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July 31, 2017

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

**Re: Inmate Jose Antonio Rodriguez; CDCR BA6336
Ventura County Superior Court Case 2014023050
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 Jose Rodriguez. This recommendation is based on

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

CIRCUMSTANCES OF COMMITMENT OFFENSE

On July 26, 2014, at approximately 11:15 p.m., victim Juan Caballero was leaving work when the inmate held a switchblade to his stomach and said, "Give me all your money or you'll feel this." Mr. Caballero ran away from the inmate. The inmate then fled, and was allowed into a nearby residence because he told the occupants that he was trying to get away from someone who was following him. When the owner of the home saw that the inmate was in possession of a knife, she told the inmate to leave. The inmate then brandished the knife at the owner and other occupants. The victims in that residence called police, but the inmate was gone by the time police arrived.

When the responding officer was taking a statement from the owner of the home, she saw the inmate across the street and pointed him out. The inmate fled, but police apprehended him after a brief pursuit. At the police station, the inmate denied trying to rob anyone, and said the victims were making it all up. The inmate denied possessing a knife but stated that if he did have a knife he "would have stabbed his ass," referring to Mr. Caballero.

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CRIMINAL HISTORY

The inmate's long criminal history demonstrates his continuing ties to criminal gang activity and his ongoing risk of safety to the community.

In 2000, at the age of 15, the inmate was arrested for vandalizing a school with gang-related graffiti.

At the age of 16, the inmate was found in possession of a steak knife as he was leaving the home of a known gang member, and was arrested for unlawfully carrying weapons.

Again at the age of 16, the inmate threatened police when they detained the inmate with a known gang member. The inmate said he wanted to "take out a cop." The inmate was arrested for obstructing a police officer and sentenced 180 days in Tri Counties Boot Camp.

While serving his time at the boot camp, the inmate attacked a rival gang member from behind because the rival did not accept his challenge to fight. The inmate punched the victim in the back of the head several times, and refused the staff's instructions to stop. The inmate later stated that he did not listen to the staff's instructions because he started the fight and he wanted to finish it. The inmate was charged with assault.

At the age of 17, the inmate was at a work release program for a prior gang-related offense when he attacked another minor from behind. The inmate punched the minor in his back, and in the back of his head. The inmate was charged with assault and was sentenced to 180 days in California Youth Corrections.

The inmate violated juvenile probation by failing to comply with the court-ordered curfew, failing to pay restitution, smoking marijuana, associating with known gang members, and being inside a vehicle possessing weapons and graffiti devices. As an adult, the inmate's crimes have worsened.

In 2007, the inmate and other criminal street gang members vandalized a victim's home, and left threatening messages against the victim's life. The inmate was convicted of vandalism with a felony gang enhancement. The inmate violated probation and was sentenced to three years four months in prison.

In 2008, the inmate and four other gang members drove to a rival gang's territory and fired six shots at a rival gang member's car. The inmate was arrested for shooting at an inhabited dwelling, with a gang enhancement, and sentenced to eight months in prison.

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In 2013, the inmate fought two victims who were in bad standing with his criminal street gang. The intoxicated inmate challenged the others to fight, and resisted police when they tried to stop him from fighting. The inmate was charged with fighting in a public area, lewd conduct, and resisting arrest and sentenced to jail.

DISCUSSION

The inmate has repeatedly demonstrated that he is a risk to public safety. The inmate has assaulted and threatened multiple people, including police, has been arrested 14 times, and sentenced to prison three times. Despite opportunities on parole and probation, the inmate has yet to make it more than a short period of time after being released back into the community without reoffending.

The inmate cannot reasonably be considered a nonviolent offender. The inmate was sentenced to seven years four months in prison on July 25, 2016, for attempted robbery. If the victim had not run away, the inmate would have a completed robbery conviction rather than attempted robbery. His prior crimes, including firing a gun on a residential street, demonstrate a disturbing disregard for human life.

The inmate's pattern of crime makes clear that previous grants of parole 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 now.

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

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