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June 25, 2018

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

**Re: Inmate Jesus Hernandez; CDCR AG8813
Ventura County Superior Court Case 2015021200, 2014037028
Opposition Letter Due to Board of Parole Hearings July 1, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Jesus Hernandez. On October 27, 2017, the inmate was sentenced to 40 months in prison. Releasing the inmate now means he would serve approximately 40 percent of his original sentence. This recommendation is based upon:

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

CIRCUMSTANCES OF COMMITMENT OFFENSES

The inmate was committed to prison for being in possession of a deadly weapon and viciously assaulting an officer. Officers initially responded to the inmate loitering in a known gang area while carrying a baseball bat. When the officers approached, the inmate dropped the bat and spoke with the officers. The inmate told the officers he was released from jail that morning and was on parole. The inmate is a member of the Squires Drive criminal street gang and lied to officers when asked about gang membership. The inmate was arrested for loitering in a gang area and being in possession of the bat.

While being booked into jail, the inmate punched a custodial deputy in the nose with so much force that the deputy believed his nose was broken. The inmate had absolutely no reason to assault the deputy and refused to disclose why he did. The custodial deputies

then fought with the inmate to restrain him so they could finish the booking process. The inmate was ultimately convicted of felony resisting arrest with force and violence, and felony possession of a billy club. He admitted a 2011 robbery strike prior and prison prior. He was sentence to prison for 40 months.

CRIMINAL HISTORY

The inmate's life of crime began in 2006 at the age of 15. He was arrested multiple times for tagging in school books and bathrooms. The inmate's tagging career continued into 2008 when he was caught tagging his moniker on a wall. He was convicted as an adult and received 60 days in jail.

In 2009, the inmate, already a gang member, was arrested and prosecuted for threatening officers for the benefit of a street gang. In November 2009, the inmate spit blood onto officers, flashed gang signs, and threatened to hurt them. He was taken to the hospital where he continued to make threats against the officers and others. The inmate said, "I'll kill all you motherfuckers and I'll kill your kids too! I'll kill you (sic) whole...family." He was convicted of felony resisting executive officers in furtherance of a gang per Penal Code section 186.22. He was sentenced to 205 days jail and probation.

The inmate violated probation eight times before he was sent to prison in 2011. In 2010, the inmate was convicted on four separate occasions for possessing a dangerous weapon, being a minor in possession of alcohol in violation of Business and Professions Code section 25662, and two separate counts of disorderly conduct.

In December 2010, the inmate used a knife to rob two men at a gas station and stole a pack of cigarettes from the gas station. He was convicted of robbery in Los Angeles and sentenced to three years in prison.

Once released from prison and on parole, in May 2013, the inmate pled guilty to a battery, as well as a violation of parole and received 36 months probation. While on probation and parole for crimes of violence, the inmate committed his violent commitment offenses.

DISCUSSION

The inmate has demonstrated he is extremely violent and unpredictable. His criminal history contains acts of violence against strangers, as well as peace officers. The inmate is an avowed gang member and acts pursuant to his gang mentality; he commits acts of

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violence to promote his gang, as well as his personal gang status. On two separate occasions the inmate has either threatened or attacked peace officers to bolster his gang reputation. Besides assaulting and battering members of law enforcement, the inmate has used deadly weapons to threaten members of the public and divest them of their property.

Releasing the inmate before his full sentence is served will only embolden him and allow him to re-engage with his gang and harm our community. The frequency and severity of the inmate's crimes demonstrates he has no intention of changing his ways. In fact, the circumstances of his commitment offense occurred within 24 hours of the inmate's release from jail. There is no valid reason to release this violent inmate early from prison.

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,



MICHAEL D. SCHWARTZ
Chief Assistant District Attorney

MDS:jr

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