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September 27, 2017

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

**Re: Inmate Andrea Dawn Barrack; CDCR WE7252
Ventura County Superior Court Cases 2012008457, 2015000137, 2013020567
Opposition Letter Due to Board of Parole Hearings October 1, 2017**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Andrea Barrack. The inmate was sentenced to 4 years 4 months CDCR in April 2017. Granting early release now would mean the inmate would only serve approximately 50 percent of the actual sentenced imposed. The recommendation to deny early release is based upon:

- 1) The inmate's commitment offenses.
- 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 OFFENSES

Case 2012008457

On March 3, 2012, victim Elizabeth Bachman returned home to find her bedroom ransacked and the majority of her jewelry missing. Police determined the burglar made entry through an open window. Police found a shoeprint with a distinct sole on a table that the burglar had apparently stepped on in order to climb through the open window.

On March 5, 2012, police invoked the inmate's probation search terms and conducted a search of her room inside her parents' house. Inside the inmate's room, police found numerous boxes of jewelry, as well as several women's purses which also contained jewelry. Much of the jewelry had been sorted by type, such as watches, bracelets, and

Board of Parole Hearings
Re: Andrea Barrack, CDCR WE7252
September 27, 2017
Page 2

earrings. An Apple iTouch device was located and police confirmed it was stolen during a different residential burglary. Some of the jewelry in the inmate's room matched descriptions of jewelry taken during that burglary. Additionally, cocaine was found inside the inmate's room, along with a glass smoking pipe. A search of the inmate's parents' car, which the inmate confirmed she drove, revealed a pair of shoes that matched the shoeprint from the Ms. Bachman's house.

On February 7, 2013, the inmate pled guilty to first-degree residential burglary. Additionally, the inmate admitted a prior prison term under Penal Code section 667.5(b). On July 18, 2013, the inmate was sentenced to four years prison. She was pending sentencing in this case when she committed the below offense.

Case 2013020567

On June 29, 2013, at 2:10 p.m., deputies participated in a contraband search of a housing unit at the Todd Road jail in Santa Paula. While a K9 deputy was conducting a search of the inmate's cell with his dog, the dog alerted to a property box full of mail. The property box had the inmate's last name and booking number written on the outside. The deputy searched the box and located a plastic bundle of methamphetamine inside a large envelope.

The deputy interviewed the inmate, who appeared to be under the influence of a controlled substance. The inmate admitted the methamphetamine inside the property box was hers. The inmate's urine tested positive for methamphetamine.

On July 18, 2013, the inmate pled guilty to possession of an illegal substance inside a jail facility, a violation of Penal Code section 4573.6(a), and admitted a prior prison term under Penal Code section 667.5(b). The inmate was sentenced to two years prison concurrent to the above case.

Case 2015000137

On January 2, 2015, at 8:45 a.m., Paul Booth was walking his dog when he observed the inmate bent over near steps leading to the residence of victim Janet Lewis. The inmate appeared to be rushed and nervous as she picked items up from the ground and placed them into bags. Booth approached the inmate and asked her if she needed help, which she declined. Booth then noticed that the inmate was picking up prescription bottles bearing the victim's name, as well as a large amount of jewelry and coins. Booth continued to walk his dog and observed the inmate place one of the bags into a creek on the opposite side of the victim's residence. Booth then contacted police.

Board of Parole Hearings
Re: Andrea Barrack, CDCR WE7252
September 27, 2017
Page 3

When police arrived, they recovered a bag from the creek. The bag contained two prescription bottles, checkbooks, collectible coins, and a large silver box, all belonging to the victim. Additionally, police recovered several rare coins and a large quantity of jewelry from the roadway near the victim's home. When officers entered the residence, they found jewelry scattered about the master bedroom floor. A total of \$26,968 worth of jewelry and collectible coins was stolen from the victim.

On March 15, 2017, the inmate pled guilty to receiving stolen property over \$950, a felony violation of Penal Code section 496(a), and felony identify theft with a prior conviction for identify theft. Additionally, the inmate admitted a prior strike conviction and two prison priors. The inmate was sentenced to 4 years 8 months in prison.

CRIMINAL HISTORY

The inmate has an extensive criminal history that dates to 2003.

On July 3, 2003, the inmate entered a Target store and shoplifted \$109 worth of video games. On August 4, 2003, the inmate pled guilty to petty theft and was sentenced to two days jail and 36 months probation. The inmate then violated the terms of her probation.

On July 17, 2003, victim Jennifer Eggertsen reported to police that her wallet containing her identification and credit cards was stolen while she was at an L.A. Fitness Club. Over \$2,185 had been charged to her MasterCard and approximately \$1,400 was charged to her Visa card. Three checks totaling \$329 were also stolen. On July 22, 2003, victim Dolores Gonzales reported to police that her credit cards and an ATM card were stolen from her wallet while she was at the Total Woman Gym. Over \$1,600 had been charged to her credit cards. The inmate was arrested on August 8, 2003, and ultimately admitted to police that she stole the victims' credit cards and made the fraudulent transactions to feed her methamphetamine addiction. On May 10, 2004, the inmate pled guilty to two counts felony grand theft. She was sentenced to 36 months formal probation. The inmate violated the terms of her probation two times.

On July 16, 2003, the inmate stole credit cards and cash from victim Tyla Gonzales's purse while she was at Total Woman Health Club. In early August 2003, the inmate stole credit cards from victim Terrie Dluss while she was at Gold's Gym, and later used those cards. On August 11, 2003, the inmate stole credit cards from victims Jaclyn Johnson and Theresa Gill while they were at Total Women Health Club. The inmate later used those cards as well. The inmate was eventually arrested and found with cash and credit cards belonging to some of the victims, along with powder cocaine, rock cocaine, a narcotics pipe, and four hypodermic syringes. On October 14, 2003, the inmate pled guilty to

felony petty theft with priors and possession of a controlled substance. She was sentenced to 180 days jail and 36 months formal probation. The inmate violated the terms of her probation three times.

On May 13, 2004, the inmate was arrested for petty theft. Victim Crystal Roberts reported to police that her purse, containing 40 to 50 Oxycontin pills (valued at \$50), a credit card, \$45 cash, and two watches (valued at \$80), were stolen from her unlocked vehicle while she was at Total Woman Health Club. On July 7, 2004, the inmate pled guilty to felony petty theft with priors and was sentenced to 180 days in jail and 36 months formal probation. The inmate violated the terms of her probation once.

On March 8, 2008, the inmate was observed by video surveillance inside a Macy's department store concealing several purses in a large bag. She left the store without paying for the items and was detained outside the store by security. On November 17, 2008, the inmate pled guilty to petty theft with priors, and was originally sentenced to 30 days jail and 36 months formal probation. The inmate violated the terms of her probation three times and was later sent to prison for 16 months.

On March 11, 2008, victims Heidi and Michael Whitcomb reported to police that their residence had been burglarized and several pieces of jewelry were stolen. The following day, several items of property belonging to the victims were found about a hundred yards from the inmate's residence along with a driver's license belonging to the inmate. On April 4, 2008, police discovered that the inmate pawned jewelry that belonged to the victims. The inmate was contacted by police, who observed her to be under the influence of a controlled substance, and arrested. On November 17, 2008, the inmate pled guilty to felony receiving stolen property, and was sentenced to 223 days jail and 36 months formal probation. The inmate was later sent to prison for 16 months in December 2010, after four violations of probation.

On September 15, 2009, while in the Ventura County jail following a violation of probation, deputies searched the inmate's clothing in response to a tip from another inmate that she smuggled drugs into the jail. Deputies found slits in the lining of the inmate's bra, which concealed two bags of cocaine (weighing 2.7 grams and 2.0 grams), two tablets of Oxycontin, and five tablets of Alprazolam (Xanax). She was later convicted of possession of controlled substance.

On April 1, 2010, the inmate was arrested after she stole \$464 worth of clothing from a Sears department store. On December 6, 2010, the inmate pled guilty to petty theft with priors. The inmate was sentenced to eight months prison, consecutive to the sentence in the below case.

On August 5, 2010, the inmate was arrested after she stole merchandise from a Macy's department store. On December 6, 2010, the inmate pled guilty to petty theft with priors. The inmate was sentenced to eight months prison, consecutive to the below case.

On July 30, 2010, victim Sally Johnson's wallet was stolen from her purse while she was at her daughter's wedding. The next day, the inmate and an accomplice made numerous fraudulent purchases using the victim's bank and credit cards. The inmate was later caught shoplifting at a department store, and loss prevention officers discovered in her possession a total of 57 various cards, including credit cards and a driver's license belonging to the victim, as well as driver's licenses belonging to ten other individuals. On December 6, 2010, the inmate pled guilty to felony receiving stolen property, four counts of identity theft, and possession of the personal identifying information of ten or more persons. The inmate was sentenced to 16 months in prison.

In addition to the above, the inmate has also suffered the following convictions:

- 2004 – Under the influence of a controlled substance (Health and Saf. Code § 11550(a))
- 2009 – Forging or altering a prescription (Bus. and Prof. Code § 4324(a))
- 2013 – Possession of a controlled substance (Health and Saf. Code § 11377(a))
- 2015 – Possession of a controlled substance (Health and Saf. Code § 11350(a))
- 2015 – False representation of identity to a peace officer (Pen. Code § 148.9(a))
- 2016 – Under the influence of a controlled substance (Health and Saf. Code § 11550(a))
- 2016 – Petty theft (Pen. Code § 484(a))
- 2016 – Petty theft (Pen. Code § 484(a)) (Separate conviction)

DISCUSSION

Granting early parole of the inmate poses a risk of safety to the community. Since 2003, the inmate has been arrested or convicted a staggering 21 separate times. The inmate's extensive criminal history exhibits an inability to refrain from victimizing others. The inmate is comfortable going into other people's homes and taking their property. First-degree residential burglary is an inherently violent felony. This brazen conduct will result in violence to others, or her, when she is caught in the act stealing from another's home. A person's home is their castle, their safe place; the inmate's conduct destroys people's ability to feel safe in their own homes.

Throughout her life, the inmate has demonstrated a persistent and unwavering disrespect for the law. She has suffered ten separate convictions of some form of theft, and three convictions of receiving stolen property. She has suffered convictions of various forms of unauthorized use of the personal identifying information of another person, including two

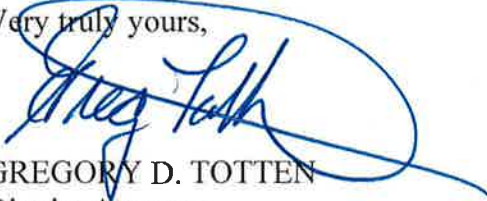
Board of Parole Hearings
Re: Andrea Barrack, CDCR WE7252
September 27, 2017
Page 6

separate instances of possession, one of which included the information of more than ten persons, an instance of sale or transfer of such information, and four instances of obtaining credit, goods, or services with such information She has violated probation numerous times. Given her pattern of conduct, it is apparent that the inmate will continue to place the property and well-being of others at risk when she is released.

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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