



COUNTY OF YOLO  
OFFICE OF THE DISTRICT ATTORNEY  
JEFF W. REISIG, DISTRICT ATTORNEY

September 2, 2015

Attn: Non-Violent Second Striker  
Board of Parole Hearings  
Correspondence-NVSS  
P.O. Box 4036  
Sacramento, CA 95812-4036

RE: Braithwaite, Carlos; AU0925

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of inmate Carlos Boyden Braithwaite, AU0925, and his suitability for early release.

Based on my knowledge of the case against Mr. Braithwaite, I do not believe he should be considered for release prior to serving out his sentence. This is based, not only on the facts of the case arising in his current commitment to CDCR, but also based on his prior convictions, which show a history of serious criminal conduct.

While Mr. Braithwaite eventually pled to a Failure to Appear pursuant to Penal Code Section 1320(b) and admitted a prior strike, what had brought Mr. Braithwaite into court was a domestic violence case that was quite disturbing and shows that his violent criminal conduct had continued.

On July 15, 2013 West Sacramento Police Officer Barrerio is finishing up a medical call in the parking lot of a hotel on West Capital Avenue when he hears screaming coming from Room 25. He turns and looks and sees the victim of Mr. Braithwaite walking away from the room with an injury to her face and is screaming for help. Mr. Braithwaite comes out of the room and the victim yells, "That's him!" Mr. Braithwaite sees the officer's car and flees. The Officer yells multiple times to stop while giving chase and that if he doesn't stop he'll be tased. Mr. Braithwaite keeps going. After chasing Mr. Braithwaite through a couple of parking lots, the officer uses his taser. Mr. Braithwaite is eventually detained in handcuffs. When they get back to the hotel parking lot, the victim has been given an ice pack to put on her head. She has a swollen lump on her cheek and she is upset. She tells the officer that her and Mr. Braithwaite have been dating for about a month and a half and live together in hotel rooms. At approximately 10:45 at night, Mr. Braithwaite wakes her up and wants to have sex. She says no and he gets mad. He gets on top of her and starts strangling her. He has one hand on her neck.

She starts to scream. He uses the other hand to cover her mouth and held her there for about 30 seconds. He finally gets off her and when she stands up, he hits her on the left side of her face knocking her down. She gets up and runs out of the motel room to where she sees police.

The victim in this case was unable to be located and Mr. Braithwaite was released while we tried to make contact with her. While Mr. Braithwaite promised to return to court he did not. Instead a warrant was issued and he was charged with failing to appear. Since the victim in the domestic violence case could not be found, a plea bargain was struck to allow Mr. Braithwaite to plea to the failure to appear instead of the domestic violence case.

When Mr. Braithwaite assaulted his victim in the West Sacramento Hotel, he had only been off of parole for approximately two years. Additionally, he was on probation for a domestic violence case from Sacramento County as well.


Given the above facts, Mr. Braithwaite would not be suitable for early release. His crime in the instant case was serious. Additionally, he was on probation for the very crime he was committing. Further when asked to abide by a simple court order to return to court he fled the jurisdiction and forced law enforcement to locate him after a warrant was issued. However, Mr. Braithwaite's other previous offenses also show that he should remain in custody.

Mr. Braithwaite has been arrested for Robbery on three separate occasions in a five year period. He was eventually sentenced on one Robbery where he used a gun to 14 years in state prison. He has also been to prison for a drug charge back in 1992.

As of the time of this letter, Mr. Braithwaite has not spent a period of more than four years free from prison custody since 1991. His life can only be described as a series of incarcerations interrupted by brief periods of release.

While Failing to Appear is not a "serious" or "violent" offense as defined in the penal code, it is certainly a serious offense, Mr. Braithwaite has, for the past few decades, lived by his own rules and shown a disregard for the safety and well-being of those around him. Given the seriousness of this offense, the seriousness of some of his past convictions, and his lengthy criminal record, he should not be considered for early release as a "non-violent second striker".

Sincerely,



Deanna Hays  
Deputy District Attorney  
Yolo County District Attorney's Office