



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

August 16, 2018

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

RE: Dunham, John CDCR #BC8618

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of Inmate Dunham, and his suitability for parole. Based upon his criminal history and the facts of his recent cases, the Inmate poses an unreasonable risk of violence to the community and should not be granted parole.

Current Yolo County Case 12F01130

On March 22, 2012, officers from the Yolo County Narcotics Task Force served multiple search warrants for Inmate Dunham. A uniformed officer was tasked to conduct a traffic stop on the vehicle of Inmate Dunham who had his co-defendant in the vehicle with him. As the uniformed officer initiated the traffic stop, Inmate Dunham pulled into a 76 gas station and drove through it at a low rate of speed. His passenger jumped out of the slow moving vehicle and went into the gas station store. Inmate Dunham continued out of the parking lot and was later detained a few blocks away. His passenger, and co-defendant, stashed the Kilogram of Methamphetamine they were carrying inside the store. This amount of Methamphetamine had a value of approximately \$16,000.00. It was recovered by officers after both Inmate Dunham and his co-defendant were detained. A search of his vehicle also revealed cutting agents, packaging material and almost \$3000.00 in US currency.

Inmate Dunham was placed under arrest and subsequently convicted of a violation of Health and Safety Code § 11379(a) transportation of Methamphetamine for Sale, a felony. He also admitted three prior sales convictions that added 9 years to his sentence as well as having been to prison previously for an additional one year. His total aggregate term was 14 years. All of this time was to be served locally.

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Additionally, seven years of that sentence was to be in custody and seven years of that sentence was to be served in the community on mandatory supervision.

Current Yolo County Case 17F00946

On February 10, 2017, Inmate Dunham was once again driving a vehicle with his co-defendant. An officer pulled his vehicle over as Inmate Dunham was having difficulty maintaining his lane. As the officer initiated the traffic stop, Inmate Dunham reached down toward his floorboard, grabbed a loaded .380 caliber handgun and handed it to his co-defendant. His co-defendant then threw the gun out of the vehicle. When the gun was recovered, a round was chambered and the hammer was pulled back. A search of the vehicle revealed two grams of heroin, a digital scale \$629 in cash and packaging material.

Inmate Dunham was placed under arrest and subsequently was convicted of Health and Safety Code § 11370.1, Possession of a Controlled Substance while Armed. He was sentenced to one third the middle base term of 3 years for a total of one year consecutive to the 14 years he was serving. His total aggregate term in CDCR was 15 years. To be clear, Inmate Dunham was serving a prison sentence on mandatory supervision when he committed this crime.

Dunham's Criminal History

1. 01/27/78	PC 245(a)	misdemeanor	Solano County
2. 04/11/78	PC 148	misdemeanor	Yolo County
3. 07/13/78	PC 496	misdemeanor	Yolo County
4. 07/19/79	PC 459	Felony	Yolo County
5. 10/26/79	VC23102	misdemeanor	Yolo County
6. 09/17/80	PC654m(b)	misdemeanor	Yolo County
7. 07/02/86	HS11350	Felony/3yr CDC	Yolo County
8. 10/19/86	PC4573.6	Felony/8mo CDC	Yolo County
9. 10/01/89	VC2800.2	Felony/2yr CDC	Yolo County
10. 04/25/90	HS11550	misdemeanor	Yolo County
11. 01/14/95	HS11379.6 x 2	Felony/9yr CDC	Yolo County
12. 01/08/00	HS11350	Felony/2yr CDC	Yolo County
13. 09/11/02	HS11383(c)(1)	Felony/15yr CDC	Yolo County
14. 12/13/11	VC23152(b)	misdemeanor	Yolo County

Inmate Dunham's criminal conduct demonstrates the unreasonable risk of public safety he poses to the community and his inability to follow directive of any conditions upon which he is released. His criminal history is filled with convictions for drug dealing and drug manufacturing large amounts of controlled substances. Inmate Dunham's criminal conduct demonstrates a failure to commit to rehabilitation. Since 1978 Inmate Dunham has been convicted of eight felonies, most of which are related to drug sales and drug manufacturing, along with a misdemeanor for battery/assault, resisting arrest and driving under the influence.

Latest Drug Manufacturing Offense Yolo County Case 02F05535

On February 19, 2002, a parole search of Inmate Dunham's house was conducted. Officers located eleven boxes of pseudoephedrine containing twenty 120mg tablets and one box containing thirty 130mg tablets. Also located was one gallon of muriatic acid, two gallons of denatured alcohol, one quart of acetone, buckets, funnels, plastic tubing, a heating mantel, aluminum foil and recipes for making methamphetamine.

Subsequently he was convicted at a jury trial of possession with intent to manufacture phencyclidine (PCP) or any of its analogs pursuant to Health and Safety Code § 11383(c).

Probation Performance

Inmate Dunham performance on parole has been less than satisfactory. Inmate Dunham's latest 2012 drug offense occurred while he was on parole for his 2002 drug offense and his 2017 offense occurred while he was STILL SERVING his prison commitment. Inmate Dunham has been unable to successfully complete parole in a given term. He has demonstrated that he continues to commit criminal acts and will continue to commit criminal acts if released.

We do not have access to Inmate Dunham's central file so I can not comment on his institutional behavior during his current commitment. However, Inmate Dunham has only been in custody a fraction of the time he was sentenced to serve. Even *if* Inmate Dunham's institutional behavior has been satisfactory, this period of satisfactory behavior is simply not enough time to assess him given the inmate's criminal behavior over a 40 year period of time.

Ten Months Ago the Board Found Unreasonable Risk of Violence

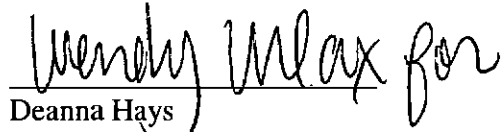
On October 17, 2017 the BPH determined that Inmate Dunham posed and unreasonable risk of violence. In evaluating the current commitment offenses the Board noted that the inmate's involvement in large-scale drug dealing, while on parole, multiple commitment offenses, and weapon possession point to a "*high risk of violent crime.*" (emphasis added.) The Board went on to say that these circumstances outweigh the fact that no violence occurred in these crimes. When evaluating the inmate's prior criminal history they stated that the extensive number of prior felonies the inmate has committed reveals a high probability for recidivism. While noting that the inmate had behaved appropriately while incarcerated, the Board also noted that the inmate had only been incarcerated for approximately five and a half months.

Conclusion

Inmate Dunham's criminal history, facts of the current case, and history under supervision by probation and parole officers are all evidence that the inmate poses a clear and unreasonable risk of public safety to the community if released. Inmate Dunham is a clear threat to society and the inmate should not be granted parole.

Thank you for your time in considering our opposition to his parole. Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Wendy Maxwell for". The signature is written in black ink and is positioned above a horizontal line.

Deanna Hays
Deputy District Attorney
Yolo County District Attorney's Office

Re: Dunham, John/ CDC #BC8618