

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0003
(916) 319-2003
FAX (916) 319-2103

Assembly California Legislature



JAMES GALLAGHER
ASSEMBLYMEMBER, THIRD DISTRICT

DISTRICT OFFICES
1130 CIVIC CENTER BOULEVARD, SUITE F
YUBA CITY, CA 95993
(530) 671-0303
FAX (530) 671-0308

2060 TALBERT DRIVE, SUITE 110
CHICO, CA 95928
(530) 895-4217
FAX (530) 895-4219

E-MAIL

Assemblymember.Gallagher@assembly.ca.gov

February 10, 2023

Santa Cruz Superior Court
Criminal Division
701 Ocean Street, Room 120
Santa Cruz, CA 95060

To Whom It May Concern:

RE: Release of Sexually Violent Predator Michael Thomas Cheek

Congressman Doug LaMalfa and I urge you deny the placement of sexually violent predator (SVP) Michael Thomas Cheek in Butte County. Cheek has been and continues to be a resident of Santa Cruz County. He should not be relocated to a county where he has no connections simply for the convenience of the Department of State Hospitals (DSH). We entreat you to direct the DHS to exert more vigilance in finding placement for SVP Michael Cheek in his county of last legal residence, not in Butte County.

Existing law requires the court to place SVPs in their county of domicile and only allows the court to consider placements outside the county of domicile when extraordinary circumstances exist. Legislation that I authored (AB 255, 2017) also requires that, when such extraordinary circumstances exist, the court must consider placing the SVP in a county where they have familiar, residential, or employment connections.

As of 2020, Cheek has no familiar, residential, or employment connections in Butte County. Furthermore, the proposed address is less than one and a half miles from a TK – 8 grade school and two churches, and 150 feet from the community bike path.

Michael Cheek is a sexually violent predator, with previous escapes from custody which resulted in repeated sexually violent assaults. No assurances from DSH or Liberty Health Care, the contractor for his treatment and security, can bring comfort to the citizens of Butte County or the Town of Paradise.

This is a thinly veiled attempt at dumping the problems of one county, held under the law, on another county less fortunate. There is no assurance whatsoever that treatment or security for Cheek will be superior or equal in Butte County. We respectfully request you insist that Michael Cheek be placed in his county of last legal residence under the most stringent conditions allowed.

Thank you for your consideration of this request.

Sincerely,

Handwritten signature of James Gallagher in blue ink.

JAMES GALLAGHER
Assemblyman, Third District

Handwritten signature of Doug LaMalfa in blue ink.

DOUG LAMALFA
Congressman, First District

Cc: Paradise Police Department