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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 Robert William Cassano; CDCR AT9160
Ventura County Superior Court Case 2014013492
Opposition Letter Due to Board of Parole Hearings August 2, 2017**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Robert Cassano. This recommendation is based on:

- 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 THE COMMITMENT OFFENSE

On January 29, 2014, at approximately 3:00 a.m., the inmate broke through the glass door of a market and stole an ATM machine (Pen. Code § 459) that had just been filled with \$3,000. Wearing a dark hooded sweatshirt and a bandana over his face, and with the help of an accomplice, the inmate loaded the stolen ATM into a truck stolen from a local dealership. (Veh. Code § 10851) The inmate also made statements to a confidential informant indicating he has stolen several ATM machines.

CRIMINAL HISTORY

This inmate's 30-year criminal history is surprising for the number of violent and serious violations, and the fact that he had suffered five prior prison commitments before engaging in the commitment offenses. This criminal history describes a man who is unable and unwilling to conduct himself according to lawful standards and who presents a danger to society whenever he is free of custody.

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In 1987, the inmate was convicted of grand theft in violation of Penal Code section 487.1.

In 1989, the inmate was arrested in Los Angeles for murder, a violation of Penal Code section 187(a). No further information is available to us at this time regarding this arrest.

On November 27, 1989, the inmate was convicted of first-degree robbery in violation of Penal Code section 211, and sentenced to four years in prison.

Just two months later, in January 1990, the inmate was convicted of two violations of second-degree robbery (Pen. Code § 211), both with the use of a firearm, and sentenced to a term of seven years in prison.

In 1995, while on parole, the inmate was convicted of grand theft, a violation of Penal Code section 487; grand theft of a vehicle, a violation of Vehicle Code section 10851(a); and receiving stolen property, a violation of Penal Code section 496(a). The inmate was sentenced to eight years four months in prison.

In 2002, while on parole, the inmate was sentenced to four years in prison for possession of cocaine, a violation of the Health and Safety code section 11350, and was paroled in 2005.

In 2006, while on parole, the inmate stalked his ex-girlfriend, repeatedly driving by her place of employment and shouting profanities at her. The victim obtained a restraining order, but was eventually forced to quit her job. The inmate was convicted of stalking, a violation of Penal Code section 646.9(a), and violation of a restraining order, a violation of Penal Code section 273.6(a). He was sentenced to nine years in prison.

The inmate was released from prison in 2013, and arrested for the commitment offense in 2014.

DISCUSSION

On June 16, 2014, the inmate was sentenced to seven years four months in prison. The sentence reflects the trial court's leniency: eight prior allegations were admitted but stricken (Pen. Code § 667.5(b)), two prior vehicle theft allegations, worth up to three additional years in prison each, were also admitted but stricken (Pen. Code § 666.5), and though the inmate admitted two prior strike convictions, each for the violent felony of robbery, he was sentenced as if he had only suffered one such strike prior. He has now served just over three actual years of this sentence. To grant the inmate parole this early

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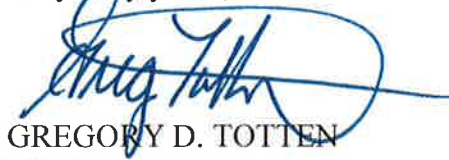
into his sentence would be a disservice to the people of California. Considering the inmate's crimes against multiple victims and his past convictions for violent conduct, justice requires the inmate serve the sentence imposed by the sentencing court.

The inmate's past reflects a criminal undaunted by prison sentences and unwilling to benefit from services on parole. He has committed violent offenses, with firearms, and repeatedly stolen property. The inmate has demonstrated that he poses a significant risk of danger to the public. There is no evidence to suggest the inmate will curb his criminal ways if released into the community.

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,

A handwritten signature in blue ink, appearing to read "Gregory D. Totten", is written over a horizontal line.

GREGORY D. TOTTON
District Attorney

GDT:nl

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