

No. 87717-3

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

Carl Williams,
Petitioner,

v.

State of Washington,
Respondent.

From the Superior Court for Clark County
Clark County Superior Court Cause No. 07-1-00326-6

In re Personal Restraint of Carl Williams

Petitioner:

Carl Williams, pro se

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520

8-7-2012:
PAYMENT OF FILING
FEE WAIVED


Susan L. Carlson
Supreme Court Deputy Clerk

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
12 AUG -7 AM 8:20
BY RONALD PERREPIER
CLERK

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I. IDENTITY OF PETITIONER

Carl Williams, pro se, is the petitioner on this matter.

II. ISSUES PRESENTED

- A. Whether the Clark County Jail Good-Time policy violates the Equal Protection Clause of the Fourteenth Amendment.
- B. Whether the Clark County Jail Good-Time policy inherently violates the Due Process Rights of the petitioner under the Fourteenth Amendment.

III. STATEMENT OF FACTS

The appellant was convicted by jury on November 21, 2007.

Appellant was in the Clark County jail from November 21, 2007 until March 7, 2008. Appellant received one additional day credit for April 10, 2007.

Under Former R.C.W. 9.94A.728 the appellant meets the requirements to receive one-third reduction in his sentence. Appellant does receive a one-third reduction from D.O.C.

The Clark County jail gave the appellant 19 days good-time based on fifteen-percent reduction.

Appellant did not receive any disciplinary sanctions to preclude him from receiving full good-time credit. See Appendix A, Inmate Request Slip.

IV. STANDARD OF REVIEW

A personal restraint petitioner may obtain relief by demonstrating either a constitutional violation or a violation of the laws of the State of Washington. RAP 16.4 (c) (2), (6); *In re Pers. Restraint of Cashaw*, 123 Wn.2d 138, 148, 866 P.2d 8 (1994). Constitutional guarantees protect against deprivation of life, liberty, or property interests without due process and an inmate has a limited interest in good-time credits. *In re Pers. Restraint of Dutcher*, 114 Wn.App. 755, 758, 60 P.3d 635 (2002). Thus, a [county jail] decision that wrongfully denies an inmate good-time credit results in an unlawful restraint of the inmate and can be challenged in a PRP if the inmate has no other means of obtaining judicial review of the decision. *Dutcher*, 114 Wn.App. at 758 (citing *In re Pers. Restraint of Capello*, 106 Wn.App. 576, 580-81, 24 P.3d 1074 (2001)).

V. ARGUMENT AND AUTHORITIES

Former R.C.W. 9.94A.728 reads in pertinent part:

- (1) [T]he term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and promulgated by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good-behavior and good-performance, as determined by the correctional agency having jurisdiction. [] If an offender is transferred from a county jail to the department, the administrator of a county jail shall certify to the department the amount of time spent in custody at the facility and the amount of earned release time.

- (1)(a) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 1990, and before July 1, 2003, the aggregate earned release time may not exceed fifteen percent of the sentence. In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 2003, the aggregate earned release time may not exceed ten percent of the sentence.

- (1)(c) In no other case shall the aggregate earned release time exceed one-third of the total sentence.

This R.C.W. mandates each agency to have a policy that defines how this early-release time will be earned and how and why it may be lost. The R.C.W. is clear that the agency will give credit based on good-behavior and good-performance. The R.C.W. does not allow for reduction of earned release time except when used as punishment for poor-behavior or poor-performance in violation of the rules previously promulgated by the agency. The R.C.W. authorizes an inmate's sentence to be reduced by one of four factors: 10%, 15%, 1/3, and 50%. Each

reduction has specific requirements and each inmate will only qualify for one of the four reductions.

This R.C.W. creates an expectation that an inmate will receive the statutory maximum good-time allowed unless he or she is sanctioned for poor-behavior or poor-performance.

A. The Clark County Jail Good-Time policy violates the Equal Protection Clause of the Fourteenth Amendment

“The Equal Protection Clause of the Fourteenth Amendment commands that no State shall ‘deny to any person within its jurisdiction the equal protection of the laws,’ which is essentially a direction that all persons similarly situated should be treated alike.” *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 439 (1985) (citing *Plyler v. Doe*, 457 U.S. 202, 216 (1982)). See also *State v. Shawn P.*, 122 Wn.2d 533, 559-60, 859 P.2d 1220 (1993).

The court appl[ies] strict scrutiny, if the individual is a member of a suspect class or the state action threatens a fundamental right. *State v. Shawn P.*, 122 Wn.2d at 560. [The court] appl[ies] intermediate scrutiny if the individual is a member of a “semi suspect” class or the state action threatens “important” rights. *Id.* If the state action does not threaten a fundamental or “important” right, or if the individual is not a member of a suspect or semi suspect class, [the court] appl[ies] a rational relationship or rational basis test. *Id.* Depending on the type of classification or right determines which of the three tests [the court] appl[ies]. *State v. Smith*, 117 Wn.2d 263, 277, 814 P.2d 652 (1991).

Heightened scrutiny applies here because if credit for good time were denied, a prisoner would be deprived of physical liberty. See *State v. Phelan*, 100 Wa.2d 508, 671 P.2d 1212 (1983).

Clark County's good-time policy (Appendix 'D') allows a maximum of fifteen percent reduction in an inmates sentence regardless of the statutory maximum allowed with the exception of an inmate worker crew that may receive a maximum of thirty percent. The petitioner was not part of the worker crew nor was he eligible to be.

Ferry County policy (Appendix 'B') and Pierce County policy (Appendix 'C') allows for a one-third reduction to all inmates with the exception of those that by statute are ineligible to receive that amount. Snohomish County did not respond to the public disclosure requests (see affidavit and Appendix 'E').

A person convicted of a crime that by statute would allow for a one-third reduction of their sentence would receive this reduction if they were convicted in Ferry County, Pierce County, or Snohomish County. However, that same person if convicted in Clark County would only receive a fifteen-percent reduction for good-time.

Each of the counties good-time policies indicates that full good-time credit is predicated on not receiving any disciplinary sanctions. Although the behavioral policies may vary slightly, the end result for a person that does not receive any sanctions in Clark County is still punishment by only receiving fifteen-percent reduction unlike the inmate in Ferry County, Pierce County or Snohomish County that would receive the maximum of one-third reduction. The petitioner has attempted to obtain copies of the Good-Time certificates from Ferry County,

Pierce County, and Snohomish County and was denied by all counties (see Appendix 'E' for copies of correspondence). Petitioner did receive a report from the Department of Corrections for Kevin Eric Gratiyas, attached as Appendix 'F'. This inmate received a one-third credit¹ for good-time from Snohomish County. See attached affidavit.

Clark County's policy essentially further punishes the petitioner by not giving him a one-third reduction, but then giving those that by statute are only eligible to receive fifteen-percent reduction, their maximum allowed. Clark County's policy also rewards those that by statute are only eligible to receive ten-percent reduction by allowing them to receive a fifteen-percent reduction.

By Clark County allowing one class of inmates to receive their statutory maximum good-time and then denying others their statutory maximum must be considered a violation of the Fourteenth Amendment.

Furthermore, the disparity of good-time policies between counties must also be considered a violation of the Fourteenth Amendment.

The petitioner has shown that two people similarly situated, one in Clark County and one in Ferry County, Pierce County or Snohomish County, are treated differently in violation of the Fourteenth Amendment.

The petitioner's good-time certificate from the Clark County jail to the Department of Corrections should be changed to reflect a one-third good-time

¹ *Gratiyas* was in the Snohomish jail for 48 days and received 24 days of good-time, for a total of 72 days credit. On the report from the D.O.C. the "(-) Cause Credits" line indicates the number of actual days in the county jail and the "(-) Good Time Credits" line indicates the number of good-time days the inmate received.

credit for a total of 54 good-time days with the calculation based on *State v. Williams*, 121 Wn.2d 655 (1993).

B. The Clark County Jail Good-Time policy inherently violates the Due Process Rights of the petitioner under the Fourteenth Amendment

Due process requires procedural protections before a prison inmate can be deprived of a protected liberty interest in good time credit. *Superintendent v. Hill Et Al.*, 105 S.Ct. 2768, 472 U.S. 445 (1985) (citing *Wolff v. McDonnell*, 418 U.S. 539 (1974)). See *Sandin v. Conner*, 515 U.S. 472, 477, 115 S.Ct. 2293, 132 L.Ed.2d 418 (1995) (holding that where a state creates right to earn good-time credits towards shortened prison sentence, prisoner's right "has real substance and is sufficiently embraced within Fourteenth Amendment 'liberty' to entitle him to those minimum procedures appropriate under the circumstances and required by the Due Process Clause to insure that the state-created right is not arbitrary abrogated".) Washington courts have long recognized that inmates have a limited interest in good-time credits. See *In re Pers. Restraint of Dutcher*, supra.

Good time is a prison discipline device. Though the details vary from state to state, good time statutes and regulations have several things in common. First, good time is a right, not a discretionary award. This "liberty interest," [] is not a procedural right to be considered for a discretionary benefit. Rather, this is a liberty interest of the most fundamental sort; the prisoner's right to walk out the prison gate and hear the clang behind him. Second, good time is lost only after discipline proceedings for violations of prison rules committed while behind bars. Third, the number of days is arithmetically calculable so a prisoner knows when

he enters prison that if he complies with the rules, he will be released a certain number of days before the end of the term to which he was sentenced. Fourth, any loss of good time is historical, not predictive. Good time should not be taken away for something he may do in the future. Prisons use the entitlement to good time and the reduction of good time, to give felons in their charge an incentive to behave themselves while in prison and to avoid a situation where a prisoner might think he has nothing to lose. *Hayward v. Marshall*, 603 F.3d 546 (9th Cir 2010).

Washington's current statutory scheme allows both county jails and the Department to award good-time credit. A county jail may award good-time credit for "good behavior and good performance" as determined by the county authorities. *In the Matter of the Personal Restraint of Teddy Glen Talley*, 172 Wn.2d 642 (2011). It is long settled that the county jails are best situated to decide how to control their respective inmates through discipline. Former R.C.W. 9.94A.728 mandates this. However, this R.C.W. does not authorize the agencies to arbitrarily lower an inmate's good-time through policy. The R.C.W. only mandates that they create policies for behavioral expectations and how good-time may be lost.

The county jails are still significantly able to control their inmate's behavior through good-time reductions if they give a one-third credit. By having more good-time available for an inmate to lose makes him more likely to behave himself.

By arbitrarily not giving the statutory maximum good-time credit, that is available to an inmate when earned, Clark County is violating former R.C.W. 9.94A.728 and the Due Process Clause of the Fourteenth Amendment by not holding a hearing before reducing an inmate's good-time.

VI. Conclusion

By Clark County only giving the petitioner a 15% reduction, the petitioner's release date is July 3, 2013. Had the petitioner been convicted in Ferry County, Pierce County, or Snohomish County or had been completely subject to D.O.C., his early release date would be June 10, 2013. This is a twenty-three day disparity.

For reason and authorities shown above the petitioner's PRP should be granted and his county good-time should be recalculated to reflect a one-third credit for time served in the Clark County jail, to-wit: 54 days.

Respectfully submitted this 6 of August, 2012

W.A.

Carl Williams

APPENDIX A

CLARK COUNTY CUSTODY DIVISION
INMATE REQUEST SLIP

ONE NAME PER KITE
INMATES NAME: Williams Carl CFN: 187777

CELL #: F1-46 DATE: 12-1-8

INFORMATION NEEDED ON: (CIRCLE ONE) Sentence, Fine, Cell Change,
Commissary, Money Account, Program Request, Suggestions For Improvements,
Disciplinary Appeals, Property Other.

COMMENTS: (BE SPECIFIC) ONE REQUEST PER KITE

I would like for someone to verify if I received any
sanctions that would have precluded me from receiving
Full good-time credit while I was here between
November, 31st 2007 and March 7th 2008.

(Past incarceration)

INMATE SIGNATURE: Williams DATE: 12-1-8

RECEIVING OFFICER: EB 4381 DATE: 12-1-08

FORWARDED TO: ~~Class~~ RECORDS DATE: 12-1-08

ANSWER TO REQUEST:

Your Jail and Goodtime Certification for
March shows we authorized
16 days of Goodtime Based on Clark
County Jail Policy -

No Disciplinary Sanctions to
Remove Goodtime

RESPONDING OFFICER / CLERK: J 3932 DATE: 12-5-08

APPENDIX B

POLICY



Cancels: ALL PREVIOUS
See Also: Policy 512

Approved by: SHERIFF
AND JAIL SUPERINTENDENT

POLICY 211 EARNING EARLY RELEASE CREDITS

This policy applies to the earning of early release credits by inmates.
Reference RCW 9.92.151

This policy also applies to the figuring of release dates.

1. Inmates Earn Good Time

- a. All inmates housed in the Ferry County Jail, except as listed below, will earn good time of 1/3:
 - 1) When court ordered straight time;
 - 2) Loss of good time due to disciplinary action.
 - 3) Class A felony Sex offender convicted after July 2003 will be calculated at 10 percent good time credit and 15 percent if convicted prior to July 2003.

2. Figuring Release Date

Corrections staff will figure all release dates upon receipt of the judgment and sentence. A Senior Officer will verify all release dates.

APPENDIX C

2007

2.10.01 EARNED RELEASE CREDIT

ERC at 33%: Earned Release Credit will be given to inmates serving two or more days in the PCDDC.

ERC at 15%: Inmates who have committed serious, violent or sex offences (class A felonies committed on or after July 1, 1990 - Murder 1st and 2nd, Homicide by Fire, Assault 1st, Kidnapping 1st, Rape 1st and 2nd, Rape of a Child 1st and 2nd, Assault of a Child and Child Molestation). Any attempt, criminal solicitation or criminal conspiracy to commit any of the above crimes. Any Federal or out-of-state conviction for the equivalent offense.

Denied ERC (0%): No person who assaults or causes injury to any staff member, attempts escape, causes damage to County property, fails an alternative jail program or commits two or

Computation of Release Dates Chapter 2.10

more major infractions during their current term of incarceration will be granted early release, nor shall such person earn early release credit.

ERC at 15%-Inmates who have committed serious, violent or sex offences (class A felonies committed on or after July 1, 1990 - Murder 1st and 2nd, Homicide by Fire, Assault 1st, Kidnapping 1st, Rape 1st and 2nd, Rape of a Child 1st and 2nd, Assault of a Child and Child Molestation). Any attempt, criminal solicitation or criminal conspiracy to commit any of the above crimes, any federal or 'out of state' conviction for the equivalent offense.

APPENDIX D

GOODTIME

Chapter 5.13

SECTIONS

05.13.010 STANDARD GOODTIME CREDIT

05.13.020 INMATE WORKER CREDIT

PURPOSE

To award earned goodtime credit to inmates in the Clark County Jail System that is in accordance with Clark County Jail Standards and the Revised Code of Washington.

POLICY

Inmates may earn goodtime credit in accordance with RCW 9.92.151, and RCW 70.48.210(3)(e). The Jail Records Unit is responsible for the calculation and posting of goodtime credits.

An inmate may lose earned goodtime credits only at the completion of an inmate disciplinary proceeding, which follows due process procedures. When a pre-trial detainee is disciplined with the loss of unaccrued goodtime credit, the lost goodtime may be deducted at the time of sentencing. Goodtime credit is designed to encourage good behavior by the inmate population.

05.13.010 STANDARD GOODTIME CREDIT

The standard goodtime credit that an inmate may earn is a 15% reduction of their sentence. This goodtime award is predicated on good behavior and observance of jail rules.

Days are calculated with a good time credit for all eligible inmates. The 15% good time credit will be applied to each individual sentence. All partial days will be served as full days. Therefore, only sentences of seven days or longer actually receive good time credits.

Those ineligible for good time credit include inmates who fail to comply with a court ordered program, such as:

1. Work Release
2. Work Crew
3. Electric Home Confinement
4. A DWI or DWS Program

Sentence time shall be calculated as 24 hours equaling one day for sentences less than three (3) days in duration. Sentences four (4) days or more will be given credit if time begins prior to 1800 hours on the first day of incarceration and with full day credit being given after 0600 on the final day of their incarceration.

05.13.020 INMATE WORKER CREDIT

Inmate Workers may receive a good time credit of 30% for good behavior and work performance.

LINKS:

RCW 9.92.151 and RCW 70.48.210(3)(e)



GARRY LUCAS, SHERIFF

Creation Date: September 28, 2000

Revision Date:

I CERTIFY THAT THE FOREGOING IS A
TRUE COPY OF THE ORIGINAL ON FILE

March 27, 2012 A. KALAKI 3322
DATE CLERK

CLARK COUNTY SHERIFF'S RECORDS
VANCOUVER, WA

APPENDIX E

April 9, 2012

Pierce County Jail
910 Tacoma Ave S.
Tacoma, WA 98402

RE: Public Disclosure Request

04-27-12A09:04 RCVD

To Whom It May Concern:

I would like a copy of your jail's good-time policy as it was in effect between November 2007 to March 2008, and as it is today if it has been updated or modified.

Thank you,

Carl Williams

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520

April 10, 2012

Pierce County Jail
910 Tacoma Ave S.
Tacoma, WA 98402

04-26-12 P01:43 IN

RE: Public Disclosure Request

To Whom It May Concern:

I am requesting a copy of the jail's good-time certificate that was forwarded to the Department of Corrections for the following two inmates:

Kevin Eric Gratias
Christopher Gaines Wimbish

Thank you,

Carl Williams

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520

April 19, 2012

Pierce County Sheriff's Department
Jail Records Division
910 Tacoma Ave S.
Tacoma, WA 98402

04-20-12 PCL:43 IN

RE: Public Records Disclosure

To Whom It May Concern:

This is a public disclosure request pursuant to R.C.W. Chapter 42.56. If you feel this request is exempt from requests, please respond with cites to proper authority.

I am requesting copies of the jail's good-time certificate that was sent to the Department of Corrections for the two following inmates:

Kevin Eric Gratias
Christopher Gaines Wimbish

Thank you,

Carl Williams

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520



Pierce County

Sheriff of Pierce County

930 Tacoma Avenue South
Tacoma, Washington 98402

May 11, 2012

Carl Williams
312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen WA 98520

Re: Public Disclosure Requests
Our Files #1204024 and #1204025

Dear Mr. Williams:

This letter is in response to your letters dated April 9, 10, and 19, 2012, addressed to the Pierce County Jail and the Pierce County Sheriff's Department. You requested *copies of good-time certificates for Kevin Eric Gratias and Christopher Gaines Wimbish*. Your request for these records is denied pursuant to RCW 70.48.100(2) Jail register, open to the public—Records confidential—Exception.

You had also requested a copy of the jail's good-time policy as it was in effect between November 2007 and March 2008, and as it is today. Copies of those policies are enclosed.

Very truly yours,

Brent Bomkamp, Captain
Public Records Officer
Pierce County Sheriff's Department

State of WA
County of Grays Harbor

I certify that this is a true and correct
copy of a document in the possession of
Carl G. Williams as of this date.

Date: 5-24-12

Barbara St Louis

(Signature)

my appointment

expires: 6-4-12



May 11, 2012

Ferry County Risk Mgmt
Ms. Jill Gates
350 East Delaware #15
Republic, WA 99166

RE: Public Disclosure Request

Dear Ms. Gates,

I am sorry my requests were confusing and I do appreciate your assistance with this matter.

I am requesting a copy of Tony Stode's (case no. 05-1-0030-9) good-time certificate that was sent to the Department of Corrections from the Ferry County jail.

I need this to be endorsed by a Notary Public. If a Notary Public is not available, I will have you send one copy to me at the prison and one copy to the following address:

Greg Williams
PO Box 481
Camas, WA 98607

Thank you,

Carl Williams

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520

Ferry County

Risk Management ~ Human Resource

350 East Delaware # 15 • Republic • Washington 99166-9747
Phone 509.775.5225 ext 1107 • FAX 509.775.0102
E-mail riskmgmt@co.ferry.wa.us
www.ferry-county.com

May 29, 2012

Carl Williams
312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA. 98520

RE: Public Records Request

Dear Mr. Williams,

Thank you for your letter requesting good time certificates. Unfortunately, we do not have the good time certificates that you have requested and you would need to contact Department of Corrections for those records.

With this information, I am closing my file for this request.

Sincerely,



Jill Gates
Ferry County Public Records Officer
Risk Management/HR

June 5, 2012

Snohomish County Sheriff Office
Jail Division
3000 Rockefeller Ave
Everett, WA 98201

Re: Public Disclosure Request

To Whom It May Concern:

I am requesting a copy of the jail's Good-Time policy as it was in affect between November 2007 and April 2008.

Also, I would like copies of the following inmate's Good-Time certificates that were forwarded to the Department of Corrections:

Mark Donald West
Joseph Albert Peltier
Johnathon Daniel Roswell

Thank you for your assistance with this matter.

Sincerely,

Carl Williams

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520

July 2, 2012

Snohomish County Sheriff
Jail Records Division
3000 Rockefeller Ave
Everett, WA 98201

Re: Public Disclosure Request

To Whom It May Concern:

On June 5, 2012 I mailed a Public Disclosure Request, pursuant to RCW 42.56, and as of June 29, 2012 I have not received any response concerning this manner.

My request was for a copy of the good-time certificate that was forwarded to the Department of Corrections for the following people:

Mark Donald West
Joseph Albert Peltier
Johnathon Daniel Roswell

Thank you,

Carl Williams

312782 4-B65
Stafford Creek Corrections
191 Constantine Way
Aberdeen, WA 98520

APPENDIX F

Analyze Prison Calculations : GRATIAS, Kevin Eric (324073)

Cause:
AA-081008775--Snohomish--CCP

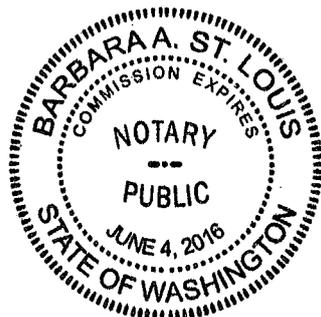
Consecutive To Cause:

Count:
1

Calculation Type: Base	Length: Y, 20 M, D	Consecutive to:	
ERT% 33	ERD	Max Ex Date	Original ERD
Time Start	12/02/2008	12/02/2008	12/02/2008
(+) Length	608	608	608
(-) Cause Credits	48	48	48
(-) Good Time Credits	24		24
(+) Potential Earned Time Release Credits	59.54		59.54
(+) Earned Time not Earned	0.00		
(-) Potential Good Conduct Time	119		119
(-) Good Conduct Time Lost	0		
(+) Out Time	0	0	0
Expiration Date	11/24/2009	06/15/2010	11/24/2009
Remaining Days To Be Served	0	0	0

Date Printed: 05/10/2012

logged on user: Paula Terrell



State of WA
 County of Cross Harbor
 I certify that this is a true and correct copy of a document in the possession of Carl Williams as of this date. Date: 7-3-12

[Signature]
 (signature) **Barbara St Louis**

My appointment expires: 6-4-16



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
P.O. Box 41100 • Olympia, Washington 98504-1100

June 27, 2012

Mr. Carl Williams, DOC # 312782
Unit H4 – B-65 L
Stafford Creek Corrections Center
191 Constantine Way
Aberdeen, WA 98520

Dear Mr. Williams:

This is to acknowledge receipt of your payment in the amount of \$0.65 for costs associated with PDU-19903. You requested copies of the good time certificates for Kevin Gratias, DOC # 324073, and Christopher Wimbish, DOC # 758252.

Enclosed is the one page identified as responsive to your request. This document is provided to you in accordance with the Public Records Act. By making agency documents available to you, the Department is not responsible for your use of the information or for any claims or liabilities that may result from your use or further dissemination.

The file for PDU-19903 is now closed.

Sincerely,

T. Pernula

Terry Pernula, Public Disclosure Specialist
Department of Corrections
P.O. Box 41118
Olympia, WA 98504-1118

tp:PDU-19903
enclosure
cc: file



State of WA
County of Grays Harbor
I certify that this is a true and correct copy of a
document in the possession of Carl Williams
as of this date. Date: 7-31-12

BSL
(signature) **Barbara St Louis**

My appointment expires: 6-4-16

“Working Together for SAFE Communities”



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS
P.O. Box 41100 • Olympia, Washington 98504-1100

July 12, 2012

Mr. Carl Williams, DOC # 312782
Unit H4 – B-65 L
Stafford Creek Corrections Center
191 Constantine Way
Aberdeen, WA 98520

Dear Mr. Williams:

This is in response to your letter dated July 3, 2012, received July 6, 2012, regarding PDU-19903. You originally requested copies of the good time certificates for Kevin Gratias, DOC # 324073, and Christopher Wimbish, DOC # 758252.

Because I was not able to locate good time certificates for either offender, I offered a document that stated the good time for Kevin Gratias. I will request both of their archived files and search them once again for good-time certificates. I am confident they are not in the files, but want to make sure.

If the requested document(s) cannot be located, I will be glad to refund your payment of \$0.65. You may expect to receive further correspondence from me regarding PDU-19903 within 30 business days, on or before August 23, 2012.

Sincerely,

Terry Pernula, Public Disclosure Specialist
Department of Corrections
P.O. Box 41118
Olympia, WA 98504-1118

tp:PDU-19903
cc: file



State of WA
County of Grays Harbor
I certify that this is a true and correct copy of a document in the possession of Carl Williams as of this date. Date: 7-12-12

(signature) **Barbara St Louis**

My appointment expires: 6-4-16
"Working Together for SAFE Communities"



PAPELETA DE PETICIÓN DEL INTERNO

OFFENDER NAME (PRINT) NOMBRE DEL INTERNO (LETRA DE MOLDE)

Williams Carl

DOC NUMBER/NÚMERO DOC

312782

UNIT, CELL/UNIDAD, CELDA

4-B65

DATE/FECHA

7-16-12

DESIRE INTERVIEW WITH OR ANSWER FROM/DESEA ENTREVISTA CON O RESPUESTA DE

Records - Ms. St. Louis

Interpreter needed for _____ (language).

Necesito intérprete para _____ (idioma).

REASON/QUESTION

RAZÓN/PREGUNTA

I received a print-out entitled "Analyze Prison Calculations". Will you please advise me which numbers indicate the days in County jail and the number of days of good-time received from County.

Thank you

SIGNATURE/FIRMA

William

DAYS OFF/DÍAS LIBRES

RESPONSE

RESPUESTA

Under Description, 3rd Line titled "Cause Credits" is your County Jail of 107 days, next line of "Good time on Credit" is Co Good Time of 9 days.

RESPONDER/PERSONA QUE RESPONDE

DATE/FECHA

7/18/12

Distribution: WHITE/YELLOW-Responder, YELLOW-Return to Offender with Response, PINK-Offender keeps
Distribución: BLANCA/AMARILLA-Persona que responde, AMARILLA-Devuelva al interno con respuesta, ROSA-Interno

Analyze Prison Calculations : WILLIAMS, Carl Gregory (312782)

Cause: AB-071003266-Clark-CCP Consecutive To Cause: Count: 7

Calculation Type: Base	Length: Y, 100 M, D	Consecutive to:	
ERT% 33	ERD	Max Ex Date	Original ERD
Time Start	03/07/2008	03/07/2008	03/07/2008
(+) Length	3043	3043	3043
(-) Cause Credits	107	107	107
(-) Good Time Credits	19		19
(+) Potential Earned Time Release Credits	324.05		324.05
(+) Earned Time not Earned	0.00		
(-) Potential Good Conduct Time	648		648
(-) Good Conduct Time Lost	0		
(+) Out Time	0	0	0
Expiration Date	07/03/2013	03/21/2016	07/03/2013
Remaining Days To Be Served	484	1,476	484

Date Printed: 03/05/2012

logged on user: Teresa Clark

8) Appendix 'F' contains a true copy of a "KITE" from the petitioner to the DOC records department seeking clarification as to which lines contain the actual days in jail and the good-time given by the jail. The records personnel responded with the information that is contained in section six above.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated this 6 day of August, 2012



Carl Williams

312782 4-B65
Stafford Creek Corrections Center
191 Constantine Way
Aberdeen, WA 98520

In The Supreme Court Of The State of Washington

IN THE PERSONAL RESTRAINT PETITION OF:

CARL WILLIAMS,

Petitioner.

Case No.: _____

Declaration of Service

I declare that on 6 day of August, 2012, a true copy of *In re Personal Restraint of Carl Williams* was sent to the following persons via first class mail, deposited in the mails of Stafford Creek Corrections Center, postage prepaid, in a envelope addressed as follows:

Washington State Supreme Court Temple of Justice PO Box 40929 Olympia, WA 98504	Prosecuting Attorney Office PO Box 5000 Vancouver, WA 98666
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I declare under penalty of perjury of the laws of the State of Washington that the foregoing is true and correct.

Dated this 6 day of August, 2012



 Carl Williams
 312782 4-B65
 Stafford Creek Corrections Center
 191 Constantine Way
 Aberdeen, WA 98520