



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

August 3, 2018

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

RE: LORRAIN, JAMES AV1399

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board a second time regarding the administrative review of inmate Lorrain, and his suitability for parole. While we wrote a letter last year opposing the inmate's release, and it was received on August 4, 2017, it does not appear as if that was considered in denying the inmate's parole. Based upon his criminal history and the facts of his recent case, the inmate poses an unreasonable risk to the community and should not be considered for parole. Inmate Lorrain was sentenced to a CDCR commitment of 16 years 4 months. He was convicted of felony violations of Health and Safety Code §§ 11379(a) – Transportation of Methamphetamine, 11378 – possession for sale of methamphetamine and 11366.8 – possession of a false compartment for the purpose of transporting a controlled substance. The inmate has less than 4 years on a sentence in which he was supposed to serve over 12 years.

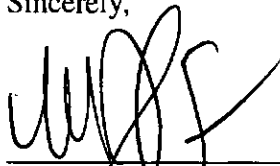
As this case has been previously reviewed by the Board, an in depth review of the facts will not be redone. However, I do ask that you consult the (attached) previous opposition letter dated August 3, 2017. In summary, on January 31, 2013, the defendant was found in Yolo County, along with a female companion. After being suspected of stealing personal items belonging to a third person, the defendant's truck was searched. Inside the truck, approximately 1.25 ounces of methamphetamine was found in a hidden compartment. A further search of the defendant's home in Solano County found additional evidence that he was engaged in the sale of methamphetamine.

The defendant's criminal history indicates that he continues to have little to no ability or desire to follow the law. The defendant's criminal history is an almost uninterrupted string of arrests, convictions and incarcerations dating back to 1986. Again, a detailed accounting of his criminal history is contained in the letter from August 3, 2017 and we would ask to incorporate those facts in this opposition. More specifically, he has numerous prior convictions, which include three prior prison terms for transporting, selling or possessing methamphetamine for sale, residential burglary in 1986, and no less than six convictions for possession of methamphetamine dating back to 1987. A detailed list of his crimes is included in the August 4, 2017 letter, which should be part of the file, as there was a read receipt indicating the letter was received last year. The inmate's past performance on supervised release, whether it be probation or parole is poor and shows that release this early into his prison term is premature.

Finally, we do not have access to the inmate Lorrains's central file so I can not comment on his institutional behavior during his current commitment. Inmate Lorrain's prior pattern of criminal behavior is indicative of someone who is simply not willing to comply with terms of supervision and demonstrative of an individual that lacks respect for the law. His criminal history and facts of the current case are evidence that the inmate poses a clear and unreasonable risk of violating the law to the community if released. Inmate Lorrain is a danger to society and 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,



Michael Vroman
Deputy District Attorney
Yolo County District Attorney's Office

ATTACHMENT



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JEFF W. REISIG, DISTRICT ATTORNEY

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RE: LORRAIN, JAMES TODD CDCR# AV1399

Dear Board of Parole Hearings,

Thank you for the opportunity to address the Board regarding the administrative review of Inmate Lorrain, 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 considered for parole.

Inmate Lorrain has not even served 3 years of a 16 year, 4 month prison sentence.

CURRENT YOLO COUNTY CASE 13-0456

On January 31, 2013, the victim observed Inmate Lorrain and a female standing outside of a storage unit. The storage unit was opened and as the victim walked by he observed property that had been stolen from his storage unit. The victim contacted the police.

Officers arrived on scene and detained Inmate Lorrain and the female. Two methamphetamine pipes were located in plain view. A truck registered to Inmate Lorrain was searched and 1.25 ounces of methamphetamine was located. The methamphetamine was packaged in a manner indicative of sales.

Inmate Lorrain's home was searched and another ounce of methamphetamine, packaging material, scales, and shotgun ammunition was located.

Inmate Lorrain was convicted of the following:

- a violation of Penal Code section 11379(a), Transporting Methamphetamine, and admitted three enhancements for having three separate prior drug convictions;
- a violation of Penal Code section 11378, Possession for Sale of Methamphetamine, and admitted three enhancements for having three separate prior drug convictions;
- a violation of Penal Code section 11366.8(a), Possession of a False Compartment Designed for Storing Controlled Substances,
- a violation of Health and Safety code 11364(a); and
- admitting being convicted of a prior strike offense.

LORRAIN'S CRIMINAL HISTORY

1. 7/16/86, Felony PC 459-1st, San Mateo County, 2 years probation, 180 days jail
2. 3/24/87, Misdemeanor HS 11377(a), Alameda County, 1 day jail, 1 year probation
3. 10/14/88, Misdemeanor PC 602(j), San Mateo County, 2 years probation, 2 days jail
4. 2/15/91, Misdemeanor HS 11550(a), San Mateo County, 2 years probation, 90 days jail
5. 2/15/91, Misdemeanor HS 11377(a), San Mateo County, 12 months probation, 180 days jail
6. 8/28/91, Felony HS 11379(a), San Mateo County, 2 years prison
7. 11/19/92, Felony HS 11377(a), San Mateo County, 16 months prison
8. 7/14/94, Felony HS 11378(a), San Mateo County, 32 months prison
9. 6/26/96, Misdemeanor PC 602(L), San Mateo County, 30 days jail
10. 12/3/97, Felony HS 11377(a), San Mateo County, 3 years probation, 1 year jail
11. 8/18/03, Misdemeanor HS 11377(a), San Mateo County, Fine
12. 6/19/03, Misdemeanor HS 11377(a) and HS 11550(a), San Mateo County, 2 years probation, Fine
13. 4/28/04, Felony HS 11379(a), San Mateo County, 6 years prison

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Inmate Lorrain's criminal conduct shows the unreasonable risk of violence he poses to the community and his inability to comply with probation or parole conditions. Inmate Lorrain began committing crimes in 1986. Since that time, he has had brief periods in which he has remained free from crimes and incarceration, however, he always returns to a criminal lifestyle. His continued criminal conduct shows a clear lack of desire or ability to rehabilitate.


LORRAIN'S PROBATION AND PAROLE PERFORMANCE

Inmate Lorrain has not performed well on probation or parole. Inmate Lorrain has consistently violated both probation and parole by picking up new law violations. He clearly cannot comply with the directives of probation or parole.

We are not privy to the inmate's central file therefore we are unaware of what progress he has made towards meaningfully addressing his obvious addiction issues. Given that he is barely into his lengthy prison commitment, it is doubtful that the inmate has made the progress necessary towards rehabilitation. Absent a display of sustained progress while in prison and demonstration to the board that he is not a threat to society, the inmate should not be granted parole.

Thank you for your time in considering this matter.

Sincerely,



Melinda Aiello
Asst. Chief Deputy District Attorney
Yolo County District Attorney's Office

RE: LORRAIN, JAMES TODD CDCR# AV1399