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August 3, 2017

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

**Re: Inmate Christopher Garcia; CDCR V12228  
Ventura County Court Cases 2011013275, 2011012230  
Opposition Letter Due to Board of Parole Hearings August 6, 2017**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Christopher Garcia. 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 released early.

## **CIRCUMSTANCES OF THE COMMITMENT OFFENSE**

### **Case 2011012230**

On April 7, 2011, at approximately 4:00 p.m., officers were dispatched to a residence to investigate a garage burglary. Officers contacted the victim, Kai Lu, who reported that a tackle box with numerous pieces of tackle and lures was stolen from his garage. It was determined that the inmate, who was on parole, was a neighbor to the victim. Officers contacted the inmate at his home and conducted a parole search of the garage and the car parked in the garage. Officers located Mr. Lu's tackle box in the garage. Additional items recovered included numerous cell phones, GPS devices, and other electronics. The inmate stated that he received the stolen property as payment for doing tattoos.

### **Case 2011013275**

On April 6, 2011, at approximately 6:30 a.m., 65-year-old victim Sally Mueller returned to her home with her grandchildren, ages 4 and 7. As she was unlocking her door, she

felt someone tug on her. She turned around and saw the inmate, who was pulling on her purse. She began to scream for help. The inmate continued to pull on her purse and ultimately dragged the victim approximately 20 feet into the middle of the front lawn where she fell to the ground. During the struggle, her glasses were knocked off and broken. When she fell, she was able to break free from the inmate. He started towards his car, but came back to grab a tire iron he had left on the lawn, then returned to his car. The victim ran towards the inmate's car and was able to obtain a license plate number.

The inmate pled guilty to attempted robbery (Pen. Code §§ 664, 211), and receiving stolen property (Pen. Code § 496(a)), and admitted a strike prior (Pen. Code §§ 667, 1170.12), a prior serious or violent felony conviction (Pen. Code § 667(a)), and a prison prior. (Pen. Code § 667.5(b)) On August 22, 2012, the inmate was sentenced to an aggregate term of 13 years 4 months in prison.

## **CRIMINAL HISTORY**

The inmate was on parole at the time of the commitment offenses.

The inmate's criminal history began when he was 10 years old. His juvenile record includes convictions for shoplifting video games, stealing bicycles and sunglasses, and vandalism of private property by throwing rocks through house windows. At the age of 13, he stole a car from a school parking lot. His criminal behavior continued as a juvenile, including more thefts which escalated into using force to steal bicycles and skateboards from victims.

As an adult, the inmate has suffered convictions for felony car theft, as well as a conviction for robbery in 1996 in Nevada where he was sentenced to prison for four years. The inmate was subsequently convicted in Ventura County of second-degree robbery in 2002 with use of a deadly weapon, and sentenced to four years in prison. The inmate suffered subsequent convictions for felony evading a peace officer, in violation of Vehicle Code section 2800.2, felony car theft in violation of Vehicle Code section 10851, and possession of a controlled substance. After being found guilty of those crimes, the inmate was sentenced to eight months in prison, consecutive to the robbery conviction in 2002. The inmate was paroled in 2008.

After the inmate was remanded for the commitment offense, he received eight major write-ups for being deceptive, an accumulation of minor write-ups, possession of contraband, refusal to house, possession of prescription medication, hoarding excessive food in his cell, and throwing a foreign object into the toilet.

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## **DISCUSSION**


Since the age of 10, this inmate has continued a course of criminal activity that has increased in severity and become more violent, endangering all those around him. He has proven to be opportunistic in his crimes, and does not have any concern about the harm he causes others. As demonstrated by his record, previous grants of probation and parole have failed to curb the inmate's criminal activity. There is no evidence to suggest the inmate will curb his criminal ways if released into the community.

It is worth noting that the commitment offense is labeled nonviolent only because the inmate failed to acquire the victim's purse. There is no question that the inmate committed an act of violence, attacking, struggling with, and dragging a 65-year-old woman, who was attempting to enter her home with two small grandchildren. The inmate's violence caused the victim to suffer a bruised hip, cuts and scrapes to her hands and arms, and a broken toe.

## **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. TOTTEN  
District Attorney

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