

Early Prison Releases: August 2018 Update



Sacramento County District Attorney's Office

Semper Justitia

Since 2015, 342 inmates sentenced from Sacramento County have been granted early prison release by the Board of Prison Hearings (BPH) as of August 31, 2018.

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:

Inmate with 28-Year Criminal History and Violent Strike Offenses (Calvin Reese – Case #94F06130) – In 1990, Reese was convicted of willfully discharging a firearm in a negligent manner. Less than a year later, he was convicted of second-degree burglary. Shortly after completing his sentence for this conviction, he was convicted of second degree-robbery, his first strike offense, and received a sentence of 2 years in prison. Less than a month after being released from prison and while on active parole, Reese committed a violent robbery. In that case, he broke into a home, robbed two victims at gun point and shot at one of them before fleeing the scene. Reese was convicted of robbery, assault with a firearm, burglary and felon in possession of a firearm. He was sentenced to 23 years in prison for these violent offenses. While in prison serving that sentence, Reese was convicted of possessing drugs in 2010. He was sentenced to an additional indeterminate term of 25 years to life in prison.

Reese has committed serious crimes when released from custody, and he has not been able to remain crime-free when incarcerated. 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 August 3, 2018. [Opposition Letter](#)

Previously Denied Inmate with 47-Year Criminal History and 15 Felony Convictions (Leonard Harris – Case #15F02787) – Beginning at the age of 21, Harris has accumulated a total of 15 felony convictions. Seven of those convictions are violent offenses, where Harris has hurt others or put them in danger: two convictions for first-degree robbery, two convictions for grand theft of a person, two convictions for first-degree burglary, and one conviction of robbery and willful elder abuse. He also has six misdemeanor convictions, including: carrying a loaded firearm in public, grand theft, forgery and disobeying a court order.

Harris' multiple violent, felony strike convictions make him eligible for a life sentence on any future case where he is convicted of a felony. A life sentence was also a possibility on his 2015 commitment offense. In that case, Harris was on parole when he stole three paintings from the lobby of an apartment building run by the Sacramento Housing and Redevelopment Agency.

He was convicted of first-degree burglary, a strike, and was sentenced to six years in state prison. In addition to his multiple convictions, Harris has violated his parole seven times in the last seven years. Harris has never successfully completed a parole period. The Board of Parole Hearings has already reviewed and denied early release for Harris on September 7, 2017. Eleven months later, 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 August 3, 2018. [Opposition Letter](#)

Inmate Convicted of Drive-By Shooting, Domestic Violence (Gregory Williams – Case #13F01426 & #13F03624) – In 1994, Williams was convicted of discharging a firearm from a vehicle, a strike offense, possession of cocaine for sale and reckless evasion of a peace officer. In that case, two Sacramento police officers were walking to their patrol vehicle when Harris drove toward them at a high rate of speed. The officers observed multiple flashes and loud pops coming from the driver's side of the vehicle.

Fortunately, the officers hit the ground and were not struck by

any of the half-dozen shots fired by Harris. Harris then led officers on a reckless pursuit, where he blew through stop signs and reached speeds of 65mph on residential roads. Harris received a sentence of 3 years in state prison for these offenses. Not long after his release from prison, Harris was convicted of possession of crack cocaine and sentenced to 5 years in state prison. In 2007, Harris was living with his girlfriend, who was also the mother of his toddler child. Harris threw a cup of hot coffee at his girlfriend while she was sitting next to their child. He then began punching her with their child crying next to her. Harris was convicted of domestic violence. In 2010, he was convicted of possession of cocaine for sale and sentenced to 3 years in state prison. In 2012, Harris was again arrested for domestic violence; however, he was able to complete an anger management program in exchange for a dismissal prior to trial. In 2013, Harris was arrested and charged with possession of cocaine for sale. While out on bail, he was again found in possession of cocaine. Harris was convicted of possession of cocaine for sale and an out-on-bail enhancement. 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 August 22, 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.