



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

August 1, 2017

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

**Re: Inmate Rodolfo Jason Palazuelos; CDCR AY1645
Ventura County Superior Court Case 2014017200
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 Rodolfo Palazuelos. This recommendation is based upon:

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

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

In May 2014, the Ventura County Sheriff's Office learned that the inmate was selling methamphetamine from his home. On June 4, 2014, narcotics detectives and deputies set up surveillance around the inmate's residence. When the deputies observed the inmate drive to a nearby residential area, they attempted to conduct a traffic stop. When the inmate realized he was being stopped by law enforcement, he attempted to drive away and collided with a deputy's car. After arresting the inmate, deputies searched his vehicle and found three large plastic bags of methamphetamine, weighing a total of 1,360 grams.

Later in the afternoon, deputies searched the inmate's home and found another bag of methamphetamine that weighed 450 grams. Deputies also found a digital scale and a bottle of "Inositol" (a drug-cutting agent). On October 8, 2015, the inmate was sentenced to five years eight months in prison.

Board of Parole Hearings
Re: Rodolfo Palazuelos; CDCR AY1645
August 1, 2017
Page 2

CRIMINAL HISTORY

The inmate has a criminal history that dates back to 1992. The inmate has one prior strike conviction, which was for felony criminal threats, a violation of Penal Code section 422.

In April 1992, the inmate was arrested for unlawful possession of a controlled substance. Officers with the Oxnard Police Department contacted the inmate and another individual in the inmate's vehicle. Officers smelled marijuana coming from the car and the inmate's breath. A search of the vehicle revealed a bottle containing 200 to 300 amphetamine pills.

In June 1998, the inmate was charged with planting or harvesting marijuana, (Health and Safety Code § 11358) and possession of a controlled substance for sale, a violation of Health and Safety Code section 11358. Deputies with the Ventura County Sheriff's Office and FBI agents were investigating suspects involved in trafficking drugs from Ventura County to the Midwest and East Coast. Irma Serrato, a suspect in the investigation, went to the inmate's residence and was seen leaving the home with a small package. While conducting a search warrant at the inmate's home, officers discovered a .38 handgun, a bullet proof vest, three bags of marijuana, pay/owe sheets, a digital scale, and two triple beam scales. Thirteen marijuana plants were found in the inmate's backyard. In September 1998, the inmate received 24 months of deferred entry of judgment (DEJ). The inmate failed to follow the DEJ terms and was sentenced to 36 months probation.

In May 2000, in Santa Barbara County, the inmate and two other individuals refused to leave a night club after creating a disturbance. The inmate removed his shirt, exposed a large Colonia Chiques tattoo on his chest and shouted gang slogans and flashed gang signs. One of the individuals with the inmate threatened to return to the night club to shoot the security guard in the head. In February 2001, the inmate pled no contest to participation in an active criminal street gang, a violation of Penal Code section 186.22, and felony criminal threats in violation of Penal Code section 422. The inmate was sentenced to 36 months probation and 180 days in jail.

In June 2006, the inmate was charged with two counts of possession of a controlled substance for sale, receiving or concealing stolen property (Pen. Code § 496), and commission of a felony with a firearm, a violation of Penal Code section 12022(c). Following a controlled buy of methamphetamine from the inmate, officers with the Oxnard Police Department executed a search warrant of the inmate's residence. During

the search, officers found a police scanner (tuned to the Oxnard Police Department band), a container with 109.84 grams of methamphetamine, a plastic bag with 2.15 grams of cocaine base, a plastic bag containing 4.65 grams of methamphetamine, two bottles containing three types of unidentified pills, an unloaded Ruger 9mm semiautomatic pistol, a magazine containing 18 rounds of 9mm ammunition, and a stolen .44 two-shot gun. In October 2007, the inmate pled guilty to possession of a controlled substance for sale, with special circumstances for the large quantity of methamphetamine, and for possession of a firearm. The inmate also pled guilty to receiving stolen property. The inmate was sentenced to 36 months probation and 365 days in jail.

In June 2010, the inmate was arrested for resisting a peace officer (Pen. Code § 148(a)(1)). In August 2010, the inmate pled guilty to the charge and was sentenced to 36 months probation and 20 days in jail.

In addition to aforementioned arrests and convictions, the inmate has other convictions:

- 1997 – Unlawful taking of a vehicle (Vehicle Code § 10851) and receiving stolen property (Pen. Code § 496(a))
- 2000 – Driving under the influence of alcohol. (Veh. Code § 23152(b))
- 2000 – Driving under the influence of alcohol. (separate occurrence than above)
- 2000 – Driving under the influence of alcohol. (separate occurrence.)

DISCUSSION

Granting early parole of the inmate poses a risk of safety to the people of California. Since 1992, the inmate has been arrested or convicted 21 separate times. The inmate's criminal activity affects his community in several ways, including large-scale narcotics distribution as well as threats of physical violence. In 2006, the inmate pled guilty to two counts of possession of a controlled substance for sale, commission of a felony with a firearm, and receiving or concealing stolen property. The inmate was found in possession of 114.49 grams of methamphetamine, 2.15 grams of cocaine base, and two firearms. In the 2014 commitment offense, the inmate was found in possession of 1,810 grams, or roughly four pounds, of methamphetamine.

In addition to the inmate's continued distribution of drugs in the community, he also exhibits violent behavior. In 2000, the inmate was charged with disturbing the peace. After being asked to leave a night club in Santa Barbara, the inmate exposed a large Colonia Chiques tattoo on his chest. The inmate also flashed gang signs and shouted gang

Board of Parole Hearings
Re: Rodolfo Palazuelos; CDCR AY1645
August 1, 2017
Page 4


slogans, and the inmate's associate threatened to shoot a security guard in the head. In 2010, the inmate pled guilty to resisting a peace officer.

In summary, early parole should be denied due to his extensive criminal history, which includes high quantity drug sales with possession of firearms, as well as threats of gang violence. The inmate poses a serious threat to the safety of the people of California through his repeated sales of dangerous narcotics, specifically methamphetamine. 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,



GREGORY D. TOTTEN
District Attorney

GDT:at

E-mail: BPH.CorrespondenceUnit@cdcr.ca.gov