



Sacramento County District Attorney's Office

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December 1, 2021

Non-Violent Parole Review Process
Board of Parole Hearings
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Re: Darosa, Jonathan CDCR # AL0048 Court Docket: 06F08861/11F01322

Inmate Darosa is a well-established multiple 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 February 15, 2011, narcotics officers set up surveillance at a residence that Jonathan Darosa was known to be associated with; on this occasion, Darosa was seen in front of that residence, working on a car in which he had been stopped by law enforcement on February 6, 2011. Officers detained Darosa and another man; other law enforcement officers arrived and commenced the execution of a search warrant of the residence and associated vehicles. In the course of the execution of the search warrant, Darosa was searched by officers. During the course of their search of Darosa's person, officers located: (1) A baggie containing 5.96 grams of heroin; (2) A cellphone that was used by Darosa in his drug-dealing business (numerous text messages concerning drug dealing activities involving Darosa were found on the phone); (3) \$ 745.00 in cash; (4) A key-ring with numerous keys.

Officers asked Darosa if he had a key to the residence: Darosa responded that there was a key to his house on the key-ring; officers checked the key indicated by Darosa and found that it did unlock the front door of the residence.

In their search of the residence, officers found a safe in a closet in the master bedroom. Officers were able to unlock the safe using a key from the key-ring found on Darosa's person. Inside the safe was a cache of illegal drugs which included 9.90 grams of heroin (in addition to the 5.96 grams of heroin found on Darosa's person), as well as nearly 80 tablets of illicit drugs (Oxycodone, Hydrocodone, Alprazolam and Buprenorphine). Also located in the safe were: (1) A .45 caliber revolver; (2) A .38 caliber revolver; (3) Ammunition for both weapons; (4) A total of more than \$ 18,000 in cash (some of which was discovered in a locked box within the safe; *another* key on Darosa's key-ring opened *this* locked box, revealing more than \$ 11,000 in cash within); (5) Indicia for Darosa (a bail bond receipt in Darosa's name and Darosa's passport; there was *only* indicia for Darosa in the safe). The items found in the safe were submitted for

fingerprint analysis: Darosa's fingerprints were found on the Tupperware containers that housed the illegal drugs within the safe, as well as on the bottle actually containing the Oxycodone tablets.

A search of the residence revealed additional evidence of both individual drug use and a large-scale, thriving illicit drug business. Both bathrooms in the residence contained evidence of recent heroin use. In the master bedroom itself, officers discovered a "one-stop shopping" hoard of illicit drug-sale-related items: hundreds of baggies (for use in packaging illicit substances - the "eight-ball" pattern on these baggies was identical to the pattern on the baggie of heroin found on Darosa's person); a scale (for weighing out amounts of an illegal drug for a customer); hundreds of new syringes; and "pay-owe" sheets documenting drug customers, sales made, cash received and drugs dispensed. At Darosa's trial, a long-time law enforcement expert in illicit drug-sales testified that, in his expert opinion, the illegal drugs in the residence were clearly possessed with the intent to sell. The expert based his opinion on a number of factors, including the amount of illicit drugs cached in the residence, the variety of illegal drugs, the significant amount of cash, the firearms (for defense of the highly valuable drug stash) and the drug-sale-related items (i.e. the baggies, the scale, the syringes and "pay-owe" sheets).

This expert opinion was further bolstered by the testimony of one of Darosa's former drug customers – who testified that Darosa had provided him with illegal drugs - as well as the plethora of drug-sale-related texts on the cellphone found on Darosa's person (examples: "██████ has 25 he owe u an wants a 20 till tom"; and "Hey buddy u awake could I buy something off u ?"). Eliminating *any* doubt as to Jonathan Darosa's own knowledge of the toxin he was funneling into the community – for his own profit – was a text message he sent to a girl he was involved with: "Next step is jail or death in my line of work".

But Darosa's crimes – and his threat to the community in this case – were not limited to selling "poison for profit". As noted above, Darosa had two firearms, and ammo, secreted in his drug stash safe. It is just part of a "day's work" for drug-dealers like Darosa to use firearms - *no matter what the danger to innocent citizens* - to protect their drug stash from thieves or engage in shoot-outs with competing drug-dealers. Additionally, at the time of this crime, Darosa was *already* a felon due to his prior "strike" conviction for a 1st-Degree Burglary in 2006; thus, in his current case he was not only a drug-dealer but an *armed* drug-dealer who was also a felon in possession of firearms – a charge the jury in this case also found Darosa guilty of.

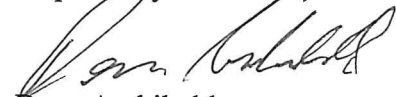
Darosa's 1st-Degree Burglary conviction is another aspect of the danger he poses to the community: in that crime – in 2006, 5 years before his arrest for his drug-sale operation – Darosa broke into the home of his elderly female neighbor by smashing a window and climbing into her bedroom. Once inside, Darosa stole \$ 500 in cash, some jewelry (some of which had an emotional value for the female victim, in addition to its monetary worth) and rummaged through the elderly female victim's underwear drawer – all the while bleeding on her undergarments from a gash sustained as he climbed through the victim's shattered window. However, it appears that Darosa's real purpose in burglarizing his neighbor's home was to steal drugs – which he did, grabbing some 247 Norco pills from a prescription bottle belonging to the victim's husband.

Of course, *there were "ripple effects" for the victim of this crime* (not that Darosa was concerned with that): as the aged female victim told the Probation Officer (who prepared the Probation Report for Darosa's 1st-Degree Burglary case), after the burglary she moved from her home because she felt "violated" by Darosa's assault on her (then) home and property – the smashed window in her bedroom, the blood on her intimate garments, the loss of an item dear to her and the theft of the cash (which had taken the family two years to save).

Illicit drugs with some connection to violence or potential violence – this has been Darosa's pattern through the years, with a litter of damaged lives left in his wake. Be it drugs and guns and a community (and its citizens - good and bad) put at risk or harmed for Darosa's benefit in 2011 – as in the case resulting in his present incarceration – *or* his 2006 irruption into the quiet home of someone nearing the end of life *or* a 2008 Assault Causing Bodily Injury misdemeanor in Texas (with a connected misdemeanor marijuana conviction) it's always the same.

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

Respectfully submitted,



Dean Archibald

Deputy District Attorney

Sacramento County District Attorney's Office