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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 David Kanteman; CDCR AX3015  
Ventura County Superior Court Cases 2013029226, 2014024161  
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 David Kanteman. This recommendation is based upon:

- 1) The dangerous and flagrant nature of the commitment offense.
- 2) The inmate's blatant disregard for the law.
- 3) The unreasonable risk to public safety if the inmate is released early.

## **CIRCUMSTANCES OF THE COMMITMENT OFFENSE**

On September 18, 2013, Simi Valley Police Department Officers McLemen and Romo observed the inmate's vehicle leaving a known narcotics-related residence. The officers conducted a traffic stop and recognized the inmate as a known drug dealer who was actively involved in the sale of methamphetamine. The inmate displayed symptomology consistent with illegal drug use and was arrested for being under the influence of a controlled substance, a violation of Health and Safety Code section 11550(a).

When the inmate exited his vehicle, Officer McLemen saw closed folding knives protruding from both of the inmate's front pants pockets. Officer McLemen informed the inmate he needed to remove these knives for his own safety. The inmate stepped backwards and thrust his left hand over the top of the knife in his left pocket in an attempt to conceal the knives and resist Officer McLemen. Officer Romo located a large bag of

methamphetamine (approximately 14 grams) in the vehicle. Additionally, the officers located over \$2,000 cash, counterfeit U.S. currency (Pen. Code § 476), and two cell phones. One of the phones was an inexpensive Kyocera flip phone, presumptively a “throw phone.” Officers Romo and McLemen concluded that the inmate was actively in possession of methamphetamine for sale, a violation of Health and Safety Code sections 11378 and 11379(a).

The following items were located during execution of a search warrant at the inmate’s home:

- 94 grams of methamphetamine.
- 2 digital drug scales with a whitish residue, consistent with methamphetamine.
- 33 Xanax pills.
- A loaded Smith/Wesson 500 (.50 cal.) Magnum revolver.
- 2 used methamphetamine pipes.
- Numerous un-used clear bags for packaging.

Because of the inmate’s five prior felony convictions, he was prohibited from owning a firearm (Pen. Code § 29800(a)(1)), at the time of offense. The firearm was found 5 to 6 feet from the methamphetamine, a violation of Health and Safety Code section 11370.1. On June 4, 2015, the inmate pled guilty to possession, transportation, and sale of a controlled substance, a violation of Health and Safety Code sections 11378 and 11379(a). The inmate also pled guilty to possessing a firearm while possessing and selling controlled substances. (Pen. Code § 12022(c)) Additionally, the inmate admitted a special allegation of being a felon in possession of a firearm. (Pen. Code § 29800(a)(1))

On August 6, 2014, while out on bail for the above offense (case 2013029226), the inmate committed several new offenses (case 2014024161). This incident included the transportation of over 130 grams of methamphetamine and sale of methamphetamine. On June 4, 2015, the inmate pled guilty to transporting and selling illegal narcotics, a violation of Health and Safety Code sections 11370.2(c) and 11379(a), with a special allegation for use of a deadly weapon during the commission of a felony. (Pen. Code § 12022.1(b)) On July 6, 2015, the inmate was sentenced to 14 years in prison in the aforementioned cases.

## **CRIMINAL HISTORY**

The inmate’s documented criminal history began almost 20 years ago. He has been sent to prison on two prior occasions and given multiple opportunities to reform on probation

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and parole. He has previously been convicted of sales of controlled substances. (Health and Safety Code § 11378)

The inmate's history indicates he is violent. He has been arrested for kidnapping (Pen. Code § 207), willful disobedience of a court order (Pen. Code § 166(a)(4)), and multiple counts of battery. (Pen. Code § 242) Additionally, the inmate was convicted of infliction of bodily injury on a cohabitant or spouse (Pen. Code § 273.5(a)), and making criminal threats. (Veh. Code § 422)

### **DISCUSSION**

It is beyond dispute that the sale of drugs is a violent business. In the commitment offense, the inmate possessed copious amounts of methamphetamine as well as knives and firearms. The inmate has displayed a willingness to use violence against others, and to threaten violence upon others.

His repeated violations after multiple grants of probation and after being sent to prison demonstrate he is unwilling to reform. In fact, his most recent offense occurred while he was out on bail for the commitment offense.

### **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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