

IN CHAMBERS
MUNICIPAL COURT
LOS ANGELES JUDICIAL DISTRICT
ERIC E. YOUNGER, JUDGE

August 29, 1975

TO: Commr. Richard Kolostian
Commr. Harold N. Crowder
Commr. Robert L. Swasey

FROM: Judge Eric E. Younger

RE: Conditions of Probation in
Penal Code §647(a) Cases

Pursuant to our discussions of August 28, 1975, I conclude that we are all of the view the conditions of probation, generally known as the "a" conditions which have traditionally been imposed in minor misdemeanor cases arising under California Penal Code §647(a) are inappropriate. Moreover, I do not recall ever seeing anyone arrested on an alleged violation of any of the "a" conditions.

Accordingly, commencing immediately the "a" conditions will cease to be imposed in the Central Arraignment Courts. Obviously, you should use your own judgment as to what conditions to impose but my inclination is that "obey all laws and commit no further violations of the law" is sufficient as a condition in minor theater cases and the like. Nothing in this memo is meant to suggest that you should not make appropriate orders, such as directing a person convicted in a park restroom case to stay out of public parks.

We should, in the near future, move toward the creation of sensible conditions of probation for non-commercial sexual crimes if we find a need for them. It may be, however, that tailor-made restrictions (e.g., the "park" situation above) will suffice quite nicely.


ERIC E. YOUNGER

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cc: Judge Clarence A. Stromwall
All Judges on the 40 Panel
Mr. Paul Horgan
Mrs. Rose Savate

bcc: Thomas F. Coleman, Esq.

EXHIBIT C

647 (a) CONDITIONS OF PROBATION

ON CONDITION THAT THE DEFENDANT:

- ~~1.~~ STAY OUT OF PUBLIC PARKS, STREET AND SIDEWALKS IMMEDIATELY ADJACENT TO PUBLIC PARKS.
- ~~2.~~ STAY OUT OF PLACES AND AREAS WHERE HOMOSEXUALS CONGREGATE.
- ~~3.~~ NOT PUBLICALLY ASSOCIATE WITH KNOWN HOMOSEXUALS.
4. SUBMIT TO AND COOPERATE IN FIELD INTERROGATION BY ANY PEACE OFFICER AT ANY TIME OF DAY OR NIGHT.