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August 1, 2018

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

**Re: Inmate Jessie Arias Casarez; CDCR BA9485
Ventura County Superior Court Case 2014028226
Opposition Letter Due to Board of Parole Hearings August 2, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Jessie Arias Casarez.¹ In August 2016, the inmate was sentenced to seven years in prison. Releasing the inmate now means he would only serve approximately 40 percent of his actual sentence imposed. This recommendation is based upon:

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

CIRCUMSTANCES OF THE COMMITMENT OFFENSE

In September 2014, the Oxnard Police Department and the Ventura County Sheriff's Office were notified by CDCR that the inmate violated his parole and should be detained. The officers located the inmate through his ankle monitoring system and detained him. Canines searching the inmate's vehicle alerted officers to the center console of the vehicle where officers found two plastic bags containing 112.04 grams of methamphetamine, a smoking pipe, and a digital scale. The inmate also had \$418 cash in his wallet and a \$35 Western Union transfer slip to a California prison.

In July 2015, officers followed the inmate to a convenience store. The officers detained the inmate as he exited the store and conducted a search of the inmate and vehicle.

¹ This letter is very similar to the opposition letter sent last year.

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Officers discovered 29.24 grams of methamphetamine in the inmate's pants pocket. In the vehicle, officers found .2 grams methamphetamine, ten pills, a digital scale, five credit cards in various names, a plastic bag with 13 5/300 Vicodin pills, multiple cell phones, and a box of plastic bags. Later that evening, officers served the inmate with a warrant and searched his residence. Officers discovered three digital scales in the inmate's home.

In July 2016, the inmate pled guilty to two counts of possession of a controlled substance for sale in violation of Health and Safety Code section 11378. In addition to the primary offenses, the inmate also has two prior serious felony convictions and one separate prison prior. He was sentenced to serve seven years in prison.

CRIMINAL HISTORY

The inmate's criminal history dates to 1985. In 1986, he shot a 12-year-old in the stomach with a BB rifle. Later that year, the inmate participated in an attempted auto burglary in violation of Vehicle Code section 10852, by climbing through the open sunroof of a parked car. In 1987, at the age of 16, the inmate stole and partially stripped another car and committed the same offense again in 1988. He was sentenced to the juvenile restitution project but left without authorization in July 1988.

As an adult, the inmate quickly escalated to violence with arrests for assault and battery in 1988 and 1989. On April 4, 1989, the inmate was arrested for robbery, and pled guilty to illegal possession of a weapon. Victims Mario Berrera and Jose Prado stated that five "homeboys" from the Colonia neighborhood contacted them during a party. Mr. Berrera and Mr. Prado identified the inmate and one of his cousins as two of the "homeboys" from Colonia. The inmate's cousin confronted Mr. Berrera, ultimately punching and kicking him while on the ground. When Mr. Prado attempted to help Mr. Berrera, the inmate hit him in the jaw and told him not to intervene. As Mr. Berrera and Mr. Prado attempted to leave the party, the five individuals demanded their money, and one suspect held a knife to Mr. Prado's neck, causing a two-inch cut. When officers arrested the inmate, they found a double-edged stabbing weapon at his residence.

In October 1990, the inmate killed a man when he fired a .25 caliber handgun three times at an occupied vehicle during a gang-related confrontation. The victim was struck one time in the right eye and the bullet lodged in the back of his skull. He suffered massive brain damage and died several hours after the shooting. In March 1991, the inmate pled guilty to voluntary manslaughter and an additional special allegation for the use of a firearm. The inmate was sentenced to 11 years in prison.

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In April 2005, the inmate was charged with assault with a deadly weapon, battery, and making criminal threats. In April 2006, the inmate was convicted of three counts of assault, making criminal threats, disturbing the peace, disobeying a court order, and resisting arrest. The inmate admitted participation in a criminal street gang, as well as a strike prior (voluntary manslaughter). The inmate was sentenced to nine years in prison and was released on parole in November 2012.

DISCUSSION


The commitment offense involves the inmate's possession for sale of a vast quantity of methamphetamine. The inmate's priors demonstrate his propensity for the most aggravated violence, including taking the life of another person.

The inmate has displayed no ability to reform, and multiple terms in prison and opportunities at rehabilitation on probation and parole have not mitigated the inmate's criminal activities. There is no evidence to suggest the inmate will stop his criminal ways if released into the community. He will commit acts of violence if released early.

CONCLUSION

Based on the inmate's extensive criminal history, which includes voluntary manslaughter with the use of a firearm, as well as his inability to reform, the inmate clearly 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:kd

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