



Sacramento County District Attorney's Office

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Attn: Non-Violent Second Striker
Board of Parole Hearings
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August 6, 2015

RE: **BRACY, Nathan Wyley**: CDC # F-76332/P-82019

Please allow this letter to serve as a response in opposition to the potential early release of inmate BRACY. Although the People have no information with respect to the viability of the inmate's potential parole plans, he nonetheless has amply demonstrated that he is not suitable for parole in the immediate future.

Inmate BRACY is a 45-year-old second term, received in the CDC from Sacramento County on June 13, 2007 for the controlling term of two counts of Residential Burglary (PC 459 1rst). BRACY is also serving a subordinate and consecutive term out of Yolo County. The aggregate term imposed from both counties was 14 years and eight months.

A review of Inmate BRACY'S criminal history reveals a lengthy pattern of criminal conduct beginning at age 19 when he was arrested for Burglary, for which he was later convicted. His criminal career includes: arrests and convictions for Possession of a Controlled substance, multiple convictions for Burglary in the First Degree, being Under the Influence of a Controlled Substance, Commercial Burglary, Grand Theft, Driving While Under the Influence, Driving with a Suspended License, Assault, Criminal Mischief and Domestic Violence.

Early on, inmate BRACY was extended a degree of leniency from the Courts as manifested in his multiple grants of probation; however, despite these opportunities to change his criminal behavior, despite his promises to the court and to his probation officers, BRACY accelerated and expanded his unlawful pattern of victimization involving multiple counties and at least two states. There also appears to be an Arrest Warrant currently held in abeyance from Weld County, Colorado (Warrant # CR000597) for a yet to be adjudicated criminal matter involving: Burglary, Failure to Appear, and Contempt of Court (C-File CDCR-3017 dated: 01/15/2015).

While in custody of the CDCR, inmate BRACY has been assessed a SHU term for Participating in a Riot (CDC RVR: 10-04-017) and was also found "Guilty" in a separate incident of Participating in a Melee (CDC RVR: C1-09-05-086) and Refusing to Stand for Count (CDC RVR V1-08-08-0003). Inmate BRACY has also suffered (4) BCL (Behavior Credit Loss) actions against him during his second term. Further, the inmate's own self-professed issue, which, according to him, is the main cause behind his continuing criminality, is methamphetamine abuse. A review of his records reveals no self-help programming in that regard nor any NA/AA meetings (or their functional institutional equivalent).

Finally, an examination of the probation report generated for his latest incarceration reflects a court ordered restitution payment due to Sharad S. (PSR: Sacramento Superior Court Felony Docket # 06F06338/05F08311, page 14, item # 4) in the amount of \$4,521.00. A check with the Accounting

Department at the institution revealed that the restitution order was negligently omitted from the inmate's account. According to the Accounting Department, that issue will be re-referred to Case Records Management for the purpose of imposing the court-ordered victim restitution obligation. Inmate BRACY was made aware of this obligation as he was provided with a copy of the pre-sentence report which he had reviewed with his lawyer prior to the imposition of sentencing. This fact is known to me as I was the prosecutor that was personally present in court when inmate BRACY'S state prison sentence was imposed.

For the reasons stated herein, and before inmate BRACY has the opportunity to return to his antisocial recidivistic lifestyle, the People respectfully petition the Board to reject an early parole date and instead ask that the inmate be required to serve the balance of his term as envisioned by the voters of this State.

Respectfully,

Robert E. Clancey
Deputy District Attorney