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September 25, 2018

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

**Re: Inmate James Bradley Frey; CDCR BE4414
Ventura County Superior Court Cases 2017000699, 2016004206
Opposition Letter Due to Board of Parole Hearings September 27, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate James Frey. On September 19, 2017, the inmate was sentenced to 5 years 4 months in prison. Releasing the inmate now means he would serve less than 40 percent of his actual sentence imposed. This recommendation to deny early release 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 COMMITMENT OFFENSES

Case 2016004206

On February 4, 2016, Officers Garcia and Clarke responded to a call reporting a 2001 Nissan Altima had just been stolen. The registered owner, Mr. Aggarao, said he stopped his car in the middle of the one-way street in front of his apartment complex, and went into his apartment, leaving his car running. When Mr. Aggarao returned, his car was gone. He saw his car being driven away but could not identify the person driving.

Officer Garcia located the inmate driving the stolen car. Officer Garcia activated his red lights and siren; however, the inmate failed to stop and led the officer on a dangerous high-speed pursuit. The inmate reached speeds up to 50 mph in a residential area where adults and children were walking, failed to stop at a stop sign and passed vehicles on the wrong side of the road. The inmate was also making sudden brake movements in what appeared to be an effort to have the officer collide with him. The inmate lost control and collided with a parked car.

The inmate jumped out of the stolen car and fled on foot. As he fled, officers yelled at him several times to stop, but the inmate did not comply. As he ran, the inmate discarded small items including a set of shaved keys. Officers caught the inmate and tried to detain him; however, he violently resisted. Officers were eventually able to handcuff the inmate and arrest him.

Case 2017000699

While out on bail and with a failure to appear warrant issued for the inmate's arrest, on January 8, 2017, Sergeant Myers saw the inmate driving another stolen car. Sergeant Myers began following the inmate to conduct a traffic stop, but the inmate accelerated in an attempt to flee. The inmate led Sergeant Myers on a pursuit where the inmate lost control of the car and crashed into a building. After the collision, the inmate fled on foot into a water treatment plant. Officers set up a perimeter and located the inmate. Officer Garcia searched the inmate and located a .22 caliber round in his pocket. The inmate also had a methamphetamine pipe, several identification cards, benefits cards and five credit cards, all belonging to other individuals. These victims were contacted and stated the inmate did not have permission to have their information.

For the above cases, the inmate pled guilty to two counts of auto theft, felony evading with a willful disregard for human life, hit and run, and resisting arrest. He admitted a strike prior and a prison prior. He was sentenced to 5 years 4 months in prison.

CRIMINAL HISTORY

The inmate has a documented criminal history dating to 2000. The inmate's criminal history consists of violence, dangerously evading law enforcement, and drugs and alcohol crimes. As a young adult, the inmate also has two cases that were dismissed, but worthy of non-violent early release consideration. In 2002, he was arrested for fighting with his ex-girlfriend's brother and attempting to stab him with a knife. In 2004, he was so intoxicated he got kicked out of a party. The inmate was so upset about being removed

from the party that he used gasoline to start a fire under the car of one of the other party guests.

In 2005, the inmate's penchant for violence escalated when he was convicted of two counts of assault with a firearm and personally inflicting great bodily injury. In 2005, the inmate asked Howard McClure to borrow his bicycle. After McClure refused to let the inmate borrow his bicycle, the inmate became upset and yelled at McClure and his friend Gerald Potter. The inmate left the area, but returned 30 minutes later, arguing with McClure about the bike. The inmate then pulled out a gun and yelled at them saying he would "blow you both away." McClure and Potter said they did not want any trouble and the inmate started walking away; however, he turned around and fired three shots at McClure and Potter. Potter was struck on the right forearm and McClure was struck on the leg. The inmate fled the area and denied any involvement when he was arrested. A search of his home revealed a sawed-off barrel of a .22 caliber rifle, hidden in a sack behind his dresser drawer. He was sent to prison for eight years.

After the inmate was released from prison, he was arrested on gun charges, and later convicted in 2015 and 2016 of resisting arrest, theft, and drug charges.

While in the Ventura County jail pending his commitment cases, the inmate received four major write-ups: two for mutual fighting and two for disrespect to staff and deception.

DISCUSSION

Granting early parole of the inmate poses a safety risk to the community. The inmate has shown a complete disregard for the safety of others in the community. His record consists of violent crimes, including assault with a firearm, assault with a deadly weapon, and arson. The inmate has made it clear, through his violent criminal conduct, that he has no regard for the safety of others or their property.

The inmate's criminal history demonstrates he has not changed and that his behavior has escalated over time. Prior grants of probation and parole have done little to deter the inmate's propensity to harm others. The inmate unquestionably will be a danger to the community once released from custody.

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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

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