



Sacramento County District Attorney's Office

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Non Violent Parole Review Process
Board of Parole Hearings
Correspondence – NV
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Re: Garay, Luis CDC # BH3584 Court Docket: # 17FE008298

Inmate Garay's criminal history shows he poses an unreasonable risk of danger to the community because he is a repeatedly validated gang member with a dangerous fondness for firearms. He should not be granted early parole.

[REDACTED]

[REDACTED] Inmate was convicted of illegal possession of firearms felonies in both 2009 and 2013, serving prison sentences for both. The 2013 PC 29800(a)(1) conviction, possession of a firearm by a felon, was the result of a raid on a known Sureno gang house. Inmate was still on parole from his 2009 illegal firearm possession conviction when officers got a search warrant for the residence. Inmate was inside with other known Sureno gang members and they had possession of a .38 caliber handgun, a rifle with a scope, and over 100 unspent rifle shells. Inmate admitted to officers that the firearms belonged to him.

The facts of the current conviction are similar, showing a pattern of dangerous illegal firearm possession. Officers pulled Inmate over in his car in the early morning hours and found he had a loaded .40 caliber Glock in the center console, an extra loaded 22 round Glock magazine beside it, yet another loaded magazine in his lap, and an additional thirty rounds of .40 caliber ammunition. As though that large store of ammunition weren't dangerous enough in a sober gang member's hands, Inmate Garay also had methamphetamine for personal use.

Certainly this Parole Board understands the dangers that come with heavily armed gang members, the worst of which is the slaying of other gang members and innocent unrelated bystanders. It is people like Inmate Garay who continue to participate in violent criminal street gangs and consistently carry firearms who cause that devastation to communities in California. As such, Inmate Garay does not deserve the benefit of early release because he has shown no intention to cut ties with his gang after having been a member for at least 12 years nor to obey firearm prohibitions since he has been convicted of possessing illegal firearms three times so far.

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 Garay's prison conduct. However, from the record that is available, it is clear that Inmate Garay should not be released as he poses a significant unreasonable risk of victimizing the community through his armed gang participation. Parole should be denied.

Respectfully submitted,

Teal Ericson

Teal Ericson,
Deputy District Attorney
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