



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 20, 2018

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

**Re: Inmate Salvador Velgara; CDCR BA7677
Ventura County Superior Court Cases 2014038252, 2014033452, 2014025169,
2015007222
Opposition Letter Due to Board of Parole Hearings November 23, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Salvador Velgara.¹ In July 2016, the inmate was sentenced to 13 years in prison. Releasing the inmate now means he would serve approximately 33 percent of the actual sentenced imposed. The recommendation to deny early release is based upon:

- 1) The inmate's commitment offenses.
- 2) The inmate's serious criminal history.
- 3) The unreasonable risk of violence to the community if the inmate is released early.

CIRCUMSTANCES OF COMMITMENT OFFENSE

The inmate's commitment offenses represent a panoply of typical criminal street gang crimes. This inmate could serve as the poster child for the destructive impact of gangs on our local community.

In October 2012, the inmate and Albert Penuelas, another high-ranking member of the Eastside TBZ criminal street gang, brought a stolen car to a remote piece of property near the town of Piru. They disassembled the car to sell the parts. Once stripped of parts, the inmate and Penuelas cut the body and frame of the car with an acetylene torch.

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

Suspecting they were engaged in criminal activity, the property owner told them to take the car and leave. In case 2015007222, the inmate was convicted of auto theft and having an unlawful chop shop, and for committing the crime with another gang member.

On August 15, 2014, the inmate was driving when he was stopped by a Sheriff's deputy. While pulling over, the inmate leaned over to the passenger side of his car to hide a loaded HK .45 caliber semi-automatic handgun under the seat of his 17-year-old passenger. After researching the firearm, the deputy learned it had been stolen several months earlier from a residence. The inmate was convicted in case 2014025169 for unlawful possession of a firearm; however, prior to his conviction, the inmate bailed out of custody and committed the crime described below.

On October 31, 2014, Sheriff's gang unit detectives served a search warrant on the inmate's house. After the knock-and-notice at the front door, the inmate tried to dispose of methamphetamine by flushing it down the toilet but botched the attempt because the detectives found shards of methamphetamine strewn on the toilet seat, the floor around the toilet, and on the bath mat in front of it. The detectives recovered approximately half an ounce of the substance. In the inmate's bedroom, detectives located more drugs, cash, a pay-owe sheet, and handgun ammunition. In another room, they found the inmate's Lugar 9 mm Uzi pistol (an assault weapon), 9 mm ammo, a Ruger .357 revolver, and his High-Point 9 mm semi-automatic handgun. The inmate was convicted of being in possession of an assault weapon, being a felon in possession of firearms, possessing methamphetamine with intent to sell, and for trying to destroy evidence.

During the search warrant on October 31, the detectives also searched a digital camera found in the inmate's property. The camera contained two videos of a group of five gang members assaulting two 14-year-old juveniles in what is commonly described in gang culture as, a jump-in. Through further investigation, detectives identified the other gang members with the inmate engaged in the violent assault and obtained search warrants for social media accounts for the inmate and other gang members. The social media accounts opened a window into the inner workings of the inmate's gang. He functioned in a leadership role over a group of teenage boys who were recruiting students from a high school to join the gang, sell drugs, and plan criminal activity. The recruitment activity was extensive, coordinated, and clearly targeted towards juveniles. Some of those individuals the inmate recruited to join the gang have since gone on to commit, and be convicted of, serious gang crimes. The inmate was convicted in case 2014038252 of multiple counts of assault likely to cause great bodily injury with the gang allegations, and multiple counts of being an active gang member with a special allegation pursuant to section 186.26(d), for having recruited the two 14-year-old boys to join his gang.

CRIMINAL HISTORY

Since 2003, the longest stretch of time the inmate has had outside of custody without documented involvement in criminal activity is about 17 months.

On May 6, 2004, the inmate, along with other members of his criminal street gang, approached a boy sitting in a car. Believing him to be from a rival gang, the inmate attacked the boy, and struck him in the head with a deadly weapon. The victim had to undergo plastic surgery that required more than 50 sutures to repair the wound. The inmate was given a sentence of more than 13 years in the California Youth Authority. He served less than half the time imposed and was released on parole in July 2008. A little over two months later, he was returned to custody on his first parole violation. Over the course of the next two years the inmate had multiple parole violations. On May 7, 2011, the inmate committed the crime of resisting arrest, which resulted in his last parole violation before his term of supervision expired.

DISCUSSION

Granting early parole of the inmate poses a safety risk to the community. Though the inmate is in custody for now, his crimes still reverberate through the community. Others he recruited into his gang continue to commit violent crimes and carry on the legacy of violence he propagated. The destructive nature of the inmate as an entrenched criminal street gang member became apparent when he committed the violent felony in 2003, and it has been confirmed again and again by his subsequent criminal conduct.

The inmate has staked his life on crime. After his release from custody as an adult, instead of finding lawful employment, the inmate engaged in auto theft and chop shop operations, sold methamphetamine and marijuana with the assistance of his gang contacts, obtained an assault weapon, and repeatedly obtained firearms he was prohibited from possessing. He actively recruited juveniles to join him in this life of crime and engaged in violent beatings of these juveniles during their initiations into that gang.

The inmate's substantial criminal conduct paints a vivid picture of his violent nature and potential for extreme violence. The inmate has displayed throughout his life a complete disregard for the law. The inmate is utterly unable to refrain from engaging in violent criminal conduct. He should serve his full prison term.

Board of Parole Hearings
Re: Salvador Velgara, CDCR BA7677
November 19, 2018
Page 4

CONCLUSION

The inmate poses an unreasonable risk of significant criminal conduct and violence to the community if granted early parole. I respectfully request the Board deny early parole for the inmate.

Very truly yours,



GREGORY D. TOTTON
District Attorney

GDT:kd

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