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July 20, 2017

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

**Re: Inmate Jose Puga; CDCR #AH5927
Ventura County Superior Court Case #2014026733
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 Jose Puga. 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 released early.

CIRCUMSTANCES OF COMMITMENT OFFENSE

On August 29, 2014, Ventura County Sheriff's deputies obtained information that a black Chevy Impala was stolen near Carpinteria, and that the inmate was a likely suspect. Since the inmate is a known Saticoy gang member, the detectives searched the Saticoy area for the stolen car.

The car was located, and shortly thereafter deputies observed the inmate entering the vehicle with one other individual. The deputies performed a traffic stop at a gas station. A search of the car revealed the car registration in owner/victim Joseph Martinelli's name. Further, Mr. Martinelli's credit cards were found in the inmate's pockets.

Deputies returned to the residence where the car had been found and spoke to two individuals there, a co-conspirator and the co-conspirator's uncle. The uncle, Mr. Alvarez, informed the deputies that his nephew told him the inmate arrived in a stolen vehicle.

The inmate pled guilty to one count of Vehicle Code section 10851(a), with a gang enhancement, Penal Code section 186.22(a). He was sentenced to seven years eight months in prison.

CRIMINAL HISTORY

On April 30, 2003, the inmate, aged 11, was arrested for Penal Code section 664/211, attempted robbery. The inmate used a pocket knife to threaten the victim, stating, "Give me your money." Welfare Institution Code 654.2 was granted, allowing the inmate to be supervised for six months. The petition was eventually dismissed with prejudice.

On February 22, 2007, the inmate, aged 14, was arrested for Penal Code section 215(a), carjacking, Penal Code section 182(a)(1), conspiracy, and again for participating in a gang activity. The inmate, along with several others, battered the victim causing him to sustain cuts to his lower lip, right nostril, right cheek, right elbow, and right knee.

On August 29, 2007, the inmate, aged 14, was arrested for Penal Code section 626.7(a), entering a school campus to commit a crime, Penal Code section 243.2(a), battery at a school, and Penal Code section 186.22(a), participating in a gang. The inmate and another individual battered the victim due to a gang rivalry. The misdemeanor was dismissed.

On January 1, 2008, the inmate, aged 15, was arrested for Penal Code section 602.5, trespass. The inmate, among others, was found inside a private residence. The inmate violated his grant of probation by failing to report to probation as directed, failing to submit to drug and alcohol testing, failing to attend school, associating with gang members, failing to seek or maintain employment, and failing to obey all laws.

On February 19, 2008, the inmate was contacted and found to be in possession of a five-inch double blade dagger. The inmate was declared a ward of the court and sentenced to 180 days in juvenile hall.

On February 26, 2009, the inmate was arrested for Penal Code section 602(1)(1), destroying a gate. The inmate was sentenced to 24 months probation. The inmate had one failure to appear.

On March 24, 2010, the inmate was arrested for and pled guilty to Health and Safety Code section 11550(a), being under the influence of a controlled substance. The inmate was sentenced to 90 days in jail concurrently with an arrest in October 2010.

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On October 2, 2010, the inmate was again arrested for carjacking, petty theft, conspiracy, and participating in a gang activity. The inmate, and an associate, ordered pizza to be delivered, and then assaulted the delivery person when he arrived. The victim fled and the inmate and his associate stole the victim's vehicle. The inmate pled guilty to second-degree robbery, and was sentenced to two years in prison. Two years after being paroled, he committed the instant offense.

DISCUSSION


The inmate has an extensive criminal record spanning the last 14 years. The inmate's juvenile record dates to 2003. Since his first adult arrest in 2009 until his last arrest in 2014, the inmate has been arrested four times in a span of five years. Of note, these arrests and convictions are for being a gang member, batteries, carjacking, robbery and drugs. The inmate has shown a clear disregard for the criminal justice system. The inmate has had six probation violations and four failures to appear.

This inmate poses a risk of violence to the community, if released early on parole. His history is the best predictor of future conduct. His history is riddled with violence and disturbing criminality. Based on the inmate's actions, it is evident that previous grants of probation, parole, and leniency have failed to curb his criminality. There is no evidence to suggest the inmate will stop 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,



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District Attorney

GDT:rf

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