



Sacramento County District Attorney's Office

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April 30, 2019

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

Re: Avalos, Rafael CDC # BA0597 Court Docket: 16FE008432

Inmate Avalos is a well-established career criminal, and should not be paroled. The circumstances surrounding his current conviction and his prior criminal record show that he poses an unreasonable risk of violence to the community.

In April of 2016 Inmate Avalos was pulled over by law enforcement for driving with no license plates. After pulling Avalos over, officers observed a ballistic vest on the rear seat of the car in plain view. A records check further showed that Avalos was a convicted felon. Officers searched the car, and found a black case containing a loaded 9mm handgun, multiple live ammunition rounds, plastic baggies, a digital scale, and fourteen individually packaged plastic baggies containing both a black tar-like substance, and an off-white crystalized substance. The black tar-like substance tested positive for heroin in the amount of 366.9 grams, and the off-white substance tested positive for methamphetamine in the amount of 77.4 grams. Based on the above evidence, Avalos was convicted of a felony violation of Health and Safety Code Section 11351, possession of heroin with the intent to sell it, as well as a felony violation of Penal Code Section 30305(a)(1), illegal possession of ammunition. Avalos was sentenced to eight years in state prison.

In September of 2014 Inmate Avalos was convicted of a violation of Health and Safety Code Section 11379(a), possession of methamphetamine for sale. On that occasion Inmate Avalos was found in a hotel room possessing over 100 grams of methamphetamine, as well as other indicia that the drugs were possessed with the intent to sell them.

In 2007 Inmate Avalos was convicted of taking or driving a stolen car in violation of Vehicle Code Section 10851(a), as a misdemeanor.

In 2004 Avalos was convicted of driving under the influence.

Inmate Avalos has consistently demonstrated dangerous behavior, mixing drugs, weapons and theft. A long career of crime has culminated in his current state prison commitment. In order to protect the community, he should not be granted relief.

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 Avalos' prison conduct. However, from the record that is available it is clear that inmate Avalos should not be released as he poses a significant, unreasonable risk of danger and violence to the community. Parole should be denied.

Respectfully submitted,

A handwritten signature in cursive script that reads "Timothy Carr". The signature is written in black ink and is positioned above the printed name.

TIMOTHY CARR

Deputy District Attorney

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