



Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

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

Re: Gallego, Robert Lee CDCR# D-21012 Court Docket: 98F00889

Inmate Gallego has a history of violence and drugs dating back to 1983. This history didn't end when he was convicted in 1995 of violation HS 11379.6 and sentenced to 12 years in prison. In fact, he picked up three more felony convictions while serving time: two of those felonies involved violence and the third involved possession of tar heroin. In addition, his disciplinary history as a prison inmate is extensive. It is consistent with a criminal who has neither the intention nor the capacity to rehabilitate himself, whether in or out of prison. The circumstances surrounding his current conviction and his prior criminal record indicate that he poses an unreasonable risk of violence to the community.

His adult criminal history begins in 1983 with a misdemeanor PC 245(a)(1), assault with force likely to produce great bodily injury, and a PC 242, battery. In 1984, he was convicted of misdemeanors for PC 417 (a) (brandishing a weapon), PC 594 (vandalism), and PC 242 (battery). On a separate occasion in 1984, he was convicted of a misdemeanor PC 470 (forgery).

In 1985, inmate Gallego was convicted of his first strike, PC 459 (1st degree of burglary) and sentenced to two years of prison. In that case he broke into the victim's home and stole a VCR and other items. It also appeared that he broke into [REDACTED] nearby apartment. Inmate Gallego returned to the apartment and a battery was reported, prompting the police to return. The inmate left, but the [REDACTED] told the police she was afraid of him. She also told them he told her about plans to rob a bank and showed her maps and diagrams. Later in the day, the police arrested the inmate. They found a demand note and two diagrams of locations in San Bernardino County on his person.

In 1990, inmate Gallego was convicted of PC 12021 (felon in possession of a gun), and PC 245(a)(1) (assault with intent to cause great bodily injury). He was sentenced to three years in prison. In that case, officers responded to an unknown trouble call. The inmate's girlfriend told the police the inmate was angry because she accused his friend of stealing \$100. He came to her home and broke through the door and started hitting her in the head with a closed fist. He also hit her in the head with the butt of a gun and left. The police caught him shortly after and found a gun in his car.

In 1993, inmate Gallego was convicted of another PC 12021 (felon in possession of a gun), and sentenced to two years in prison.

In 1994, inmate Gallego was convicted of PC 245(a)(1) (assault with a deadly weapon), a crossbow, and sentenced to two years in prison. He was also convicted that same year of HS 11378 and sentenced to 16 more months in prison.

In 1995, while out on parole, the inmate was convicted [REDACTED] of HS 11379.6 (manufacturing methamphetamine) and sentenced to 12 years in prison. The inmate was caught operating a clandestine lab in a residence.

In 1999, while serving time at California State Prison, Sacramento, the inmate was convicted of PC 4573.6 (possession by an inmate of tar heroin), and 4 prior prison terms. He was originally sentenced to 29 years to life pursuant to the "3 strikes law" but this sentence was later modified in 2013 to a total of 8 years.

In 2006, while serving time at Calipatria State Prison, the inmate was convicted of two more in prison offenses, PC 4501 (assault with a deadly weapon by an inmate), occurring on two different occasions. As a result, he was sentenced to another five years and 4 months in prison. In September of 2003, the inmate stabbed another inmate repeatedly in the lower back with an inmate manufactured weapon (IMW). When officers ordered him to stop, the inmate ran from the scene and tried to hide the IMW. Officers recovered it and described it as made from flat metal stock, approximately 8 & 12 inches long, one inch in width, sharpened to a point, with a handle made from white surgical tape. The victim inmate received stab wounds to the back-requiring stitches. In June of 2004, the inmate launched some type of IMW at another inmate. A correctional officer and the intended victim had to dodge the projectile.

Inmate Gallego's conduct in prison is replete with 115 and 128 disciplinary reports dating back to 1986 and continuing to 2013, all involving violence, manufactured alcohol, and drugs. Nothing about his prison conduct indicates that he would be anything but violent if released. His conduct shows that he has impulse control and addiction to controlled substances and alcohol.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

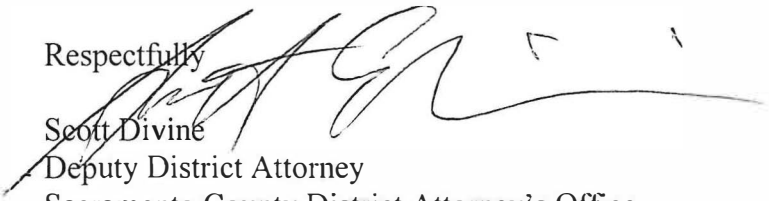
As we are given 30 days to respond and we are not provided with any disciplinary history or any other information, aside from a one-page notice to parole review, I cannot comment on inmate Gallego's prison conduct since 2013. However, from the record that is available it is clear that inmate Gallego should not be released as he poses a significant, unreasonable risk of violence to the community. Parole should be denied.

Respectfully

Scott Divine

Deputy District Attorney

Sacramento County District Attorney's Office

A handwritten signature in black ink, appearing to read 'Scott Divine', is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.