



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
Administrative Services

W. CHARLES HUGHES
Chief Deputy District Attorney
Special Prosecutions

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
Criminal Prosecutions

MICHAEL BARAY
Chief Investigator
Bureau of Investigation

September 1, 2017

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

**Re: Inmate Jonathan Sanchez; CDCR AC6089
Ventura County Superior Court Cases 2007038183, 2014027349
Opposition Letter Due to Board of Parole Hearings September 6, 2017**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Jonathan Sanchez. While on parole after serving a seven-year sentence in case 2007038183 for a gang assault, the inmate was sentenced to prison for five years four months in case 2014027349. This recommendation to deny early release is based upon:

- 1) The inmate's commitment offense.
- 2) The inmate's significant criminal history, including violating parole six times in 2015.
- 3) The unreasonable risk of violence to the community if the inmate is released early.

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

Case 2007038183

On September 30, 2007, victim Pedro Patricio observed two individuals walk towards the rear of his property. Mr. Patricio saw one of the individuals, later identified as Antonio Aguirre, urinate in the alley near his house. When Mr. Patricio asked Aguirre to stop, Aguirre stated, "Fuck you. If you have a problem, come out here." Aguirre and the second individual, identified as the inmate, approached Mr. Patricio. During an argument, the inmate threw a beer bottle at Mr. Patricio and Mr. Patricio's brother. Aguirre then brandished a fixed six-inch knife and lunged at Mr. Patricio two to three times. As Mr. Patricio ran from the inmate and Aguirre, he heard glass shattering behind him and saw the two men run away from the scene. Mr. Patricio noticed that the back window of his van had been smashed.

On October 6, 2007, Mr. Patricio notified police that he had seen Aguirre. A responding officer heard Aguirre yelling, "Hey! Hey!" The officer observed Aguirre flashing gang signs. Aguirre fled on foot but was later contacted by police.

Approximately one month later, officers executed a search warrant at the inmate's residence. Officers announced their presence, but no one responded. After ramming the front door, officers found several subjects in the house. The inmate was found hiding inside a closed bedroom and refused to leave. While officers arrested the inmate, he stated, "You guys are scandalous. I put that on the avenue."

In January 2008, the inmate pled guilty to assault with a deadly weapon, a violation of Penal Code section 245(a)(1), with an enhancement for an act benefiting a criminal street gang (Pen. Code § 182.22(b)(1)), and was sentenced to probation and 270 days in jail. In February 2010, the inmate's probation was deemed unsuccessful after four violations, and he was sentenced to seven years in prison. While on parole from this case, he suffered six violations of parole.

Case 2014027349

On September 4, 2014, a patrol officer observed a vehicle with an inoperative license plate lamp. When the officer initiated a traffic stop, the driver, later identified as the inmate, sped off. The inmate exited the freeway and a vehicle pursuit ensued. During the pursuit, the inmate reached speeds of up to 80 mph, failed to stop at stop signs, and drove on the wrong side of the road. The inmate ultimately lost control of the vehicle, and holding a sawed-off shotgun, exited the vehicle, dropped the gun, then fled on foot.

Officers discovered the inmate hiding nearby. A records check revealed the inmate was on parole. His parole officer issued a parole warrant that stated the inmate was considered armed and dangerous. During the subsequent investigation, officers found the shotgun. It contained one live round, as well as an additional three 12-gauge shotgun rounds. The inmate was released from custody pending further investigation.

On January 15, 2015, officers learned the inmate was staying in a motel in Ventura. Officers knocked on the motel room door and located the inmate and other individuals inside. A search of the room revealed a 9-millimeter semi-automatic handgun, a loaded 10-round magazine containing ten 9-millimeter bullets, a plastic bag containing 10 brass and silver colored bullets, and a blue rubber bindle with seven .22 caliber rounds of ammunition. A K-9 also discovered .2 grams of methamphetamine and drug paraphernalia. Follow-up investigation revealed that DNA on the trigger of the .9-millimeter handgun matched the inmate. Furthermore, officers discovered that the inmate

was an active member of the Ventura Avenue criminal street gang, and was a suspect in several gang-related shootings.

In May 2015, the inmate pled guilty to felony evading, possession of a short-barreled shotgun, and possession of a firearm by a felon. The inmate also admitted the strike conviction for assault with a deadly weapon. In June 2015, the inmate was sentenced to five years four months in prison.

CRIMINAL HISTORY

The inmate's criminal history begins with violence. In January 2003, at the age of 13, the inmate was arrested for attempted murder. The inmate and four other individuals drove from Ventura to the Colonia neighborhood of Oxnard to search for rival gang members. The inmate located the victim and his friend wearing a Dallas Cowboys baseball hat, a common article of clothing worn by Colonia Chiques gang members. The inmate and another individual, who possessed a baseball bat, exited the vehicle and confronted the victim and his friend. The individual with the baseball bat struck the victim in the head seven times and chased the victim's friend away. The inmate and the attacker re-entered the vehicle and drove away. Subsequent investigation revealed that the inmate and his associate agreed to "put in work" for his gang by assaulting a rival gang member.

In May 2005, the inmate was sentenced to 240 days in the juvenile facility. The inmate subsequently violated probation by punching a fellow resident at the Philos Adolescent Treatment Center, being present during a gang fight at the Gateway School, and possessing gang related clothing. All the violations of probation occurred within approximately 30 days after being released from the Philos Adolescent Treatment Center.

In March 2006, at the age of 15, the inmate was arrested for resisting a peace officer and loitering. Patrol officers observed the inmate and two males near parked vehicles. The inmate and the others wore black gloves and were peering into car windows. The inmate and two others fled when they saw the officer, but the inmate was eventually apprehended. The inmate was also in possession of alcohol. The inmate was initially sentenced to 365 days in the juvenile facility, but later sentenced to 120 days in jail, after violating probation after he turned 18 years old.

DISCUSSION

Granting early parole of the inmate poses a risk of safety to the community. Since 2000, the inmate has been arrested or convicted at least seven separate times. The inmate's criminal activity affects his victims in various ways, most notably through gang violence.

Board of Parole Hearings
Jonathan Sanchez, CDCR AC6089
September 1, 2017
Page 4

In 2008, the inmate pled guilty to assault with a deadly weapon for the benefit of his gang. After being released on parole, the inmate evaded police while in possession of a short-barreled shotgun. The inmate's violence is coupled by his active involvement in his criminal street gang.

In addition to the inmate's violence, he also exhibits an inability to refrain from criminal activity, even while on parole or probation. In 2015, the inmate violated parole six times.

Early parole should be denied due to this inmate's extensive violent criminal history. There is no evidence to suggest the inmate will stop his criminal ways if released into the community. The inmate's previous actions demonstrate he will return to committing violent crimes to benefit his street gang.

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: BP.H.CorrespondenceUnit@cdcr.ca.gov