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November 8, 2018

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

**Re: Inmate Nicholas Cerrillo; CDCR AB9645
Ventura County Superior Court Cases; 2006021658, 2006027707,
2009008337, 2015035429
Opposition Letter Due to Board of Parole Hearings November 10, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Nicholas Cerrillo. In case 2015035429, the inmate was sentenced to seven years prison in July 2016. If the inmate is released now, he will have served less than 40 percent of the actual sentence imposed. This recommendation is based upon:

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

CIRCUMSTANCES OF THE COMMITMENT OFFENSES

Case 2006021658

The inmate was observed by officers driving a stolen vehicle. As officers conducted a traffic stop, the inmate yielded but then jumped out of the car and fled on foot. He was located by police hiding in the front yard of a home. The inmate was found in possession of .19 grams methamphetamine and a glass smoking pipe. The inmate admitted to stealing the car but said he did not care because he was "high." The inmate was convicted of auto theft and possession of methamphetamine.

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Case 2006027707

In July 2006, the inmate burglarized the home of his cousin by entering through a window. He stole video gaming consoles, video games, cash, a camcorder, cologne, a VCR, a bicycle, a digital camera and other property. His fingerprints were left at the point of entry. When contacted by police, he admitted the burglary and stated that he was under the influence of methamphetamine at that time. The inmate was convicted of first-degree residential burglary.

Case 2009008337

On May 14, 2008, at 3:45 a.m., officers were dispatched to St. John's Hospital regarding the death of two-year-old victim Angelina. Angelina was brought in via ambulance from her home and pronounced dead shortly thereafter. Officers observed a bruise approximately four inches long below the left nipple and another bruise one inch long below the right nipple. The victim had other small bruises on her face, forehead and right forearm. Officers interviewed the victim's mother, Roxanne Robles, who stated her live-in boyfriend, the inmate, watches her children while she is at work. In addition to the victim, Ms. Robles had three other children, aged 5, 4, and 6 months. She was also pregnant with the inmate's child.

The previous day, the inmate called Ms. Robles to tell her the victim was vomiting and had fallen off a skateboard. That afternoon, when Ms. Robles arrived home, the victim appeared happy and healthy. She asked the victim if she wanted to go to the doctor and the victim said no, she just wanted to sleep. Although she did not eat, the victim drank liquid, and later vomited. After she went to sleep, at 10:30 p.m., Ms. Robles heard the victim making a gagging sound that lasted for a few minutes. She went back to sleep and at 2:30 a.m., she awoke to find the victim on the floor and not breathing. She called 911 while the inmate attempted CPR. Emergency personnel rushed the victim to the hospital where she was later pronounced dead. According to the autopsy, the victim suffered trauma to her abdomen area which lacerated her liver and her small intestine along with internal hemorrhaging. The medical examiner informed police that the injury could not have been sustained from a fall from a skateboard as the inmate had described. During the subsequent investigation, the inmate provided multiple conflicting statements about the victim's injuries. On March 4, 2009, the inmate was arrested. The inmate was convicted of voluntary manslaughter.

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Case 2015035429

While the inmate was on parole in the above cases, on November 6, 2015, victim Francisco Medina contacted the Oxnard police to report his vehicle had been stolen. He said that the day before, his gold 1993 Honda Accord had been parked and secured. When he returned the next morning, the vehicle was gone. No one had permission to take it.

On November 7, 2015, an officer observed the inmate parking the victim's stolen vehicle. The inmate exited the vehicle and began to walk away. Officers contacted the inmate and detained him in handcuffs. As the inmate was being escorted to a patrol vehicle, he broke the officer's grasp and fled on foot. The inmate passed approximately five houses before he lost his balance and fell on the ground.

The inmate was convicted of auto theft and resisting arrest. He also admitted a prior felony auto theft conviction, a strike prior, and two prison priors. He was sentenced to seven years in prison.

CRIMINAL HISTORY

The inmate has a documented criminal history that dates to 1989. In addition to the above cases, he committed the following crimes.

In June 1989, the inmate (a juvenile) vandalized a school by writing CIA Krew, CIA, and CIAK. In April 2006, the inmate was convicted of forgery. In March 2009, the inmate was convicted of being under the influence of a controlled substance. In July 2011, the inmate was convicted of felony possession of drugs in jail.

DISCUSSION

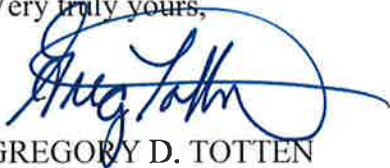
For over two decades, the inmate has repeatedly demonstrated an inability to remain crime free. He has been convicted of multiple felony offenses, including the violent killing of an innocent two-year-old girl. The inmate has shown an unwillingness to comply with police. Prior grants of probation and parole have not changed the inmate's criminal behavior. His constant criminal conduct creates a public safety threat to the community around him.

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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,

A handwritten signature in blue ink, appearing to read "Greg Totten", with a large, sweeping flourish that extends to the right and loops back under the name.

GREGORY D. TOTTON
District Attorney

GDT:mk

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