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May 20, 2015

Attention: Non-Violent Second-Strikers
Board of Parole Hearings
Correspondence-NVSS
P.O. Box 4036
Sacramento, CA 95812-4036

**Re: Inmate Joseph Fry; CDCR Number AS7760
Court Case Number; 2013021862**

Dear Deputy Commissioner:

This letter is written to recommend the denial of an early release for second-strike inmate Joseph Fry. This recommendation is based on:

- (1) The circumstances of the commitment offense.
- (2) The inmate's criminal history.
- (3) The risk to society if the inmate is released.

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

On July 11, 2013 at approximately 4:15 p.m., an officer had his overhead lights on in order to initiate a traffic stop on a Ford Explorer driven by the inmate. The inmate ran a red light and made a right hand turn while travelling approximately 25 miles per hour, then accelerated onto Ventura Road. The vehicle continued speeding on Ventura Road and rapidly moved in an evasive manner. The officer turned on his siren and broadcasted the pursuit. The inmate travelled at speeds up to 60 miles per hour in a residential area. At one point, he made a sharp right hand turn and all four wheels locked up causing a locked wheel skid while the vehicle emitted smoke. The inmate continued to accelerate and ran another red light through an intersection. The pursuit was cancelled for safety reasons. First, the chase was at extremely high speeds and second, the chase was in a residential area.

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An officer who heard the broadcast then observed the inmate's vehicle traveling at approximately 60 miles per hour. The inmate failed to slow down and went through the red light at J and Hill Street. The officer followed at a safe distance and when he approached the intersection of J and Guava, he saw fresh skid marks which appeared to be leading toward Guava Street. The officer then saw a large amount of smoke in the intersection and saw the Explorer on its side, which appeared to have been in a rollover collision. The inmate exited the vehicle through the passenger side window with his hands up and said, "You caught me, you caught me." A witness indicated she had seen the inmate throw an item from the vehicle during the pursuit. The item was retrieved and was found to be a sunglasses case with .5 grams of methamphetamine and a pipe used for smoking methamphetamine.

INMATE'S CRIMINAL HISTORY

To call a VC 2800.2 conviction a non-violent offense in the context of Mr. Fry is not only misleading, but also plainly false. The inmate's entire adult criminal history consists of nothing by violence, including multiple serious felonies alleged as strikes, and substance abuse. However, his history began well before those offenses. At age 14, the inmate began stealing and drinking alcohol. His juvenile record consists of residential burglaries, trespasses, and multiple theft offenses. As an adult the inmate has been convicted on multiple occasions of violence, including shocking acts of PC 273.5 against multiple women. On one incident in 1996, the inmate confronted his ex-girlfriend on the street and in an unprovoked attack, back-handed her knocking her to the ground, then kicking her in the shin as she tried to run away. Later that month the inmate argued with the same victim and punched her in the face so hard he broke her nose. On another occasion in 2003 the inmate became verbally abusive to another girlfriend. This escalated to the inmate putting the victim in a choke hold, biting her arm, punching her, and striking her on the head with a shampoo bottle. When the victim tried to run away he pulled her by the hair back into the room where he continued to beat her.

His violence does not stop at the women he dates. The inmate has been convicted of PC 245(a)(1) where he followed 18 year old Vincent Dominguez, in his car and when the victim tried to run away, the inmate chased him swinging a lead pipe and hitting the victim in the arm. He then shattered the passenger window of the victim's car with the pipe. On two occasions the inmate used a car in a violent manner. On one occasion in 2003, the inmate's wife was attempting to leave the house with her two children. The inmate did not want her to go so he rear-ended her car with his to get her to stop. Later that year, he was involved in the incident with the aforementioned Vincent Dominguez, where the inmate followed the victim into a dead end. When the victim tried to make a U-turn, the inmate deliberately broad-sided the victim's car with his own. The victim then fled and was attacked with the lead pipe.

Since the age of 14 the inmate has not gone for more than one year without being incarcerated at some level. He has committed a new criminal offense, usually involving violence, every single year that he is free from incarceration. Almost every single juvenile sustained petition and adult conviction this inmate has, involves violence, and in at least two cases, extreme violence. It is

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noteworthy that although California now considers the inmate a "second-striker" this inmate actually has two prior serious strike convictions.

CONCLUSION AND RECOMMENDATION

The inmate has not served his full sentence imposed by the court. Moreover, based on his commitment offense and criminal history the inmate does not deserve to be released early from prison simply because he is a second-striker. This inmate has consistently made poor choices and decisions that have resulted in his constant incarceration. Every time this inmate is free from incarceration, he resorts to violence. If he is released early, he will resort to that violence again.

It is the State of California's responsibility, now that we know his propensities, to prevent that violence for as long as we possibly can. The only way to do that is to keep this inmate incarcerated for as long as possible. Given the inmate's clear inability to make responsible choices in this regard, he is an imminent risk to public safety. I request that you deny the inmate an early release because he poses an unreasonable risk to the public when released from custody.

Very truly yours,



KEVIN DRESCHER
Supervising District Attorney

Sent by US Mail and Email to BPH.CorrespondenceUnit@cdcr.ca.gov