



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: RICHARD BRANNON CDC # BR9386 Dockets: 19FE015942, 20FE016963, 21FE015959

Inmate Brannon is an experienced criminal and gang member who should not be paroled. His prior criminal history, as well as the circumstances surrounding his current commitment offenses, demonstrate that he poses an unreasonable risk of continued significant criminal activity if paroled.

In the interest of keeping this letter short, I will briefly summarize Mr. Brannon's criminal history, however the egregious circumstances leading to his state prison sentence will be discussed in further detail.

The inmate was convicted of his first felony offense on May 6, 2009, in Sacramento Superior Court Case #08F09491. In this case, Mr. Brannon was convicted of a violation of Health and Safety Code section 11370.1 (Possession of Narcotics while Armed with a Firearm). He was placed on formal probation for 5 years and sentenced to jail for 240 days. He violated his probation multiple times, serving additional sentences of 120 days imposed on April 18, 2011, and 180 days imposed on May 31, 2012. While still on felony probation, the inmate committed a violation of Vehicle Code section 23152(b) (Driving under the Influence of Alcohol) and was sentenced to 2 days in jail and 3 years of informal probation on November 28, 2012. Within 8 months, Mr. Brannon committed a second Vehicle Code section 23152 offense on August 13, 2013. He was placed on another 4 years of probation and ordered to serve 40 days in jail. At that time, Mr. Brannon was on 3 separate probation grants.

While on those three grants, Mr. Brannon was convicted of a felony violation of Health and Safety Code section 11351 (Possession of Cocaine for Sale) on September 2, 2014. He was placed on a fourth grant of probation and sentenced to 365 days in jail. While still on probation, he was again arrested and convicted of serious felony crimes. On January 26, 2017, Mr. Brannon was sentenced to 3 years and 8 months in state prison for violations of Health and Safety Code section 11351 (Possession for Sale of Cocaine) and Penal Code section 29800 (Felon in Possession of a Firearm). In the nine years between his first felony conviction and his prison sentence, he was convicted of crimes stemming from 5 separate criminal dockets, multiple drugs sales crimes and multiple gun crimes, serving the entirety of this time period on probation or in a custodial setting.

Mr. Brannon was released from state prison in March of 2018 and placed on Post Release Community Supervision (PRCS). His conditions of release included not associating with gang members, not possessing firearms, and obeying all laws. He was a spectacular failure in this endeavor. In a series of

criminal acts that spanned from May of 2019 through September of 2021, the inmate was arrested and charged in 5 separate criminal cases, summarized below:

19FE008857: While Mr. Brannon was on PRCS, on May 14, 2019, Rancho Cordova Police Officers attempted to contact him in his vehicle. Instead of yielding, the inmate led officers on a high-speed chase, failing to stop, ignoring stop signs and red lights, driving 65 mph in a residential zone, and driving to such a reckless degree that officers disengaged from the chase.

19FE015942: While on PRCS and out on bail on 19FE008857, on September 3, 2019, Sacramento Sheriff's Gang Suppression officers contacted Brannon and validated East Side Piru gang member Carl Gaylemore. The residence they occupied was searched, resulting in the discovery of 31 grams of methamphetamine, 35 grams of heroin, 21 grams of cocaine, and other illicit narcotics. In addition, a loaded rifle and .45 caliber Sig Sauer P22 pistol were located. The handgun had been reported stolen.

20FE016963: While on PRCS and out on bail for the two felony cases listed above, on October 21, 2020, Folsom Police Officers contacted the inmate during a traffic stop for speeding. A lawful search of the vehicle resulted in the recovery of a loaded firearm under the driver's seat.

21FE005648: Continuing on PRCS and now out on bail for three felony dockets, on March 28, 2021, Mr. Brannon was contacted by Sacramento Police officers during a traffic stop. The vehicle was searched due to Mr. Brannon's driver's license being suspended. Under the seat, police officers located a loaded Colt handgun. Various narcotics were also located in the vehicle and on the inmate's person. A child was also in the car.

On August 18, 2021, Mr. Brannon was permitted to resolve his four pending felony cases, entering no contest pleas to Penal Code section 29800 (Felon in Possession of a Firearm) and Health and Safety Code section 11351 (Possession of Cocaine for Sale) in 19FE015942, and Penal Code section 29800 (Felon in Possession of a Firearm) in case 20FE016963. The stipulated promise was 3 years in state prison and sentencing was set for September 24, 2021. The court gave him yet another opportunity and permitted Mr. Brannon to remain out of custody pending sentencing.

21FE015942: Days before his sentencing date, on September 15, 2021, Mr. Brannon was contacted by parole officers at a residence belonging to his mother. In the garage, law enforcement located a loaded AK-47 rifle with additional magazines and ammunition. Mr. Brannon admitted the rifle was his.

On September 24, 2021, Sacramento Superior Court Judge Helena Gweon rejected the negotiated plea, in large part due to the new offense committed by Mr. Brannon. He was taken into custody and bail was set at "no bail."

On February 4, 2022, a new agreement was reached. Mr. Brannon resolved all his case for an aggregate prison commitment of 5 years and 8 months. Given the exposure the inmate faced on 5 separate felony dockets, four of which were committed when he was out on bail, this settlement, which the People and the Defendant agreed to, was very fair and reasonable. The inmate now, only 10 months removed from agreeing to his sentence, is trying to parole early from custody. Should the parole board grant his request, it will fly in the face of this negotiated agreement, make a mockery of the long process that resulted in the disposition, and lend credence to the notion that his repeated criminality involving drug sales and firearms resulted in minimal punishment.

Mr. Brannon is an active Piru gang member. He has been given chances on probation/PRCS on numerous occasions, each time failing and committing new offenses, often involving firearms. This

inmate simply does not present as someone who will comport himself with the laws of this state if released. To the contrary, it is highly likely he will continue to engage in criminal activity if paroled.

As we are given 30 days to respond, and we are not provided access to or information pertaining to any disciplinary history or additional information aside from the single page notice of parole review, I cannot comment on the conduct of Inmate Brannon while in prison. However, from the record that is available, it is clear that the inmate should not be released, as he will present a significant and unreasonable risk of serious criminality to the community. Parole should be denied.

Respectfully,

A handwritten signature in cursive script that reads "Frederick R. Gotha". The signature is fluid and elegant, with a prominent initial 'F'.

Frederick R. Gotha
Deputy District Attorney
Sacramento County District Attorney's Office