



Sacramento County District Attorney's Office

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December 20, 2019

Non Violent Parole Review Process
Board of Parole Hearings
Correspondence – NV
P.O. Box 4036
Sacramento, CA 95812-4036

Re: Rodarte, Joseph
CDCR No. BK1199
Court Docket No. 18FE016485

Inmate Joseph Rodarte is a career-criminal who should not be paroled. The circumstances surrounding his current conviction and his prior criminal record demonstrate that he poses an unreasonable risk of violence to the community.

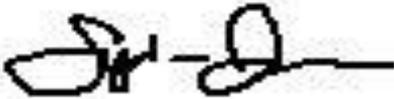
Inmate Rodarte's felony criminal history dates back to 1978 when he possessed a destructive device (a violation of then-Penal Code Section 12303) and is littered with misdemeanor and felony convictions. Between 1978 and 2018, Inmate Rodarte suffered 9 misdemeanor convictions and 16 felony convictions resulting in 9 separate prison commitments. On June 24, 2019, Inmate Rodarte was convicted of his current commitment offense, resulting in a prison sentence of 5 years and 4 months. Inmate Rodarte's convictions range from violations of Health and Safety Code Section 11350 (possession of cocaine), to Penal Code Section 261.5 (statutory rape), to Penal Code Section 459 (second degree burglary), to Penal Code Section 211 (robbery, a violent felony). Rodarte's consistent pattern of criminal misconduct demonstrates his intention to put his own needs above those of society.

While Inmate Rodarte's current committing offense might be classified as "non-violent" under the Penal Code's limited definition, Inmate Rodarte's actions reveal that he will continue to threaten public safety and disregard the laws of our society. The current committing offenses occurred from May to August of 2018 whereby Inmate Rodarte committed a rash of burglaries. Each burglary was nearly identical in nature, where Inmate Rodarte would enter the business, always a liquor store, through the roof. Each business had inside surveillance cameras that showed Inmate Rodarte gathering thousands of dollars worth of alcohol, cigarettes, lottery scratchers, and cash before fleeing the business. While Inmate Rodarte was only punished on 3 out of the 7 burglaries he committed, the remaining charges were dismissed with a *Harvey* wavier for restitution, as each business lost thousands of dollars. The rate in which Inmate Rodarte commits crimes once released from state prison, shows that he has not even begun the rehabilitation process and continues to pose an unreasonable risk to the community.

Despite Inmate Rodarte's 9 separate prison terms and over 20 misdemeanor and felony convictions, he has demonstrated that even at age 63, he has no intention to stop breaking the law. He has continuously put his own needs above the needs of the community. With convictions for burglary, possession of a destructive device, domestic violence, statutory rape, possession of marijuana for sale, robbery, and more, Inmate Rodarte has shown a lack of respect for people, their property, and authority. Every felony conviction, including his committing conviction, is a direct reflection of his violent and reckless behavior, as well as his extreme disregard for the safety of the public. Therefore, allowing the early release of Inmate Rodarte would serve as an injustice to our entire community.

As we are given 30 days to respond, and we are not provided with any disciplinary history or any other information aside from the one-page notice of parole review, I cannot comment on Inmate Rodarte's prison conduct. However, from the record that is available, Inmate Rodarte should not be released as he poses a significant, unreasonable risk of violence to the community. Parole should be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sydne Jones', with a long horizontal line extending to the right.

Sydne Jones
Deputy District Attorney
Sacramento County District Attorney's Office