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July 26, 2017

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

**Re: Inmate Rory Bruce; CDCR AZ9261
Ventura County Superior Court Case 2014021230
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 Rory Bruce. This recommendation is based upon:

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

CIRCUMSTANCES OF COMMITMENT OFFENSE

On June 23, 2014, the inmate's brother, Gary, and sister, Bernice, called the inmate and told him that they wanted him to move out of their home, and asked him to return a vehicle that Gary lent him. Due to the inmate's history of violence toward them, Bernice called the police and requested an officer's presence because she anticipated a violent reaction.

When the inmate arrived, he immediately went upstairs and gathered his belongings. On his way out, the inmate threw down his laundry basket and walked over to Gary who was seated on the couch. Bernice stood up, and the inmate punched her in the face causing her to fall to the ground. The inmate then assaulted Gary while he was seated on the couch.

Bernice attempted to pull the inmate off Gary, which caused all three of them to fall to the ground. At that time, the inmate pulled out his knife and tried to open it. The inmate could not open the knife during the struggle, so he struck Bernice in the face with its butt

multiple times. The inmate used his other hand to cover Bernice's nose and mouth in an attempt to suffocate her while yelling, "I'm going to kill her." Bernice believed that the inmate was trying to kill her.

Gary was able to pull the inmate off of Bernice and push him out the door. As the inmate was walking toward Gary's vehicle, which he did not return, he yelled that he would come back and kill Bernice.

At the time of the incident, Gary was aged 61 and in poor health. He walked with a limp and used a cane. Bernice was aged 57, and the inmate was 54. When the officers arrived, they noticed lacerations on the victims' faces. Additionally, there was a laceration on Gary's finger. Bernice feared for her safety and believed that the inmate would return to kill her. Because of her fear, she did not return to her home until after the inmate was in custody.

The inmate pled guilty to making criminal threats (Pen. Code § 422), and admitted being armed with a knife (Pen. Code § 12022(b)(1), and having a prior serious felony conviction. (Pen. Code §§ 667(a)(1); 667/1170.12) On May 3, 2016, he was sentenced to serve seven years in prison, a sentence that required the court to strike the inmate's strike prior and stay the penalty for the inmate's use of a knife.

CRIMINAL HISTORY

The inmate has an extensive criminal history riddled with violent outbursts, prison escapes, burglaries and vehicle thefts. The inmate's criminal career began as a juvenile.

On December 13, 1972, the inmate was convicted of petty theft when he stole a bicycle at the age of 13.

On January 24, 1974, at the age of 14, the inmate was arrested for lewd and lascivious conduct, a violation of Penal Code section 647(a). The charge was ultimately handled informally. The inmate was booked for an attempted rape of a 12-year-old girl after he pushed her into a dugout, unbuckled her belt, and pulled down her pants.

On February 6, 1975, at the age of 15, the inmate was convicted of receiving stolen property and burglary in violation of Penal Code sections 496 and 459. The inmate was declared a ward of the state. The inmate was observed stealing stereo equipment with an adult accomplice. The inmate was apprehended when he tried to sell the merchandise.

On March 1, 1975, the inmate was convicted of resisting, delaying, or obstructing an

officer or EMT, a violation of Penal Code section 148. The inmate threw a lit cigarette at a police car and when the police attempted to take him into custody, he vigorously resisted arrest by throwing objects at the police car.

On December 3, 1975, the inmate was convicted of violating Vehicle Code section 23103, reckless driving. The inmate drove a stolen vehicle from a car dealership, and attempted to flee police for 15 minutes.

On December 4, 1975, the inmate was convicted of receiving stolen property for the third time. The inmate and an accomplice entered the service area of a car dealership with a stolen truck, and loaded it with approximately \$27,000 worth of tools.

On December 12, 1975, the inmate was convicted of escape. In this case, the inmate and two other inmates escaped from the Los Prietos Boy's Camp.

On December 30, 1975, the inmate escaped from the boy's camp a second time.

On January 13, 1976, the inmate was convicted of committing burglary for the second time. The inmate and two others were apprehended burglarizing a high school cafeteria.

On January 14, 1977, the inmate was convicted of grand theft, a violation of Penal Code section 487.1. The inmate, aged 17, and an adult were apprehended trying to sell property from Rock Light Products for scrap metal.

On March 19, 1977, the inmate was convicted of burglary for the third time and receiving stolen property for the fourth time. The inmate was involved in a residential burglary in which a large amount of jewelry, a stereo, and alcohol, were stolen. The inmate was identified by his fingerprints at the scene and the property in his possession at the time of arrest.

On April 28, 1977, the inmate attempted to escape juvenile hall by standing on another boy's shoulders.

On May 17, 1977, the inmate escaped from juvenile hall by kicking out a screen in his room and using a blanket to simulate his body in bed.

On June 20, 1977, the inmate was convicted of battery and assault with a deadly weapon likely to produce great bodily injury in violation of Penal Code sections 242 and 245. The inmate approached a victim and kicked him in the leg and groin. The inmate then pulled out a knife and slashed at the victim.

On July 25, 1977, the inmate was convicted of committing burglary for the fourth time and was committed to the California Youth Authority. The inmate was caught at a miniature golf facility while committing a burglary. The inmate set off the alarm when he threw a concrete water meter through the ticket booth window. The inmate was attempting to pry open a safe with a metal rod when he was apprehended. The damages were estimated at \$500.

Adult Record

On October 2, 1978, the inmate was convicted of reckless driving for the second time and was sentenced to 24 months probation and ten days of work release.

On April 12, 1979, in Oregon, the inmate was convicted of committing burglary for the fifth time, and forgery. The inmate was sentenced to one year in jail and 60 months formal probation. On November 12, 1979, the inmate escaped from jail. On October 22, 1980, the inmate's probation was revoked, and he was sentenced to state prison in Oregon for three to nine years. On July 15, 1989, the inmate escaped from prison. On August 23, 1982, the inmate was returned to state prison with a new escape conviction. The inmate committed a burglary in which he stole a watch, blank checks, and between \$200 and \$400 in cash. The inmate then attempted to pass one of the stolen checks and was apprehended.

On October 5, 1984, the inmate was convicted of burglary for the sixth time and sentenced to six years in prison. The inmate and an accomplice burglarized a residence and took a 12-gauge shotgun, a .38 caliber Derringer handgun, \$30 worth of ammunition, a Mexican holster, a blanket, and a duffel bag.

On March 2, 1992, the inmate pled guilty to the unlawful taking of a vehicle/theft, a violation of Vehicle Code section 10851(a). Additionally, he pled guilty to receiving stolen property for the fifth time. On March 30, 1992, criminal proceedings were suspended because the inmate was sent to prison. On February 1, 1997, the criminal proceedings were reinstated and on August 5, 1997, the inmate was sentenced to four years in prison. The inmate was found in possession of a stolen flatbed truck. The vehicle was recovered at the inmate's residence with numerous stolen items in the truck bed.

On December 28, 1995, in Nebraska, the inmate was convicted of making terrorist threats, using a weapon to commit a felony, criminal mischief, and resisting an officer. The inmate was sentenced to three years in prison. The inmate was standing in the middle of a highway trying to get cars to hit him, while wielding a knife at passing motorists. The inmate approached a victim, still brandishing the knife, and stated several times that he

wanted to kill him. When a deputy arrived, the assistance of three witnesses was needed to restrain the inmate and place him into the patrol unit.

On September 13, 2006, the inmate pled guilty to grand theft and burglary (two counts) for the seventh time, each with a prior conviction per Penal Code section 667/1170.12, and prior prison terms per Penal Code section 667.5(b). The inmate was sentenced to six years eight months in prison. The inmate, his son, and two others burglarized a video shop. Initially, the group triggered an alarm and fled, but they returned when they realized the police were not responding. The group stole numerous video games, and video game systems. Six days later, the inmate's son acquired the keys to an electronic store where he was employed, and the men went to the store after hours and burglarized the store taking a significant amount of merchandise. The burglary was captured by surveillance cameras at the store. Merchandise from both stores was recovered at the inmate's son's residence. A few months later, a victim discovered his empty home had been burglarized while under construction and a large number of tools were missing. Later, the inmate was stopped while towing a trailer. The deputy observed the large number of tools in the trailer and had knowledge of the burglary. The inmate claimed the tools belonged to him. The victim identified the tools as his. The inmate stated he borrowed the tools from several people and denied knowing about the burglary or that the items were stolen. While locked up at the Ojai police station, the inmate tampered with the lock in his holding cell and damaged it. The inmate admitted to damaging the door because he was bored, but he denied attempting to escape.

The inmate was also convicted of theft five times, a violation of Penal Code section 484, receiving stolen property five times, under the influence of a controlled substance twice, a violation of Health and Safety Code section 11550, DUI, and possession of alcohol by a minor.

DISCUSSION

Over the course of a criminal career spanning more than four decades, the inmate has caused significant harm to members of his community. Not only has the inmate victimized his brother and sister, he also indoctrinated his own son into a life of crime. The inmate is not in a position to ask for undue and undeserved leniency when he forces everyone around him to live in fear, including his own family.

The inmate's criminal record illustrates the life of someone unwilling to change or address his violent nature. The inmate served hard time for numerous crimes that involved violent outbursts. Additionally, the inmate was convicted for committing burglary seven times, receiving stolen property five times, grand theft twice, and vehicle


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theft twice. He represents a serious threat to society because he refuses to take meaningful steps to curb his propensity for violence.

CONCLUSION

The inmate 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

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