

# TRIALS & TRIBULATIONS

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SUNDAY, FEBRUARY 21, 2010

## **A Plea for the California Department of Corrections to do the Right Thing**

Cindy Ramos' family might be needing your help.

The confessed and convicted murders of their mother are still asking for special treatment by the California Department of Corrections. The duo, Jorge Morgan and Robert Plunkett-Morgan, who have a domestic partnership which was filed in San Joaquin County, are asking for something heterosexual couples don't even have the right to ask for. They have verbalized their desire to be assigned to the same prison and to be housed together.

By California law, and for security reasons, county jails and the Department of Corrections do not announce when an inmate is being transferred from a county facility to the state facility, or from state facility to state facility. As of this writing, it is assumed the two remain somewhere near Stockton.

The Ramos family does have a little something called Marsy's law on their side. But will it be enough?

Marsy's law is named after a 21-year old UC Santa Barbara senior who was murdered by a former boyfriend on November 30, 1983. He lured her from her parent's home by threatening to kill himself. Marsy went to his aid, and was met by the man and a loader shotgun, which he discharged into the young woman. Marsy's killer was arrested, but sometime after his arrest, Marsy's mother ran into him at a local supermarket—he'd been released on bail without notice to Marsy's family.

Several years following a trial, conviction and sentence to "life in prison," Marsy's killer began his efforts at parole. Marsy's mother suffered a heart attack during that first parole hearing. While it is his right to ask for parole, one must remember he is a convicted murderer, and if one thinks about it, this could have been a special circumstances case for "lying in wait" for Marsy to respond to his cries for help. Today this would have been a life without the possibility of parole or a death penalty case.

Section 3 of Marsy's Law, California Proposition 9, which was passed by voters in November 2008, reads:

*It is the purpose of the People of the State of California in enacting this initiative measure to:*

*1. Provide victims with rights to justice and due process.*

*2. Invoke the rights of families of homicide victims to be spared the ordeal of prolonged and unnecessary suffering, and to stop the waste of millions of taxpayer dollars, by eliminating parole hearings in which there is no likelihood a murderer will be paroled, and to provide that a convicted murderer can receive a parole hearing no more frequently than every three years, and can be denied a follow-up parole hearing for as long as 15 years.*

The law also includes a victims' Bill of Rights. The full text can be read [here](#).

While the murder of Cindy Ramos was like so many other murders, cold, calculating, cruel and carried out for no good reason, the bigger picture is this—and we, the people and voters of not only California but of other states, must ensure that convicted felons like the Morgans are afforded their rights and no more! There is no question that heterosexual perpetrators are ever housed together. It does not happen, period! The accused kidnappers of Jaycee Duggard, Phillip and Nancy Garrido, a married couple, are not sharing a cell.

The Department of Corrections does have a rule requiring inmates who are likely to be having sex be separated. The rule was designed to protect inmates from rape. Even though the Morgans claim that sex is the last thing on their minds, what other trouble do you think those two could cook up? Jorge has exhibited disruptive behaviors throughout the court proceedings in Stockton, yelling, spitting and taunting Cindy's family in common areas. Robert could well be considered a "lawyer inmate," well versed in reaching out to media and filing petty paperwork in the court system. I would hate to have to be a corrections officer or a counselor having to deal with the pair together!

What can you do? Talk about this case to your friends and family. Write to your elected representatives—first, to prevent this pair from ending up in the same prison in the first place. There are plenty of options for housing gay, bisexual or transgendered inmates in the California corrections system. Twenty years ago, choices were limited, but today most maximum-custody institutions have protective housing units.

Next, push your legislators to write laws prohibiting requests such as the Morgans from being possible in the first place. Logically they should not be housed together, but as we are learning in today's complex times, expecting logic from laws frequently leaves things open to interpretation.

Please don't think this can only happen in California. Yep, crazy things do seem to happen here first, but craziness does have a way of spreading to other, perhaps more "sensible" states.

I have no problem with gay rights and marriage between two loving consenting adults. I have a problem with gay rights asking for more rights than a heterosexual married couple might have. That is what is happening in this case.

Let's see if we can prevent another family from having to take up the fight that the Ramos family has had to. It's bad enough they will be facing the first anniversary of Cindy's death in August—this family needs and deserves healing time and this will not happen until they are certain that the Morgans are placed as far away from each other as the law allows.

[Cindy Ramos memorial blog](#)

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LABELS: [CINDY RAMOS](#), [VICTIM'S RIGHTS](#)