



Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

September 28, 2018

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

Re: Gonzales, David Esteban; CDC # BD3604; XREF 3388876
Court Docket: 16FE019379; Reporting Agency: SPD-16-289769

Inmate Gonzales is a well-established violent felon, and should not be paroled. The circumstances surrounding his current conviction on January 12, 2017, transporting methamphetamine for sale in violation of Health and Safety Code Section 11379(a) with a strike prior, and his criminal record show he poses an unreasonable risk of danger and violence to the community.

Inmate Gonzales possesses an extensive criminal history [REDACTED]

[REDACTED] In June 2000, officers stopped Inmate Gonzales while he was riding a bicycle. When officers searched a box that Inmate Gonzales had dropped to the ground, the officers found a loaded .22 caliber revolver. Inmate Gonzales also admitted to having another gun in his pants. A search of his person revealed that gun to be an unloaded twelve-gauge shotgun. On July 3, 2000, Inmate Gonzales was convicted of violating Penal Code Section 12025(a)(2) as a misdemeanor and sentenced to serve 30 days in county jail.

Inmate Gonzales' behavior became violent over time. On July 20, 2001, Inmate Gonzales' wife, a 29-year-old female victim, stated that he became upset and began yelling at her when she refused to have sexual intercourse with him. He pulled her into the bedroom and punched her head with a closed fist. Out of fear, the victim submitted to his sexual demands to prevent further assault. Inmate Gonzales continued the physical abuse despite her pleas. The next day, he pulled her to the ground by her hair and held his hand over her mouth while she tried to scream for help. He struck her four times in the facial area and she lost consciousness until the next day. He threatened the victim that he would kill her and her family if she left him. Shortly after the abuse

but before his conviction, a witness observed Inmate Gonzales and another male break into a vehicle window on August 18, 2001.

As a result of these actions, Inmate Gonzales was convicted on January 14, 2002, of terrorist threats under Penal Code Section 422, spousal abuse under Penal Code Section 273.5(a), and breaking into a motor vehicle under Penal Code Section 459. Inmate Gonzales received a strike for the terrorist threats conviction under Penal Code Section 422. He was sentenced to serve four years and eight months in state prison for his crimes.

Shortly after returning to the community, Inmate Gonzales was convicted of driving under the influence three times within the span of three years. He was convicted of his first DUI under Vehicle Code Section 23152(a) on January 24, 2006. Within a year, on or about May 31, 2006, Inmate Gonzales was convicted of another DUI under Vehicle Code Section 23152(a). On May 15, 2009, Inmate Gonzales was convicted of a third DUI under Vehicle Code Section 23152(a). Inmate Gonzales' repeated driving under the influence convictions demonstrate his lack of regard for the safety of the community and lack of compliance with the law and adherence to the terms of his probation.

Despite having already served time in state prison for spousal abuse as set forth above, Inmate Gonzales again inflicted corporal injury on his spouse on or about September 1, 2008. In this instance, Inmate Gonzales grabbed his 25-year-old wife by the shoulders and threw her against the dresser. When she sought to defend herself, he grabbed her legs, got on top of her, and began pushing her chest until she was out of air. This caused her to pass out. When she awoke, Inmate Gonzales informed her that he had sexual intercourse with her without her consent. Later that day when the victim sat outside in a vehicle, Inmate Gonzales approached and punched the vehicle window causing glass to shatter on her. He then reached inside the vehicle and pulled her out by her hair and pushed her inside the house. He then grabbed her, pushed her into a corner, and spit on her. His violence towards her continued throughout the day. On the next day, he pushed her against the window, grabbed her arms and hair, spun her onto the ground, kicked her in the buttocks and grabbed her by the neck and started choking her. He later grabbed a knife and ran towards her. He also had a pair of scissors in his pocket and pointed the end of the scissors at her chest stating that he was going to kill her. A month later, Inmate Gonzales grabbed the victim and slapped her in the face. As a result of this repeated abuse, the victim sustained a head injury, dislocated jaw, bruises, back pain, and long-term eyesight difficulty. Inmate Gonzales was ultimately convicted of spousal abuse in violation of Penal Code Section 273.5(a) on May 15, 2009 and ordered to serve 4 years in state prison.

Inmate Gonzales' disregard for the law did not stop there. On or about August 18, 2014, Inmate Gonzales drifted into the bicycle lane while driving and struck a bicyclist. The bicyclist traveled across the vehicle's hood and struck the windshield over the right side passenger position. When the bicyclist disengaged from the vehicle, he landed approximately 80 feet from where he was struck. Despite this incident, Inmate Gonzales continued to drive, bypassing five parking lot driveways before he stopped. The bicyclist suffered a fatal injury as a result. Inmate Gonzales was ultimately convicted of a misdemeanor vehicular manslaughter without gross negligence and was ordered to serve 180 days in county jail.

Finally, as it relates to his present prison commitment, on October 6, 2016, Inmate Gonzales fled from a traffic stop and was apprehended with approximately 6 ounces of methamphetamine in his possession. He was convicted of transporting methamphetamine for sale. Because of his earlier strike, he was sentenced to serve 4 years in state prison.

It should be noted that Inmate Gonzales is a validated Norteno street gang member. He was validated based on self-admission and indicia and was found with a huella which was confiscated at the Rio Cosumnes Correctional Center. Inmate Gonzales' gang affiliation paired with his extensive criminal history demonstrates his risk of violence in the community. We have not been provided with any information to comment on the current status of his gang validation.

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 Gonzales' prison conduct. Inmate Gonzales has an extensive history of serious, violent crimes. His behavior has increasingly become more serious and violent over time. It is unreasonable to assume that Inmate Gonzales has transformed his behavior in such a short period of time. For these reasons, it would be in the best interest of the community that Inmate Gonzales not be released as he poses a significant, unreasonable risk of violence to the community. I respectfully request that parole be denied.

Respectfully submitted,



Jennifer Kennedy

Deputy District Attorney

Sacramento County District Attorney's Office