attorney General, if permitted to intervene, the proponents of Proposition 35  
10 shall file any opposition papers by the stipulated due date of the Attorney General's opposition  
11 papers, November 26, 2012.

12 8. As required by Civil L.R. 5-1(i)(3), the undersigned filer attests that concurrence in  
13 the filing of this document has been obtained from the other signatory.

14 Dated: November 13, 2012

Respectfully submitted,

15  
16 KAMALA D. HARRIS  
Attorney General of California  
17 PETER K. SOUTHWORTH  
Supervising Deputy Attorney General

18 /S/ ROBERT D. WILSON

19 ROBERT D. WILSON  
Deputy Attorney General  
20 *Attorneys for Defendant*  
21 *Kamala D. Harris, California Attorney*  
22 *General*

23 Dated: November 13, 2012

AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF NORTHERN CALIFORNIA

24 /S/ MICHAEL T. RISHER

25 MICHAEL T. RISHER  
26 *Attorneys for Plaintiffs John Doe, Jack Roe*  
27 *and California Reform Sex Offender Laws*

1 KAMALA D. HARRIS  
 Attorney General of California  
 2 PETER K. SOUTHWORTH  
 Supervising Deputy Attorney General  
 3 ROBERT D. WILSON  
 Deputy Attorney General  
 4 State Bar No. 136736  
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 5 P.O. Box 944255  
 Sacramento, CA 94244-2550  
 6 Telephone: (916) 327-7870  
 Fax: (916) 324-8835  
 7 E-mail: Robert.Wilson@doj.ca.gov  
 Attorneys for Kamala D. Harris,  
 8 Attorney General of California

9 IN THE UNITED STATES DISTRICT COURT  
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13 **JOHN DOE, JACK ROE, AND**  
 14 **CALIFORNIA REFORM SEX OFFENDER**  
 15 **LAWS, ON BEHALF OF THEMSELVES AND**  
 16 **OTHERS SIMILARLY SITUATED,**

Plaintiffs,

17 v.

18 **KAMALA D. HARRIS, ATTORNEY**  
 19 **GENERAL OF CALIFORNIA, AND CITY OF**  
 20 **ALAMEDA,**

Defendants.

Case No. 3:12-cv-05713-TEH

**[PROPOSED] ORDER RE EXTENSION  
 OF TEMPORARY RESTRAINING  
 ORDER AND BRIEFING AND  
 HEARING SCHEDULE REGARDING  
 PLAINTIFFS' MOTION FOR A  
 PRELIMINARY INJUNCTION**

Courtroom: 12  
 Judge: The Honorable Thelton E.  
 Henderson  
 Trial Date: Not Set  
 Action Filed: November 6, 2012

23 On November 7, 2012, this Court granted Plaintiffs' request for a temporary restraining  
 24 order ("TRO") pending a hearing on a motion whether a preliminary injunction should issue  
 25 against Defendant Kamala D. Harris, California Attorney General (the "Attorney General") in  
 26 this action. In issuing the order, the Court invited the parties to meet and confer to attempt to  
 27 reach an agreement on an extension of the TRO and a briefing and hearing schedule on the  
 28 Motion for a Preliminary Injunction. The parties, through their respective counsel, have met and

1 conferred and have reached an agreement regarding the continuance of the TRO, the briefing and  
2 hearing schedule for Plaintiffs' Motion for Preliminary Injunction, and other issues.

3 IT IS THEREFORE ORDERED THAT:

4 CLASS CERTIFICATION

5 1. Plaintiffs' Motion for a Preliminary Injunction will be resolved without litigating the  
6 issue of class certification at this time and without prejudice to the Attorney General to later  
7 challenge class certification.

8 SCOPE AND EXTENSION OF TEMPORARY RESTRAINING ORDER

9 2. Pursuant to the stipulation of the parties, the TRO and any preliminary injunctive  
10 relief granted by the Court will apply both to the named Plaintiffs and to all persons who are  
11 required to register under California Penal Code § 290, including those whose duty to register  
12 arises during the pendency of the TRO and any preliminary injunctive relief.

13 3. The application of the TRO to "all California state and local law enforcement  
14 officers" shall be deleted. However, the California Department of Justice and local law  
15 enforcement will not require registrants to submit the information covered by the TRO so long as  
16 the TRO remains in effect.

17 4. The parties agree that the TRO, as modified by this stipulation, shall remain in effect  
18 until the Court issues its ruling on Plaintiffs' Motion for a Preliminary Injunction or January 11,  
19 2013, whichever occurs first.

20 PLAINTIFFS' MOTION TO PROCEED ANONYMOUSLY AND FILE UNDER SEAL

21 5. If Plaintiffs are permitted to proceed anonymously, Plaintiffs will provide the  
22 Attorney General with the names and dates-of-birth of Plaintiffs Doe and Roe under a stipulated  
23 protective order that prohibits her from publicizing or disseminating this information to any other  
24 person or entity, including local law-enforcement agencies, or from using it for any purpose other  
25 than defending this litigation, so that the Attorney General may evaluate their standing to bring  
26 this case.



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FACIAL CHALLENGE TO PROPOSITION 35

6. Pursuant to the agreement of the parties, Plaintiffs will litigate this matter only as a facial challenge until further notice, in which case the Attorney General will not take any discovery from Plaintiffs Doe or Roe without leave of court. If Plaintiffs later raise an as-applied challenge to Proposition 35, they will provide the Attorney General with at least 45 days notice before filing any motion or other paper with the Court that raises such a challenge, so that the Attorney General may take any appropriate discovery.

SCHEDULING OF MOTION FOR PRELIMINARY INJUNCTION

7. The hearing on the preliminary injunction shall be set for December 17, 2012, at 10:00 a.m. The Attorney General’s opposition papers shall be filed by November 26, 2012. Plaintiffs shall file any reply papers by December 3, 2012.

8. The proponents of Proposition 35 have filed a Motion to Intervene in this action. Consistent with the requirement in the TRO that any brief by Defendant-Intervenors be filed at the same time as the Attorney General, if permitted to intervene, the proponents of Proposition 35 shall file any opposition papers by the stipulated due date of the Attorney General’s opposition papers, November 26, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: November \_\_\_\_\_, 2012 By \_\_\_\_\_

HONORABLE THELTON E. HENDERSON

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**CERTIFICATE OF SERVICE**

Case Name: Doe, John v. Kamala Harris No. 3:12-cv-05713-TEH

I hereby certify that on November 13, 2012, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**STIPULATION OF COUNSEL RE EXTENSION OF TEMPORARY RESTRAINING ORDER AND BRIEFING AND HEARING SCHEDULE REGARDING PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION; and**

**[PROPOSED] ORDER RE EXTENSION OF TEMPORARY RESTRAINING ORDER AND BRIEFING AND HEARING SCHEDULE REGARDING PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On November 13, 2012, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

**VIA Golden State Overnight Mail and E-Mail**

Farimah Faiz  
Senior Assistant City Attorney  
Office of the City Attorney  
City of Alameda  
2263 Santa Clara Avenue, Room 280  
Alameda, CA 94501  
E-Mail: FFaiz@ci.alameda.ca.us

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 13, 2012, at Sacramento, California.

Brenda Apodaca  
Declarant

/s/ Brenda Apodaca  
Signature

1 KAMALA D. HARRIS  
 Attorney General of California  
 2 PETER K. SOUTHWORTH  
 Supervising Deputy Attorney General  
 3 ROBERT D. WILSON  
 Deputy Attorney General  
 4 State Bar No. 136736  
 1300 I Street, Suite 125  
 5 P.O. Box 944255  
 Sacramento, CA 94244-2550  
 6 Telephone: (916) 327-7870  
 Fax: (916) 324-8835  
 7 E-mail: Robert.Wilson@doj.ca.gov  
*Attorneys for Kamala D. Harris,*  
*Attorney General of California*  
 8

9 IN THE UNITED STATES DISTRICT COURT  
 10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 11  
 12

13 **JOHN DOE, JACK ROE, AND**  
**CALIFORNIA REFORM SEX OFFENDER**  
**LAWS, ON BEHALF OF THEMSELVES AND**  
**OTHERS SIMILARLY SITUATED,**  
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 19 **KAMALA D. HARRIS, ATTORNEY**  
**GENERAL OF CALIFORNIA, AND CITY OF**  
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Case No. 3:12-cv-05713-TEH

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 25 against Defendant Kamala D. Harris, California Attorney General (the "Attorney General") in  
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 28 Motion for a Preliminary Injunction. The parties, through their respective counsel, have met and

1 conferred and have reached an agreement regarding the continuance of the TRO, the briefing and  
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3 IT IS THEREFORE ORDERED THAT:

4 CLASS CERTIFICATION

5 1. Plaintiffs’ Motion for a Preliminary Injunction will be resolved without litigating the  
6 issue of class certification at this time and without prejudice to the Attorney General to later  
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14 officers” shall be deleted. However, the California Department of Justice and local law  
15 enforcement will not require registrants to submit the information covered by the TRO so long as  
16 the TRO remains in effect.

17 4. The parties agree that the TRO, as modified by this stipulation, shall remain in effect  
18 until the Court issues its ruling on Plaintiffs’ Motion for a Preliminary Injunction or January 11,  
19 2013, whichever occurs first.

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24 person or entity, including local law-enforcement agencies, or from using it for any purpose other  
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SCHEDULING OF MOTION FOR PRELIMINARY INJUNCTION

7. The hearing on the preliminary injunction shall be set for December 17, 2012, at 10:00 a.m. The Attorney General’s opposition papers shall be filed by November 26, 2012. Plaintiffs shall file any reply papers by December 3, 2012.

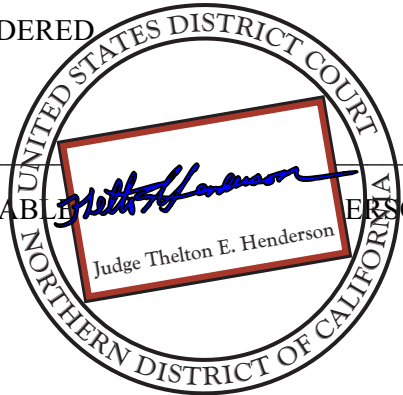
8. The proponents of Proposition 35 have filed a Motion to Intervene in this action. Consistent with the requirement in the TRO that any brief by Defendant-Intervenors be filed at the same time as the Attorney General, if permitted to intervene, the proponents of Proposition 35 shall file any opposition papers by the stipulated due date of the Attorney General’s opposition papers, November 26, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: November 14, 2012

By \_\_\_\_\_

HONORABLE \_\_\_\_\_ PERSON



1 MICHAEL T. RISHER (SB# 191627)  
 1 mrisher@aclunc.org  
 2 LINDA LYE (SB# 215584)  
 2 llye@aclunc.org  
 3 AMERICAN CIVIL LIBERTIES UNION  
 3 FOUNDATION OF NORTHERN CALIFORNIA, INC.  
 4 39 Drumm Street  
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6 HANNI FAKHOURY (SB# 252629)  
 6 hanni@eff.org  
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 9 454 Shotwell Street  
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 10 Telephone: (415) 436-9333  
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 11

12 Attorneys for Plaintiffs  
 12 JOHN DOE, et al.  
 13 on behalf of themselves and others similarly  
 13 situated  
 14

15 **UNITED STATES DISTRICT COURT**  
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 17

18 JOHN DOE, et al., on behalf of themselves and )  
 18 others similarly situated, )  
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 19 Plaintiffs, )  
 20 )  
 20 vs. )  
 21 )  
 21 KAMALA D. HARRIS, et al., )  
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 22 Defendants. )  
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3:12-CV-05713-TEH

**Supplemental Declaration of Michael T. Risher in support of administrative motion to submit notice of grant of certiorari and clarifying evidence**

1 I, Michael T. Risher, declare as follows:

2  
3 1. I am a Staff Attorney with the American Civil Liberties Union Foundation of  
4 Northern California and counsel for Plaintiffs in this action. I am admitted to the bar of the United  
5 States District Court for the Northern District of California. The following facts are based on my  
6 own personal knowledge and, if called as a witness, I could and would testify competently thereto.

7 2. Attached to this declaration as exhibit A is a true and correct copy of an email that I  
8 received on December 7, 2012, from California Deputy Attorney General Michael Dolida. The  
9 email incorporates a request I had submitted under the California Public Records Act for a copy of  
10 the 2009 CASOMB survey of local law-enforcement agencies.

11 3. Attached to this declaration as exhibit B is a true and correct copy of the attachment  
12 to Mr. Dolida's email, the survey itself. The orientation of some of the pages has been changed  
13 from the original PFD file so that they are right-side-up.

14 4. This morning I emailed opposing counsel to ask whether they would stipulate to the  
15 filing of this motion and the Court's consideration of the information included in it. In response,  
16 Robert Wilson, counsel for Defendant Harris, stated that his office declined to so stipulate; James  
17 Harrison, counsel for proposed Intervenors, stated that his clients have no objection to our  
18 providing this information to the Court.

19 I declare under penalty of perjury under the laws of the United States and the State of  
20 California that the foregoing is true and correct.

21 Executed this 11th day of December, 2012 in San Francisco, California.

22  
23 /s/ Michael T. Risher

24 Michael T. Risher  
25  
26  
27  
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**Michael Risher**

---

**From:** Michael Dolidia <Michael.Dolidia@doj.ca.gov>  
**Sent:** Friday, December 07, 2012 4:51 PM  
**To:** Michael Risher  
**Subject:** Public Records Act Request  
**Attachments:** 2009 CASOMB Survey.pdf

**Categories:** email followup

Mr. Risher,

We have received and reviewed your recent request for records under the California Public Records Act (PRA). Specifically, you have requested a copy of the of 2009 CASOMB Survey of local law enforcement agencies.

After a diligent search, we were able to locate a hard copy of the requested survey. I have scanned the 2009 survey and included an electronic copy of the survey as an attachment to this e-mail. As you will notice, the survey was actually conducted online through a third party, SurveyMonkey.com. We contacted SurveyMonkey.com and requested copies of any records that the company still possessed regarding the 2009 survey. However, SurveyMonkey.com was unable to provide us with any further records.

Sincerely,

**Michael Dolidia**

Michael Dolidia  
Deputy Attorney General

**From:** Michael Risher [<mailto:mrisher@aclunc.org>]  
**Sent:** Tuesday, November 20, 2012 4:01 PM  
**To:** Janet Neeley  
**Cc:** 'Susan.Jensen@cdcr.ca.gov'  
**Subject:** request for information about/copy of 2009 CASOMB Survey of local law enforcement agencies

Dear Ms. Neeley:

I have been trying to track down information about the February 2009 CASOMB survey of local law-enforcement agencies for some time, but with no luck. I just spoke with Ms. Jensen, who recommended that I email you.

Specifically, I am trying to obtain details about the following part of the survey, as reported at pages 56- 57 of the January 2010 CASOMB Recommendations Report (available at [http://www.casomb.org/docs/CASOMB%20Report%20Jan%202010\\_Final%20Report.pdf](http://www.casomb.org/docs/CASOMB%20Report%20Jan%202010_Final%20Report.pdf)):

Regarding public notifications on the presence of registered sex offenders in the community, 39% of responding agencies conducted proactive notifications and supplied information to the community above and beyond what already appears on the public website, [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). Six of the agencies which conducted notifications held public meetings in 2007. Other agencies had conducted notifications by distributing flyers at schools or door-to-door, or at community events such as a Halloween event booth. One agency reported using a combination of notification to the media, flyers, and e-mails and notifications to subscribers via their own agency information web site.

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Can you tell me what "proactive notifications" means in this context? I assume that it refers to notifying community members of the presence of a 290 registrant in the absence of any indication that a crime has been committed; is that accurate?

Also, I would like to request a copy of the survey, or at least the part of it that asked about community notification, under the Public Records Act (I have not been able to locate one on the web). If you can email me an electronic copy (or, if it is somewhere on the web, tell me where), that would be great. If not, please mail me a hard copy and I will promptly pay any copying costs. Or, if it would be faster, please let me know when I or one of my colleagues can come to the CASOMB office to inspect it under Government Code section 6253(a).

Thank you, and please let me know if I can do anything to clarify or expedite this request.

Michael T. Risher  
Staff Attorney  
ACLU of Northern California  
39 Drumm St.  
San Francisco CA 94111  
415.621.2493

**CONFIDENTIALITY NOTICE:** This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

SurveyMonkey.com - Powerful tool for creating web surveys. Online survey software made easy!

Page 1 of 3



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because knowledge is everything

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### Welcome Back!

As a professional subscriber, we especially value your feedback. If you have a suggestion or complaint, feel free to contact us.

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### Meet Our New Friend...

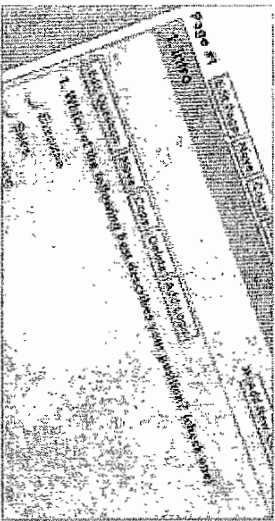


MailChimp provides do-it-yourself email marketing services to over 10,000 customers worldwide. Create

## The simple way to create surveys.

Intelligent survey software for primates of all species. SurveyMonkey has a single purpose: to enable anyone to create professional online surveys quickly and easily. Find out what everyone is talking about...

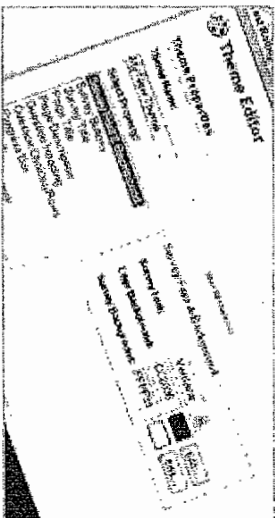
### Design Your Survey



#### Powerful Survey Designer

Using just your web browser, create your survey with our intuitive survey editor. Select from over a dozen types of questions (multiple choice, rating scales, drop-down menus, and more...). Powerful options allow you to require answers to any question, control the flow with custom skip logic, and even randomize answer choices to eliminate bias.

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#### Complete Creative Control

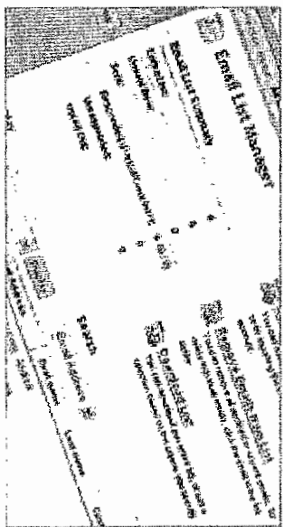
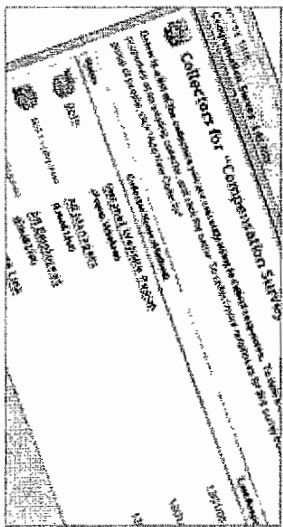
You can change the color, size, and style of any element in your survey. Upload your own logo, and save custom themes to use on all your surveys. There are never any advertisements, so your surveys will always have a clean and professional appearance.

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professional, eye-catching HTML emails in minutes.

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### Collect Responses



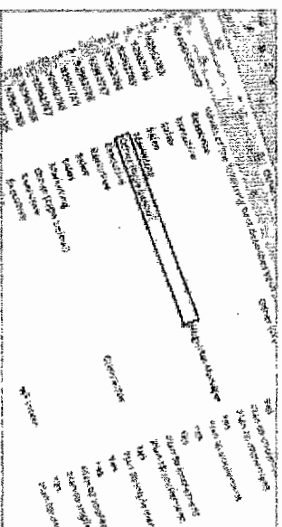
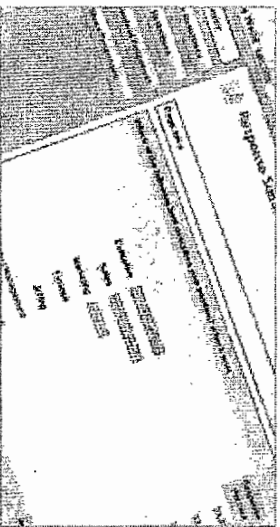
### Pick Your Collection Method

Sending your survey via email? Putting a link on your blog? Collecting responses is as simple as copying and pasting a link to your survey. We even give you the option to stop collection automatically when you reach a date or response count that you specify.

### Have Us Send Your Survey

You can send a survey invitation to your own email list using our simple list management tool. Track who responds to your survey, and send follow-up reminders to those who don't. We'll even manage opt-outs automatically for you.

### Analyze Your Results



### Powerful Reporting Tools

View your results as they are collected in real-time. Watch live graphs and charts, and then dig down to

### Download Your Results

With one click, you can download a summary of your

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Page 3 of 3

get individual responses. Securely share your survey results with others. Powerful filtering and cross tabulation allows you to display only the responses you're interested in.

View Example Report

results in multiple formats. If you're a statistics nut, you can download all of the raw data you've collected as a spreadsheet. As a reminder, all the data you collect remains absolutely private.

Download Example Export Formats



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survey title:

**Copy of Sex Offender  
Registration and  
Enforcement** [Edit Title](#)

[design survey](#)

[collect responses](#)

[analyze results](#)

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### Edit Survey

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To change the look of your survey, select a theme below.

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Page #1

[Edit Page](#)

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### 1. Default Section

[Add Question Here](#)

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**1. How many registered sex offenders are in your jurisdiction?**

[Add Question Here](#)

[Split Page Here](#)

[Edit Question](#)

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**2. How many of the registrants are under some type of formal supervision?**

Parole

Felony

County

Probation

United

States

Probation

(Federal)

Summary

Add Question Here Split Page Here

Edit Question Move Copy Delete Add Logic

**3. Do you have investigators assigned to sex offender tracking/monitoring and enforcement? (If no, skip to question number 7)**

- Yes
- No

Add Question Here Split Page Here

Edit Question Move Copy Delete

**4. If yes, how many?**

Add Question Here Split Page Here

Edit Question Move Copy Delete

**5. How many are sworn? How many civilian?**

Sworn

Civilian

Add Question Here Split Page Here

Edit Question Move Copy Delete

**6. Do they have other duties besides sex offender monitoring and registration enforcement? If yes, please describe their duties.**

Add Question Here Split Page Here

Edit Question Move Copy Delete

**7. How many failure to register cases did your agency file in 2007?**

Add Question Here Split Page Here

Edit Question Move Copy Delete

**8. How many were the following:**

Felony

Misdemeanor

Add Question Here Split Page Here

Edit Question Move Copy Delete Add Logic

**9. Does your agency supply officers to a California Department of Justice Sexual Assault Felony Enforcemtn (SAFE) Task Force?**

- Yes
- No

Add Question Here Split Page Here

Edit Question Move Copy Delete

**10. If yes, how many officers/investigators?**

Add Question Here Split Page Here

Edit Question Move Copy Delete Add Logic

**11. Does your agency utilize the SAFE team exclusively for sex offender registration enforcement?**

- Yes
- No



Add Question Here Split Page Here

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**12. Does your agency conduct field compliance checks of sex offenders' registered residence addresses?**

- Yes
- No

Add Question Here Split Page Here

Edit Question Move Copy Delete Add Logic

**13. If yes, does your agency conduct the checks in conjunction with the presence of state parole and/or county/federal probation officers?**

- Yes
- No

Add Question Here Split Page Here

Edit Question Move Copy Delete Add Logic

**14. Does your agency conduct public notifications on the presence of sex offenders in the community?**

- Yes
- No

Add Question Here Split Page Here

Edit Question Move Copy Delete

**15. If yes, how many public meetings were done in 2007?**

Add Question Here Split Page Here

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Edit Question Move Copy Delete

**16. How were they notified? E-mail, flyers, community meetings, etc**

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Add Question Here Split Page Here

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Edit Question Move Copy Delete Add Logic

**17. Does your agency participate in any other multi-disciplinary team approach to the monitoring of sex offenders? (i.e. a team consisting of location law enforcement, state parole, probation, treatment providers, victim advocates/services/family support system representatives)**

Yes

No

Add Question Here
Add Page After

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12 Attorneys for Plaintiffs  
 13 JOHN DOE, *et al.*  
 on behalf of themselves and others similarly  
 14 situated

15  
 16 **UNITED STATES DISTRICT COURT**  
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

|    |   |  |
|----|---|--|
| 18 | JOHN DOE, <i>et al.</i> , on behalf of themselves and ) | Civil Case No. 3:12-cv-05713-TEH         |
| 19 | others similarly situated, )                            |  |
| 20 | Plaintiffs, )   | [Proposed] Order granting                |
| 21 | v. )  | Administrative Motion to                 |
| 22 | KAMALA D. HARRIS, <i>et al.</i> , )                     | submit notice of grant of certiorari and |
| 23 | Defendants. )   | clarifying evidence                      |
| 24 | )   |  |
| 25 | )   |  |

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[Proposed] Order Granting Administrative Motion to submit notice  
 of grant of certiorari and clarifying evidence  
 Case No.: 3:12-cv-05713-TEH

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The Court hereby grants Plaintiffs permission to advise the Court of two matters, subject to any objections that any party may raise at the hearing on this matter:

1. The recent grant of *certiorari* in *Perry v. Brown*, 671 F.3d 1052 (9th Cir. 2012), cited in each of the briefs submitted on the question of intervention. *Hollingsworth v. Perry*, --- S.Ct. ----, 2012 WL 3134429 (Dec. 7, 2012).
2. The actual language of the California State Sex Offender Management Board (“CASOMB”) survey discussed in Plaintiffs’ opening and reply brief on the merits, a copy of which Plaintiffs received from the state after they had already filed their reply brief and have now submitted to this Court for consideration.

IT IS SO ORDERED.

DATED: 12/18/2012 \_\_\_\_\_

