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September 26, 2018

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

**Re: Inmate Claudia Mendoza; CDCR WF0641
Ventura County Superior Court Cases 2013011791, 2014005082
Opposition Letter Due to Board of Parole Hearings September 28, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Claudia Mendoza.¹ In October 2014, the inmate was sentenced to nine years in prison on the above cases. Releasing this inmate early means she would serve approximately 50 percent of the actual sentence. This recommendation to deny early release is based upon:

- 1) The inmate's commitment offenses.
- 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 2013011791

On April 12, 2013, at 2:56 p.m., victim Victor Hernandez received a call at work from a friend who had seen the inmate and a male subject enter the victim's home. When the victim arrived at his residence in response to the call, the victim looked through a bedroom window and observed the inmate going through dressers and ransacking the room. Police arrived shortly thereafter, and although the male subject had fled, the inmate was still inside the victim's home.

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

Officers noticed the window adjacent to the front door was broken and ordered the inmate out of the house. The inmate lied, stating that she was a squatter and that the house was vacant. The inmate was wearing a rosary necklace and earrings, which the victim identified as items belonging to his family members. During a search of the inmate's person, police found \$100, two drivers' licenses belonging to residents of the home, the title to the victim's vehicle, and an envelope containing \$400 hidden in her sock. The inmate admitted that the cash and the jewelry she was wearing belonged to the residents of the home. After being taken to jail, the inmate told another inmate, "Those illegals in the house do not live there. That is my house." The victim told police that approximately \$700 in cash was missing, and that the house had also been burglarized the day before. The inmate later admitted that she had been inside the house the previous day.

On April 29, 2013, the inmate pled guilty to first-degree residential burglary. The inmate also admitted to a prison prior. The inmate was sentenced to 365 days jail and 36 months formal probation. On October 17, 2014, the inmate was found to be in violation of probation and sentenced to 16 months prison to be served consecutively to the sentence in case 2014005082 below.

Case 2014005082

On June 26, 2014, at 5:20 p.m., the inmate was walking along a dirt path near a homeless encampment when she approached the tent of victim Norma Niles. According to the inmate, as she walked by the victim's tent, she heard the victim "talking shit about [her]." The inmate proceeded to spray cologne she was carrying on a piece of paper, attached it to the tent, and set the paper on fire with a lighter. The victim was still inside the tent as the inmate set the fire. The victim managed to escape, but the entire tent became engulfed in flames, and a nearby vehicle sustained significant damage from the fire. The tent was the victim's home, and all her belongings inside were destroyed.

On September 4, 2014, the inmate pled guilty to felony arson. Additionally, the inmate admitted to having committed this serious felony while on felony probation per Penal Code section 1203(k), and a special allegation of a prior serious felony conviction. The inmate was sentenced to 7 years 8 months in prison.

CRIMINAL HISTORY

The inmate has a criminal history that dates to 1993.

On October 13, 1997, the inmate was contacted outside of a bar following a call of a disturbance. She was arrested for an outstanding misdemeanor warrant and found in

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possession of 1.4 grams of methamphetamine. She was later convicted of possession of a controlled substance and being under the influence of a controlled substance. She was sentenced to 90 days jail and 36 months formal probation.

On December 25, 2009, the inmate and her boyfriend were having an argument. The boyfriend walked out of the house and the inmate chased him in her vehicle. The inmate attempted to strike the victim with her car, and the victim ran to a nearby park. The inmate drove across the grass of the park and attempted to run the victim down again. She was later convicted of assault with a deadly weapon and was sentenced to 210 days jail and 36 months formal probation. The inmate violated the terms of her probation seven times. On July 7, 2012, the inmate's probation was terminated unsuccessfully, and she was committed to two years prison. She was released on post-release offender supervision (PROS), and she violated the terms of her release twice.

In addition to the above, the inmate has also suffered convictions for the following offenses:

1983 – Under the influence of a controlled substance.
2002 – Under the influence of a controlled substance.
2004 – Grand theft personal property.

While housed at CDCR during this prison term, the inmate has received at least two CDCR 115 RVRs. In 2016, she refused to accept her housing assignment, and in 2017, she was absent from her work assignment.

DISCUSSION

Granting early parole of the inmate poses a serious risk of safety to our community. Since 1993, the inmate has been arrested or convicted at least seven times. The inmate's criminal history paints a portrait of a woman with violent, drug-fueled tendencies and a penchant for thievery. The inmate has multiple convictions for illicit drug use. She is homeless, and it is apparent that she feeds her drug habit through theft, having been convicted of grand theft in 2004, and of first-degree residential burglary for the 2013 commitment offense. Though almost ten years passed between those two convictions, the passage of time clearly had no effect on the inmate's moral stance on taking the property of others. Her statements to police and others after the burglary demonstrate a complete lack of remorse, and there is no reason to believe she will change if released early.

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Even more concerning is the ease with which the inmate has engaged in violence in the past. The inmate attempted to run her boyfriend down with her car, not once, but two times after they were engaged in an argument as he tried to walk away. The inmate again resorted to violence by burning down the tent that someone lived in, while that victim was inside. This was in response to the victim allegedly saying mean things about her.

Throughout her adult life, the inmate has displayed a persistent and brazen disrespect toward the law and toward every opportunity given to change her criminal ways. She has violated terms of her probation and PROS 11 times. The residential burglary commitment offense was committed by the inmate while she was out on PROS, and the arson commitment offense while she was on felony probation. Despite all these opportunities to do so, the inmate has not reformed. Given her pattern of conduct thus far, it is apparent the inmate will continue placing the well-being of the community at risk if she is released. The inmate presents a risk to the community and should serve her full prison term.

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,



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Chief Assistant District Attorney

MDS:kd

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