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January 29, 2019

Board of Parole Hearings  
Attn: Nonviolent Parole Review Process  
Post Office Box 4036  
Sacramento, CA 95812-4036

**Re: Inmate Anthony Michel; CDCR BE6408  
Ventura County Superior Court Case 2017003483  
Opposition Letter Due to Board of Parole Hearings February 1, 2019**

Dear Board Members:

This letter is written to recommend denial of early parole for inmate Anthony Michel. In October 2017, the inmate was sentenced to prison for nine years. Releasing the inmate now means he would serve less than 25 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 risk of violence and of significant criminal activity in our community if the inmate is released early.

## **CIRCUMSTANCES OF COMMITMENT OFFENSE**

Late on February 1, 2017, Mr. Filiberto Ayala was sitting in his parked vehicle in a commercial parking lot when he observed the inmate breaking into a vehicle (later determined to belong to the inmate's girlfriend.) Mr. Ayala, who did not know the inmate, alerted him to his presence, believing the inmate was committing a crime by breaking into the vehicle. The inmate aggressively approached Mr. Ayala, yelling, "Give me your phone, or I'll fuck you up." While saying this, the inmate brandished a wooden bat. Mr. Ayala, fearing for his safety, immediately drove away and called the police.

After obtaining the inmate's vehicle information from Mr. Ayala, the police later located the inmate and arrested him. During the contact, the inmate spontaneously said, "I didn't rob nobody."

The inmate pleaded guilty to intimidating a witness with force or fear. He admitted a strike prior and four prison priors. The court struck the strike over the People's objection, and sentenced him to nine years prison. This was a very lenient sentence in light of the inmate's long criminal history.

### **CRIMINAL HISTORY**

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

The inmate's adult record began only months after he turned 18, with a series of misdemeanors involving the use of methamphetamine and possession of burglary tools. The inmate also served terms of local jail in 1998 for possessing methamphetamine and giving false information to a peace officer. In the summer of 1998, at 19 years old, he served his first CDC term for possession of a concealed dagger during a police search.

Soon after his release from prison, the inmate escalated his criminal activity by committing an auto theft. In March 1999, the inmate was found driving a vehicle which an 83-year-old victim had reported stolen while she was getting her hair done. He was subsequently convicted of felony auto theft and sentenced to eight months in prison.

From 2000 to 2005, the inmate had several police contacts related to his use and possession of methamphetamine. These contacts culminated in February 2007, when he engaged in a high-speed chase with the Oxnard Police Department involving numerous instances of unsafe driving and vehicular collisions. He was sentenced to 120 days in jail for the chase, ensuing hit-and-run collision, and resisting arrest.

During the subsequent years, the inmate suffered multiple misdemeanor convictions. On March 5, 2011, he became aggressive towards a group of individuals late at night. During a confrontation, the inmate brandished a replica-firearm, threatening individuals in public. He received convictions for the brandishing and for the criminal threats.

Two years later, on January 22, 2013, the inmate was contacted and placed under arrest after an investigation involving the possession for sale of a large quantity of marijuana. The inmate had a digital scale, and his cell phone revealed messages stating he was

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“making cash on the side selling weed.” Since 2013, the inmate has continued to incur misdemeanor convictions for resisting arrest and for drug offenses, leading up to the commitment offense.


### **DISCUSSION**

Granting early release 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 every period in which he has not been incarcerated. He is unpredictably violent and resistive, especially when contacted by the police. The inmate shows no indication he intends to cease engaging in violent, dangerous criminal activity when released. 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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