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October 9, 2017

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

Re: **Inmate Arnold Aranda Cortez; CDCR BC3107**
Ventura County Superior Court Case 2015032862
Opposition Letter Due to Board of Parole Hearings October 11, 2017

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Arnold Cortez. The inmate was sentenced in February 2017, to serve 6 years 8 months in prison. If the inmate is granted early parole now, he will have spent less than two years in custody on this case, or only served approximately 30 percent of his sentence. This recommendation is based upon:

- 1) The inmate's commitment offenses.
- 2) The inmate's significant criminal history.
- 3) The unreasonable threat to the safety of the community if the inmate is released early.

CIRCUMSTANCES OF COMMITMENT OFFENSE

In October 2015, narcotics officers learned the inmate was selling drugs from his residence. A search warrant was obtained and the subsequent search revealed a .32 caliber revolver, bullets, cellular phones, a digital scale covered in methamphetamine residue, \$145 cash, a bag containing small orange balloons, 10.8 grams of methamphetamine in separate packages, and 1.5 grams of heroin. Cell phone examination revealed four different drug transactions between the inmate and heroin and methamphetamine users. Under *Miranda*, the inmate admitted to possessing the firearm and the methamphetamine.

The inmate was convicted of being a felon in possession of a firearm and possession of drugs for sale. He also admitted two prior drug sale convictions and four prison priors.

Earlier this year, the inmate was sentenced to 6 years 8 months in prison. He was facing up to 13 years 8 months in prison.

CRIMINAL HISTORY

The inmate has a criminal history that dates to 1988. His record shows he is incapable of remaining crime free as demonstrated by 24 prior criminal cases that all concluded with convictions. Five of these cases resulted in separate prison sentences. Below is a sample of the inmate's lengthy criminal history.

In March 1994, officers responded to a domestic disturbance. When contacted by officers, the inmate had half a gram of methamphetamine on his person. He was later convicted of felony possession of methamphetamine and given an opportunity on a diversion program. After an unsuccessful diversion program and numerous violations of probations, he was eventually sentenced to prison on this case in 1997.

In June 1997, the inmate was contacted during a traffic stop. An officer found almost 20 grams of methamphetamine near the inmate. He was later convicted of possession for sales of methamphetamine. He was sent to prison for two years.

While on parole in October 1998, the inmate was found in possession of half a gram of methamphetamine. He was convicted of possession of methamphetamine and sent back to prison for 16 months. This conduct happened again in 2002 and twice in 2003.

After being convicted of resisting arrest only four months earlier, on January 12, 2007, the inmate had an active warrant for his arrest. When an officer spotted the inmate driving a vehicle, the inmate fled. The inmate evaded the police driving through heavily populated downtown streets, then through several nearby residential areas. The inmate endangered pedestrians as well as other drivers, narrowly missing vehicles. He was later convicted of felony evading with a willful and wanton disregard for the health and safety of others. He was sentenced to three years prison.

In June 2011, the inmate was found hiding in a closet during a parole search. He was found in possession of 2.6 grams of methamphetamine, a digital scale, packaging, and a cellphone with narcotics sales texts. He was subsequently convicted of possession for sales of methamphetamine and sentenced to two years jail. While out on post-release supervision, the inmate committed his commitment offense.

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DISCUSSION

For two decades, the inmate has used, possessed, and sold controlled substances. Attempts to rehabilitate him have failed. He endangers the community by driving under the influence and selling drugs. If released early, the risk of violence is great since the inmate is escalating his criminality by being armed, or having a firearm nearby, when he engages in drug activity. Possessing guns and drugs is violent criminal conduct.

The inmate has attempted to avoid supervision and police contacts on multiple occasions. He has demonstrated an inability to function within the parameters of his parole. In fact, the inmate has failed every previous time he has been granted parole. His constant narcotics violations have created a public safety threat to the community around him, which is only alleviated when he is in custody. There is no evidence to suggest the inmate will stop his criminal ways if released into the community.

CONCLUSION

The inmate poses an unreasonable risk through continued drug abuse and sales. His possession of a firearm and ammunition during his recent sales conviction is especially concerning since weapons and drugs are a potentially deadly combination. I respectfully request this Board deny early parole for the inmate.

Very truly yours,



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