



# OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF VENTURA, STATE OF CALIFORNIA

**GREGORY D. TOTTEN**  
District Attorney

**JANICE L. MAURIZI**  
Chief Assistant District Attorney

**MICHAEL K. FRAWLEY**  
Chief Deputy District Attorney  
Criminal Prosecutions

**W. CHARLES HUGHES**  
Chief Deputy District Attorney  
Administrative Services

**MICHAEL R. JUMP**  
Chief Deputy District Attorney  
Victim & Community Services

**MICHAEL D. SCHWARTZ**  
Special Assistant District Attorney  
Justice Services

**R. MILES WEISS**  
Chief Deputy District Attorney  
Special Prosecutions

**MICHAEL BARAY**  
Chief Investigator  
Bureau of Investigation

July 24, 2017

Board of Parole Hearings  
Attn: Nonviolent Parole Review Process  
P.O. Box 4036  
Sacramento, CA 95812-4036

**Re: Inmate Ivan Arroyo; CDCR #AZ8602  
Ventura County Superior Court Case #2013034303, 2015004593, 2015006941  
Opposition Letter Due to Board of Parole Hearings August 4, 2017**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Ivan Arroyo. This recommendation is based upon:

- 1) The inmate's commitment offense.
- 2) The inmate's significant criminal history and failure to be crime free.
- 3) The unreasonable risk of violence to the community if the inmate is released early.

## **CIRCUMSTANCES OF COMMITMENT OFFENSE**

### **Case 2015006941 (Principal Term)**

A lengthy investigation including court ordered monitoring of telephone calls and additional search warrants resulted in the inmate's conviction for transportation and sales of methamphetamine (Health and Safety Code §§ 11376, 11379(a)), while armed with a firearm (Pen. Code § 12022(c)), as well as for unlawful possession of a firearm. (Pen. Code § 29815)

On August 19, 2014, the inmate was stopped for a traffic violation and subjected to a search based on his probation search terms. The inmate was arrested for being under the influence of a controlled substance. A search of the inmate's vehicle yielded two bags containing a total of 891.3 grams, or almost two pounds, of methamphetamine. Previous intercepted communications had referenced the inmate's intention to meet another person for a purchase of "two" or "a pair of rims," which deputies recognized as street terminology for approximately two pounds or two kilograms of narcotics.

Board of Parole Hearings  
Re: Ivan Arroyo, CDCR #AZ8602  
July 24, 2017  
Page 2

Subsequent monitored telephone calls produced conversations in which the inmate 1) claimed to have approximately 20 rounds of ammunition for a "38 Special Colt Cobra," which were wrapped in "Teflon," and he would sell them for \$20; and 2) confirming that he was in possession of "clarita" (slang for methamphetamine) and agreeing to meet an unknown male at the inmate's residence.

On September 17, 2014, deputies searched the inmate and his home. The inmate was found in possession of \$726 cash. At his residence deputies located a total of 379.18 grams of methamphetamine, a digital scale, a .40 caliber Glock firearm, two Glock magazines, one of which contained ten .40 S&W live round, multiple live rounds of 9mm, .38 Special and .380 caliber ammunition, an empty 9mm round drum magazine capable of holding 100 rounds, and \$726 cash.

On April 26, 2016, the inmate was sentenced to serve five years eight months in prison on this case, with additional consecutive terms for the crimes described below, for a total term of seven years four months in prison. Several special allegations were stricken, demonstrating that the inmate has already received the benefit of consideration from the trial court.

#### **Case 2015004593**

Following a month-long investigation into the inmate's heroin sales activities, Ventura County Sheriff's deputies executed a search warrant at the inmate's home. Contraband, including a total of 26.1 grams of methamphetamine, 5.42 grams of heroin, less than one ounce of marijuana, along with a working digital scale was located and seized.

#### **Case 2013034303**

The inmate burglarized the victim's car, a nonoperational 1987 Chevrolet El Camino, twice in the span of a month, stripping it of its taillight, chrome molding, air conditioning unit, interior door panels, stereo amplifier, speakers, chrome side passenger rear view mirrors, front grill, interior instrumentation panel, and the interior roof headliner. The total value of these items was approximately \$4,000.

#### **THE INMATE'S CRIMINAL HISTORY IS SUBSTANTIAL**

**On April 22, 1999**, the inmate, aged 15, was arrested as a juvenile and was for burglary and placed on probation. During his probation term, the inmate had multiple probation violations.

Board of Parole Hearings  
Re: Ivan Arroyo, CDCR #AZ8602  
July 24, 2017  
Page 3

**On October 20, 2004**, the inmate was arrested for possession for sale of a controlled substance, a violation of Health and Safety Code section 11351.5. The inmate pled guilty and was placed on probation for 36 months with 120 days in jail. During this probation term, the inmate had seven probation violations and four failures to appear.

**On May 8, 2005, and September 24, 2005**, the inmate was arrested for violating a court-ordered gang injunction subject to Penal Code section 166(a)(4). The inmate pled guilty and was placed on probation. The inmate had four probation violations and two failures to appear.

**On June 2, 2006**, the inmate was again arrested for violating a court-ordered gang injunction. The inmate was sentenced to 36 months probation and 60 days in jail. The inmate had three probation violations and one failure to appear.

**On October 12, 2006**, the inmate was arrested for resisting an officer, a violation of Penal Code section 148(a)(1). The inmate was placed on 36 months probation and had three probation violations and one failure to appear.

**On February 15, 2008**, the inmate was arrested for, and pled guilty to, driving under the influence, a violation of Vehicle Code section 23152(a). The inmate was placed on 36 months probation and had three probation violations and five failures to appear.

**On January 18, 2009**, the inmate was again arrested for violating a court-ordered gang injunction. The inmate was placed on 36 months probation and had one probation violation and two failures to appear.

**On April 29, 2009**, the inmate was again arrested for resisting an officer. The inmate was placed on 36 months probation and inmate had four failures to appear.

**On September 21, 2010**, the inmate was arrested with DUI with suspended license, in violation of Vehicle Code section 14601.2(a); driving without insurance, in violation of Vehicle Code section 16028(a); and driving without registration, in violation of Vehicle Code section 4000(a)(1). The inmate pled guilty to driving without a license, in violation of Vehicle Code section 12500(a), and paid a fine.

**On October 21, 2011**, the inmate was again arrested for violating a court-ordered gang injunction. After trial, the inmate was found guilty and place on 36 months probation.

Board of Parole Hearings  
Re: Ivan Arroyo, CDCR #AZ8602  
July 24, 2017  
Page 4

**On March 8, 2013**, the inmate was arrested for possession of methamphetamine, in violation of Health and Safety Code section 11377(a), and possession of a controlled substance, in violation of Health and Safety Code section 11350(a). These charges were later dismissed.

## **DISCUSSION**

The inmate has an extensive criminal record spanning the last 18 years. The inmate's juvenile record dates back to 1999 when, at the age of 15, he committed burglary. Since his first adult arrest in 2004, the inmate has been arrested 16 times in 13 years. In that time, the inmate has accumulated 23 violations of probation and 19 failures to appear.

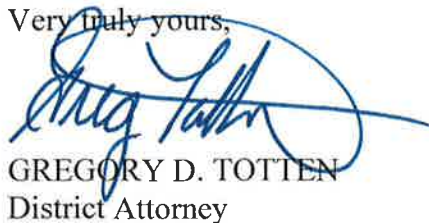
Of note in these arrests are charges for being a member of the Colonia Chiques, one of the most violent street gangs in Ventura County, resisting an officer, and unlawful possession of firearms.

The inmate's lengthy history demonstrates a disregard for the criminal justice system as well as for the safety of the community. Despite repeated opportunities to reform on probation, the inmate has persisted in the gang and drug lifestyle. There is no evidence to suggest the inmate will curb his criminal ways if released into the community.

## **CONCLUSION**

The inmate clearly poses an unreasonable risk of violence to the community if granted early parole. I respectfully request the Board deny early parole for the inmate.

Very truly yours,



GREGORY D. TOTTON  
District Attorney

GDT:rf

E-mail: [BPH.CorrespondenceUnit@cdcr.ca.gov](mailto:BPH.CorrespondenceUnit@cdcr.ca.gov)