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September 21, 2018

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

**Re: Inmate Daniel Carmona; CDCR AN4595
Ventura County Superior Court Case 2014036279
Opposition Letter Due to Board of Parole Hearings September 24, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Daniel Carmona. The inmate was sentenced in July 2015 to nine years in prison. If the inmate is granted early parole at this time he will have served less than 40 percent of his actual sentence imposed. This recommendation is based upon:

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

CIRCUMSTANCES OF COMMITMENT OFFENSE

In November 2014, the inmate and several of his fellow Ventura Avenue Gang members decided to crash a family birthday party in their neighborhood. When the gang members were turned away from the party, the inmate and his gang members began attacking a 40-year-old family member. As other family members tried to pull the gang members off the victim, the inmate and the rest of the gang pulled out weapons, including knives and glass bottles, while they attacked the family and yelled out their gang name. After stabbing one of the family members multiple times, breaking a bottle over another family member's head, and stabbing the family's dog, the inmate and his gang fled the scene. As one of the

family members followed the gang members to see where they were going, the inmate brandished a knife to threaten the family member and prevent him from following the inmate or his fellow gang members.

The inmate pled guilty to an assault with force likely to cause great bodily injury. He admitted the assault was committed in association, for the benefit, or at the direction of a criminal street gang. He also admitted that he had previously been convicted of a prior strike and a serious felony. The inmate was sentenced to nine years in prison.

CRIMINAL HISTORY

Although only 18 years old when the inmate committed the offense in this case, he has a violent criminal history dating back to 2011. In September 2011, when the inmate was only 15 years old, he and four other Ventura Avenue Gang members robbed a fellow high school student at knifepoint. The court sustained a juvenile petition against the inmate for a robbery, a violent felony.

In January 2012, while the inmate's robbery case was pending, the inmate and four other Ventura Avenue Gang members attacked one of the witnesses to the robbery. During the attack, one of the gang members pulled out a revolver and held it to the witness's face, and the witness was ultimately shot in the abdomen. As the gang members fled the scene, they yelled out their gang name. The inmate was charged as an adult and convicted of witness intimidation with force and violence

The inmate was sentenced to two years in the California Youth Authority and was paroled November 2013. He committed the instant offense while on parole for his 2011 and 2012 convictions.

DISCUSSION

Although young, the inmate's dedication to the criminal street gang, and his propensity for violence and lawlessness have created a public safety threat to the community. He has developed an extensive resume of violent criminal conduct and the use of weapons always tend to be involved in his gang violence. His obvious disregard for the rule of law and socially acceptable behavior cannot be denied. It appears that the inmate's dedication to violence and his criminal street gang have prevented him from performing successfully on parole. There is no evidence to believe that the inmate will behave any differently if granted early parole in this case.

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CONCLUSION

The inmate poses an unreasonable risk 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

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By e-mail: BPH.CorrespondenceUnit@cdcr.ca.gov