



# 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 Edward Murillo; CDCR #V16214  
Ventura County Superior Court Case #2012022796  
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 Edward Murillo. 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**

On May 20, 2012, the inmate assaulted two female victims, causing one of the females to become unconscious and suffer a broken nose. When the inmate's friend asked him why he hit the females, the inmate began to hit his friend, as well as kick him while he was on the ground. The inmate's friend was sitting in a pool of blood with a broken nose when police arrived. The inmate was on probation for burglary for the benefit of a criminal street gang at the time of these assaults.

The inmate fled the scene before police arrived. Several witnesses were uncooperative with police out of fear for their own safety, because the inmate is a member of the "Lil Boyz" criminal street gang and has a past of dissuading witness through violence. However, witnesses still identified the inmate as the person who assaulted the three victims.

The inmate was located by police on February 28, 2013, and taken into custody. The inmate was convicted of assault likely to produce great bodily injury, a violation of Penal Code section 24(a)(4), and battery with serious bodily injury, a violation of Penal Code section 243(d). Both charges were accompanied by a strike prior as well as two prior prison sentences (Pen. Code § 667.5(b)), and the battery with serious bodily injury charge was accompanied by an allegation the inmate had suffered a prior violent felony conviction. (Pen. Code § 667(a).) The inmate pled guilty to all charges and allegations and was sentenced to seven years in prison.

### **CRIMINAL HISTORY**

With a long criminal history of approximately 30 years, the inmate is the embodiment of a career criminal. In 1988, at the age of 12, the inmate stole \$2,000 worth of video games from a video store, a violation of Penal Code section 459, and was ordered to pay \$143 restitution.

At the age of 14, the inmate and four of his friends were convicted of fighting in a public space, a violation of Penal Code section 415(1), when they kicked and punched three youths at the Fillmore May Festival.

Again, at the age of 14, the inmate and his friends threw a rock at a vehicle, and then attacked the owner of the vehicle. The inmate struck the victim with a stick while his friends simultaneously punched the victim. The inmate, or another member of his group, also stabbed the victim twice in the back. The inmate was convicted of assault with a deadly weapon, a violation of Penal Code section 245. While being detained at the Clifton Tatum Center for the above assault, the inmate and two accomplices attacked a victim in the bathroom, a violation of Penal Code section 242.

At the age of 15, the inmate and a group of friends broke into the victim's home and killed the victim's fish, spray painted red graffiti on the back door, sniffed paint, and stole jewelry from the home. The inmate was convicted of grand theft, a violation of Penal Code section 487(1), possessing toluene, a violation of Penal Code section 381(a), and was sentenced to 100 hours of community service.

Again, at the age of 15, the inmate stabbed a victim in the buttocks and arm with a butcher knife. The inmate was convicted of assault with a deadly weapon, and sentenced to 180 days in California Youth Authority.

At the age of 17, the inmate and members of his gang threw rocks and pool sticks at the victim's home, breaking a window. The inmate did so because the victim had recently testified against the inmate's brother in a recent murder case. The inmate was arrested for

knowingly and maliciously dissuading a witness, a violation of Penal Code 136.1(c)(1), along with a gang enhancement, a violation of Penal Code section 186.22(b)(1), and was sentenced to 180 days in California Youth Authority.

The inmate was arrested a total of ten times as a juvenile. While on juvenile probation, the inmate sustained violations of probation or gang association, fighting, failing to comply with his curfew, consuming alcohol, testing positive for methamphetamine, and failure to obey all laws.

As an adult, the inmate's crimes became even more severe. In 1995, the inmate attempted to fight police when they pulled him and fellow gang members over for not wearing a seatbelt. The inmate assumed a fighting stance and said, "Fuck you, I'm not going." When the officer pepper sprayed him, the inmate said, "Fuck you, I'm going to kick your ass." A fellow gang member threw a beer bottle at the officer to divert his attention, and the inmate fled. The next day, the inmate was found hiding in a pipe and physically resisted arrest. The inmate was arrested for resisting arrest causing injury to a peace officer, a violation of Penal Code section 69, and was sentenced to 180 days in jail and 36 months probation.

In 2002, the inmate and his friend stabbed two victims while they were in a fight; however, charges were not filed.

In 2003, the defendant crashed a party after stealing a pizza and stabbing a victim's tire. At the party, the host told the inmate to leave or she would call the cops, and the inmate then chased the host around her home with a knife, and busted down the bathroom door where she was hiding. The victim then ran down the stairs, and the inmate threw a knife at her, which missed and lodged into the wall. The inmate then shoved a 14-year-old girl down the stairs because she was frozen in fear and did not get out of his way. When she stood up, the inmate knocked her to the ground again. The inmate pursued the host until he was informed the police were called, and then he fled. The inmate was arrested for robbery, a violation of Penal Code section 211, assault with a deadly weapon, and dissuading a witness. The inmate was sentenced to seven years four months in prison.

## **DISCUSSION**

The inmate was sentenced to seven years in prison on January 22, 2014. In so doing the sentencing court struck the inmates prior strike allegation, a grant of unearned leniency to which the People objected. Having already received such leniency, the inmate should not now be released early. Considering the inmate's crimes against multiple victims and his past convictions for violent conduct, justice requires the inmate serve his full sentence.

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This inmate has repeatedly demonstrated that his early release puts the public at a greater risk of violence. As outlined in the inmate's criminal history, he has been arrested 18 times, and sentenced to jail or prison on several of those arrests. However, the inmate has yet to make it more than a short period of time from the time of being released back into the community without reoffending or violating parole.

To label this inmate a nonviolent offender is to ignore the truth: violence played a role in nearly all of the inmate's offenses. Not only has he been convicted of a designated violent offense – robbery in violation of Penal Code section 211 – but he has also threatened multiple victims, some with weapons, and has beaten and stabbed multiple victims. Some of the victims, such as the victim who was hosting the house party that the inmate crashed, are lucky to be alive.

The inmate's crimes range from assault with a deadly weapon, robbery, battery, dissuading a witness, possession of methamphetamine, and resisting arrest. These charges have also been accompanied with gang enhancement charges. This pattern of crime makes clear that previous imprisonment and grants of parole failed to curb the inmate's criminal activity. In fact, the inmate has demonstrated the opposite. The inmate has continued to commit offenses that have become more violent in nature.

## **CONCLUSION**

The inmate poses an unreasonable risk of violence to the community if granted early parole. Moreover, a grant of early parole does not sufficiently punish the inmate for his commitment offense since he has not served the full sentence imposed by the court. I respectfully request the Board deny early parole for the inmate.

Very truly yours,



GREGORY D. TOTTEN  
District Attorney

GDT:nl

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