



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

October 16, 2015

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

RE: Swisher, Trent Wayne (CDC # H-84041)

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of inmate Trent Wayne Swisher, CDC # H-84041, and his suitability for early release. I write this letter in opposition to Mr. Swisher's early release. Based on my knowledge of the case against Mr. Swisher, he should 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.

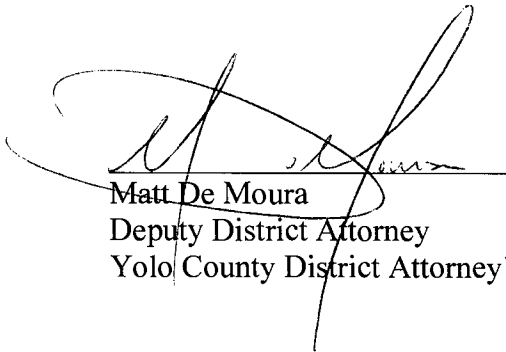
In the instant case, on January 22, 2009, shortly before midnight, Officer Ryan Piercy was on patrol in a marked vehicle in Woodland, California. He observed a white Nissan being driven by Mr. Swisher. Cayce Webster was a passenger in the vehicle. As Officer Piercy turned to follow the Nissan, it accelerated through a stop sign without stopping. Officer Piercy activated his red lights and turned on the siren. The Nissan ran a red light at approximately 70 to 75 miles per hour. The Nissan continued on with Officer Piercy in pursuit at approximately 90 miles per hour. The speed limit was 25 miles per hour in the residential areas, and no more than 35 miles per hour in the other areas. Mr. Swisher ran another stop sign and three more red lights. Mr. Swisher finally stopped in front of his mother's house and got out of the Nissan. The entire incident lasted 9 minutes and covered approximately four miles. At the time of the incident, Mr. Swisher's driver's license was in revoked status and he was a Parolee at Large (PAL).

After serving prison sentences for crimes such mayhem (Penal Code § 203), infliction of corporal injury (Penal Code § 273.5), and hit-and-run causing injury (Vehicle Code § 20001), all crimes which created victims at the hands of Mr. Swisher, Mr. Swisher engages in the conduct described above where the risk of creating more victims was far too great. Mr. Swisher 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 safety of others by breaking the law in spectacular fashion.

As of the time of this letter, Mr. Swisher has not spent a period of more than five years free from prison custody since 1991. His life can only be described as a series of incarcerations interrupted by brief periods of release. And what we know for certain is that during those brief periods of release, Mr. Swisher has no regard for the safety of others, much less the law. With these facts in mind, it is difficult to comprehend how Mr. Swisher would be a suitable candidate for early release. His criminal record is abysmal and riddled with conviction after conviction after conviction. He has been to prison six times prior to this offense and continued to commit new serious offenses. With a proven track record of failing after he is released from prison and the offence at hand while he was a PAL, there is no reasonable reason to believe terminating his prison sentence early will suddenly make Mr. Swisher a law-abiding citizen. While Mr. Swisher's convictions in the case before the Board are not considered "serious" or "violent" as defined in the Penal Code, the conduct is nonetheless serious in the way that most reasonable people define it. There is nothing that can be argued to show that Mr. Swisher's conduct is anything less than a total disregard for human life. His actions show 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."

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. Swisher is that risk and he is a risk that we cannot be willing to take.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt De Moura", is written over a horizontal line. The signature is fluid and cursive.

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