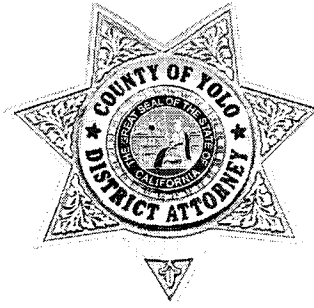


OFFICE OF THE
DISTRICT ATTORNEY

COUNTY OF YOLO

JEFF W. REISIG
DISTRICT ATTORNEY



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CHIEF DEPUTY DISTRICT ATTORNEY

ROB STRANGE
CHIEF INVESTIGATOR

DEBORAH GEISSER
CHIEF OF FINANCE, ADMINISTRATION

February 19, 2016

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

RE: Brian Nicholas Freeland (AW5712)

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of inmate Brian Nicholas Freeland, AW5712, and his suitability for early release.

Based on my knowledge of the case against Mr. Freeland, 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.

In the instant case the defendant formed and employed an unusual yet very sophisticated plan to steal from the victim in this case. Mr. Freeland was found to be renting a storage unit that shared a wall with the storage unit belonging to the eventual victim in this particular case. Mr. Freeland was seen frequenting his storage unit on multiple occasions for extended periods of time. During these "visits" the defendant had been hammering out the metal panel between his own storage unit and that of the adjacent victim's storage unit. The defendant, through his multiple visits, was eventually able to tear a portion of the metal panel away and bend it back just far enough for him to slip back and forth between the two storage units.

Mr. Freeland stole from the victim's storage unit a significant amount of money and personal information. Mr. Freeland stole from the victim's storage unit several items of varying monetary value totaling approximately \$3,135.00 as well as personal identifying information belonging to the victim.

On one of the occasions when police officers went to investigate the relevant storage units Mr. Freeland was observed attempting to hide evidence. When police officers observed the defendant in his storage unit they approached the defendant to speak with him. When Mr. Freeland saw the officers approaching he was seen attempting to place a pill bottle on the floor with his foot behind a mattress in his storage unit. Before Mr.

Freeland could do so one of the police officers noticed that it was a pill bottle containing the victims name on the prescription. Mr. Freeland then immediately lied to the officers and stated that “someone must have been setting him up.”

Given the above facts, Mr. Freeland would not be a suitable candidate for early release. His crime in the instant case was sophisticated, deliberate, well thought out and involved a relatively large amount of monetary value and significant personal information that was stolen. For those reasons alone, he should remain in prison. However, Mr. Freeland’s previous very recent offenses also show that he should remain in custody.

Mr. Freeland has been convicted of Felonies three times within the six years leading up to the date of this particular crime. The most compelling factor here is that all of his felony convictions are for burglaries. Mr. Freeland was convicted of a second degree burglary on November 15, 2007. More importantly he was also convicted of a First degree burglary on September 3, 2008 in Yolo County. Mr. Freeland has shown his propensity to burglarize repeatedly, consistently and within a short time period.

While second degree burglary is not a “serious” or “violent” offense as defined in the penal code, it is certainly a serious offense, Mr. Freeland has shown that he will continue to live by his own rules and has shown a complete and utter disregard for the safety, well-being and property of those around him. Given the seriousness of this offense, the seriousness of some of his past convictions, he should not be considered for early release as a “non-violent second striker”.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kyle T. Hasapes', written over a horizontal line.

Kyle T. Hasapes
Deputy District Attorney
Yolo County District Attorney’s Office