



OFFICE OF THE DISTRICT ATTORNEY

COUNTY OF VENTURA, STATE OF CALIFORNIA

GREGORY D. TOTTEN
District Attorney

MICHAEL D. SCHWARTZ
Chief Assistant District Attorney

MICHAEL K. FRAWLEY
Chief Deputy District Attorney
Administrative Services

CHERYL M. TEMPLE
Chief Deputy District Attorney
Special Prosecutions

MICHAEL R. JUMP
Chief Deputy District Attorney
Victim & Community Services

W. CHARLES HUGHES
Chief Deputy District Attorney
Justice Services

R. MILES WEISS
Chief Deputy District Attorney
Criminal Prosecutions

MICHAEL BARAY
Chief Investigator
Bureau of Investigation

November 8, 2018

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

**Re: Inmate Alfred Estrada; CDCR BE7072
Ventura County Superior Court Case 2016035291
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 Alfred Estrada. In September 2017, the court sentenced the inmate to 13 years state prison. If the inmate is released now, he would only serve about 15 percent of the total sentence imposed by the court. This recommendation to deny early release is based upon:

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

CIRCUMSTANCES OF COMMITMENT OFFENSE

During August 2016, Ventura County Sheriff's detectives learned the inmate was working as part of a large-scale narcotics trafficking group based in Mexico. The inmate was obtaining multiple pounds of methamphetamine from Gerardo Vargas, which was being sourced from Mexico by MS-13 gang member Nelson Flores. Working together as Sureños, Vargas would obtain shipments of controlled substances from Flores and would then use the inmate to help distribute the drugs locally in Ventura County.

Vargas is an LBZ gang member, the inmate is a Ventura Avenue Gangster, and Flores is a MS-13 gang member. Despite belonging to different street gangs, they were working together and distributing the drugs under the authority of the Mexican Mafia. Sheriff's investigators obtained a court authorized wiretap for a phone being use by Vargas, and through that, law enforcement was able to identify others working within criminal organization.

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During the first week of September 2016, Vargas had several telephone conversations with Flores about obtaining 11 pounds of methamphetamine. On September 6, 2016, detectives watched one of the organization's drug couriers drop off the methamphetamine at the Vargas residence. That same evening, Vargas made calls to the inmate to provide him a portion of the methamphetamine.

On September 8, Vargas spoke with the inmate about picking up some of the money he had made from the sale of the drugs. The inmate requested to obtain more of the methamphetamine. After that exchange, on September 12, Vargas spoke with the inmate, and they arranged to meet again so the inmate could give Vargas \$9,700 in cash that he owed for the drugs. At the same time, Vargas supplied the inmate with three more pounds of methamphetamine.

On September 13, detectives arrested the inmate and found several ounces of heroin and methamphetamine in his possession. They served a search warrant on his residence and recovered the three pounds of methamphetamine that the Vargas had provided him the prior day. In addition, they found another one-quarter pound of methamphetamine, other indicia of sales, and a loaded .357 revolver.

On September 15, Vargas called Flores to let him know that the inmate had been arrested, and that he hadn't yet been paid for the drugs he had supplied to the inmate prior to his arrest. Vargas said he wanted to slow things down until the heat was off.

On September 20, detectives served a search warrant on the residence/tailor shop of Vargas. Inside the shop, they found one pound of cocaine and two AR-15 assault rifles. On September 28, a search warrant was served on the courier who delivered the drugs to Vargas, which was then provided to the inmate. At the courier's house, investigators found the packaging he had used to store and transfer the methamphetamine, a loaded semi-automatic pistol, a ballistic vest, and other sales indicia.

During the wiretap, investigators also monitored calls between Vargas and a prisoner, identified as a Mexican Mafia associate. These conversations were about money Vargas was paying to the Mexican Mafia and where to send the proceeds of his drug trafficking. Vargas also spoke with Flores about the work the inmate was doing for the criminal organization, and about how they were all working for the Sureño cause.

CRIMINAL HISTORY AND PRIOR CRIMINAL CONDUCT

Like many gang members, the inmate began his criminal career as a juvenile, committing theft and weapons offenses. His extensive criminal history demonstrates his proclivity for violence, and includes multiple drug sales priors, dangerous felony evading police charges, and weapons allegations.

The inmate has several convictions reflecting his willingness to harm others. In October 1992, he hit a victim in the head with a metal chair. He then jumped on top of the victim and punched him in the head. The victim suffered a broken thumb and had to receive stitches to his head. In April 1996, the inmate battered his girlfriend, and he was convicted of a domestic battery. In April 1998, the inmate punched his girlfriend in the eye, which caused her to fall, and the inmate kicked her twice while she was on the ground. This woke their child, and the inmate told the child the victim was a "bitch." In June 1999, the inmate battered his girlfriend again, and then went through the residence pulling out all of the phone lines while telling her not to call the police. In October 2004, the inmate's girlfriend was staying at a hotel, and she had instructed the clerks not to let the inmate into her room. After twice being told to leave, the inmate entered the hotel armed with a knife, and threatened one of the clerks. The inmate was convicted of felony criminal threats, along with the special allegation that he used a deadly weapon.

In December 2001, and November 2006, the inmate evaded peace officers trying to conduct traffic stops on his vehicle. In both cases, he drove at high speeds in residential neighborhoods. In February 2012, the inmate committed felony evading of law enforcement with reckless endangerment when he drove in excess of 60 miles per hour in a residential neighborhood, not yielding at stop signs, narrowly missing pedestrians, and driving in the middle of the roadway. For his conduct in each chase, the inmate was twice convicted of violating Vehicle Code section 2800.1(a).

The most prevalent crime committed by the inmate has been narcotics sales. His first drug sales conviction came from his possession of a half-ounce of methamphetamine, packaging, a police scanner, and two scales on December 1, 2004. His second drug sales conviction resulted from his being caught with almost four ounces of methamphetamine, a scanner, scale, pay-owe sheet, and a 12-gauge shotgun on December 8, 2010. His third sales conviction resulted from being caught with two ounces of heroin, an "eight-ball" of methamphetamine, pay-owe sheet, and packaging during a traffic stop on May 25, 2012. During other arrests and crimes, he's also had indicia of drug sales. (e.g. thousands of dollars in cash, packaging, and scales)

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The inmate has had numerous misdemeanor convictions for driving under the influence, driving on a suspended license, lying to police, and resisting arrest.

DISCUSSION

Granting early parole of this inmate poses a safety risk to the community. The inmate's violent history, his continued participation in organized crime, and demonstrated commitment to the criminal street gang ideology make it clear he should not be paroled. In particular, the nature of this offense – engaging in armed drug-dealing while working together with gang members as Sureños – demonstrate he is an intransigent gang criminal. The inmate's prior criminal acts include attacking and threatening people with weapons, beating people, dangerous flight from police, and unceasing drug dealing. Not only is he continuing to deal drugs, he has armed himself with illegal firearms, working with other gang members armed with assault weapons, and doing it all on behalf of organized crime. Whether it's acting in concert with gang members to deal drugs, violently assaulting or threatening others, or endangering others while fleeing from law enforcement, his actions demonstrate a continued need to keep him from causing further harm to the community. 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,



GREGORY D. TOTTEN
District Attorney

GDT:dr

E-mail: BPH.CorrespondenceUnit@cdcr.ca.gov