



CDSS

JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

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ARNOLD SCHWARZENEGGER  
GOVERNOR

March 12, 2009

ALL COUNTY LETTER NO. 09-16

TO: ALL COUNTY WELFARE DIRECTORS  
ALL PUBLIC AND PRIVATE ADOPTION AGENCIES  
ALL CDSS ADOPTIONS DISTRICT OFFICES  
ALL CHIEF PROBATION OFFICERS  
ALL DELEGATED COUNTY ADOPTION AGENCIES  
ACADEMY OF CALIFORNIA ADOPTION LAWYERS

SUBJECT: ASSEMBLY BILL 2651 (Chapter 701, Statutes of 2008): APPROVALS  
FOR PROSPECTIVE ADOPTIVE APPLICANTS

REFERENCE: PUBLIC LAW (PL) 109-248 (THE ADAM WALSH CHILD PROTECTION  
AND SAFETY ACT OF 2006); FAMILY CODE (FC) SECTIONS 8712,  
8811, & 8908; HEALTH AND SAFETY CODE SECTION 1522

The purpose of this All County Letter (ACL) is to address the implementation of the provisions of Assembly Bill (AB) 2651, effective October 1, 2008, that relate to adoption. The AB 2651 is an urgency measure which amends California's adoption approval process for prospective adoptive parents/petitioners to meet federal requirements pursuant to the Adam Walsh Child Protection and Safety Act of 2006. It was designed to promote the safety, permanence, and well-being of children being adopted and bring the State into compliance with federal law.

The provisions of AB 2651 outlined in this ACL pertain to the California Department of Social Services (CDSS) and all licensed public and private adoption agencies in the State of California (including independent and intercountry). These provisions prohibit the final approval of a prospective adoptive applicant/petitioner or any adult residing in the applicant's home if they have certain felony convictions.

**FELONY CONVICTIONS – LIFETIME BAN**

Family Code (FC) Sections 8712 (c)(1)(A), 8811 (c)(1)(A), and 8908 (c)(1)(A) prohibit,

**REASON FOR THIS TRANSMITTAL**

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

for life, the final approval of an adoption for an applicant/petitioner or any adult residing in the applicant's/petitioner's home who has been convicted of any of the following felonies:

- Child abuse or neglect
- Spousal abuse
- Crimes against a child, including child pornography
- Crimes involving violence (including rape, sexual assault, or homicide, but not including other physical assault and battery), meaning any violent crime listed in Health and Safety Code (HSC), § 1522(g) (1)(A)(i) or 1522 (g)(1)(B)

For guidance as to which crimes are considered to be lifetime ban crimes, see Attachment A. This attachment is not a conclusive or exhaustive list of crimes and the crimes are subject to change by law. Therefore, consult your state attorney or county counsel if you have questions.

#### **FELONY CONVICTIONS – 5 YEAR BAN**

Family Code Sections 8712 (c)(1)(B), 8811 (c)(1)(B), and 8908 (c)(1)(B) prohibit the final approval of an adoption for an applicant/petitioner or any adult residing in the applicant's/petitioner's home who has been convicted of any of the following felony convictions that occurred within the last **five (5)** years:

- Physical assault
- Battery
- Drug or alcohol-related offense

For guidance as to which crimes are considered to be five year ban crimes see Attachment A. This attachment is not a conclusive or exhaustive list of crimes and the crimes are subject to change by law. Therefore, consult your state attorney or county counsel if you have questions.

#### **AGENCY AND INTERCOUNTRY ADOPTIONS**

The AB 2651 amended Family Code (FC) Sections 8712 and 8908. Effective October 1, 2008, FC Sections 8712 (c)(1) and 8908 (c)(1) prohibit CDSS or a licensed public or private adoption agency from giving final approval of any home where the prospective adoptive parent(s) or any adult residing in the home has any felony conviction as those listed above.

Previous law only required any criminal record to be reviewed and considered when assessing the adoptive applicant(s). Thus, the approval or denial did not rest solely on the applicant's criminal record, but was considered in the overall assessment of the adoptive applicants based on their psycho-social and environmental suitability for the child to be adopted.

This new law applies to any home study **(full, abbreviated, and updated)** that has not been approved prior to October 1, 2008. Effective October 1, 2008, AB 2651 mandates an applicant's adoption home study be denied and prohibits the agency from recommending final approval to the court in a home where either the applicant or any adult residing in the home has any of the felony convictions specified in FC 8712 and 8908.

For home studies approved prior to October 1, 2008, (as with any conviction) the agency is responsible for informing the court of the conviction in its final court report and the reason why the agency is continuing to recommend the adoption be approved by the court in light of the implementation of the provisions of the Adam Walsh Act. Any criminal record or child abuse history that does not require a denial under AB 2651 must still be considered in the overall assessment of the suitability of the adoptive applicants.

### **Additional Adults Residing in the Home**

For an adoption home study not approved prior to October 1, 2008, where adults other than the applicant residing in the prospective adoptive home have any felony conviction specified in FC 8712 and 8908, adoptive applicants maintain the option of removing those adults from the home. Once removed, adoption agencies may take into consideration the change in circumstances in the applicant's home and proceed with the assessment of the home of the applicant(s).

### **Subsequent Arrest Notification Service (SANS) ("rap back")**

- Arrest Notification Between Home Study Approval and Finalization:  
If the agency receives a "rap back" for any felony for the applicant or any adult resident in the home, the agency must determine if the new criminal activity poses a safety risk to the child(ren). In addition, the agency must assess if the criminal activity affects the applicant's ability to provide proper and adequate care for the child.
- Convictions<sup>1</sup> Received Prior to Finalization:

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<sup>1</sup> Any subsequent conviction would be disseminated on the DOJ Subsequent Action Disposition Information (form JUS 8715A). It is provided to any agency contracted with DOJ to receive SANS.

The agency is responsible for completing an updated assessment (Title 22, Division 2, Chapter 3, Section 35183.1 of the California Code of Regulations (CCR)). Such a conviction is considered a new circumstance that would require the agency to deny the home study.

- Conviction Between Adoptive Placement and Finalization:  
The agency is required to terminate the adoptive placement by following the existing protocol found in FC 8704 and Title 22, Division 2, Chapter 3, Section 35207 of the CCR. Consistent with current procedures regarding the termination of the adoptive placement, the information must be documented in the Adoptive Placement section of the Child Welfare/Case Management System (CWS/CMS).

For more information regarding SANS requirements see Title 22, Division 2, Chapter 3, Section 35184(d) of the CCR.

### **INDEPENDENT ADOPTIONS**

Effective October 1, 2008, AB 2651 amended FC Section 8811(c)(1) requiring the CDSS or the delegated county adoption agency (Alameda, Los Angeles, San Diego) to submit a denial report to the court when the petitioner(s) or any adult living in the home of the petitioner(s) has any felony conviction outlined in FC 8811.

Previous law allowed the information on the criminal record to be taken into consideration when assessing the petitioner(s). Subsequently, the recommendation to approve or deny was not based solely on the petitioner's criminal record, but on the complete investigation performed by the CDSS or delegated county adoption agency.

Effective, October 1, 2008, AB 2651 requires the agency to recommend to the court that the adoption petition be denied when a review of the criminal record reveals either the petitioner(s) or any adult residing in the home has any felony conviction specified in FC 8811.

In Independent Adoptions, the child is in the home of the petitioner(s) prior to the investigation and assessment. Therefore, if a petitioner's criminal history includes a felony conviction outlined in FC 8811, the denial report **must be** submitted immediately to the court, and a referral to child protective services shall be made.

### **Additional Adults Residing in the Home**

For investigations not approved prior to October 1, 2008, where adults residing in the petitioner's home have any felony conviction outlined in FC 8811, the petitioner maintains the option of removing those adults from the home. Once removed, the

CDSS or delegated county adoption agency may submit a recommendation for approval to the court.

**Subsequent Arrest Notification Service (SANS) (“rap back”)**

If a notification of an arrest for the petitioner or any adult living in the home is received, the Department or delegated county adoption agency must determine through its investigation if the new criminal information will affect the recommendation for approval. Until an adoption is finalized, regardless of a previously approved home study or investigation, effective October 1, 2008, if a subsequent arrest results in any felony conviction outlined in FC sections 8811 for a petitioner or adult living in the home, it will be subject to the same requirement to provide the court with a recommendation of denial. For more information regarding SANS requirements, see Title 22, Division 2, Chapter 3, Section 35087(a)(7)(c) of the CCR.

**Pre-placement Evaluations**

Since only the Department and delegated county adoption agency can give a recommendation to the court, petitioner(s) who have a valid pre-placement evaluation completed prior to October 1, 2008 will be required to meet the new statutory requirement of AB 2651. Therefore, any crime outlined in FC 8811 that presents on a petitioner’s criminal history prior to finalization will require a recommendation of denial to the court.

Should you have any questions regarding this ACL, please contact the Permanency Policy Bureau at (916) 657-1858 for Agency and Intercountry Adoptions, the Adoptions Services Bureau at (916) 651-8089 for Independent Adoptions, or you may contact me at (916) 657-2614.

Sincerely,

***Original Document Signed By:***

GREGORY E. ROSE  
Deputy Director  
Children and Family Services Division

c: County Welfare Directors Association  
California Association of Adoption Agencies

**AB 2651 (2008)**

**Crimes of Prospective Adoptive Applicant(s)/Petitioner(s) or Adults Residing in the Prospective Adoptive Applicant’s/Petitioner’s Home that cannot be Approved**

**Introduction**

These lists address the state implementation of the federal Adam Walsh Child Protection and Safety Act of 2006. Assembly Bill (AB) 2651, effective October 1, 2008, will allow California to implement the federal requirements. This new law will apply to all agency, independent, and intercountry adoption approvals. The law also applies to all adults residing in the prospective adoptive parent(s)/petitioner(s) home.

The new changes to Family Code (FC) Sections 8712, 8811, and 8908 include two categories of crimes for which an approval **may not** be granted under the federal law. The codes for these crimes are found at Health and Safety Code Section 1522(g)(1)(A)(i) and 1522(g)(1)(B). These crimes also include federal five (5) year ban crimes.

*These lists are not meant to be a conclusive or exhaustive list of crimes and are subject to change by law. Therefore, consult your state attorney or county counsel if you have questions.*

**NON-APPROVABLE CRIMES LIST**

Family Code Sections 8712(c)(1)(A), 8811(c)(1)(A) & 8908(c)(1)(A) – “Under no circumstances shall the Department or a delegated county adoption agency/licensed adoption agency give final approval for an adoptive placement in any home where the prospective adoptive parent or any adult living in the prospective adoptive home has either of the following:

- (A) A felony conviction for **child abuse or neglect, spousal abuse, crimes against a child (including child pornography)**, or for a **crime involving violence**, including rape, sexual assault, or homicide, but not including other physical assault and battery. For purposes of this subdivision, crimes involving violence means those violent crimes contained in clause (i) of subparagraph (A), or subparagraph (B), of paragraph (1) of subdivision (g) of Section 1522 of the Health and Safety Code.”

These are the state crimes located at Health and Safety Code section 1522(g)(1)(A)(i) or 1522(g)(1)(B).

<b>Felony Convictions for “Child Abuse or Neglect”</b>	
<b>Code Section</b>	<b>Description</b>
Penal Code (PC) section 269	Aggravated assault of a child
PC section 272	Contributing to delinquency of a minor and attempted
PC section 273a(a) [or 273a(1) if conviction was prior to January 1, 1994]	Willfully causing or permitting any child to suffer under circumstances or conditions likely to produce great bodily harm or death
PC section 273d	Willfully inflicting any cruel or inhuman corporal punishment or injury on a child

<b>Felony Convictions for “Spousal Abuse”</b>	
<b>Code Section</b>	<b>Description</b>
PC section 166(c)(4)	Violation of domestic violence protective order by violence or threat of violence (*If against a spouse)
PC section 262(a)(1) or (4)	Rape of spouse
PC section 262(a)(2)	Rape of spouse-by intoxication
PC section 262(a)(3)	Rape of spouse-victim unconscious
PC section 262(a)(5)	Rape of spouse-threat to use authority
PC section 266g	Placing wife in house of prostitution against her will
PC section 273.4	Female genital mutilation (*If against a spouse)
PC section 273.5	Willful infliction of corporal injury (*If against spouse)
PC section 646.9	Stalking (*If against spouse)
<b>Felony Convictions for “Crimes Against a Child” (including child pornography)</b>	
<b>Code Section</b>	<b>Description</b>
PC section 157	Substitute one child for another to deceive
PC section 266	Enticing minor into prostitution and attempted
PC section 266h(b)	Pimping a minor
PC section 266i(b)	Pandering a minor
PC section 266j	Providing a minor under 16 for lewd or lascivious act
PC section 270	Failure to provide after final adjudication
PC section 271	Desert/abandon child under 14
PC section 271a	Abandonment of child...false misrepresentation as orphan
PC section 272	Contributing to the delinquency of a minor
PC section 273ab	Assault resulting in death of child under 8
PC section 278	Child stealing
PC section 278.5(a)	Maliciously deprive custody of child
PC section 280(b)	Conceal child from adoption proceedings
PC section 285	Incest and attempted
PC section 286	Sodomy
PC section 288	Lewd or lascivious act upon a child under 14 and attempted
PC section 288.2	Distributing lewd material to children and attempted
PC section 288.3	Contact with a minor to commit sexual offense
PC section 288.4	Meeting with minor for sexual purpose
PC section 288.5	Continuous sexual abuse of a child and attempted
PC section 288.7	Sexual conduct with child 10 years or younger
PC section 311.1	Sent or brought into state for possession, or distribution: child-related pornography and attempted
PC section 311.2(b)(c) or (d)	Sending or bringing into state, possessing for distribution: child-related pornography and attempted
PC section 311.3	Sexual exploitation of a child and attempted
PC section 311.4	Using a minor to assist in making or distributing child pornography and attempted
PC section 311.10	Advertising or distributing child pornography and attempted

PC section 311.11	Possessing child pornography and attempted
PC section 313.1(a) and (b)	Harmful/patently offensive matter to children
PC section 12303.2	Reckless possession of destructive device or explosive in public area near theatre, school etc...
PC section 278	Unlawfully detain child from legal custodian
PC section 278.5	Deprivation of custody or visitation
PC section 280	Removal of child from county of adoption
PC section 626.9	Possess or discharge firearm in or within 1000 feet of a gun free K-12 school zone
PC section 626.10(a)	Possessing weapon at K-12 school
PC section 626.95	Firearm at playground or youth center
PC section 646.9	Stalking vs. child
PC section 647.6 or prior to 1987 former section 647a	Annoy, molest child under 18 and attempted
PC section 653j	Solicit child to commit serious specified felony
PC section 1001.5	Alcohol at Youth Authority
PC section 12072(a)(3)(a)	Sell firearm to a minor
Business and Profession (BP) section 4336(a)	Dangerous drug by minor as agent
Health and Safety (HS) 11353	Induce, use or employ minor to violate drug provision
HS section 11353.5	Controlled substance given or sold to minor
HS section 11353.7	Controlled substance given or sold to minor in park
HS section 11354(a)	Minor induce, use or employ minor to violate drug provision
HS section 11361(a)	Sell Marijuana to minor in park
HS section 11361(b)	Furnish Marijuana to minor in park
HS section 11371	Induce minor to prescription violation
HS section 11371.1	Induce minor to violated provision of drug education by use or possession of controlled substance
HS section 11379.7	Manufacturing meth, etc. where child present
HS section 11380	Minor induce, use or employ minor to violate drug provision
<b>Felony Conviction for “Crimes Involving Violence” (including rape, sexual assault or homicide but not including other physical assault and battery)</b>	
<b>Code Section</b>	<b>Description</b>
PC section 37	Treason
PC section 128	Perjury resulting in the conviction of an innocent person
PC section 136.1 with 186.22	Felony Intimidation of Witnesses and Victims/Gang Related
PC section 187, 190-190.4 and 192(a)	Any murder, attempted murder, voluntary manslaughter
PC section 203	Any mayhem
PC section 206	Torture
PC section 207, 208, 209, 209.5	Kidnapping
PC section 211, 212, 212.5, 213, 214	Any robbery
PC section 215	Carjacking
PC section 218 or 219	Train wrecking



PC section 220	Assault with intent to commit mayhem, rape, sodomy or oral copulation, etc.
PC section 243.4	Sexual battery and attempted
PC section 261(a)(1)(2)(3)(4) or (6)	Rape and attempted
PC section 264.1	Rape in concert and attempted
PC section 266c	Induce to sexual intercourse, etc. by fear or consent through fraud
PC section 267	Abduction for prostitution and attempted
PC section 288a	Oral copulation
PC section 289	Genital or anal penetration by foreign object and attempted
Offenses listed at PC section 290(a)(2)(A)	Registration of sex offenders [all such offenses are included in this list]
PC section 314(1) or (2)	Lewd or obscene exposure of private parts and attempted
PC section 347(a)	Poisoning or adulterating food, drink, medicine, pharmaceutical products, spring, well, or reservoir
PC section 368	Elder or dependent adult abuse
PC section 417(b)	Drawing, exhibiting, or using firearm or deadly weapon on the grounds of a day care center
PC section 451(b)	Arson with great bodily injury
PC section 451(b)	Arson of an inhabited structure or property- Applies to Family Child Care Homes, Child Care Centers and TrustLine Registry only
PC section 518 with 186.22	Extortion/gang related
PC section 653f(c)	Solicit another to commit rape, sodomy, etc. and attempted
PC section 664/187	Any attempted murder
PC section 667.5(c)(7)	Any felony punishable by death or imprisonment in the state prison for life without possibility of parole but not for an indeterminate sentence
PC section 667.5(c)(8)	Enhancement for any felony which inflicts great bodily injury
PC section 11418(b)(1) or (b)(2)	Weapons of mass destruction
PC section 12022.53	Enhanced sentence for listed felonies with use of firearm
PC section 12308, 12309, 12310	Exploding or igniting or attempting to explode or ignite any destructive device or explosive with the intent to commit murder
BP section 729	Sexual exploitation by Physicians, Surgeons, Psychotherapists, or Alcohol and Drug Abuse Counselors

### **FEDERAL FIVE (5) YEAR BAN CRIMES LIST**

Family Code Sections 8712(c)(1)(B), 8811(c)(1)(B) & 8908(c)(1)(B) – “Under no circumstances shall the Department or a delegated county adoption agency/licensed adoption agency give final approval for an adoptive placement in any home where the prospective adoptive parent or any adult living in the prospective adoptive home has either of the following:

- (B) A felony conviction that occurred within the last five years, for **physical assault, battery, or drug- or alcohol-related offense.**”

<b>Felony conviction within the last five years for “physical assault or battery:”</b>	
PC section 69	Obstruct / resist executive officer by force or violence – also includes resisting by threat
PC section 136.1(c)(1)	Intimidate witness by force or threat of force or violence
PC section 136.7(b)	Influence testimony by force or threat of force
PC section 137(b)	Influence testimony by force or threat of force
PC section 139(a)	Threat of force upon witness
PC section 140(a)	Use of or threat of force upon witness
PC section 148.10(a)	Resist officer resulting in death of officer
PC section 149	Unlawful assault/beatings by public officer
PC section 186.26(c)	Recruiting criminal street gang member by use of physical violence
PC section 192(c)(3)	Vehicular manslaughter – accident knowingly caused for financial gain resulting in death
PC section 210.5	Hostage – using person as a shield
PC section 217.1(a)	Assault public official
PC section 218	Attempted train wrecking
PC section 219.1	Throwing missile at common carrier vehicle
PC section 219.2	Throwing hard substance at train
PC section 236/237	False imprisonment by force or violence
PC section 236.1	Human trafficking by force or violence
PC section 241.1	Assault against custodial officer
PC section 241.4	Assault against school peace officer
PC section 241.7	Assault against juror
PC section 242	Battery
PC section 243(c)(1)	Battery against custodial officer...
PC section 243(c)(2)	Battery against peace officer
PC section 243(d)	Battery causing serious bodily injury
PC section 243.1	Battery against a custodial officer
PC section 243.3	Battery against transportation worker or passenger
PC section 243.6	Battery against school employee with injuries
PC section 243.7	Battery against juror
PC section 243.9	Aggravated battery – gassing
PC section 244	Assault w/ caustic chemicals
PC section 244.5	Assault w/ stun gun or taser
PC section 245(a)(1)	Assault w/ deadly weapon
PC section 245(a)(2)	ADW-firearm
PC section 245(a)(3)	ADW-machinegun
PC section 245(b)	ADW-semiautomatic firearm
PC section 245(c)	ADW-upon peace officer or firefighter
PC section 245(d)(1)	ADW-firearm upon peace officer or firefighter
PC section 245(d)(2)	ADW-semiautomatic firearm upon officer
PC section 245(d)(3)	ADW-machinegun upon officer...
PC section 245.2	ADW-driver of cab, bus...
PC section 245.3	ADW- custodial officer...
PC section 245.5	ADW- school employee
PC section 245.6(d)	Hazing resulting in death or SBI
PC section 246	Shooting into inhabited or occupied dwelling auto aircraft

ATTACHMENT A

	etc.
PC section 247.5	Discharge of laser at occupied aircraft
PC section 261(a)(5)	Rape-victim submits under induced belief that perpetrator is spouse
PC section 261(a)(7)	Rape-by threat to use official authority
PC section 261.5	Unlawful sexual intercourse with a minor – felony violation if victim is 3+ years younger or Perpetrator is 21+ and victim is under 16
PC section 265	Abduction for marriage by force
PC section 266a	Abduction person against will for prostitution
PC section 266b	Abduction person against will for illicit relation
PC section 266i(a)	Pandering by threat or violence
PC section 273.4	Female genital mutilation
PC section 273.5	Willful infliction of corporal injury * Other than spouse
PC section 375(d)	Unlawful use gas acid or explosive upon public group
PC section 405a	Lynching
PC section 417(c)	Drawing or exhibiting firearm in threatening manner to Peace Officer
PC section 417.3	Drawing or exhibiting firearm in threatening manner to Vehicle Occupant
PC section 417.6(a)	SBI results during 417 or 417.8
PC section 417.8	Drawing or exhibiting firearm with to resist arrest
PC section 520	Extortion by force or threat of force
PC section 587.1(b)	Maliciously moving train, creating a substantial likelihood of SBI or death to another
PC section 653f(a)	Solicitation of carjacking robbery...
PC section 653f(b)	Solicitation of murder
PC section 836.6	Escape police * If by force
PC section 4011.7	Escape hospital * If by force
PC section 4131.5	Battery in jail
PC section 4501	ADW by prisoner
PC section 4501.1	Aggravated battery by prisoner – gassing
PC section 4501.5	Battery by prisoner
PC section 4503	Hostage by prisoner * If by force
PC section 4530(a)	Escape prison by force
PC section 4532(a)(2)	Escape jail/prison by force
PC section 11413	Terrorism by use of destructive device
PC section 11418.1	False WMD that causes fear
PC section 11418.5	Threat to use WMD
PC section 11419	Possession of restricted biological agents
PC section 12303	Possession of destructive device
PC section 12303.1	Explosive device on vehicle, vessel, aircraft etc.
PC section 12308	Exploding destructive device w/ intent to murder
PC section 12309	Exploding destructive device causing injury
PC section 12310(a)	Exploding destructive device causing death
PC section 12310(b)	Exploding destructive device causing mayhem
PC section 12355(a)	Placing booby trap
Welfare and Institutions Code (WI) section 871(b)	Minor escape custody * If by force

WI section 1768.7	Minor escape custody * If by force
WI section 1768.8	Assault/battery on person in CYA
WI section 1768.85	Battery by gassing on person in CYA
Vehicle Code (VC) section 2800.3	Death/SBI caused by flight from officer
VC section 23110(b)	Throw substance on highway with GBI intent
VC section 38318(b)	Throw substance at OHV with GBI intent
<b>Felony conviction, within the last five years, for “drug- and alcohol-related offense”</b>	
BP section 4060	Controlled substance without a prescription
BP section 4324	Forgery of prescription
BP section 25603	Bring liquor into prison
Harbors and Navigation section 655(f)	Watercraft under the influence causing injury
HS section 11104(a)	Furnish cont. sub. for manufacturing
HS section 11106(j)	Sell cont. sub. without permit
HS section 11152	Nonconforming prescription
HS section 11153(a)	Cont. sub. prescription for unlawful purpose
HS section 11154	Unlawful prescription
HS section 11155	Illegal cont. sub. prescription
HS section 11156	Give cont. sub. to addict
HS section 11157	False prescription
HS section 11162.5(a)	Counterfeit prescription
HS section 11166	Fill old, forged or altered prescription
HS section 11173	Obtain cont. sub. by fraud
HS section 11174	False name to obtain cont. sub.
HS section 11350	Possession of cont. sub.
HS section 11351	Possession cont. sub. for sale
HS section 11351.5	Possession of cocaine base for sale
HS section 11352	Sell or transport of cont. sub. into state or country
HS section 11355	Sale of substance falsely represented to be cont. sub.
HS section 11357(a)	Possession of concentrated cannabis
HS section 11358	Planting, cultivating, harvesting Marijuana
HS section 11359	Possession of Marijuana for sale
HS section 11360(a)	Transport over 28.5 grams of Marijuana into state
HS section 11363	Cultivation of Peyote
HS section 11364.7(b)	Manufacturing or furnishing drug paraphernalia
HS section 11366	Maintaining a place for sale of cont. sub.
HS section 11366.5	Provide a place for manufacture or sale of cont. sub.
HS section 11366.6	Using space designed to suppress police entry
HS section 11366.7(b)	Sale of chemical, drug or device to make cont. sub.
HS section 11366.8	False compartment to conceal cont. sub.
HS section 11368	Forging a drug prescription
HS section 11370.1	Possession of cont. sub. while armed with a firearm
HS section 11370.6(a)	Possession of over \$100,000 from sale of cont. sub.
HS section 11370.9	Possession of over \$25,000 from sale of cont. sub.
HS section 11374.5	Manufacture of cont. sub., disposal of hazardous by-products
HS section 11375(b)	Possession for sale of cont. sub.

ATTACHMENT A

HS section 11377(a)	Unauthorized possession of cont. sub.
HS section 11378	Possession for Sale
HS section 11378.5	Possession for sale, including Phencyclidine...
HS section 11379(b)	Transport cont. sub. into state or country for sale
HS section 11379.2	Possession for sale of Ketamine
HS section 11379.5	Transportation for sale, Phencyclidine: PCP
HS section 11379.6	Manufacturing cont. sub.
HS section 11382	Sale of falsely represented substances
HS section 11383	Possession of... w/intent to manufacture PCP
HS section 11383.5	Possession of... w/intent to manufacture Meth
HS section 11383.6	Possession of chemicals to make PCP w/intent to sell to manufacturer
HS section 11383.7	Possession of chemicals to make meth w/intent to sell to manufacturer
HS section 11390	Cultivation of mushrooms
HS section 11391	Transport of mushrooms into state
HS section 11550(e)	Under the influence of Cocaine, Heroin, Meth or PCP with loaded firearm
PC section 191.5(a)	Gross vehicular manslaughter: intoxicated
PC section 222	Administering drugs to assist in commission of crime
PC section 382.5	Dinitrophenol for human consumption – banned diet drug
PC section 1001.5	Alcohol at Youth Authority
PC section 2772	Interfere with prison work * If by cont. sub. or alcohol
PC section 2790	Interfere with prison work * If by cont. sub. or alcohol
PC section 4573	Bring cont. sub to jail
PC section 4573.5	Bring alcohol or drugs to prison
PC section 4573.6	Possession of cont. sub. in jail or prison
PC section 4573.8	Possession of cont. sub. in jail or prison
PC section 4573.9	Sell cont. sub. in jail or prison
VC section 23153	DUI with bodily injury
VC section 23175	DUI with prior specified convictions
VC section 23175.5	DUI within 10 yrs of prior felony DUI
VC section 23550(a)	DUI with prior specified convictions
VC section 23550.5(a)	DUI within 10 years of prior felony DUI
VC section 23550.5(b)	DUI with prior vehicular manslaughter