



COUNTY OF FRESNO

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District Attorney

NEWS RELEASE

FOR IMMEDIATE RELEASE
January 29, 2018

PAROLE BOARD GRANTS EARLY PRISON RELEASE TO CAREER CAR THIEF

Today, January 29, 2018, the Fresno County District Attorney's Office received notice of another inmate granted early release by the Board of Parole Hearings (BPH) pursuant to Proposition 57, over the objections of this office.

RAYMOND MORENO is currently serving a sentence that was imposed on August 29, 2016, for felony convictions for Vehicle Theft with a Prior Conviction and Receiving a Stolen Vehicle with a Prior Conviction. That case was investigated by a Fresno County Sheriff's Deputy assigned to the Fresno County HEAT (Help Eliminate Auto Theft) Team. Mr. Moreno is also currently serving a concurrent prison sentence from Kings County for another felony conviction for Vehicle Theft.

With a criminal history spanning over thirty (30) years, Mr. Moreno has previously been convicted of the felonies of Carjacking, Vehicle Theft (seven times), Attempted Vehicle Theft, Receiving Stolen Property (three times), Assault with a Deadly Weapon, Burglary, Escape from Jail, as well as Evading a Peace Officer-Reckless Driving in Fresno, Tulare, Kings, and San Diego counties.

In spite of these most recent convictions being his 14th and 15th adult felony convictions, his having a prior serious felony "Strike" conviction, as well as his having six (6) previous prison commitments, and over the objection of the D.A.'s Office, the court sentenced the defendant to only 5 years in prison pursuant to a judicial "indicated" sentence. The maximum sentence that the defendant could have received in that case was fourteen (14) years in prison. At the time of sentencing, the Probation Department assessed the risk that the defendant posed as being "High Violent," and noted that the defendant was on Mandatory Supervised Release (AB 109 Release) from Tulare County and had been out of contact with authorities.

In this current release decision, BPH Deputy Commissioner Guerrero made the following statements:

- 1) “[T]he current crimes are found to be a mitigating (*make less serious*) risk factor”;
- 2) The inmate was most recently “released to PRCS (Post-Release Community Supervision-AB 109) on 10/18/12” (*failing to note that the inmate’s most recent felony Vehicle Theft conviction was in 2014, and was after serving a prison term in the Tulare County jail (under AB 109) and was released on Mandatory Supervised Release*); and
- 3) “[T]he inmate does not pose an unreasonable risk of violence to the community.”

Deputy Commissioner Guerrero also failed to note Mr. Moreno’s prior misdemeanor convictions for Escape from Jail, Possession of a Switchblade Knife, and Receiving Stolen Property.

To date, the BPH has granted early release to 25 prison inmates from Fresno County pursuant to Proposition 57, and many more early releases are expected. Inmates that are denied early release under Proposition 57 remain eligible for consideration for early release annually.

Under the terms of regulations adopted by the California Department of Corrections & Rehabilitation (CDCR), the inmate has the right to appeal the denial an early release decision, but the District Attorney’s Office cannot appeal what it opines is an improper release. The BPH will only notify crime victims of possible early release if they have registered with the CDCR Office of Victim & Survivor Rights & Services. Additionally, CDCR refuses to allow prosecutors to review the prison file of an inmate who is being considered for early release.

District Attorney Lisa Smittcamp joined other elected District Attorneys and law enforcement officials around the state in strongly campaigning against Proposition 57. The voters of Fresno County voted against the “Public Safety and Rehabilitation Act of 2016,” but the measure did pass statewide.

A coalition of crime victims, business owners, public safety leaders, and law enforcement are currently working to correct some of the worst abuses of AB 109, Proposition 47, and Proposition 57 by passing the “Reducing Crime and Keeping California Safe Act of 2018.” The proposed Act would:

- 1) Reform the parole system so that violent felons are not released early from prison, and would strengthen the oversight of, and tighten the penalties for, violations of Post Release Community Supervision;
- 2) Reform theft laws to restore accountability for serial thieves and organized theft rings; and
- 3) Expand DNA collection from persons convicted of drug, theft, and domestic violence related crimes to help solve violent crimes and exonerate the innocent.

The media may e-mail FCDAMedia@co.fresno.ca.us or contact Administrative Assistant Leslie Gillespie at (559)600-4442 with questions.

[2016AT2375]