



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

July 6, 2016

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

RE: Moss, Thomas Ray (CDC # AZ2415)

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of inmate Thomas Ray Moss, CDC # AZ2415, and his suitability for early release. I write this letter in opposition to Mr. Moss' early release. Based on my knowledge of the case against Mr. Moss, he should not be considered for release prior to serving out his sentence. This position 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 and recidivist behavior.

In the instant case, on February 26, 2015, the defendant stole a bicycle valued at approximately \$1,200.00. The bicycle was part of the Davis Police Department's "bait bike" program. After taking the bike, police tried to detain Mr. Moss, but he fled on the bike in violation of Penal Code § 148(a)(1). Once police caught Mr. Moss, he was arrested for violating Penal Code § 487(a).

Mr. Moss is not suitable for early release because the only guarantee that we have, based on his history, is that he will continue to disregard the law. As we know, it takes considerable effort by an individual to be sentenced to state prison. The defendant's prior conduct includes felony convictions for Penal Code § 245(a)(1) with an enhancement for Penal Code § 12022.1, Penal Code § 451(c), and Penal Code § 530.5(a). What is most telling is that even after he was released from CDCR for these convictions, he continued to engage in criminal conduct consistently from 2003 to the time of the conviction in question. While Mr. Moss' conduct is "non-violent" under the law, he is the type of recidivist offender who should not receive the benefit of only serving 50% of his sentence. Mr. Moss clearly does not have the structure in his life or the desire to live a law-abiding life. Property crimes are crimes against the community and affect the wellbeing of all individuals. A crime does not have to be "violent" to have a substantial negative impact of society. We ought to look at the offender and not the offense

when determining whether someone should qualify for early release and serving 50% of his/her sentence.

The simple fact of the matter is that there are certain individuals who pose such a substantial risk to the public that prison is the only suitable method of protecting law-abiding citizens from that risk. Mr. Moss is that risk and he is a risk that we cannot be willing to take.

Sincerely,



Matt De Moura
Deputy District Attorney
Yolo County District Attorney's Office