



Sacramento County District Attorney's Office

THIEN HO
District Attorney

August 7, 2023

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

RE: MERCADO, BOGART CDC #: BE7340 Docket: 15F02984

Inmate Mercado is a violent inmate who continued to commit multiple crimes despite a prior strike conviction for attempted murder. The circumstances surrounding his current convictions and prior criminal record – including the 2004 strike conviction – show that he poses an unreasonable risk of violence to the community, even if monitored.

In 1999, Inmate Mercado was convicted of possession of methamphetamine for sale and received 16 months in state prison.

In 2004, Inmate Mercado was convicted of attempted murder with the use of a firearm. He was sentenced to state prison for seven years. The case involved the discharge of a firearm into an inhabited dwelling. After his release from this violent offense, Inmate Mercado continued to commit new crimes.

It took Inmate Mercado less than a year after his release to commit his next crime – again possessing narcotics for sale. He was convicted of this crime in 2008, violated his parole, and then *again* for the same criminal conduct in 2009. The deterrence purportedly provided by numerous prison terms clearly has no effect on Inmate Mercado's behavior.

The commitment offense at issue began with a search warrant served at Inmate Mercado's residence. Several loaded firearms were located along with a large amount of narcotics for sale. Six pounds of heroin and 28 pounds of methamphetamine were located along with scales, baggies, and other indicia for sales. Inmate Mercado was out on bail for his prior narcotics offenses at the time the commitment case occurred.

On October 23, 2017, Inmate Mercado received a well-deserved 19-year, 8-month sentence given the severity of the case, amount of narcotics involved, and his unbroken streak of criminal

conduct for several decades. Public safety cannot and will not be protected by allowing this repeat felon back into the community after serving a mere fraction of his sentence.

The facts of the above cases, as well as Inmate Mercado's numerous parole violations, establish Inmate Mercado will continue to be a danger to the community if released.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Casey Newton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Casey Newton

Deputy District Attorney