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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 Martin Torres; CDCR AZ8033
Ventura County Superior Court Case 2015018046
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 Martin Torres. 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 the inmate is released early.

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

In May 2015, narcotics investigators with the Ventura County Sheriff's Office obtained a court order authorizing the interception of telephone communications to and from a cellular phone number associated with the inmate, a documented member of the Colonia Chiques criminal street gang. Over the next month, investigators intercepted numerous phone calls and text messages indicating the inmate was dealing narcotics, including methamphetamine, heroin, cocaine, and prescription pills. Investigators also intercepted phone calls and text messages regarding the possession and possible sale of firearms, including reference to assault rifles and high capacity ammunition magazines. Based upon the information from the wiretaps, detectives executed search warrants at two locations in the city of Oxnard associated with the inmate.

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First, the detectives executed a search warrant at the inmate's apartment. Inside the bedroom, detectives located five firearms: a loaded .357-caliber revolver, a loaded .38-caliber revolver, an unloaded 9mm TEC-9 assault weapon, an unloaded 9mm semiautomatic handgun, and an unloaded .357-caliber semiautomatic handgun. Detectives also found 9mm and .357-caliber ammunition, and a 30-round 9mm automatic magazine. In the closet, detectives found Colonia Chiques clothing paraphernalia. The bathroom also contained \$2,000 in a plastic bag. A hallway closet contained a plastic bag full of 9mm rounds of ammunition and a hide-a-can with 1.5 grams of methamphetamine. In addition, an operational digital scale was in the kitchen.

Detectives conducted the second search warrant at the home of the inmate's mother. In the garage, detectives found a loaded .40-caliber semiautomatic handgun, a TEC-9 assault weapon, four 30-round ammunition magazines, a flash suppressor, an operational digital scale, .40-caliber and 9mm ammunition, pay-owe sheets, paperwork in the inmate's name, and six plastic bags containing approximately one pound of methamphetamine.

Under *Miranda*, the inmate admitted ownership of the firearms and said it was a "hobby" for him. He told detectives none of the firearms were registered to him and that he purchased them from unknown people that have since moved to Mexico. The inmate said that the drugs at both his apartment and his mother's home were for his personal use because he liked to "party like a rock star." He denied possessing the drugs for purposes of selling them.

The inmate was convicted of possession of methamphetamine for sale while personally armed with a firearm, in violation of Health and Safety Code section 11378 and Penal Code section 12022(c); possession of a controlled substance and a firearm, in violation of Health and Safety Code section 11370.1(a); two counts of possession of an assault weapon, in violation of Penal Code section 30605(a); and possession of a large-capacity magazine, in violation of Penal Code section 32310(a). He was sentenced to six years eight months in state prison.

CRIMINAL HISTORY

On June 4, 2015, the inmate was arrested for possession of methamphetamine for sale while personally armed with a firearm, in violation of Health and Safety Code section 11378 and Penal Code section 12022(c); possession of a controlled substance and a firearm, in violation of Health and Safety Code section 11370.1(a); two counts of possession of an assault weapon, in violation of Penal Code section 30605(a); and possession of a large-capacity magazine, in violation of Penal Code section 32310(a). He was sentenced to six years eight months in state prison.

On July 14, 2015, the inmate was arrested bringing drugs into a jail facility, in violation of Penal Code section 4573.8, and vandalism, in violation of section 594(b)(2)(A). During a search of the inmate's cell, a bag of "pruno" (alcohol made in prison), gang-related graffiti, and an altered razor were located. He was sentenced to 36 months probation.

In addition to the above arrests and convictions, the inmate has had multiple other arrests and contact with law enforcement, including:

- On December 21, 1998, the inmate was arrested for petty theft, in violation of Penal Code section 484(a).
- On January 5, 1999, the inmate was arrested for vandalism, a violation of Penal Code section 594.
- On January 22, 1999, the inmate was arrested for providing false identification to a police officer, in violation of Penal Code section 148.9.
- On January 27, 1999, the inmate was again arrested for providing false identification to a police officer.
- On August 4, 1999, the inmate was arrested a third time for false identification to a police officer.
- On November 17, 2000, the inmate was arrested for driving under the influence of alcohol and driving with a BAC of 0.08 percent or higher, in violation of Vehicle Code section 23152(a)/(b).
- On February 6, 2005, the inmate was arrested for a violation of a court order, in violation of Penal Code section 166(a)(4).
- On September 10, 2005, the inmate was again arrested for a violation of a court order.
- On March 30, 2006, the inmate was arrested for a third violation of a court order.
- On February 11, 2007, the inmate was arrested for being drunk in public, a violation of Penal Code section 647(f).
- On September 9, 2007, the inmate was arrested for resisting arrest, in violation of Penal Code section 148(a)(1), and a fourth violation of a court order.
- On February 23, 2008, the inmate was arrested for a fifth violation of a court order.
- On February 24, 2013, the inmate was arrested for a second DUI.

DISCUSSION

Granting this inmate early parole will create an unreasonable risk of violence to the public. The sale of narcotics is a violent trade, and the inmate was armed with significant fire power, including loaded assault weapons. The inmate's seemingly unending list of


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prior convictions, arrests, and other contacts with law enforcement show he is unwilling to conform his behavior and live free of crime. His membership in a criminal street gang only increases the danger he poses to the community. 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,



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District Attorney

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