

# Early Prison Releases: June 2018

## Update



## Sacramento County District Attorney's Office

*Semper Justitia*

As of June 29, 2018, 329 inmates sentenced from Sacramento County have been granted early prison release.

Many of the offenders who are granted early prison release have violent and lengthy criminal histories. District Attorney Anne Marie Schubert feels it is important for the public to be aware of the so-called "nonviolent" offenders being released early from prison into our neighborhoods. Press releases are issued to provide the public with a sampling of recent noteworthy offenders, including:

**Gang Member Convicted of Robbery, Possessing Firearm (Montreal Curry – Case #16FE021608) –** Curry was a validated Meadowview Bloods criminal street gang member. In 2008, he was convicted of robbery and received a 4-year state prison sentence. In his current 2016 commitment offense, Curry was driving with his girlfriend when police stopped them for a vehicle code violation. Curry handed an American Arms .22 caliber folding revolver to his girlfriend. This firearm was very small, very concealable, and very dangerous. Curry then exited the vehicle, against officer commands, to give his girlfriend a distraction and time to stash the revolver. Curry continued to ignore officer commands until he was handcuffed and detained. The revolver was eventually located during a consent search of his girlfriend's purse. His girlfriend stated that Curry gave the revolver to her to hide because he was on probation at the time. Curry was convicted of being a felon in possession of a firearm and was sentenced to 3 years and 8 months in state prison. Curry's past robbery

conviction, his continued desire to arm himself and his association with gangs is a dangerous combination. The Board of Prison Hearings found this inmate to be a nonviolent offender who does not pose an unreasonable risk of violence to the community and granted release on March 29, 2018. [Opposition Letter](#)

**Career Criminal With Convictions for Assault with a Deadly Weapon (Joseph Sanchez – Case #17FE001117)** – In 2005 and 2009, Sanchez was convicted of assault with a deadly weapon likely to produce great bodily injury. In 2013 and 2014, he was convicted of first-degree residential burglaries. The 2013 burglary conviction is intertwined with his 2009 conviction for the felony assault. In that case, the victim broke up with Sanchez after a brief relationship. During the relationship, Sanchez committed violent acts against her. The victim contacted police and Sanchez's parole agent to inform them of the crimes. As a result of the victim reporting the crimes to authorities, Sanchez broke into her house and threatened to kill her. He then proceeded to punch her in the face multiple times and choked her until she was unconscious. Sanchez imprisoned the victim in her own home and she was only able to escape when her friend came over the next morning. The victim's eyes, nose and ears were swollen and bruised from the attack. Sanchez served three years in prison for this attack, but his prison sentence was not the end of the terror for this particular victim. Sanchez's violent behavior towards this victim continued in 2012 after he was released from prison. Sanchez broke into the victim's home again and ransacked it, stole items, urinated on her bed and spray painted on her wall, "[Victim] is a fake ho." He was sentenced to four years in prison for that offense. In his current case, officers stopped Sanchez for driving a stolen vehicle with his 10-month-old daughter in the back seat. He was convicted of vehicle theft and sentenced to 44 months in prison. Sanchez's criminal history includes six felony convictions. He also has multiple misdemeanor convictions, including battery, and parole and probation violations. The Board of Prison Hearings found this inmate to be a nonviolent offender who does not pose an unreasonable risk of violence to the community and granted release on May 22, 2018. [Opposition Letter](#)

**Inmate with History of Offenses, Parole and Prison Violations (Joseph Duckett – Case #11F07674)** – In 2001, Duckett was convicted of robbery and attempted carjacking and was sentenced

to 71 months in state prison. In that case, he accosted a 52-year-old woman at gunpoint and demanded she give him her car keys. Fearing that she would be shot, the victim gave the keys to Duckett. As he attempted to start the victim's car, the victim fled into a bar and called for help. In 2008, Duckett was convicted of possession of a controlled substance. While serving his second prison sentence for this conviction, he was convicted of possessing a weapon at Folsom State Prison in 2011. In that case, Duckett tried to evade a corrections officer and was later found to have an inmate manufactured weapon in his sock. He has also had a number of prison violations, including mutual combat, disobeying orders and conduct that could lead to violence.

Duckett has been convicted of a crime or been in state prison every year since 1997 when he was 21 years old. Additional convictions include domestic violence, resisting arrest, carrying a concealed weapon, providing false ID to police and possession of marijuana for sale. The Board of Prison Hearings found this inmate to be a nonviolent offender who does not pose an unreasonable risk of violence to the community and granted release on May 29, 2018. [Opposition Letter](#)

#### Early Prison Release Laws & Procedures:

In January 2015, the Department of Corrections and Rehabilitation began a [new parole determination process](#) after a federal court ordered California to reduce prison overcrowding. As a result, inmates characterized as "nonviolent second-strikers" (NVSS) became eligible for early parole. In November 2016, [Proposition 57](#) was then passed with the promise that "nonviolent" inmates who "turn their lives around" in prison could also earn early parole under a new "nonviolent parole review" (NVPR).

Qualifying NVSS and NVPR inmates must not currently be serving a sentence for a crime legally categorized as a violent felony and must not be required to register as sex offenders. NVSS inmates must have served (or be within 12 months of serving) only 50 percent of their sentence, while NVPR inmates may be paroled after serving the base term for the principal offense and may earn additional conduct credits.

The Board of Prison Hearings (BPH) determines whether NVSS or NVPR offenders would pose an unreasonable risk of violence to the community based on a paper review of prior criminal history,

facts of the current commitment offense, behavior in prison, rehabilitation efforts, whether the inmate has any medical condition which might affect the ability to re-offend, and written statements.

Unlike parole hearings – where the prosecution, defense attorney, and victim may appear – there is no public hearing for these BPH administrative reviews. Additionally, no evidence-based risk assessment is conducted prior to consideration of early release to indicate an inmate's safety risk.

The Sacramento County District Attorney's Office takes an active role in evaluating NVSS and NVPR cases. For inmates who appear to pose a danger to the public, the office writes opposition letters to BPH with an overview of the inmate's criminal history and current commitment offense, and an opinion on the public safety risk if an inmate is granted early release. NVPR cases are especially concerning since prosecutors are denied access to records of the inmate's behavior behind bars, which is critical to rehabilitation, and do not have a right to appeal an early parole decision.

Information about more of these inmates can be found on the Early Prison Releases webpage at [sacda.org/early-prison-releases](https://sacda.org/early-prison-releases).