



# Sacramento County District Attorney's Office

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Non Violent Parole Review Process  
Board of Parole Hearings  
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**Re: Pena, Alejandro      CDC # AX7370      Court Docket: 14F05724**

Inmate Pena is a well-established violent felon, 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.

On August 17, 2013, inmate Pena got into an argument with his girlfriend over her desire to go to a party in downtown Sacramento. Angry that his girlfriend decided to go to the party without him, inmate Pena loaded a 9 mm Glock semi-automatic firearm and took it with him to the party. Inmate Pena had to travel a significant distance on his skateboard to reach the party – even with that lengthy amount of time to reflect and cool off, inmate Pena did not turn around. Instead, when he arrived at the party, he took the firearm out and fired it six times into the air, endangering not just the party-goers but every individual in the densely populated urban area. This extremely dangerous conduct demonstrated inmate Pena's complete disregard for human life. After firing the gun, inmate Pena fled the scene, but was subsequently apprehended by law enforcement. When taken into custody, not only did law enforcement locate the Glock handgun, but also 23 clonazepam pills, 27 oxycodone pills, and 2.8 grams of cocaine on his person.

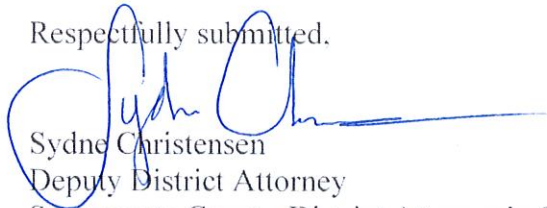
Inmate Pena was initially charged with negligently discharging a firearm (Penal Code § 246.3), possession of three controlled substances (Health and Safety Code § 11350(a)), and possession of a controlled substance with a loaded and operable firearm (Health and Safety Code § 11370.1(a)). As part of the plea negotiation process, he was allowed to plead to the violations of Penal Code § 246.3 and Health and Safety Code § 11370.1(a) and be placed on formal probation, with a custodial consequence of one year in the county jail. Additionally, inmate Pena was allowed to remain out on bail pending his sentencing and was unable to make it two weeks before violating the law again.

Just twelve days after inmate Pena admitted to a serious felony (Penal Code § 246.3 pursuant to Penal Code § 1192.7(c)(8)), law enforcement officers discovered 0.75 grams of cocaine in his pocket. When taken to the county jail, he was given multiple warnings and opportunities to turn over any additional contraband that was not located in the initial search. Instead, inmate Pena lied, claiming he did not have any other contraband on him. At the county jail, inmate Pena was

strip-searched and deputies found three separate plastic bags of cocaine, each weighing approximately 1 gram, on his person. Hence, his subsequent conduct demonstrates not only a disregard for the criminal justice system, but a willingness to use dishonesty. Coupled with his reckless disregard for human life and the dangerousness of his prior conduct, inmate Pena is a poor candidate for early parole.

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

Respectfully submitted,



Sydne Christensen  
Deputy District Attorney  
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