

**S277120**

**IN THE SUPREME COURT OF CALIFORNIA**

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ARMIDA RUELAS; DE'ANDRE EUGENE COX; BERT DAVIS; KATRISH JONES; JOSEPH MEBRAHTU; DAHRYL REYNOLDS; MONICA MASON; LOUIS NUNEZ-ROMERO; SCOTT ABBEY, and all others similarly situated

*Plaintiffs and Respondents,*

v.

COUNTY OF ALAMEDA; SHERIFF GREGORY J. AHERN; ARAMARK CORRECTIONAL SERVICES, LLC

*Defendants and Petitioners.*

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On Review from an Order Certifying a Question of California Law from the United States Court of Appeals For the Ninth Circuit, Case No. 21-16528

After an Appeal from the United States District Court, Northern District of California, Case Number 4:19-cv-07637-JST, Hon. Jon S. Tigar

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**MOTION FOR JUDICIAL NOTICE SUPPORTING COUNTY OF ALAMEDA AND SHERIFF GREGORY J. AHERN'S OPENING BRIEF ON THE MERITS; SUPPORTING MEMORANDUM; DECLARATION OF ADAM W. HOFMANN**

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**MOTION FOR JUDICIAL NOTICE**

Pursuant to California Rules of Court, rules 8.252 and 8520(g), and Evidence Code sections 451, 452, and 459, petitioners County of Alameda and Sheriff Gregory J. Ahern respectfully move this Court for judicial notice of the following documents:


**Exhibit 1:** Senate Committee on Public Safety, AB 2012 Bill Analysis, 2015-2016 Regular Session

**Exhibit 2:** Bill text and vote history of Assembly Constitutional Amendment No. 3

**Exhibit 3:** Bill text and vote history of Senate Bill No. 1371

This Motion is based on the attached Memorandum and Declaration of Adam W. Hofmann.

DATED: February 9, 2023      HANSON BRIDGETT LLP

By:   
\_\_\_\_\_  
ADAM W. HOFMANN  
Attorneys for Petitioners  
County of Alameda and  
Gregory J. Ahern, Sheriff

## MEMORANDUM IN SUPPORT MOTION FOR JUDICIAL NOTICE

The Court may take judicial notice of any matter noticeable by the trial court. (Evid. Code, § 459; see also Cal. Rules of Court, rule 8.252(a)(2)(C).) Exhibit 1 is judicially noticeable as a report prepared for and presented to the California Senate’s Committee on Public Safety. (*Kaufman & Broad Communities, Inc. v. Performance Plastering, Inc.* (2005) 133 Cal.App.4th 26, 31-37 [collecting cases and reviewing legislative records subject to judicial notice, including senate committee reports].) Exhibits 2 and 3 are judicially noticeable documents reflecting the public acts of the California Legislature. (See, e.g., *St. John’s Well Child & Family Ctr. v. Schwarzenegger* (2010) 50 Cal.4th 960, 966 fn. 5, 969 fn. 9 [taking judicial notice of various assembly and senate bills and related amendment histories and reports when construing governor’s line-item veto authority]; *Martin v. Szeto* (2004) 32 Cal.4th 445, 452 fn. 9 [taking judicial notice of assembly bill’s legislative history in connection with construing statute that bill would have amended].)

Exhibits 1-3 are also relevant to the Court’s review in this case. (See *Mangini v. R.J. Reynolds Tobacco Co.* (1994) 7 Cal.4th 1057, 1064, fn. 1, overruled on other grounds in *In re Tobacco Cases II* (2007) 41 Cal.4th 1257, 1276; Cal. Rules of Court, rule 8.252(a)(2)(A).) Evidence is relevant where it has “any tendency in reason to prove or disprove any disputed fact that is of consequence to the determination of the action.” (Evid. Code, § 210.)

Here, the question posed by the U.S. Court of Appeals for the Ninth Circuit requires the Court to consider what law governs the terms of work performed by persons incarcerated in county jails while awaiting trial. As discussed in greater detail in the County's Opening Brief on the Merits, the answer to that question should be determined from the text, history, and context of the relevant laws themselves, specifically Article XIV, section 5 of the California Constitution, and provisions of the California Penal Code. However, Exhibits 1-3 support that analysis. They reflect recent actions by the California Legislature, making some changes to the laws governing work by incarcerated persons and considering other changes. In the course of taking those actions, the Legislature could have amended the relevant statutes, could have adopted a minimum wage for county inmates, or could have made work by county inmates subject to the Labor Code. But it chose not to. Under these circumstances, the Court should not read into the governing statutes requirements that are not only absent from their text, history, and context, but are inconsistent with the Legislature's most recent policy conclusions regarding work by incarcerated persons.

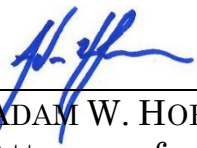
Exhibits 1-3 were not presented to the district court in the case below. (See Cal. Rules of Court, rule 8.252(a)(2)(B).) This Court may but is not required to take judicial notice of evidence that should have been but was not presented to the trial court, especially in the absence of an explanation for its omission. (*Brosterhous v. State Bar* (1995) 12 Cal.4th 315, 325-326.) However, the Court will take judicial notice of undisputed facts

that arose during the course of an appeal. (See *Reserve Ins. Co. v. Pisciotta* (1982) 30 Cal. 3d 800, 813; see also Cal. Rules of Court, rule 8.252(a)(2)(D).)

Here, Exhibits 1 and 2 existed before the order under review, though Exhibit 2 remained in legislative processes and subject to amendment and voting until after the district court's order. Their relevance, however, became apparent only after the district court entered an order largely disregarding the statutory context of Respondent's claims. In turn, Exhibit 3 came into existence in the last year, while the case was pending on appeal.

The Court can and should take judicial notice of these legislative materials.

DATED: February 9, 2023      HANSON BRIDGETT LLP

By:   
\_\_\_\_\_  
ADAM W. HOFMANN  
Attorneys for Petitioners  
County of Alameda and  
Gregory J. Ahern, Sheriff

**DECLARATION OF ADAM W. HOFMANN IN SUPPORT  
MOTION FOR JUDICIAL NOTICE**

I, Adam W. Hofmann, declare as follows:

1. I am an attorney admitted to practice before the courts of the State of California. I am a partner with Hanson Bridgett LLP, attorneys of record for petitioners County of Alameda and Sheriff Gregory J. Ahern.

2. I have personal knowledge of the facts set forth herein. If called as a witness, I could and would competently testify to the matters stated herein.

3. Attached hereto as Exhibit 1 is a true and correct copy of the Senate Committee on Public Safety, AB 2012 Bill Analysis, 2015-2016 Regular Session.

4. I downloaded this document from the California Legislative Information Website, [https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=201520160AB2012](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520160AB2012), on February 9, 2023.

5. Attached hereto as Exhibit 2 is a true and correct copy of the text and vote history of Assembly Constitutional Amendment No. 3.

6. I downloaded this document from the California Legislative Information Website, [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220ACA3](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220ACA3), on February 9, 2023.

7. Attached hereto as Exhibit 3 is a true and correct copy of the bill text and vote history of Senate Bill No. 1371.

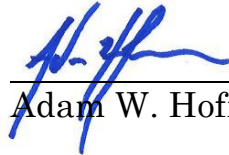
8. I downloaded this document from the California

Legislative Information Website,

[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB1371](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB1371), on February 9, 2023.

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

Executed February 9, 2023, at Sacramento, California.



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Adam W. Hofmann

# Exhibit 1



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# SENATE COMMITTEE ON PUBLIC SAFETY

Senator Loni Hancock, Chair  
2015 - 2016 Regular

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**Bill No:** AB 2012                      **Hearing Date:** June 21, 2016  
**Author:** Bigelow  
**Version:** April 7, 2016  
**Urgency:** No                              **Fiscal:** No  
**Consultant:** JRD

**Subject:** *Jail Industry Authority*

## HISTORY

**Source:** L.A. County Sheriff and Tuolumne County Sheriff

**Prior Legislation:** SB 262 (Presley)--Chapter 1303, Statutes of 1987

**Support:** California Public Defenders Association; California State Association of Counties; California State Sheriffs' Association; Los Angeles County Board of Supervisors; Sacramento County Sheriff's Department; San Diego County Sheriff's Department; San Luis Obispo County Sheriff's Office; Stanislaus County Sheriff's Office; Tulare County Sheriff's Office; Ventura County Sheriff's Office

**Opposition:** Coalition of Small & Disabled Veteran Businesses

**Assembly Floor Vote:** 77 - 0

## PURPOSE

*The purpose of this bill is to replace the authorization of the Jail Industry Commission with an authorization for a Jail Industry Authority, which will have similar purposes, powers and duties as the Prison Industry Authority, as specified.*

*Existing law* authorizes the Boards of Supervisors of counties of the 9th or 19th class, with the concurrence of the county sheriff to establish, by ordinance, a Jail Industry Commission (JIC) for that county. The JIC, if established, shall have the same purposes, powers and duties with respect to county jails as the Prison Industry Authority (PIA) has for institutions under the jurisdiction of the Department of Corrections. (Penal Code §§ 4325 and 2800, et seq.; Government Code §§ 28030 and 28040.)

*Existing law* states the JIC shall be composed of nine members, with four being appointed and serving at the pleasure of the Board of Supervisors, with three being appointed by and serving at the pleasure of the Sheriff, the Chairperson of the Board of Supervisors and the Sheriff as the ex officio Chairperson of the Commission. (Penal Code § 4326.)

*Existing law* requires the Boards of Supervisors, upon establishing a JIC, to establish a Jail Industries Fund to fund the operations of the Commission, to serve as a depository for any jail

industry income, and to pay compensation for prisoner participants. (Penal Code § 4327.)

*Existing law* sunsets the provision which states that no JIC program shall remain in existence four years after it is established. (Penal Code §§ 4325 and 4329.)

*Existing law* states that the purposes of the PIA are: to develop and operate industrial, agricultural and service enterprises employing prisoners under the jurisdiction of the Department of Corrections, to create and maintain working conditions as much like private industry as possible, to allow prisoners to earn funds and improve work habits and skills, and to operate programs which will ultimately be self-supporting financially. (Penal Code § 2801.)

*Existing law* grants the PIA: jurisdiction over the operation of all industrial, agricultural, and service operations formerly under the jurisdiction of the Correctional Industries Commission; authority to establish new industrial, agricultural and service enterprises; to initiate new vocational training programs; to assume authority over existing vocational training programs; and the power to buy and sell all equipment, supplies and materials used in the Prison Industry Authority's operations. (Penal Code § 2805.)

*Existing law* grants authority to the PIA to sell products and services to states and local agencies. (Penal Code § 2807.)

*Existing law* requires the PIA to fix a price schedule for all PIA products and services. (Penal Code § 2807.)

*Existing law* allows the PIA to sell products and services to nonprofits so long as they are 501(c)(3) organizations with a memorandum of understanding with a local education agency who provides public those products or services at no cost. (Penal Code § 2807; 26 U.S.C. § 501(c)(3).)

*Existing law* gives the PIA board the same authority as the board of directors of private corporations, including but not limited to the ability to enter into contracts. (Penal Code § 2808.)

*Existing law* grants the general manager of the board, with the approval of the Department of Finance, to borrow funds for operations, supply and equipment purchases, and construction and repair of facilities. (Penal Code § 2810.)

*Existing law* requires the PIA to adopt and maintain a compensation schedule for inmate employees, with no compensation to exceed half the minimum wage as specified. (Penal Code § 2811; Labor Code § 1182.)

*Existing law* prohibits any person from selling products manufactured in whole or in part by inmate labor. (Penal Code § 2812.)

*Existing law* authorizes the PIA to allow inmates to make and sell small articles of handiwork, as provided. (Penal Code § 2813.)

*Existing law* allows the PIA to authorize inmates to rebuild or repair salvaged or abandoned vehicles, subject to the Vehicle Code, and requires the funds from these sales be deposited in the Restitution Fund. (Penal Code §§ 2054, 2808 and 2813.5; Vehicle Code §§ 22851.3 and 24007.5.)

*Existing law* allows the PIA to sell agricultural or animal husbandry products to private persons. (Penal Code § 2814.)

*Existing law* allows the PIA to sell goods and services to foreign governments, foreign corporations or individuals with agents in foreign markets. (Penal Code § 2815.)

*This bill* replaces the authorization for Jail Industry Commissions with an authorization for the Jail Industry Program.

*This bill* allows the Boards of Supervisors of the counties of Los Angeles, Sacramento, San Diego, San Joaquin, Sonoma, Stanislaus, Tulare, Tuolumne, and Ventura to establish a Jail Industry Program.

*This bill* states the purpose of the Jail Industry Authority includes the following:

- To develop and operate industrial, agricultural or service enterprises or programs under the jurisdiction of the Sheriff or Country Director of Corrections;
- To create and maintain working conditions within the enterprises as similar as possible to those in private industry;
- To ensure prisoners have the opportunity to earn funds and acquire work skills; and
- To allow inmates to earn time credits if so authorized.

*This bill* eliminates the sunset provision for programs established by any Jail Industry Commission.

*This bill* makes technical and conforming changes.

#### RECEIVERSHIP/OVERCROWDING CRISIS AGGRAVATION

For the past several years this Committee has scrutinized legislation referred to its jurisdiction for any potential impact on prison overcrowding. Mindful of the United States Supreme Court ruling and federal court orders relating to the state's ability to provide a constitutional level of health care to its inmate population and the related issue of prison overcrowding, this Committee has applied its "ROCA" policy as a content-neutral, provisional measure necessary to ensure that the Legislature does not erode progress in reducing prison overcrowding.

On February 10, 2014, the federal court ordered California to reduce its in-state adult institution population to 137.5% of design capacity by February 28, 2016, as follows:

- 143% of design bed capacity by June 30, 2014;
- 141.5% of design bed capacity by February 28, 2015; and,
- 137.5% of design bed capacity by February 28, 2016.

In December of 2015 the administration reported that as "of December 9, 2015, 112,510 inmates were housed in the State's 34 adult institutions, which amounts to 136.0% of design bed capacity, and 5,264 inmates were housed in out-of-state facilities. The current population is 1,212 inmates below the final court-ordered population benchmark of 137.5% of design bed capacity, and has been under that benchmark since February 2015." (Defendants' December

2015 Status Report in Response to February 10, 2014 Order, 2:90-cv-00520 KJM DAD PC, 3-Judge Court, *Coleman v. Brown, Plata v. Brown* (fn. omitted).) One year ago, 115,826 inmates were housed in the State's 34 adult institutions, which amounted to 140.0% of design bed capacity, and 8,864 inmates were housed in out-of-state facilities. (Defendants' December 2014 Status Report in Response to February 10, 2014 Order, 2:90-cv-00520 KJM DAD PC, 3-Judge Court, *Coleman v. Brown, Plata v. Brown* (fn. omitted).)

While significant gains have been made in reducing the prison population, the state must stabilize these advances and demonstrate to the federal court that California has in place the "durable solution" to prison overcrowding "consistently demanded" by the court. (Opinion Re: Order Granting in Part and Denying in Part Defendants' Request For Extension of December 31, 2013 Deadline, NO. 2:90-cv-0520 LKK DAD (PC), 3-Judge Court, *Coleman v. Brown, Plata v. Brown* (2-10-14). The Committee's consideration of bills that may impact the prison population therefore will be informed by the following questions:

- Whether a proposal erodes a measure which has contributed to reducing the prison population;
- Whether a proposal addresses a major area of public safety or criminal activity for which there is no other reasonable, appropriate remedy;
- Whether a proposal addresses a crime which is directly dangerous to the physical safety of others for which there is no other reasonably appropriate sanction;
- Whether a proposal corrects a constitutional problem or legislative drafting error; and
- Whether a proposal proposes penalties which are proportionate, and cannot be achieved through any other reasonably appropriate remedy.

## COMMENTS

### 1. Need for Legislation

According to the author:

Many counties across the nation have realized enormous benefits from their jail industry programs.

Counties that operate jail authorities agree that the programs offer one of the few win-win opportunities in corrections. Everyone benefits from a successful industry authority—the jail, taxpayers, communities, families, and inmates. The public benefits both financially (the program provides services or products at low or no cost, and there is less vandalism and property damage in the jail) and socially (the program increases the likelihood of inmate success upon release and reduces overcrowding).

Jail administrators and staff benefit from an improved jail environment (less tension, damage, and crowding) and are provided with a management tool both to encourage positive inmate behavior and to form a more visible and positive public image.

Inmates clearly benefit from increased work activities, experience, and, sometimes, earnings. Further, as tension, destruction, and crowding in the jail are reduced, inmates enjoy a better living environment. For some inmates, their experience in the industries program breaks a lifetime pattern of failure by helping them secure and maintain

meaningful post release employment. Every county within the state of California should have the authority to start a jail industries program within their jail system.

## **2. Effect of This Legislation**

As stated above, this legislation would allow the Counties of Los Angeles, Sacramento, San Diego, San Joaquin, Sonoma, Stanislaus, Tulare, Tuolumne, and Ventura to create a Jail Industry Authority within the county jail system, to:

- Develop and operate industrial, agricultural, or service enterprises or programs employing prisoners in county correctional facilities under the jurisdiction of the sheriff or county director of corrections.
- Create and maintain working conditions within the enterprises or programs as similar as possible to those that prevail in private industry.
- Ensure prisoners have the opportunity to work productively and earn funds and to acquire or improve effective work habits and occupational skills.
- Allow inmates who participate in the enterprise or program the opportunity to earn additional time credits, if authorized by the sheriff or county director of corrections.

The author's office has indicated that the author will amend the bill to add San Luis Obispo to the list of counties contained in this legislation. Given that this legislation is permissive, and that there will likely be numerous pieces of legislation in coming years to expand this authority to other counties, members may wish to consider an amendment applying the provisions of this legislation to all counties.

**-- END --**

# Exhibit 2

AMENDED IN SENATE JUNE 27, 2022

AMENDED IN SENATE JUNE 23, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

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**Assembly Constitutional Amendment**

**No. 3**

**Introduced by Assembly Member Kamlager**  
**(Coauthors: Assembly Members Kalra, Wicks, and**  
**Lorena Gonzalez)**  
(Coauthors: Senators Bradford, Portantino, and Skinner)

December 18, 2020

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Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article I thereof, relating to slavery.

LEGISLATIVE COUNSEL'S DIGEST

ACA 3, as amended, Kamlager. Slavery.

The California Constitution prohibits slavery. The California Constitution also prohibits involuntary servitude except as punishment to a crime.

This measure would ~~remove involuntary servitude from these provisions and~~ define slavery to include *involuntary servitude and* forced labor compelled by the use or threat of physical or legal coercion. *The measure would clarify that the provisions are not intended to have any effect on voluntary work programs in corrections settings.*

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

1     *Resolved by the Assembly, the Senate concurring,* That the  
2 Legislature of the State of California at its 2021–22 Regular  
3 Session commencing on the seventh day of December 2020,  
4 two-thirds of the membership of each house concurring, hereby  
5 proposes to the people of the State of California, that the  
6 Constitution of the State be amended as follows:

7     First—This measure shall be known, and may be cited, as the  
8 “End Slavery in California Act.”

9     Second—That Section 6 of Article I thereof is amended to read:

10    SEC. 6. (a) Slavery, in any form, *including involuntary*  
11 *servitude*, is prohibited.

12    (b) For purposes of this section, slavery includes forced labor  
13 compelled by the use or threat of physical or legal coercion.

14    (c) *This section is not intended to have any effect on voluntary*  
15 *work programs in correctional settings.*




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## ACA-3 Slavery. (2021-2022)

Date	Action
11/30/22	Died on Senate inactive file.
08/31/22	Ordered to inactive file at the request of Senator Leyva.
06/28/22	Read second time. Ordered to third reading.
06/27/22	Read third time and amended. Ordered to second reading.
06/27/22	Read second time. Ordered to third reading.
06/23/22	Read third time and amended. Ordered to second reading.
06/23/22	Reconsideration granted. (Ayes 34. Noes 0. Page 4395.)
06/23/22	Read third time. Refused adoption. (Ayes 21. Noes 6. Page 4395.)
06/20/22	Read second time. Ordered to third reading.
06/16/22	From committee: Be adopted. (Ayes 5. Noes 0.) (June 16).
06/13/22	From committee: Be adopted, and re-refer to Com. on APPR. Re-referred. (Ayes 4. Noes 0.) (June 13). Re-referred to Com. on APPR.
06/01/22	From committee: Be adopted, and re-refer to Com. on E. & C.A. Re-referred. (Ayes 5. Noes 0.) (May 31). Re-referred to Com. on E. & C.A.
04/20/22	Referred to Coms. on PUB. S. and E. & C.A.
03/22/22	In Senate. Read first time. To Com. on RLS. for assignment.
03/21/22	Ordered to the Senate.
03/21/22	Read third time. Adopted. (Ayes 59. Noes 0. Page 3915.)
08/30/21	Read second time. Ordered to third reading.
08/26/21	From committee: Be adopted. (Ayes 13. Noes 0.) (August 26).
08/26/21	Coauthors revised.
06/30/21	In committee: Set, first hearing. Referred to APPR. suspense file.
06/15/21	From committee: Be adopted, and re-refer to Com. on APPR. Re-referred. (Ayes 7. Noes 0.) (June 15). Re-referred to Com. on APPR.
06/15/21	Coauthors revised.
03/11/21	Referred to Com. on PUB. S.
01/11/21	Read first time.
12/19/20	From printer. May be heard in committee January 18.
12/18/20	Introduced. To print.

# Exhibit 3

**Senate Bill No. 1371**

\_\_\_\_\_

Passed the Senate May 26, 2022

\_\_\_\_\_

*Secretary of the Senate*

\_\_\_\_\_

Passed the Assembly August 24, 2022

\_\_\_\_\_

*Chief Clerk of the Assembly*

\_\_\_\_\_

This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2022, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_

*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act to add Section 2700.5 to the Penal Code, relating to incarcerated persons.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1371, Bradford. Incarcerated persons: wages.

Existing law authorizes the employment of incarcerated persons in various capacities and authorizes the Department of Corrections and Rehabilitation and the Prison Industry Authority to adopt and maintain a compensation schedule for incarcerated persons who are employees, as specified.

This bill would require the Secretary of the Department of Corrections and Rehabilitation to adopt a 5-year implementation schedule to increase the compensation for incarcerated persons engaged in work programs under the jurisdiction of the department. The bill would specify that the increase in compensation is required to adequately allow an incarcerated person to, among other things, afford quarterly packages, purchase educational materials, and maintain family connections, as specified.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2700.5 is added to the Penal Code, to read:

2700.5. (a) The Secretary of the Department of Corrections and Rehabilitation shall adopt a five-year implementation schedule to increase the compensation for incarcerated persons engaged in work programs under the jurisdiction of the department.

(b) The increase in compensation shall allow an incarcerated individual to do all of the following:

- (1) Afford quarterly packages.
- (2) Maintain family connections, including, but not limited to, the ability to purchase envelopes, stamps, writing paper and writing instruments, and the ability to afford phone calls.
- (3) Purchase educational materials.



Approved \_\_\_\_\_, 2022

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*Governor*


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## SB-1371 Incarcerated persons: wages. (2021-2022)

Date	Action
11/30/22	Last day to consider Governor's veto pursuant to Joint Rule 58.5.
09/29/22	In Senate. Consideration of Governor's veto pending.
09/29/22	Vetoed by the Governor.
09/06/22	Enrolled and presented to the Governor at 3:30 p.m.
08/25/22	In Senate. Ordered to engrossing and enrolling.
08/24/22	Read third time. Passed. (Ayes 70. Noes 0. Page 6185.) Ordered to the Senate.
08/15/22	Read second time. Ordered to third reading.
08/11/22	From committee: Do pass. (Ayes 15. Noes 1.) (August 11).
08/03/22	August 3 set for first hearing. Placed on suspense file.
06/21/22	From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (June 21). Re-referred to Com. on APPR.
06/02/22	Referred to Com. on PUB. S.
05/27/22	In Assembly. Read first time. Held at Desk.
05/26/22	Read third time. Passed. (Ayes 36. Noes 2. Page 3974.) Ordered to the Assembly.
05/23/22	Read second time. Ordered to third reading.
05/19/22	Read second time and amended. Ordered to second reading.
05/19/22	From committee: Do pass as amended. (Ayes 6. Noes 1. Page 3794.) (May 19).
05/13/22	Set for hearing May 19.
05/09/22	May 9 hearing: Placed on APPR suspense file.
04/29/22	Set for hearing May 9.
04/27/22	From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0. Page 3520.) (April 26). Re-referred to Com. on APPR.
03/30/22	Set for hearing April 26.
03/23/22	Re-referred to Com. on PUB. S.
03/16/22	From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
03/09/22	Referred to Com. on RLS.
02/22/22	From printer.
02/18/22	Article IV Section 8(a) of the Constitution and Joint Rule 55 dispensed with February 7, 2022, suspending the 30 calendar day requirement.
02/18/22	Introduced. Read first time. To Com. on RLS. for assignment. To print.

**PROOF OF SERVICE**

***Ruelas v. County of Alameda et al.***  
**California Supreme Court Case No. S277120**

**STATE OF CALIFORNIA, COUNTY OF CONTRA COSTA**

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Contra Costa, State of California. My business address is 1676 N. California Blvd., Suite 620, Walnut Creek, CA 94596.

On February 10, 2023, I served true copies of the following document described as **MOTION FOR JUDICIAL NOTICE SUPPORTING COUNTY OF ALAMEDA AND SHERIFF GREGORY J. AHERN'S OPENING BRIEF; DECLARATION OF ADAM W. HOFMANN IN SUPPORT MOTION FOR JUDICIAL NOTICE** on the interested parties in this action as follows:

**SEE ATTACHED SERVICE LIST**

**BY ELECTRONIC MAIL:** By submitting an electronic version of the document to TrueFiling, who provides e-serving to all indicated recipients through email.

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

Executed on February 10, 2023, at Vallejo, California.



---

Melinda S. Less



**SERVICE LIST**  
***Ruelas v. County of Alameda et al.***  
**California Supreme Court Case No. S277120**

Dan Siegel (Via TrueFiling)  
Anne Butterfield Weills  
EmilyRose Johns  
SIEGEL, YEE, BRUNNER & MEHTA  
475 14th Street, Suite 500  
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