



Sacramento County District Attorney's Office
THIEN HO
District Attorney

November 1, 2023
Non-Violent Parole Review Process
Board of Parole Hearings
Correspondence – NV
P.O. Box 4036
Sacramento, CA 95812-4036

Re: Zachariah Villalva CDC # BG2050 Court Docket: 19FE007660

Inmate Zachariah Villalva is a well-established violent felon and should not be paroled. The circumstances surrounding his current conviction, his prior criminal record, and his criminal record inside the prison, show that he poses an unreasonable risk of violence to the community and has not shown any progress toward establishing himself suitable for parole.

Just last year, December 15, 2022, inmate Villalva was denied release. Per the Deputy Commissioner,

“Although the inmate's current commitment offense is considered mitigating under the review criteria, it is outweighed by the inmate's prior criminal record and institutional behavior. The inmate's prior criminal record demonstrates that he was free from incarceration for less than 5 years prior to his conviction on the current offenses and he committed and was convicted of an in-prison offense while incarcerated during the current term. The inmate's institutional adjustment identified criminal behavior that is presumptive of a threat of violence and he has yet to participate in self-help and rehabilitative programming over a sustained period of time to address his criminal behavior. For these reasons, the inmate poses an unreasonable risk of violence or significant criminal activity to the community. The inmate is denied for release. *Board of Parole Hearings, December 15, 2022.*”

On Sunday, March 3, 2019, at approximately 11:40 am, Officer D. Garrett observed inmate Villalva drop a bundle of suspected heroin. The bundle contained 0.6 grams of suspected heroin with packaging. Villalva refused a urinalysis test. He was later convicted and received two years state prison.

Inmate Villalva has been criminally active since at least 1999. [REDACTED]
On September 1, 2008, the defendant stated he was intoxicated, entered an occupied residence through an open sliding glass door and stole car keys. He later entered the detached garage and stole the vehicle. He was convicted of first-degree residential burglary, a strike, and received four years state prison.
In 2017, inmate Villalva was also detained and later convicted of entering a commercial building. The inmate cut a hole in a chain link fence and stole property from the building. When Villalva was taken into custody he had a glass narcotic smoking pipe, four pills (Alprazolam, Sertraline, Hydrocodone, and Clonazepam), two small baggies containing 1.51 grams of methamphetamine and 0.30 grams of heroin. Villalva later admitted to breaking into the building and being “drunk.” When the inmate was scheduled for a probation interview, he failed to show.

Inmate Villalva, at only 43 years, has had multiple convictions in a short amount of time. His criminal history includes multiple thefts, evading law enforcement, drug possessions, and resisting arrest. He has been on eight grants of probation and has had three separate prison sentences. He has incurred a total of thirteen misdemeanors and five felony convictions. He was also supervised via the Post Release Community Supervision Unit and was given an opportunity for drug rehabilitation through Drug Court. He has not taken advantage of any of these opportunities and in fact, has had several warrants and positive drug tests. Again, per the last BPH report,

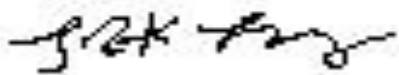
“The inmate has limited participation in available rehabilitative or self-help programming to address the circumstances that contributed to the inmate's criminal behavior. The inmate's participation in self-help programming in the current term is limited to less than 12 hours of substance abuse programs, participation in a writing challenge and a relay for life. These programs do not sufficiently address the core reasons for the inmate's criminality and thus, do not constitute a sustained period of programming.”

During his time in prison, he did not prove to remain free of criminal activity. He has had the following in-prison offenses: On December 27, 2012, Villalva was found in possession of 0.4 grams of methamphetamine while arrested and in-custody on a parole violation. He suffered a conviction for PC 4573.6. In addition, he received the drug-conviction, referenced above, when he had heroin in his possession. Inmate Villalva has also had more recent drug related violations. On August 9, 2019, he was found “guilty as charged” for conspiring to distribute a controlled substance. He was also “guilty as charged” on November 18, 2019, for Possession of a controlled substance in an institution.

Villalva also received a rule violation on May 22, 2023, for use of a controlled substance for which he was found guilty. He also received a rule violation on September 23, 2023, for unauthorized possession of drug paraphernalia for which the hearing was postponed.

Based upon inmate Villalva’s record in and out of prison, it appears he has not stayed crime free during his time in prison nor has he made an effort to utilize programs that could assist him in his life on the outside. Therefore, he is an inappropriate candidate for early parole. Villalva should not be released as he poses a significant, unreasonable risk of violence to the community. It appears he will likely continue this path of criminality even outside the prison. Therefore, parole should be denied.

Respectfully submitted,



Jennifer Tucker
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