



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

January 9, 2019

Attn: Nonviolent Parole Review Process
Board of Parole Hearings
Correspondence-NV
P.O. Box 4036
Sacramento, CA 95812-4036

RE: Thomas Lee Cook # BD8040

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of inmate Thomas Lee Cook # BD8040, and his suitability for early release. Given the nature of the offenses committed in Yolo County, Dissuading a Witness and Unauthorized Use of a Vehicle, Mr. Cook poses a current, unreasonable risk of significant criminal activity such that the Yolo County District Attorney's Office opposes his early release.

Current Yolo County Commitment Conduct Case

Case 17-303

On January 6, 2017, the victim, who was disabled and relied on the Inmate to help take care of her, gave the Inmate permission to take her vehicle to the store. The victim believed he would bring the vehicle right back. He did not return the vehicle and the victim did not hear from the Inmate, so she reported it stolen the next day. On January 13, 2017, officers saw the stolen vehicle in West Sacramento and stopped it. The Inmate was in the driver's seat. Inside the vehicle, officers found a syringe on the front driver's floorboard, and in a bag in the backseat they found two more syringes and a spoon with methamphetamine on it. The victim indicated she had not heard from nor seen the Inmate since she gave him permission to take her vehicle seven days earlier.

On a recorded line at the Yolo County Jail, while in custody for taking the vehicle without permission, the Inmate called the victim and spoke to her. The Inmate told the victim what to say in court and said, "They can threaten you with perjury....the worst, if they do that, is handcuff and release

you." The Inmate also told the victim, "you show up at trial and say, hey I made this shit up, same thing, or you just don't show up to trial, whatever, the charge goes away."

Cook's Criminal History

The Inmate's prior criminal history is riddled with multiple felony convictions, including two prior strike convictions, misdemeanor convictions, and several trips to prison. Inmate Cook was 48 years old at the time of this offense. As an adult, Inmate Cook garnered the following convictions:

1. Conviction for First Degree Burglary, a felony strike, on November 12, 1987, in Humboldt County. He was sentenced to 4 years in prison.
2. Conviction for Theft of a Vehicle, a felony, on May 19, 1994, in Yolo County. He received 16 months prison.
3. Conviction for Unlawful Taking of a Vessel, a misdemeanor, on August 23, 1995, in San Luis Obispo County. He received 90 days jail.
3. Conviction for Assault by Means of Force Likely to Produce Great Bodily Injury, with an enhancement for causing Great Bodily Injury, a felony strike, on October 15, 1996, in Yolo County. He was sentenced to 6 years prison.
4. Conviction for Possession of a Deadly or Dangerous Weapon, a felony, on July 12, 2006, in Placer County. He received 7 years prison.
5. Conviction for Possession of a Controlled Substance for Sale, a felony, on June 13, 2014, in Placer County. He received 32 months prison. On that same day, he was also convicted of Evading a Peace Officer, a misdemeanor, and received 365 days in jail.
6. Conviction for Driving Under the Influence of Drugs, Possession of Methamphetamine, misdemeanors, on November 16, 2015, in Yolo County. He received 3 years misdemeanor probation.

Conclusion

As the charges make clear, the inmate has multiple convictions involving theft and violence, including two prior strikes for First Degree Burglary and Assault Causing Great Bodily Injury, and now the instant offense is his third strike, Dissuading a Witness. Including the commitment offense, Inmate Cook has six prior felony convictions. Moreover, including the current commitment to prison, Inmate Cook has been to prison six times as an adult. The gaps in his criminal history are due to multiple and lengthy prison commitments.

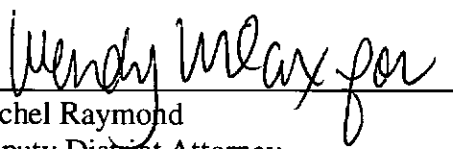
Inmate Cook poses a threat to the community. His criminal history, which began when he was 19 years old, shows that he cannot live a law abiding life. He has suffered numerous convictions and multiple new convictions for serious offense offenses. In the case which led to his most recent incarceration, he left a disabled woman without her vehicle and without support.

We do not have access to Inmate Cook's central file so I cannot comment as to his institutional behavior or positive programming. Inmate Cook was sentenced to 5 years 4 months prison for the current offenses. Given how Inmate Cook has only served 2 years of his sentence, it is unlikely that he's had the opportunity to complete successful programs to ensure he no longer poses an unreasonable risk of significant criminal activity to the community. He acknowledged to Probation that he has a problem with alcohol, drugs, and admitted that he did not complete a treatment program and quit after two and a half months. Inmate Cook has only been incarcerated for 7 months, therefore it is unlikely he has availed himself to any meaningful treatment programs to address his addictions. Furthermore, during his interview with Probation for sentencing, Inmate Cook maintained his innocence and claimed he was wrongfully convicted; therefore he has not accepted responsibility for his actions. His behavior outside of the institution demonstrates a clear indifference for the rule of law and not just the possibility, but the probability, that he will offend again. Inmate Cook now has three prior strike convictions; he is simply not an individual worthy of an early release.

Therefore the Yolo County District Attorney asks this Board to recognize that inmate Thomas Lee Cook continues to pose an unreasonable risk of significant criminal activity to the public and asks this Board not to release him before his sentence is concluded.

Thank you for your time in considering this matter.

Sincerely,



Rachel Raymond
Deputy District Attorney