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October 24, 2018

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

**Re: Inmate Alex Armando Ortiz, CDCR BC1829  
Ventura County Superior Court Case 2016038865  
Opposition Letter Due to Board of Parole Hearings October 25, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Alex Ortiz. In January 2017, the inmate was sentenced to serve seven years in prison. If released now, the inmate will have served less than 30 percent of his 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**

Between July 27, 2016, through October 20, 2016, several brazen residential burglaries occurred in the cities of Simi Valley and Thousand Oaks. The inmate and his co-defendants were eventually caught and convicted of conspiracy to commit these residential burglaries. The inmate admitted a strike prior and a serious felony prior and was sentenced to seven years prison. Below is a summary of his crime spree.

On July 27, 2016, victim Amelia Lassen left her residence after locking and securing the doors and windows. When she returned, she discovered a window in her living room was open and the screen torn away. Ms. Lassen went upstairs and found her house ransacked

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along with \$31,828 worth of jewelry gone. As officers investigate the burglary, they learned one of the victim's neighbors had video surveillance of the theft. Video footage showed a Hispanic male exiting a silver sedan carrying a duffel bag. A female also exited the vehicle and the two approached the victim's residence. At that time, the vehicle which was driven by another suspect drove away but returned approximately ten minutes later. Both suspects exited the victim's residence, entered the vehicle, which quickly drove away.

On August 15, 2016, acting on a whim, Ms. Lassen checked the West Coast Coin and Currency business in Simi Valley, to see if any of her stolen jewelry had been taken there. After speaking with the owner, she learned several of her items were there and contacted law enforcement. Officers arrived soon after and Ms. Lassen identified two bags of jewelry as hers. Officers learned the person responsible for selling her jewelry was the inmate. He was known to West Coast Coin and Currency, as he had sold approximately \$7,000 worth of miscellaneous jewelry at the business.

Two days prior, on August 13, 2016, another burglary was reported that was similar to Ms. Lassen's burglary. Victim Whitney Fajnor was in her residence when she heard the doorbell ring. Due to being alone, Ms. Fajnor did not answer the door. Two minutes later, she heard a rustling sound coming from the east side of her home. She went into her backyard to investigate and encountered a Hispanic male attempting to enter her residence through a window. The inmate immediately noticed her and ran away. Fearing for her safety, the victim ran back into the residence and notified law enforcement. While doing this, she observed the inmate enter the front passenger seat of an older sedan with a rear spoiler. An inventory check of the residence by the victim revealed no missing items; however, the screen over the window was torn and the window forced open.

On August 22, 2016, victims Araceli Acevedo and Norman Mergenthaler left their residence. When Ms. Acevedo returned home, she noticed their side gate open. When she entered the garage, she saw the side door to the garage was open. Upon entering her residence, she discovered it had been burglarized and notified Mr. Mergenthaler. Once Mr. Mergenthaler arrived, they searched the residence and discovered numerous items missing including jewelry, watches, silver flatware, personal computers, house keys, vehicle pink slip, and a gun safe that contained a .45 caliber semiautomatic Ruger pistol, a .38 caliber Smith and Wesson pistol, ammunition, three one-ounce gold coin krugerrands (value \$4,200), and \$1,200 in cash. Also missing was a cash box containing 100 silver dollars and 100 silver quarters (value \$2,300), two passports, two social security cards, and three birth certificates.

On August 30, 2016, officers obtained a search warrant of the inmate's cellular phone records and ping order. While monitoring the inmate's cellular phone pings, officers noticed his device "hit" and covered an entire residence in the city of Simi Valley. An officer was subsequently dispatched to the location and contacted victim Angelica Galan, who stated she was contacted by her neighbor, victim Maria Teixeira, inquiring about a purchase that was made on her credit card. Ms. Galan said Ms. Teixeira had given her a credit card because they sometimes go shopping together. When she returned at 2:00 p.m., she noticed her home had been rummaged through. While at the residence, the officer observed the screen to one of the rear windows had been pried off and the window was open. Ms. Galan stated her wallet which had contained her driver's license and Ms. Teixeira's credit card were taken, along with her daughter's computer, and numerous items of jewelry amounting to a loss of \$44,019. Ms. Teixeira was contacted shortly after and stated she was contacted by Wells Fargo about a recent \$250 transaction at a Chevron gas station.

On September 15, 2016, Ms. Galan met with officers at West Coast Coin and Currency regarding additional property the inmate had sold. She identified all items as hers with the exception of a man's ring. The owner also presented officers with a class ring the inmate had sold him, inscribed with the name "Eric P. Cowden."

On September 16, 2016, officers searched the name Eric Cowden in their database and discovered he reported on August 4, 2016, that his son, Trent Cowden, left their residence at noon. When Trent returned, he noticed three of his dresser drawers were open and his pillow case missing. As a result, Trent notified his father and Mr. Cowden returned home. He discovered the screen near the front door window was removed, his residence had been ransacked, and \$1,570 worth of items were missing which included a Royal Albert dish set, two Fender guitars, and an iPhone charger.

On September 20, 2016, as officers continued to monitor the pings of the inmate's cellular phone, they noted he was in the vicinity of a residence in Thousand Oaks. Officers subsequently arrived at the residence and contacted Rosella Cole, who mentioned she was in her home when she heard knocking at her door. Through her window, she was able to see a "90s" model SUV parked directly in front of her residence. After additional knocking, she answered the door and observed a female standing outside her door, later identified as co-defendant Gunn. The female then asked if "Jamie" was there. While speaking with the female, Ms. Cole noticed the SUV had turned around and was driving very slowly. Eventually the female left, and nothing further occurred.

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On September 28, 2016, officers obtained a search warrant to initiate pings of co-defendant Gunn's cellular phone. On September 29, 2016, officers reviewed co-defendant Gunn's cellular phone and were able to place her at a storage facility in Simi Valley. When officers arrived at the location, they observed a green SUV, driven by co-defendant Tisinger exiting the facility. On October 4, 2016, officers contacted the storage site manager, who confirmed that co-defendant Gunn was a tenant there. The manager further added that co-defendant Gunn and her boyfriend, Michael Albin, visit the location often and were currently driving a green SUV. Officers later learned the SUV in question was a 2001 Isuzu Rodeo. At approximately 2:00 p.m., officers conducting surveillance at the inmate's residence observed the Rodeo arrive and park in front of his residence. Shortly after, co-defendants Gunn and Albin exited the vehicle and approached the residence. After several minutes, they exited the residence, entered the vehicle, and drove away.

On October 20, 2016, victim Martha Lesmes returned home but did not notice anything out of the ordinary. When she went upstairs later that night, she observed the drawers of her bedroom dresser and nightstands were pulled open and numerous pieces of jewelry were missing. On October 25, 2016, officers learned the inmate pawned Ms. Lesmes' jewelry the day before.

On October 27, 2016, officers observed the Rodeo driven by co-defendants Albin along with passenger Gunn, arrive at the inmate's residence. Shortly after, Albin and Gunn switch seats at which time, the inmate and an unknown female, later identified as Avree Tisinger, entered the vehicle. The vehicle then left, and eventually parked on a street in Los Angeles. As an officer passed the vehicle, he made eye contact with Gunn, who appeared to be startled, and abruptly drove away. The vehicle returned to Simi Valley, and parked in a shopping center parking lot. At that point, the inmate, Gunn, and Tisinger were taken into custody. Soon after, Albin was seen running from the inmate's residence and was taken into custody following a brief foot pursuit. All four were arrested for conspiracy to commit residential burglaries. A search of the vehicle revealed a crowbar wrapped in a sweater along with gloves.

## **CRIMINAL HISTORY**

The inmate has an extensive criminal history that dates back to 2000. At the age of 17, the inmate was engaged in an argument with his sister. The inmate's stepfather observed him loading a paintball pistol and a pellet rifle. The stepfather told him to stop and grabbed the rifle from him. The inmate responded by punching his stepfather in the chest four to eight times with both fists.

In 2002, he was convicted of commercial burglary and being a minor in possession of alcohol. As an adult, his criminal ways continued. In 2003, he was arrested for a residential burglary, but charges were never filed. In that matter, officers responded to a residential burglary and contacted the victim. The victim had returned home from vacation and discovered someone had broken into his home and stolen his property. Missing from the home were guns, coins, and bank access cards. It was determined that the inmate used a hidden key that only family members knew of. The inmate's mother (the victim's daughter) told police that the inmate was likely responsible. Officers contacted the inmate and found him in possession of the victim's shoes.

On May 24, 2004, a security guard was on patrol and heard the sound of tools being used in a parking lot in Simi Valley. She observed the inmate removing a wheel from a vehicle and asked him what he was doing. He told her he was fixing his mother's vehicle. As the victim turned away, the inmate struck her in the head with the steel rim and tire. As she fell to the ground, he fled in an awaiting vehicle. The inmate's mother was contacted and confirmed her son was the suspect after viewing the surveillance video. He was convicted of assault with a deadly weapon, and eventually sentenced to prison for two years after failing on a grant of probation.

In 2006, the inmate was sent back to prison for possessing a deadly weapon, a .22 caliber pistol. The gun had been reported stolen from a residential burglary. After being paroled on that matter, the inmate was convicted of resisting arrest in 2009. In 2012, he was convicted of a DUI.

## **DISCUSSION**

Granting early parole of the inmate poses a risk to the safety of the community. The inmate's criminal history exhibits a pattern escalating in dangerousness.

This inmate has demonstrated he is a violent threat to the public safety of our communities, as evidenced by his numerous residential burglaries on different dates. As noted above, some of the victims were home while the inmate attempted to gain access. Residential burglaries are inherently dangerous and violent as residents are often home during the break-ins. Here the inmate vandalized the target homes by breaking a window or a screen to obtain entry, and then removed property which ranged from jewelry, clothing, electronics, and cash, to even firearms. As such, this inmate is not deserving of early parole and his release should be denied at this time.

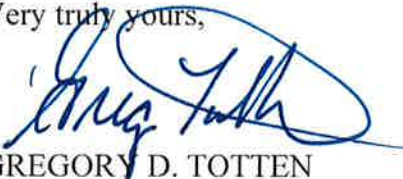
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The inmate has violated probation and parole numerous times. He has now been to prison on three separate occasions. It is clear the inmate has not reformed, and he should serve his full prison term.

**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,

A handwritten signature in blue ink, appearing to read "Gregory D. Totten", is written over the typed name.

GREGORY D. TOTTON  
District Attorney

GDT:kd

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