



Sacramento County District Attorney's Office

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Non-Violent Second Striker Board of Parole Hearings
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Re: Herbert Arnell; CDC# AN2321

“If you don’t tell me where you’re going, I’ll go from house to house and shoot everyone until I find you.” This is one of the voice messages Herbert Arnell left on [REDACTED] phone after she sought a restraining order against him in 2005. Inmate Arnell further told [REDACTED] he would sneak up on her when she was alone and kill her. Arnell was so obsessed with finding [REDACTED] that he began to terrorize her friends in an effort to find her. Specifically, he drove to [REDACTED] friend’s house and lit their boat on fire. The boat was parked in the driveway, and the [REDACTED] friend, her husband, and two children were in the house at the time. After lighting the boat on fire, Arnell called [REDACTED] and stated, “I just burned up your friend’s boat and now I’ll burn their house.” Arnell was sentenced to eight years in state prison for these offenses and was on parole for these offenses when he committed the “smash and grab” burglaries in the current case.

Inmate Herbert Arnell has made a career of victimizing others. He has been a scourge on this community [REDACTED] Burglary (numerous instances), [REDACTED] narcotics possession, receipt of stolen property, [REDACTED], domestic violence, stalking, and making terrorist threats form the basis of his time spent in and out of county jail and prison. Arnell has proven time and again that he cannot become a productive member of society. Make no mistake, Arnell will re-offend and continue to victimize members of this community once he is released from prison custody.

Although technically Inmate Arnell may be a “non-violent” second striker, it is a legal fiction to consider him so. [REDACTED]

[REDACTED] Arnell’s violent tendencies escalated to acts of domestic violence, stalking, and making terrorist threats. Interspersed between his violent offenses, Arnell [REDACTED] committed seven “smash and grab” burglaries on local businesses (not counting the “smash and grab” burglaries in the current case); he committed a non-injury hit and run when he was high on methamphetamine; and he has violated his parole six times.

The current “smash and grab” burglaries of Fashion Cleaners and Papa Murphy’s mirror his prior “smash and grab” burglaries of Mr. Pickle Sandwich Shop, Do-nut Happy, Berco Redwood, Kwic Check Foods, and Great Clips. In these burglaries, Arnell (sometimes with an accomplice) smashed in the glass doors and/or windows of these businesses and ripped out the cash registers, taking whatever cash was inside. In the current case, Arnell testified at trial and denied committing the burglaries – in spite of the fact he was caught on video and easily recognizable. Inmate Arnell is a serial burglar who absolutely refuses to stop victimizing others, and he has proven a miserable failure on parole.

Allowing Herbert Arnell early release does nothing but guarantee more victims, more quickly. Inmate Arnell has picked up either a substantive offense or violated his parole in [REDACTED] [REDACTED] 1990, 1991, 1992, 1993, 1995, 1997, 2000, 2003, and 2005. Arnell also has four prior prison commitments. Most of the gaps in Arnell’s criminal history are due to him being in custody and thus unable to commit more crimes until his release. Herbert Arnell has earned every bit of custody time possible. Accordingly, the Sacramento County District Attorney’s Office strongly opposes Herbert Arnell’s early release from state prison.

Respectfully,

Maria Wilson
Deputy District Attorney
Sacramento County District Attorney’s Office