In the Supreme Court of the State of California

In re **LESLIE VAN HOUTEN,** **On Habeas Corpus.**	Case No. S263186

Second Appellate District, Division One, Case No. B304258
Los Angeles County Superior Court, Case No. BH012512
The Honorable William C. Ryan, Judge

ANSWER TO PETITION FOR REVIEW

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INTRODUCTION

Petitioner Leslie Van Houten participated in the brutal murder of two victims as a member of the notorious Manson Family. She is currently serving concurrent life sentences for two counts of first degree murder and one count of conspiracy to commit murder. On January 30, 2019, Van Houten appeared for a parole consideration hearing before the Board of Parole Hearings (Board) and was found suitable for release on parole. On June 3, 2019, the Governor issued a decision reversing the Board's parole grant. Although the Governor gave great weight to Van Houten's diminished culpability as a youthful offender and considered her subsequent growth in prison, the Governor concluded that those youth offender factors were outweighed by negative factors establishing that she remained a current unreasonable risk to public safety. The Governor's decision denying parole is the subject of the petition for review.

Van Houten filed the petition for review after the Los Angeles County Superior Court and the Second Appellate District Court of Appeal, Division One denied her petitions for writ of habeas corpus. In the petition for review, Van Houten does not challenge the Governor's decision under the youth offender parole statute by, for example, claiming that the Governor gave insufficient weight to the youth offender factors. Instead, she claims the Governor's decision denying her parole is not supported by some evidence, because she claims the evidence shows she has been rehabilitated, that the Governor erred by relying on the gravity of the commitment offense and erred by

failing to consider "the most accurate description" of the crime contained in the Tex Watson tapes. Van Houten also contends the Governor has a conflict of interest that bars his review of her parole suitability because Van Houten's case is one of high notoriety and the Governor is an elected official.

This Court requested an answer to the petition, addressing whether Van Houten has established a prima facie case for relief on her petition alleging that the Governor's decision is not supported by "some evidence" and tainted by a conflict of interest. Additionally, the Court asked respondent to address "whether the matter should be remanded to the Governor for review of the Board of Parole Hearings' finding of suitability on January 30, 2019, in light of the new regulations pertaining to youth offender parole hearings."

This Court should deny the petition. Van Houten has not established a prima facie case for relief. The Governor considered all of the parole suitability factors required by law—giving great weight to the diminished culpability of youthful offenders and other hallmark features of youth—and denied parole in a decision supported by some evidence. The Governor found that the gruesomeness of Van Houten's crimes, combined with her continued minimization and lack of insight, outweighed the statutory youth offender factors and supported the conclusion that Van Houten remains a current, unreasonable risk to public safety. None of Van Houten's specific challenges to the Governor's decision has merit. The Governor properly relied on the seriousness of her murders in his decision to deny her parole,

and was not required to consider the Tex Watson tapes, which are not part of the parole record. Van Houten's conflict-of-interest claim is also without merit as the Governor is constitutionally authorized to review parole decisions for convicted murderers—a review that is independent from the Board's.

Finally, remand is unnecessary. Although the existing youth offender regulations were not in effect when the Governor denied Van Houten parole, the Governor adequately considered the youth offender factors as applied to Van Houten by giving them "great weight" as mandated by statute, balancing those factors against other relevant considerations, and articulating a rational explanation for the conclusion that reliable evidence shows Van Houten remains a current, unreasonable risk to public safety. Van Houten also received another parole suitability hearing before the Board of Parole Hearing on July 23, 2020, and was granted parole.[1] The Governor's review of that parole suitability determination will necessarily incorporate consideration of the new regulations. The petition for review should be denied.

[1] See Public Inmate Locator, Leslie Van Houten, Board of Parole Hearings' Actions, available at https://inmatelocator.cdcr.ca.gov/Details.aspx?ID=W13378.

ARGUMENT

I. VAN HOUTEN FAILS TO STATE A PRIMA FACIE CASE FOR RELIEF BECAUSE SOME EVIDENCE SUPPORTS THE DECISION FINDING HER UNSUITABLE FOR PAROLE

As this Court has held, a parole decision complies with due process if "some evidence" in the record—even a modicum of evidence—supports the Governor's conclusion that the prisoner poses a current, unreasonable risk to public safety. (*In re Shaputis* (2011) 53 Cal.4th 192, 214-215 (*Shaputis II*); *In re Lawrence* (2008) 44 Cal.4th 1181, 1212; *In re Shaputis* (2008) 44 Cal.4th 1241, 1258-1260 (*Shaputis I*).) The Governor may be more cautious than the Board when determining whether an inmate is suitable for parole. (*Shaputis I,* at p. 1258.) The Court's review for "some evidence" is highly deferential to the Governor's decision—"[it] is limited, and narrower in scope than appellate review of a lower court's judgment," and meant to guard against decisions based on "mere guesswork." (*Shaputis II*, at pp. 215, 219; *In re Davidson* (2012) 207 Cal.App.4th 1215, 1219; *In re Mims* (2012) 203 Cal.App.4th 478, 486.)

"Some evidence" supports the Governor's decision to deny Van Houten parole. The Governor considered all of the factors relevant to Van Houten's parole suitability, including both positive and negative factors. The Governor began with the youth offender factors, explaining that he gave "great weight to all the factors relevant to [Van Houten's] diminished culpability as a youthful offender—her immaturity, impetuosity and failure to appreciate risks and consequences—and her other hallmark

features of youth." (*In re Leslie Van Houten*, Case No. B304258 Petn. Exh. A, 2019 Governor's Decision at p. 3 (Exh. A).) He acknowledged that Van Houten was 19 at the time of the offense, and considered the fact that the psychologist had concluded that "it was very likely that her involvement in the offense was significantly impacted by characteristics of youth, including impulsivity, the inability to adequately foresee the long-term consequences of her behavior, and the inability to manage her emotions that resulted from trauma." (*Ibid.*) The Governor also gave "great weight to her subsequent growth in prison." (*Ibid.*) Van Houten spent 48 years in custody, and the Governor found that she "made commendable efforts to improve herself in prison, earning a bachelor's and master's degree and completing extensive self-help programming." (*Ibid.*)

But the Governor also concluded that "these factors are outweighed by negative factors that demonstrate she remains unsuitable for parole." (Exh. A at p. 3.) The Governor found that Van Houten continues to minimize her willing and active participation in the exceptionally egregious crimes and lacks insight into the causative factors of her crimes, which is probative of Van Houten's current dangerousness.[2] (*Id.* at pp. 3-5.) The Governor's findings are amply supported by the record.

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[2] As this Court has explained, "an inmate's understanding, current mental state and insight into factors leading to the life offense are highly probative 'in determining whether there is a 'rational nexus' between the inmate's dangerous past behavior and the threat the inmate currently poses to public safety.'"

(continued…)

As the Governor observed, "Ms. Van Houten and the Manson Family committed some of the most notorious and brutal killings in California's history." (Ex. A p. 3.) The Governor was therefore appropriately concerned about Van Houten's potential for future violence if released. (*Ibid.*)

In the summer of 1968, 19-year-old Van Houten met Charles Manson and began living with his cult, the Manson Family, which was trying to provoke Helter Skelter—a civilization-ending race war—by killing high-profile Caucasians to incite retaliatory violence against African-Americans. (Ex. A. at p. 1; *In re Van Houten* (2004) 116 Cal.App.4th 339, 344; *People v. Manson* (1976) 61 Cal.App.3d 102, 127-130). Van Houten wanted to "be recognized by Manson as completely devoted to him." (*In re Leslie Van Houten*, Case No. B304258 Petn. Exh. D, 2019 Board Transcript at p. 63 (Exh. D).) To that end, she participated in "drills" to "get [her] mind[] to a place where when [she] saw

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(…continued)
(*Shaputis II*, *supra*, 53 Cal.4th at p. 218; see *In re Lawrence, supra,* 44 Cal.4th at p. 1220.) This includes cases where a life inmate minimizes responsibility for his or her criminal behavior. (*In re Shigemura* (2012) 210 Cal.App.4th 440, 457 [appellate court found the inmate was a "willing participant" in the murder, which was "totally at odds with her continuing portrayal of the crime as something which simply happened in her presence and without her active assistance"]; *In re Tapia* (2012) 207 Cal.App.4th 1104, 1113 [some evidence supported the Board's finding the inmate was downplaying the crime's planning elements and justified the Board's conclusion that the inmate was unsuitable for parole].)

horror [she] would not freeze," and fully committed to the cause. (*Id.* at pp. 53-63.)

On August 9, 1969, several Family members gruesomely murdered Abigail Folger, Wojiciech Frykowski, Jay Sebring, Steven Parent, and Sharon Tate, who was eight-months pregnant. (Ex. A at p. 1; *Van Houten*, *supra*, 116 Cal.App.4th at p. 345.) Van Houten was not involved in these murders, but after hearing about them, complained she felt "left out." (Ex. A at p. 1; *Van Houten*, at p. 345.) At some point, when Manson asked Van Houten "if she was crazy enough to believe in him and what he was doing," she responded, "Yes." (*Van Houten*, at p. 345; Cal. Code Regs., tit. 15, § 2281, subd. (c)(1)(E) [an inexplicable or trivial motive for a crime indicates a prisoner's parole unsuitability].) On August 10, 1969, Van Houten, Manson, and others drove around looking for victims, eventually arriving at the home of Rosemary and Leno LaBianca. (Ex. A at p. 1; *Van Houten*, at p. 345; Cal. Code Regs., tit. 15, § 2281, subd. (c)(1)(B) [a dispassionate and calculated murder indicates a prisoner's parole unsuitability].) After Manson and another Family member, Charles "Tex" Watson, had entered, Manson reemerged and told Van Houten and another member, Patricia Krenwinkel, to go inside and "do what Watson told them to." (Ex. A at p. 1; *Van Houten*, at p. 345.)

Upon entering, Van Houten found Mr. and Mrs. LaBianca tied up and was told to take Mrs. LaBianca into her bedroom and kill her. (Ex. A at p. 1; *Van Houten*, *supra*, 116 Cal.App.4th at p. 345; Cal. Code Regs., tit. 15, § 2281, subd. (c)(1)(A) [a crime

involving multiple victims indicates a prisoner's unsuitability for parole].) Krenwinkel fetched knives as Van Houten put a pillowcase over Mrs. LaBianca's head and wrapped a lamp cord around her neck. (Ex. A at p. 1; *Van Houten*, at p. 345; Cal. Code Regs., tit. 15, § 2281, subd. (c)(1)(D) [a murder displaying callous disregard for human suffering indicates a prisoner's parole unsuitability].) When Mrs. LaBianca heard the "guttural" sounds of her husband being stabbed in the next room, she grabbed the lamp attached to the cord around her neck and swung it at Van Houten—but Van Houten knocked the lamp away, wrestled Mrs. LaBianca onto a bed, and held her steady as Krenwinkel stabbed her with such force that Krenwinkel's knife bent on Mrs. LaBianca's collarbone. (Ex. A at p. 2; *Van Houten*, at p. 346.) Watson rushed in and began stabbing Mrs. LaBianca with a bayonet and then handed Van Houten a knife, telling her to "do something." (Ex. A at p. 2; *Van Houten*, at p. 346.) Van Houten, unsure if Mrs. LaBianca was dead, proceeded to stab her at least 16 times. (Ex. A at p. 2; *Van Houten*, at pp. 346, 350-351 [even if Van Houten believed Mrs. LaBianca to be dead, stabbing her would constitute gratuitous mutilation]; Cal. Code Regs., tit. 15, § 2281, subd. (c)(1)(C) [mutilating or abusing a victim during a crime indicates a prisoner's parole unsuitability].) Van Houten next wiped fingerprints from the house, before changing into Mrs. LaBianca's clothes, drinking chocolate milk from the refrigerator, and fleeing back to the ranch where she bragged to others that the more times she stabbed Mrs. LaBianca, "the more fun it was."

(Ex. A at p. 2; *Van Houten*, at p. 346; Cal. Code Regs., tit. 15, § 2281, subd. (c)(1)(B).)

Because of the brutal nature of the crimes, the Governor required an adequate explanation for how Van Houten could commit them. (Ex. A at p. 3.) But as the Governor observed, "Ms. Van Houten's explanation for her willingness to perpetrate such violence is insufficient." (*Ibid.*) During her 2018 psychological evaluation, Van Houten told the psychologist "she believed she had been 'chosen' by Mr. Manson and that she committed the crimes because she 'had to kill them for the beginning of the revolution.'" (*Id.* at p. 4.) She further stated that she was "'desperate to be accepted' and that her 'value came in the eyes of other people.'" (*Ibid.*) The Governor reasonably found that Van Houten's "need for acceptance does not adequately explain her primary role" in the brutal murders, and indicates that she is "still minimizing her responsibility." (*Ibid.*)

In fact, Van Houten admitted she liked living on the ranch and she "shared Manson's beliefs, goals, and means, which included the murders required to start the revolution they envisioned." (*Van Houten*, *supra*, 116 Cal.App.4th at p. 344.) After being left out of the Sharon Tate murders, she begged to be a part of the next Manson Family outing to murder someone. (*Id.* at p. 345.) On the night of the LaBianca murders, Van Houten entered the LaBianca home cognizant of her surroundings. (*Ibid.*) Van Houten restrained Mrs. LaBianca while others stabbed her. (*Ibid.*) Van Houten herself stabbed Mrs. LaBianca at least 16 times before wiping away her fingerprints, treating

herself to chocolate milk from the LaBiancas' refrigerator, and bragging about the murder back on the ranch. (*Id*. at pp. 345-346.) This record supports the Governor's conclusion that Van Houten did not behave as someone who just desperately wanted to be accepted. (Exh. A at pp. 3-4.) Rather, the evidence demonstrates that Van Houten eagerly and willingly participated in the LaBianca slayings. (*Id.* at p. 3.) Thus, the Governor reasonably concluded that Van Houten has not adequately come to terms with "her willingness to perpetrate such violence." (*Ibid.*)

The Governor was also concerned that Van Houten continues to lack insight into the causative factors of her crime. (Exh. A at p. 4.) When questioned by the Board regarding what she would have done differently, Van Houten stated that she "'would want to be a supportive daughter.'" (*Ibid.*) But, as the Governor indicated, Van Houten "suffered serious trauma and lived in a dysfunctional family environment" before the life crimes. (*Ibid.*) The Governor found that "[i]nstead of recognizing and fully grappling with these external facts and her response to them," Van Houten had not "adequately explain[ed] her destructive reaction to difficult and external factors beyond her control." (*Ibid.*)

Finally, the Governor also found Van Houten downplayed Manson's "violent and controlling" actions when describing the time Manson drugged and sexually assaulted her. (Exh. A at p. 4.) That response tended to show that she had not fully examined "her susceptibility to negative influences and

manipulation." (*Ibid.*) And, until she can "adequately explain her destructive reaction" to such factors and exhibit a "deeper understanding of what led her to submit to Mr. Manson and participate in these horrific murders," she remains dangerous. (*Ibid*; see *In re Shippman* (2010) 185 Cal.App.4th 446, 458-460 [upholding parole denial because without a deeper understanding of what triggered the petitioner's extreme and violent behavior, he may return to it upon release].) And significantly, the Governor observed that the evaluating "psychologist in 2018 found that Ms. Van Houten displayed predictive factors for future dangerous behavior," which required her to take "additional steps that demonstrate she will never return to this type of submission or violence again." (Exh. A at p. 4.)

Van Houten disagrees with the weight the Governor assigned the evidence, but her disagreement is insufficient to establish a prima facie case for relief. (*Shaputis II*, *supra*, 53 Cal.4th at p. 210, citing *In re Rosenkrantz* (2002) 29 Cal.4th 616, 677, *In re Lawrence*, *supra*, 53 Cal.4th at p. 1204, *Shaputis I*, *supra*, 53 Cal.4th at pp. 1260-1261.) The Governor identified evidence "sufficient to at least raise an inference that petitioner remains dangerous because [s]he has not . . . taken full responsibility for [her violent actions]" and lacks insight into the causative factors of her life crimes. (*In re Shippman*, *supra*, 185 Cal.App.4th at pp. 458-460.) The Governor gave great weight to Van Houten's youth offender factors, as well as her claims of sexual assault and violence by Manson, her advanced age, the amount of time she has spent in prison, and the positive aspects

of Van Houten's record, including the positive gains she has made while incarcerated. (Exh. A at p. 3.) However, after considering "all relevant, reliable information available," the Governor reasonably concluded that those positive factors were "outweighed by negative factors that demonstrate she remains unsuitable for parole." (*Ibid*; Cal. Code Regs., tit. 15, § 2281, subd. (a).) The Governor properly weighed the factors and the evidence in the record; even if Van Houten disagrees with the weight that the Governor gave to certain factors, "it is not for the reviewing court" or Van Houten "to decide *which* evidence in the record is convincing." (*Shaputis II*, *supra*, 53 Cal.4th at pp. 199, 214.) It is enough instead that there is "a rational nexus between the evidence and the ultimate determination of current dangerousness." (*Id.* at p. 221.)

II. THE GOVERNOR PROPERLY RELIED ON THE GRAVITY OF THE COMMITMENT OFFENSE AND WAS NOT REQUIRED TO CONSIDER THE TEX WATSON TAPES, WHICH ARE NOT PART OF THE PAROLE RECORD

Van Houten argues the Governor erred by relying solely on her commitment offenses to deny her parole because they are not evidence of current dangerousness. (Petn. at pp. 24-27.) She also contends that the Governor failed to consider the most accurate description of the crimes contained in the Tex Watson tapes. (*Id.* at p. 28.) Neither claim warrants review.

First, the Governor did not rely on the nature of Van Houten's crimes alone in denying parole. Instead, as even Van Houten acknowledges, the Governor properly considered the

nature of Van Houten crimes—in conjunction with her inability to explain them—in assessing Van Houten's current dangerousness to deny her parole. (Petn. at p. 25, italics added ["Second, the Governor reversed Ms. Van Houten's grant of parole based on the gravity of the commitment offense alone, *though he cited other contributing factors*."].) As Van Houten concedes, that is proper (Petn. at p. 27), and this case presents no occasion to review whether the Governor "can legitimately use the gravity of the commitment offense alone to reverse a grant of parole." (Petn. at p. 25.) Moreover, as this Court has explained, the parole authority may consider and rely on an inmate's crime, either alone or in combination with other factors, as long as it is probative of current dangerousness. (*In re Lawrence*, *supra*, 44 Cal.4th at pp. 1213-1214.) In this particular case, the Governor considered the gruesomeness of the murders and found that Van Houten continued to minimize her responsibility for, and insight into, her participation in the crimes as part of the evil Manson Family. As detailed above, the Governor's decision is sufficiently supported by the record and should be upheld.

Second, the Governor was not required to consider the Tex Watson tapes. As an initial point, the Tex Watson tapes are not part of the record before the Board or Governor. (Pen. Code, § 3041.2, subd. (a) [stating that the Governor "shall review materials provided by the board".) Even so, there is no evidence that these tapes present the "most accurate description of the commitment offense." (Petn. at p. 24.) More importantly, in reviewing the commitment offense, the Governor properly relied

on relevant and reliable evidence, including the appellate court decisions memorializing the crimes and Van Houten's own statements, to find her unsuitable for parole. Because the Governor's decision is supported by some evidence, Van Houten cannot establish a prima facie case for relief.

III. VAN HOUTEN'S ARGUMENT THAT THE GOVERNOR HAS A CONFLICT OF INTEREST IS WITHOUT MERIT; THE GOVERNOR IS CONSTITUTIONALLY AUTHORIZED TO REVIEW PAROLE DECISIONS FOR CONVICTED MURDERERS;

Van Houten's allegation that the Governor has a conflict of interest that bars his review of Van Houten's parole suitability is without merit. The Governor is constitutionally and statutorily authorized to review parole decisions for convicted murderers. (Const., art. V, § 8, subd. (b); Pen. Code, § 3041.2, subd. (b).) His decision must be supported by some evidence in the record that the inmate is currently dangerous (*In re Lawrence*, *supra*, 44 Cal.4th at p. 190), which is the case here.

For her part, Van Houten points to no specific conflict of interest statute, provides no explanation why the Governor's review of Van Houten's parole suitability would raise a legal conflict, and fails to explain how her theory squares with the constitutional provision specifically authorizing the Governor's review. None of the cases that Van Houten relies on suggests that the Governor's actions here are subject to a conflict of interest analysis. (Petn. at pp. 28-31.) Van Houten fails to meet her burden demonstrating a prima facie case for relief. (*People v. Duvall* (1995) 9 Cal.4th 464, 474 ["Conclusory allegations made

without any explanation of the basis for the allegations do not warrant relief"].)

IV. REMAND TO THE GOVERNOR IN LIGHT OF THE YOUTH OFFENDER REGULATIONS IS UNNECESSARY.

Remand to the Governor to consider the newly enacted regulations pertaining to youth offender parole hearings is unnecessary.[3] As discussed above, the Governor considered the relevant youth offender criteria as established by statute, gave those factors great weight, and articulated the reasons Van Houten remained currently dangerous. And the Governor's written determination makes clear that his decision would be the same even if required to expressly consider the regulations. (Cf. *In re Dannenberg* (2005) 34 Cal.4th 1061, 1100 ["We may uphold the parole authority's decision, despite a flaw in its findings, if the authority has made clear it would have reached the same decision even absent the error."].)

In 2013, the Legislature enacted Senate Bill No. 260—a youth offender parole scheme—that requires the Board to give "great weight" to the diminished culpability of youth as compared to adults, the hallmark features of youth, and any subsequent growth and increased maturity when considering a youth offender for parole. (Pen. Code, §§ 3051, 4081, subd. (c).) On January 1, 2020, regulations went into effect that interpret these three statutory youth offender factors. (See Cal. Code Regs., tit.

[3] Van Houten does not claim in her Petition for Review that the Governor's decision conflicts with the requirements of the youth offender parole statute.

15, §§ 2445, 2446.)[4] The regulations give primacy to the youth offender factors in the parole authority's suitability determination by requiring it to begin its analysis with careful consideration of those factors; to grant parole unless those factors are outweighed by relevant and reliable evidence of current dangerousness; and, if it denies parole, to articulate how the youth offender factors were applied in that particular case and explain why those considerations are outweighed by evidence that the offender would imperil public safety if released. (*Id.* at §§ 2445, 2446.)

Although these regulations were not in effect when the Governor reversed the Board's suitability finding, the Governor properly considered the youth offender factors as applied to Van Houten by giving them great weight, balanced those factors against other relevant considerations, and articulated a rational explanation for concluding that Van Houten poses a current, unreasonable threat to public safety. And his written determination tracks the requirements of the regulations themselves. As explained above, the Governor began his analysis with careful consideration of the youth offender factors and gave "great weight to all the factors relevant to [Van Houten's] diminished culpability as a youthful offender—her immaturity, impetuosity and failure to appreciate risks and consequences—and her other hallmark features of youth." (Exh. A at p. 3.) The

[4] The Governor is required to consider "the same factors which the parole authority is required to consider" when making parole determinations. (Cal. Const., art. V, § 8, subd. (b).)

Governor also gave "great weight to her subsequent growth in prison." (*Ibid.*) Those considerations tracked the requirements of the regulations, requiring him to give "great weight to the youth offender factors." (Cal. Code Regs. tit. 15, § 2445, subd. (b) ["In considering a youth offender's suitability for parole, the hearing panel shall give great weight to the youth offender factors described in section 2446 of this article: (1) the diminished culpability of youth as compared to adults; (2) the hallmark features of youth; and (3) any subsequent growth and increased maturity of the inmate."].)

But the Governor also concluded that "these factors are outweighed by negative factors that demonstrate she remains unsuitable for parole." (Exh. A at p. 3.) That conclusion, too, tracks the requirements of the new regulations. (Cal. Code Regs. tit. 15, § 2445, subd. (d) ["If a hearing panel finds a youth offender unsuitable for parole, the hearing panel shall articulate in its decision the youth offender factors present and how such factors are outweighed by relevant and reliable evidence that the youth offender remains a current, unreasonable risk to public safety."].) Because the Governor met his statutory obligation to give great weight to the youth offender factors—and because his written determination makes clear that his decision would be the same under the new regulations—remanding the matter to the Governor is unnecessary.

Moreover, Van Houten received another parole suitability hearing on July 23, 2020. The Governor will assess that parole suitability determination anew under the relevant statutory and

regulatory regime, including the regulations in effect at the time of review.

CONCLUSION

The petition for review should be denied.

Dated: July 27, 2020

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that the attached ANSWER TO PETITION FOR REVIEW uses a 13 point Century Schoolbook font and contains 4,085 words.

Dated: July 27, 2020

XAVIER BECERRA
Attorney General of California

/s/ Jennifer O. Cano

JENNIFER O. CANO
Deputy Attorney General
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DECLARATION OF ELECTRONIC SERVICE AND SERVICE BY U.S. MAIL

Case Name: In re Leslie Van Houten Case No.: S263186

I declare:

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 collecting and processing electronic and physical correspondence. 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. Correspondence that is submitted electronically is transmitted using the TrueFiling electronic filing system. Participants who are registered with TrueFiling will be served electronically. Participants in this case who are not registered with TrueFiling will receive hard copies of said correspondence through the mail via the United States Postal Service or a commercial carrier.

On July 27, 2020, I electronically served the attached ANSWER TO PETITION FOR REVIEW by transmitting a true copy via this Court's TrueFiling system. Because one or more of the participants in this case have not registered with the Court's TrueFiling system or are unable to receive electronic correspondence, on July 27, 2020, I placed a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

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Court of Appeal of the State of California
Second Appellate District, Div. 1
Case No. B304258
(Served Electronically)

The Honorable William C. Ryan
LASC – Criminal Justice Center
210 West Temple St., Dept. 100
Los Angeles, CA 90012
Case No. BH012512

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 July 27, 2020, at Los Angeles, California.

J. Garcia
Declarant

/s/ J. Garcia
Signature