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COUNTY OF YOLO

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January 22, 2016

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

RE: Hollingsworth, Kevin Wayne CDCR # AN0290

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of inmate Hollingsworth, Kevin Wayne CDCR # AN0290, and his suitability for early release. Given the nature of the offenses committed in Yolo County, and Mr. Hollingsworth's criminal history, Mr. Hollingsworth poses an unreasonable risk to public safety such that the Yolo County District Attorney's Office opposes the early release.

**Current Commitment Conduct**

On March 25, 2012 at 3:38 pm Mr. Hollingsworth was observed driving his car in the Cache Creek Casino parking lot. Security patrol watched as he hit a curb, then park his vehicle poorly. He stumbled out of the car and refuses to stop when security asks him to stop. He walks towards the casino and then starts jogging as the security follows him. He goes into the casino and starts playing slots. He is approached by security guards, who notice that he has obvious signs of intoxication and take him into custody.

Mr. Hollingsworth stated that he got a "Jack and Coke" from the waitress, however the Security officer knows that the casino waitresses do not serve alcohol at this casino. An officer from the California Highway Patrol arrives and notices that Mr. Hollingsworth has objective signs of intoxication. The defendant tries to explain that he had nothing to drink prior to getting to the casino and that his long time friend Javier brought him two drinks after he arrived.

The officer reviews the video surveillance which shows the accident where the defendant was driving and took the corner so fast that he hits the curb and damages the driver's side wheel. The surveillance shows the defendant exit, lean against the truck he parked near, and enter the casino and play slots. No one approached the defendant until he was taken into custody by security. His blood alcohol content was found to be .10 / .12.

For that offense, Mr. Hollingsworth pled no contest to two felonies, a violation of Vehicle Code Section 23152(a)/22350.5, Driving at .08 Blood Alcohol Content or above within ten years of a prior felony violation of Section 23153 of the California Vehicle Code and a violation of Vehicle Code Section 23152(b)/22350.5, Driving Under the Influence of Alcohol within ten years of a prior felony violation of Section 23153 of the California Vehicle Code, he admitted his prior strike conviction (he had two, but based on a change in the law the current offense was no longer eligible for a life sentence), and he admitted his five (5) prison priors under Section 667.5(b) of the Penal Code. The Court, on motion of the defense, gave the defendant low term, doubled for the strike plus the five prison priors for an aggregate term of 7 years 8 months. This reduced sentence was over the District Attorney's objection.

### **Hollingsworth's Prior Criminal Conduct (partial)**

#### **1. August 4, 2004; Felony Driving Under the Influence Causing Injury**

On July 3, 2004 at about 6:56pm the defendant is driving a borrowed pickup truck eastbound on Main Street when he collides with the rear of the car in front of him. He follows the victim's car around the corner where he exchanges some information with the victim. When he hears that the police have been called he takes off. At the time the defendant was wanted as a parolee at large.

Police contact Billy Schwab (registered owner of the pickup truck) who told them that he loaned his truck to the defendant at about 1:00 pm and the defendant was just supposed to go to the store and come right back. Defendant returned the truck at about 7:00pm and according to Schwab the defendant had the "spins" and was obviously drunk when he returned the truck.

While talking to Billy Schwab his wife Jolene told police she heard noises coming from the attic of her house. When police checked they found the defendant hiding in the attic. When ordered to sit up and show his hands he fell through the ceiling into a bedroom that he refused to come out of. Police dog Lugar was sent in and dragged the defendant from under the bed. Defendant continued to resist officers as he was taken into custody.

Defendant's blood was taken at about 11:00 pm and came back at .14.

At the scene the victim had a hard time focusing her eyes and said she was dizzy. She also had neck and lower back pain. When interviewed on July 26th she said she had injured her neck and back and was currently seeing her health care provider.

On August 4, 2004 the defendant was convicted of Felony Driving Under the Influence Causing Injury and a Strike and was sentenced to 32 months state prison. It should be noted that this was the second person that the defendant injured while driving under the influence. On August 6, 1991 he was convicted of misdemeanor Driving Under the Influence Causing Injury and was placed on probation.

#### **2. July 16, 1997: Attempted Second Degree Robbery**

Defendant enters a bank in Woodland and hands teller notes instructing her to give him all the money and not to do something to call attention to her. She reads it and there are bad misspellings so she hands it back and tells him and that he must be kidding. He says he better get out of there and takes off on his bike. He would not stop for cops until they bump the bike with their patrol vehicle.

He was convicted on July 16, 1997 of Attempted Second Degree Robbery and was sentenced to six years prison.

### **3. January 29, 1988, Attempted Second Degree Robbery**

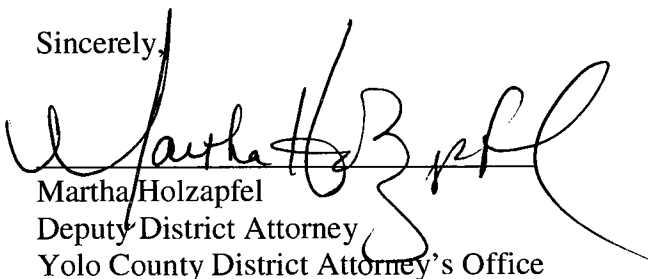
The Defendant was with two others and they approach the victim and his aunt who are sitting on the porch of their home. One of the co-defendant's pulls out a sawed off shot gun and said, "You're robbed homeboy." The Co-defendant then pulled the slide on the shot gun and the cartridge ejected. The victim then grabbed the gun and pushed the man off the porch. The victim runs to a neighbors and the defendants all flee. The defendant is caught near by and arrested by officers. The defendant is caught on tape making a jail call trying to get someone to give him an alibi.

He was convicted on January 29, 1988 of Attempted Second Degree Robbery and initially given probation. He violated that probation and was sentenced to two years prison on July 25, 1991.

### **Conclusion**

As you can see, Mr. Hollingsworth's current conviction is highly reflective of his criminal nature. Over the course of his life he has victimized many citizens, by repeatedly driving while intoxicated, auto theft, felony evading, illegal drug use and two attempted robberies. Additionally his rap sheet indicates he has violated parole 10 times on the five times he has been sent to prison. The court in this case gave the defendant a minimum sentence over the District Attorney's objection. Any reduction in this case is going to put citizens in actual danger. Therefore the Yolo County District Attorney asks this Board to recognize that Mr. Hollingsworth continues to pose an unreasonable risk to public safety and asks this Board not to release him before his sentence is concluded.

Sincerely,



Martha Holzapfel  
Deputy District Attorney  
Yolo County District Attorney's Office