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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 Juan Rosas; CDCR AV5606
Ventura County Superior Court Case 2012038720
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 Juan Rosas. This recommendation is based upon:

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

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

The inmate was committed to prison for being instrumental in an international Mexican Mafia criminal gang conspiracy, which sought to unite and organize all the criminal street gangs in every city in Ventura County to collect and pay taxes to the Mexican Mafia. The Mexican Mafia set up this ruling body of loyal and trusted local Hispanic street gang members for the purpose of taxing and punishing local drug dealers and gang members across the entire county of Ventura.

A three-month long law enforcement operation and investigation exposed that Mexican Mafia member Martin "Evil" Madrigal had organized a *mesa*, or ruling body, in Ventura County. This *mesa* used the threats of force and great bodily harm against local drug dealers to intimidate them into paying these taxes. The *mesa* also threatened local gang members who challenged the Mexican Mafia's appointed leader of Ventura County.

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The inmate, a documented member of the "El Rio" gang, was placed in charge of collecting taxes from his gang for the Mexican Mafia. The inmate eagerly began collecting taxes from a local drug dealer for the Mexican Mafia. Additionally, he conspired with codefendant, Alfred Perez, who is also an inmate at CDCR for this offense, to tax another drug dealer. The inmate obtained a gun and tried to lure another gang member to a secluded parking lot to kill him for not accepting the inmate's taxing authority for the Mexican Mafia. When confronted by law enforcement as he was on his way to the parking lot, the inmate tossed his gun. The inmate was found guilty of violations of Penal Code section 518, extortion, with the special allegation of being for the benefit of a criminal street gang, in violation of Penal Code section 186.22(b)(1). He was also convicted of Penal Code section 27545, unlawful transfer of firearms and sentenced to 11 years in prison.

CRIMINAL HISTORY

The inmate's life of crime began in 2001 when he was 15 years old, and he slashed at his brother with a knife in violation of Penal Code section 417, brandishing a deadly weapon in a threatening manner. Already a gang member, he fought with rival gang members from the Colonia Chiques while he was confined in custody. His criminality continued in 2003 for a violation of Penal Code section 415.5(a), fighting in a school. Following his sentencing, he violated probation by failing to attend mandated anger management counseling, failure to submit to controlled substance testing, testing positive for methamphetamine, possession of gang paraphernalia, and possession of a knife.

As an adult, his pattern of criminal activity and gang crimes continued. On April 8, 2004, in custody of the juvenile facilities, he attacked another inmate without provocation, in violation of Penal Code section 242, battery. He refused to stop his attack when ordered, and escalated the assault to the point that pepper spray needed to be deployed. The victim did not fight back at any time. The inmate was placed on probation again, which he violated.

On August 5, 2004, the inmate was stopped for a traffic violation, and evidence of controlled substances was found, in violation of Health and Safety Code section 11550(a), under influence of controlled substances, and Health and Safety Code section 11364, possession of drug paraphernalia.

On January 26, 2005, the inmate refused to obey a police command to stop as officers investigated a suspicious person report. Following a pat-down search, officers found a BB gun that appeared similar to a handgun. The inmate tried to attack the officers and escape,

in violation of Penal Code section 148(a) resisting, obstruction of a police officer in performance of his duty.

In February 2005, the inmate attempted to solicit a fight with the patrons and employee present at a gas station while armed with a steak knife in violation of Penal Code section 12020(a), possession of a deadly weapon.

On July 31, 2005, he was found in violation of Penal Code section 12316(b)(1), possession of firearm or ammunition by someone prohibited, in violation of his release terms.

On August 6, 2005, he was stopped for driving without headlights, lied about his probationary status, and attempted to hide his keys and gang paraphernalia. Police searched his trunk and recovered a stolen shotgun in violation of Penal Code section 12021(c), possession of weapon. He was sentenced to 16 months in prison.

On August 12, 2006, the inmate was contacted during a traffic stop and displayed symptoms consistent with being under the influence of a controlled substance. He was found guilty under Health and Safety Code section 11550(a), under the influence of controlled substance.

On January 30, 2009, during a traffic stop of the inmate, one of the passengers was seen throwing a loaded gun onto the roof of a nearby residence. This led to a search of the inmate's home, where a handgun and ammunition were found. He was sentenced to two years in prison for a violation of Penal Code section 12021(a)(1), felon in possession of a firearm.

DISCUSSION

The inmate has established himself as a loyal and violent criminal street gang member whose life has been primarily spent in custody, on parole, or on the streets collecting taxes for the Mexican Mafia. He is connected to a wide-spanning net of international underworld gang leaders and the Mexican Mafia. The inmate is well-connected to the Mexican Mafia and has functioned as their tax collector. He has been violent and confrontational with law enforcement, and has shown little regard to the lives of others. He is eligible for early release as a nonviolent offender only because he was apprehended prior to completion of his plan to kill another gang member.

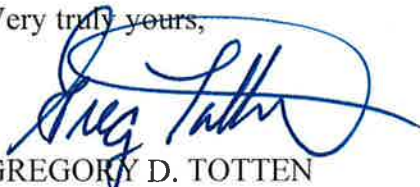
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His activities since his juvenile detention have consistently been violent in nature. Since his first detention when he attempted to slash his own brother, to gang violence inside prison, to inciting violence and carrying weapons while on probation, it is clear that this inmate has violent tendencies and presents a clear and immediate danger to anyone close to him. Considering the inmate's crimes against multiple victims and his past convictions for violent conduct, justice requires parole be denied.

CONCLUSION

The inmate poses an unreasonable risk of violence to the community and to the police if granted early parole. I respectfully request the Board deny early parole for the inmate.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Greg Totten", written over a blue circular scribble.

GREGORY D. TOTTEN
District Attorney

GDT:sp

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