

RECEIVED
SUPREME COURT
STATE OF WASHINGTON
2009 JAN 22 AM 7:51
BY RONALD R. CARPENTER
CLERK

IN THE WASHINGTON STATE
SUPREME COURT

Richard Henry Mutch,
Appellant,

vs.

The State of Washington,
Respondent.

Case No. 82029-5

REPLY BRIEF

CLARIFICATIONS/EXPLANATIONS

Reply To Response

MS. CARLSIN:

My appellate "dumptruck" Ms. Colon, led me to believe that she was going to file a REPLY BRIEF. Apparently her deceptions also entail lying to her client....and the Court. So please allow the following to suffice as my REPLY BRIEF:

Exhibits "A" & "B" conclusively show that at all times Whatcom County cited to RCW 9.94A.535(2)(c) for its alleged authority to impose an UNLAWFUL Exceptional Sentence on me. However, that Luciferian county didn't even cross the first hurdle of having NOTICE of INTENT in the prosecutor's Information. In pertinent part, RCW 9.94A.535 holds that:

"Facts supporting aggravated sentences, other than the fact of a prior conviction, SHALL BE DETERMINED pursuant TO THE PROVISIONS OF RCW 9.94A.537." emphasis mine.

RCW 9.94A.537 holds as follows:

(1) "At anytime PRIOR TO TRIAL OR ENTRY OF THE GUILTY PLEA if substantial rights of the DEFENDANT ARE NOT PREJUDICED, the state may give notice that it is seeking a sentence above the standard range." In pertinent part. Emphasis mine.

IN SUMMATION, whether the court, or prosecution, is seeking an Exceptional Sentence, NOTICE OF INTENT must be in the prosecutor's Information. RCW9.94A.537. Before trial or entrance of a guilty plea. My appellate counsel, Ms.

Colon, in support of her lesbian lover, Hilary Thomas, wrote otherwise at page 19 of **APPELLANT'S OPENING BRIEF**. It is sad to see an otherwise commendable brief be tainted for the sake of Playboy Tunafish "love!"

2. As Exhibit "C" clearly demonstrates, IF A REMAND FOR RE-SENTENCING does not entail a reduction in the original unlawful Exceptional Sentence then the proceeding is null & void: State v. Tilli, 148 Wn.2d 350, 358(2003), State v. Pryor, 115 Wn.2d 445, 456(1990). Ms. Carlsin was notified, by WHATCOM COUNTY that said county was entering into an unlawful resentencing hearing, and Ms. Carlsin DID NOT enforce her Clerk's Order to have me SAFELY returned to the Washington State Reformatory. Which implies that Ms. Carlsin was party to Whatcom County's attempt to set me up for another felony.....and then re-instate my Three Strikes Sentence. I have something for you, Ms. Carlsin, that will be attached to your copy of this brief. Thank you for protecting me! Caitiff.
3. My cousin Rod Mutch, who works for L & I informed me that there is a "fabricated" F.B.I. Rap Sheet making the rounds of our Law Temple Whorehouses that paints me as a serial rapist. In my defense, find attached, as Exhibit "D" a true copy of my F.B.I. Rap Sheet that DOES NOT INDICATE any arrests for sexual impropriety...EVER. Indeed, Judge Steven Mura commented, during my trial, that I had NEVER been ~~arrested~~ for, or convicted of, any sexual impropriety whatsoever. You know, the judge who claims I threatened him by letter. And yet could not produce one of the alleged letters for the United States Marshals! But apparently Caitiff Carlsin will believe any negativity about me whatsoever.
4. Exhibit "E" is a copy of a F.B.I. Bribery Letter to the State's only witness, Ms. Jesse Light. Whoever reads this letter, and, thereafter, does not petition for a new trial, for me, minus the bought testimony of Jesse Light, is guilty of Clerical Misprison and/or Misprison of Felony. Now we will see if there is at least one honest person employed by the Washington State Administration of Injustice System. I trow not! Oliver Twist said that he traveled the whole world over and couldn't find one officer-of-the-court that he could even BRIBE to do right.
5. Exhibit "F" (3 pages) demonstrates that my "STAND BY" counsel

Mr. Jon Komorowski tried to override my appeal, to this Court, by filing his own Notice of Appeal, to the appellate court, the day after I filed my NOTICE OF APPEAL. Komorowski did this at the behest of the child molester, David McEachran, because Whatcom County's "man" sits on that court and will do whatever the child molester McEachran tells him to do. But upon discovering that the third part of the unholy trinity is a clerk of the Supreme Court, I do not, now, expect a favorable review in said Court even though I am blatantly unlawfully imprisoned. Does the skullduggery of you white people ever cease?

6. Last you will find an article about when I use to teach Administration of Justice (California Justice and not Washington State Just-us) at San Jose State University, San Jose, California. I enclose this article to represent the first reason the F.B.I. has disparaged my reputation: I refused to entrap a group of SJSU students as per F.B.I. instructions. Second, I did, with my fingerprints, what your F.B.I. claims to be impossible. The F.B.I. being the most vindictive law enforcement agency on the face of the planet (and essentially founded by a homosexual), swore out a vendetta against me. And here I am. EVEN THOUGH the Whatcom County Prosecutor, child molester, David McEachran, at a public banquet, swore that I did not rape Jesse Light. And all of the physical evidence was overwhelmingly in my favor. And yet here I sit, 15 years in prison. And no Court has had the courage to do the honorable thing and ORDER my release from a sentence that should have saw me released 3 YEARS AGO! JUST FOOLW THE EVIDENCE OF SKULLDUGGERY AND ASK YOURSELF WHY?

Sincerely submitted by:

/s/: *Richard Mutch*

Richard Mutch, in pro se
#730230, C unit 3-27
Washington State Reformatory
P.O. BOX 777
Monroe, Wa. 98272-0777

Dated this: 21st day of: January 2009

- 1 2. The Defendant's presumptive sentence under the Sentencing Reform Act is identical
3 to that which would be imposed if he had committed only two counts of Rape in the
5 Second Degree, instead of five counts of Rape in the Second Degree and one count of
7 Kidnapping in the Second Degree.
- 9 3. The defendant has committed multiple current offenses and his high offender score
11 will result in three counts of Rape in the Second Degree and one count of Kidnapping
13 in the Second Degree going unpunished.
- 15 4. The State of Washington has given adequate notice to defendant Mutch that a
17 sentence exceeding the presumptive standard range was being sought by the State,
19 through the imposition of the "Persistent Offender" sentencing in 1994.
- 21 5. Pursuant to the argument of the State, the defendant should receive an exceptional
23 sentence over the standard range based on RCW 9.94A.535(2)(c).
- 25 6. Independent of any argument by the State relating to notice given of an exceptional
27 sentence, or reasons supporting an exceptional sentence, the Court has reached its
29 own determination that the defendant should receive an exceptional sentence over the
31 presumptive standard range based on RCW 9.94A.535(2)(c).

33

35 DONE IN OPEN COURT this 31 day of July, 2008.

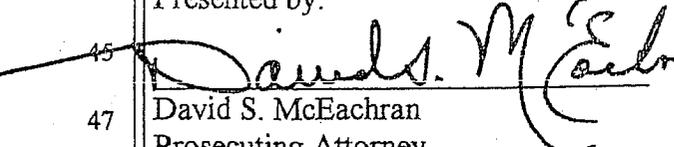
EXHIBIT "A"

37

39

41 _____
JUDGE/COMMISSIONER

43 Presented by:

45 
47 David S. McEachran
49 Prosecuting Attorney
 WSB # 2496

2. The Defendant's presumptive sentence under the Sentencing Reform Act is identical to that which would be imposed if he had committed only two counts of Rape in the Second Degree, and a non-violent felony, instead of five counts of Rape in the Second Degree and one count of Kidnapping in the Second Degree, all of which are either sex offenses or violent felony convictions.
3. The defendant has committed multiple current offenses and his high offender score will result in three counts of Rape in the Second Degree going unpunished and one count of Kidnapping in the Second Degree going partially unpunished.
4. The State of Washington has given adequate notice to defendant Mutch that a sentence exceeding the presumptive standard range was being sought by the State, through the imposition of the "Persistent Offender" sentencing in 1994.
5. Pursuant to the argument of the State, the defendant should receive an exceptional sentence over the standard range based on RCW 9.94A.535(2)(c).
6. Independent of any argument by the State relating to notice given of an exceptional sentence, or reasons supporting an exceptional sentence, the Court has reached its own determination that the defendant should receive an exceptional sentence over the presumptive standard range based on RCW 9.94A.535(2)(c).

DONE IN OPEN COURT this _____ day of November, 2008.

JUDGE / COMMISSIONER

Presented by:

David S. McEachran
Prosecuting Attorney
WSB # 2496

EXHIBIT "B"

Findings of Fact and Conclusions of Law November 13, 2008

IN THE SUPREME COURT FOR THE
STATE OF WASHINGTON

RECEIVED

OCT 28 2008

Washington Appellate Project

STATE OF WASHINGTON,)
Respondent,)
v.)
RICHARD HENRY MUTCH,)
Petitioner.)

RESPONDENT'S REPLY TO
APPELLANT'S RESPONSE
TO MOTION FOR REMAND
TO SUPERIOR COURT

Appellant Mutch objects to the State's motion to remand this matter for resentencing, asserting that remand will serve no purpose even though he maintains the offender score is incorrect. He asserts that the offender score should be resolved in the course of the appeal.

While the offender score could be resolved upon appeal, where there is an incorrect offender score, resentencing generally is appropriate. State v. Ford, 137 Wn.2d 472, 485, 973 P.2d 452 (1999); *see also*, State v. Tili, 148 Wn.2d 350, 358, 60 P.3d 1192 (2003) ("Remand is necessary when the offender score has been miscalculated unless the record makes clear that the trial court would impose the same sentence."). Remand is unnecessary only where the reviewing court can determine from the record that the trial court would have imposed the same sentence. State v. Pryor, 115 Wn.2d 445, 456, 799 P.2d 244 (1990). In Ford, for example, the sentencing judge relied upon an offender score of 9 or

EXHIBIT "C"

940-3097

p.1 of 5

DAVID S. MC EACHRAN
Prosecuting Attorney

FEB 04 1994

Whatcom County
Bellingham, Wash



FBI FACSIMILE COVERSHEET

CLASSIFICATION

PRECEDENCE

- Immediate
- Priority
- Routine

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: _____
 Sender's Initials: _____
 Number of Pages: _____

To: PD, BELLINGHAM, WA Date: 2-4-94
(Name of Office)

Facsimile number: 206 738 7322

Attn: SUPV. RICHARD NOLTE 206 676 6943
(Name Room Telephone No.)

From: FBI HQ, EXPEDITE SERVICE UNIT
(Name of Office)

Subject: ~~RICHARD HENRY MUTCH~~

FBI #487 352 E

Special Handling Instructions: COPY OF RECORD AS IDENT

Originator's Name: _____ Telephone: _____

Originator's Facsimile Number: _____

Approved: pje

Exhibit "D"

EXHIBIT "D"

FBI/DOJ

MASTER
1-4 (Rev. 7-19-77)

MASTER

MASTER

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537**

Use of the following FBI record, NUMBER 487 352 E, is REGULATED BY LAW. It is furnished FOR OFFICIAL USE ONLY and should ONLY BE USED FOR PURPOSE REQUESTED. When further explanation of arrest charge or disposition is needed, communicate directly with the agency that contributed the fingerprints.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
Monte Vista PD PO Ontario CA	Rick Mutche 291	1-27-58	susp ADW	rel no chg
PD Alhambra CA	Richard Henry Mutch 10510	4-2-63	836.3 susp 476a PC NSF chks	imposition of sent susp 3 yrs prob
SO Los Angeles CA	Richard Henry Mutch B-958995	4-4-63	chks:NSF	
SO Los Angeles CA	Richard Henry Mutch B-958995/ C-152420	10-26-64	burg	
PD Anaheim CA	Richard Henry Mutch 21994	12-21-65	susp of armed robbery & GT 836.3 of 211 & 487.3 cpc) auto	rel to Long Bch PC
PD Long Bch CA	Michael Richard London 219681	12-21-65	inv GTA inv robbery	rel to LA Sheriff Temple STA for rob
SO Los Angeles CA	Richard Henry Mutch B-958995/ C-323876	12-22-65	robbery kidnapping for ranson & burg/ warr	
CI&I Sacramento CA	Richard Henry Mutch B-3564	7-19-66	NSF check 2cts (prob. revoked) & RSP & kid for rob with prior felony convic- tion 2 cts all conc (476a PC & 496 PC & 209 PC)	6mos to 14 yrs 2cts & 6 mos. to 10yrs & life 2cts all conc 1-28-72 par 2-23-73 disch on chg of crt ret

EXHIBIT D

FEB 04 '94 15:18

P.4

DPH 1974-0-32EPT

MASTER

MASTER

MASTER
-4 (Rev. 6-9-72)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537

2

487 338 E

is furnished FOR OFFICIAL USE ONLY.

The following FBI record, NUMBER
Information shown on this Identification Record represents data furnished FBI by fingerprint contributors.
WHERE DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE OR DISPOSITION IS
DESIRED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Sacramento CA	Richard Henry Mutch S 28504	2-18-70	fel escape AWDW GT armed rob kidnapping conv felon with gun & GTA	no compl filed to CA SPR at Folsom on chg of 211 PC armed rob GT 12021 PC ex-con W-COV GT auto 207 PC kidnapping 4630 PC
SO Sacramento CA	Richard Henry Mutch 114810	inquiry 3-5-70	escape	
PD Reno NV	Richard Henry Mutch 208050	9-29-76	NRS-embazz	12-22-76 DE DETA Warrant issued
SO San Diego CA	Richard Henry Mutch 834 430	9-14-76	Fugitive (NV)	deft picked up 9-29-76 - dism
St Bu of Cr Ident & Inv Sacramento CA	Richard Henry Mutch B-80308 SID 1239024	FP 2-2-77	Ct. 2. RPS (496.1 PC)	6 mo-10 yrs Prison on chgs of 496.1 PC Rec St P Prop. CT#246 Dismissed chgs of 12021 PC Own FirAr & 12303 PC Own Devic.
PD Seattle WA	David Joseph Savanti 92761	10-17-80	Robbery NCIC 1299	Inv & Rel 10-20-80

EXHIBIT D

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1-4 (Rev. 7-19-77)

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537

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CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Fort Lauderdale FL	Richard Andrew Bell ID-166012 SID# 1910231	8-14-83	Bank Robbery CAP (FTA) NCIC 5015	
USM Seattle WA	David Joseph Savanti	9-20-83	FTA 5015 for bank rob 1-13-84 sent 1yr for fail to appear 1-13-84	sent 5yrs 1-13-84 sent lyr for fail to appear 1-13-84
USM Seattle WA	David Joseph Savanti 11244 086	10-21-80 Prt Rec. 12-12-83	Bank robbery NCIC 20 1211	
USM Seattle WA	David Joseph Savanti	9-21-83	failure to appear-Federal 5015	6-0-0 held in Lieu of \$25,000 bail
US Pen Leavenworth KS	David Joseph Savanti 11244-086. FQ50841	3-19-84	bank robb	5 yrs Par 2-19-87 frm FCI Terminal Isl CA
SO San Rafael CA	Richard Henry Mutch 112411 SID 01239024	3-14-88	PC 12021A felon in poss of firearm PC 245A 1 assault with deadly weapon	

EXHIBIT D

MASTER

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
IDENTIFICATION DIVISION
WASHINGTON, D.C. 20537

487 352 E
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OFFICIAL USE ONLY and should ONLY BE USED FOR PURPOSE REQUESTED. When further explanation of arrest charge
or disposition is needed, communicate directly with the agency that contributed the fingerprints.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
USM San Fran CA	David Joseph Savanti	6-2-88	Parole Violation	
US Pen Lompoc CA	David Joseph Savanti 11244 086 F050841	6-11-88	P.V. Bank Robbery	6yrs 8-22-88 par revoked. case closed 1-14-90 MR

EXHIBIT

3

74



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

March 8, 1994

EXHIBIT "E"

Ms. Jesse Light
1415 # "B" Lakeway
Bellingham, Washington 98225

WHATCOM COUNTY SUPERIOR COURT EXHIBIT "E"

Dear Ms. Light:

Your financial problems have been brought to the attention of the Director, and he has authorized me to inform you that the F.B.I. could provide some poverty line assistance, during your recovery from the traumatic experience with Mr. Mutch.

Of course, we would expect that you would remain firm in our commitment to place Mr. Mutch in prison for life.

You can expect a local agent to contact you within 10 days to consummate our agreement.

Sincerely yours

John E. Collingwood
Inspector in Charge
Office of Public and
Congressional Affairs

I swear, under penalty of perjury, that the above is a true and correct copy of the original, to the best of my knowledge and belief.

1s1: Richard Mutch

Dated this 14 day of January 1998.

Subscribed and sworn to me this 14th day of January 1998. E "E"

1s1: Helen R. Shuler
Notary Public in and for
the State of Washington,
at Clallam County.

My Commission expires: October 15, 2000

EXHIBIT



FILED IN OPEN COURT
7/31/2008
WHATCOM COUNTY CLERK
By  Deputy

IN THE SUPERIOR COURT OF WASHINGTON FOR WHATCOM COUNTY

STATE OF WASHINGTON,
Plaintiff,

v.

RICHARD MUTCH,
Defendant/Appellant.

No. 94-1-0011708

NOTICE OF APPEAL TO THE STATE
SUPREME COURT

COMES NOW the appellant, Richard Mutch, in pro se, and appeals the sentencing order entered on July 31, 2008, to the Washington State Supreme Court.

Being that this matter entails the imposition of an unlawful exceptional sentence, your appellant seeks accelerated review under RAP 18.12 as he is, otherwise, several years past his standard range release date.

Appellant also seeks appointment of appellate counsel other than Nielsen and Broman.

DATED this 31 day of July 2008.

Submitted by:



Richard H. Mutch, in pro se
c/o Whatcom County Jail
3-H-5 (23-7 Segregation)
311 Grand Avenue
Bellingham, WA 98225

"F"

EXHIBIT

"F"



DIRECTOR

Jon C. Komorowski

CHIEF DEPUTY

Richard C. Fasy

OFFICE ADMINISTRATOR

Julie G. Wiles

SENIOR DEPUTIES

Geraldine R. Coleman

Robert E. Olson

Lisa M. LaGuardia

Marilyn I. McLean

Alan Chalfie

SOCIAL SERVICES

Kimberly B. Schuster

WHATCOM COUNTY PUBLIC DEFENDER

Central Plaza Building – 215 N. Commercial Street
Bellingham, Washington 98225

(360) 676-6670 or FAX (360) 738-4552
pubdef@co.whatcom.wa.us

DEPUTIES

Mark E. Bratlien
Angela R. Anderson
Shoshana L. Paige
Sarah E. Trimble
Lance W. Hendrix
David A. Brown
Mamie J. Guillaume
Megan N. Yeates
Gretchen M. Neal
Sean Devlin
Thomas P. Lyden

INVESTIGATIVE SUPERVISOR

Michael Sparks

INVESTIGATORS

Michael N. Grant
LaBeth C. Spain
Cheri Mulligan

August 12, 2008

Washington State Reformatory
Richard Henry Mutch, DOC #730230
Legal Mail
P.O. Box 777
Monroe, WA 98272-0777

Dear Mr. Mutch:

In response to your letter dated August 04, 2008, I have enclosed all the legal documents that were filed by yourself and Mr. McEachran, while you were incarcerated in the Whatcom County Jail.

Jon Komorowski did file an appeal and you will be assigned an appellate attorney from the Washington Appellate Project. Should you have any questions, please don't hesitate to write.

Sincerely,

WHATCOM COUNTY PUBLIC DEFENDER



MICHAEL SPARKS
Senior Investigator

MS/bb
Enclosures

EXHIBIT "F"

FILED
COUNTY CLERK

SCANNED 15

2009 AUG -1 PM 4: 09

WHATCOM COUNTY
WASHINGTON

BY



IN THE SUPERIOR COURT OF WASHINGTON FOR WHATCOM COUNTY

STATE OF WASHINGTON,
Plaintiff,

v.

RICHARD MUTCH,
Defendant.

No. 94-1-00117-8

NOTICE OF APPEAL

COMES NOW the defendant, and seeks review by the designated appellate court of the Judgment and Sentence entered herein on July 31, 2008, by Judge Ira Uhrig.

DATED this 1 day of August, 2008.

WHATCOM COUNTY PUBLIC DEFENDER



JON C. KOMOROWSKI, WSBA #91001
Attorney for Respondent

Attorney for State
DAVID McEACHRAN
Whatcom County Prosecuting Attorney
311 Grand Avenue, 2nd Floor
Bellingham, WA 98225
360-676-6784

Defendant
Richard Mutch
Monroe Correctional Complex
P.O. Box 777
Monroe, WA 98272-0777

"G" **EXHIBIT** "G"

NOTICE OF APPEAL



WHATCOM COUNTY PUBLIC DEFENDER
215 N. COMMERCIAL STREET
BELLINGHAM, WA 98225
360-676-6670

314

Students given inside

By Sally Racanelli

ECCLESIASTES "For out of prison he cometh to reign," the Bible, Ecclesiastes, chapter four, verse 14 - hence the name Code 414, a class at SJSU in "Prison Projects," taught by Richard Mutch.

"One of the purposes of Code 414 is to assist qualified state prisoners and county jail inmates to enroll in local colleges," Mutch said.

Along with enrollment assistance, many of the 50 students in the class tutor prisoners—who may not meet college requirements—so that they may be eligible in the future.

Interest a factor

"In my class I place students where they are interested," Mutch said. "Most enroll because they are curious as to what's happening in the criminal justice system and it's difficult to find out."

About 50 per cent of the class are Administration of Justice majors, Mutch said, adding that many are planning to go into law enforcement with police or sheriff's departments.

"I think Code 414 is better than any of the Administration of Justice courses," said Jerry Sakata, a junior enrolled in the course, who is planning to go into police work.

Crime prevention

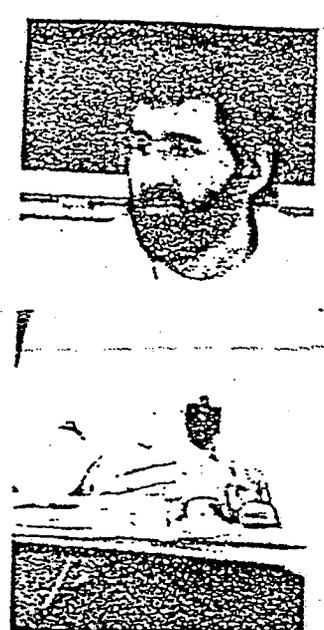
Sakata's project work is with the Santa Clara County Crime Prevention Division and the Elmwood Rehabilitation Center.

"My current work with the Crime Prevention Depart-



David Towne

Michele Barchi talks to inmate



Richard Mutch



Beau Moynahan

EXHIBIT "G" (Mutch)
1 of 3 Pages

EXHIBIT "G"

ment is rapping with ethnic leaders in the community. Each week I'll be doing something different," Sakata said. "One week I'm scheduled to go out in patrol cars with the San Jose Police."

Just like a degree

He said that he spends six hours a week tutoring at Elmwood.

"I tutor the inmates in the GED (General Education Diploma) program. To get their diploma, they must pass six tests. Each test costs them \$7 and when they

get the GED diploma it's just like having a high school degree."

The mens' education program at Elmwood is handled by Bill North, who works for the San Jose Unified Metropolitan School District. North has been at Elmwood for four years.

SJSU tutors

"The tutors from SJSU really add to the program," North said. "The personal attention means alot to the men."

Mutch wants to see more

education made available to those serving time in correctional institutions.

"In prisons they make license plates and burlap sacks," Mutch said, "what does that qualify anyone to do on the outside? We (society today) are almost training them to be criminals."

Another goal of Code 414 is to form an idea of what changes need to be initiated and draw up alternate proposals.

"When you knock a program, be prepared to offer a solution," Mutch said.

He said that there is nothing worse than writing to a warden and stating that "some aspect is crummy," without having any concrete proposal for change.

"Use a soft but firm approach, and an intellegant one," he said.

This criteria describes Mutch, who enjoys respect from law enforcement officials and prisoners alike.

Each week the class meets in seminar for an hour and a half to share their field experiences and to hear speakers who are engaged in

different aspects of the total system.

Expertise shared

Dick Daniels, a parole officer, spoke at the Wednesday afternoon seminar last week. Other speakers include a police sergeant and an assistant district attorney, presenting another side for discussion.

Next week Jean Sherill, a psychologist who runs a halfway house in Oakland will visit the Code 414 seminar. She will bring two ex-cons for the class to talk to, from both a state and a federal penitentiary.

At the seminar tonight Carlo Prescott, who spent 16 years in prison, then became a professor at Stanford University before getting a job as a disc jockey for a San Francisco radio station, will speak on "The Making of a Criminal."

Class praised

"Code 414 is a great class," said Eric Jacobsen, a senior and a Health Science major.

Jacobsen works at the school in the Juvenile Probation Center in Santa Cruz.

"I would never have dealt

Exhibit "G" (Mutch)
2 of 3 Pages

EXHIBIT "G"

Look at prison system

with this kind of situation without class," he said. "I get questions from the kids about health all the time. One girl had VD and didn't even know it.

"Many of them don't know anything about their bodies," he said.

Changes envisioned

At Elmwood they don't have any educational program for women. This is the kind of thing that the Code 414 class hopes to see changed, Mutch said.

"I'm tutoring on the men's side at Elmwood right now," said Karen Quesada, a sophomore in the New College. "I'm getting a feel for the institution so that I can understand the needs. I hope to be on the women's side next semester if our plans materialize for getting the program started."

Inmates respond

How do the inmates respond to the tutors from JSU?

"They should have more. Each person could have a tutor it would be great. It's the first time any education is made sense to me," said Manny, who is hoping to get a GED certificate before his release next year.

Frank, a sensitive young man in his early twenties, has done time at Santa Rita, a correctional facility inameda County.

"There isn't any program like this at Santa Rita. I just wish I don't get transferred back there," he said.

"If I could get my GED diploma it could change anything for me," Frank

When you've turned off to education as much as I have, the tutors really make the difference. They show so much patience," he said.

"It opens up your mind," said Jessie, who is 23 and waiting for his diploma, 1.

Enrollment planned

Gino is close to getting his GED diploma and plans to enroll at SJSU through the Parolee Program, a program which assists prison inmates in college enrollment and in the initial adjustment to "life outside" after release.

Nan Bixler is doing senior project for the New College through the Code 414 class.

"I work for the Economic and Social Opportunities 'Project Re-Entry' ", Bixler said.

"We act as a clearinghouse for ex-offenders to help them find

jobs and housing. I think the Code 414 class is excellent," she said. "It's a way of drawing people from the campus community into understanding the problem prisoners face trying to become a productive citizens," Bixler said. "Participation from the community is what will change the criminal justice system."

Probation work

Many of the class members do their field work at Juvenile Hall in San Jose, working as probation aides.

"I have my own case load and I really enjoy the work," Michele Barchi said.

Barchi is a junior majoring in Administration of Justice.

Another class member working at Juvenile Hall is Jim Caffiero, an Education major.

"I've read a lot about the criminal justice system but this is the first time I've actually been involved," Caffiero said.

He said that he was impressed with the county probation officers, saying "they all seem really fair."

"This class has been one of the most rewarding that I've ever taken," Caffiero said. "I plan to work for legislation to get things changed in the system.

"There's a hell of a lot to be done. The Code 414 class exposes average people to something that has been like another world to most of us," he said.

Veterans who have previously been incarcerated (jailed) get

help from Beau Moynahan, who also works with vets who are in prison, helping them to qualify for admission to college and to receive their veterans benefits.

The final project for the Code 414 class is to develop a prototype of a workable criminal justice system, Mutch said.

The class is open to anyone and offers three units of upper division credit.

Exhibit "G" (Mutch)

3 of 3 Pages

EXHIBIT "G"