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December 3, 2018

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

**Re: Inmate Robert Reyna; CDCR BD1115
Ventura County Superior Court Case 2016035957
Opposition Letter Due to Board of Parole Hearings December 5, 2018**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Robert Reyna. In April 2017, the inmate was sentenced to prison for five years. Releasing the inmate now means he would serve less than 40 percent of his actual sentence. The recommendation to deny early release is based upon:

- 1) The inmate's commitment offense.
- 2) The inmate's significant and violent criminal history.
- 3) The unreasonable danger to the community if the inmate is released early.

CIRCUMSTANCES OF COMMITMENT OFFENSE

In the early morning of August 25, 2016, the manager of Romantix, a commercial establishment in Oxnard, discovered the plexiglass paneling of the front door kicked in and damaged. Once inside, he discovered the store ransacked and items missing. Specifically, about 30-50 packs of pornographic magazines totaling \$300 had been stolen. The manager obtained the surveillance video and provided it to the Oxnard Police Department.

By chance, an officer who reviewed the surveillance happened to be at the Ventura County Pre-trial Detention Center later that day. He saw the inmate who he recognized as the thief in the video. Upon further inspection, the inmate's backpack contained stolen merchandise from the store. The inmate was arrested and later pled guilty to commercial burglary. He also admitted a strike prior and three prison priors.

CRIMINAL HISTORY

The inmate has engaged in a lengthy pattern of criminal activity involving violence, theft, and drugs since the early 1990s, interrupted only by periods of incarceration.

The inmate's first theft and possession of stolen property conviction was in 1990. There, the inmate was found to be in possession of a video cassette that was stolen during a residential burglary. The inmate was later arrested when he attempted to shoplift a \$73 pair of shoes from a store.

Less than one year later, the inmate was arrested after stealing a checkbook from a victim and forging his signature. The victim was reluctant to testify, saying the inmate had been "making threats" towards him. (This is a pattern which would continue consistently throughout the inmate's criminal career) He was ultimately convicted of forgery and possession of stolen property.

Two months later, the inmate burglarized a vehicle by prying open a side window. He was convicted of vehicular burglary and possession of stolen property.

The inmate escalated his criminal activity in November 1992, when he (along with a juvenile) approached the victim of the previous auto burglary, and struck him in the face, causing great bodily injury. The inmate threatened the victim for reporting the crime to police. He was convicted of battery causing great bodily injury and dissuading a witness by force. He was sent to prison for three years.

Over the next few years, the inmate was in and out of custody as a result of numerous drug-related violations. In September 2002, the inmate was convicted of driving under the influence of alcohol and battery.

In July 2003, his violent conduct continued. During a confrontation with a family member, he escalated a verbal conflict by striking his niece several times on the side of her face. When she went to call the police, he obtained a butcher knife, broke into her bedroom and yelled, "You're dead. I'm going to kill you." He later pled guilty to making criminal threats.

The inmate continued his criminality with two incidences in December 2006. First, he stole several tires and a barbeque grill from a garage in Oxnard, which was observed and reported by a third-party witness. Shortly thereafter, he was caught with stolen property. When confronted by the police, the inmate reached into his waistband and pulled out a

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12-inch knife, as he tried to walk away. When he raised the knife in a threatening manner, the police used a taser to subdue him. He was sent to prison for 32 months.

In January 2013, just over two years following his last parole, the inmate was found by janitorial staff after he had broken into a public high school. When approached by officers, he violently resisted. Officers had to place him in a body wrap twice in order to safely subdue him. Shortly after his release from local custody, in April 2015, the inmate was searched. Officers found a smoking pipe wrapped in a pornographic magazine, and a large, fixed-blade knife completely concealed in his front pocket.

DISCUSSION

Granting early parole of the inmate poses a risk to the community. The inmate has engaged in an increasingly alarming pattern of criminal activity, involving weapons and violence. His pattern of theft, threats, violence, and incarceration has been the same for nearly three decades. He is unpredictably violent, even after being contacted by the police. The inmate shows no indication that he intends to cease engaging in violent, dangerous activity. He deserves to serve his full prison term.

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,



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District Attorney

GDT:jl

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