



Sacramento County District Attorney's Office

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July 7, 2016

Non-Violent Second Striker Board of Parole Hearings
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Re: Jimmy Lee Stewart, CDCR #F27765

Jimmy Lee Stewart has a long criminal history and should not be considered for early release. He has shown an absolute disregard for the sanctity of other peoples' homes and/or property throughout his life. Stewart has had numerous chances to reform himself, but has never availed himself to such an opportunity and has never lived as a law abiding citizen for very long.

Stewart's criminal history began in January, 1972 when he was sentenced to six months in jail for stealing a car. Almost immediately after his release, Mr. Stewart stole another car and was sentenced to 1 year in jail. In 1975, Stewart and an accomplice committed a robbery while armed with a gun. They entered a market and stole money from the register and a handgun from behind the counter. Stewart was sentenced to six months to life in prison, but was paroled after serving three years, in 1978. Stewart was convicted of a petty theft shortly after his release and of being a felon in possession of a loaded firearm in 1979.

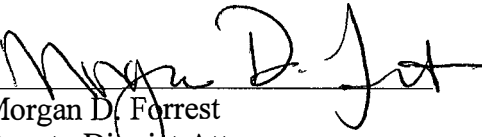
In 1984, Stewart committed six separate first degree burglaries. In all six occasions, Stewart forced his way into a person's home by breaking or removing a window. He stole electronic equipment, jewelry and other personal possessions. Stewart was convicted by jury of all six burglaries and six counts of receiving stolen property. He was sentenced to 12 years, 8 months in state prison. Stewart was paroled six years later and returned to his criminal behavior. He was convicted of petty theft in 1992 and giving false identity to a police officer/ possession of drug paraphernalia in 1993. In March of 1993, Stewart committed yet another first degree burglary. While he was in the custody of the Sacramento County Sheriff's Department, he briefly escaped during an outside medical appointment. He was convicted of the burglary and the escape and sentenced to 14 years, 8 months state prison. While on parole from this sentence, Stewart sustained five separate parole violations, including a theft conviction, and was returned to prison custody.

Stewart was discharged from parole on April 12, 2005. Less than a month later, on May 3, 2005, Stewart entered the victim's home and stole a computer, bicycle and cash. He was located in the area with the victim's property and identified by witnesses who observed him leaving the victim's home. He was convicted by a jury of committing his eighth first degree burglary. In his post-conviction interview, Stewart refused to admit his crime, and instead stated that he "was in

the wrong place at the wrong time.” Stewart has currently served 12 years of his 27 year sentence.

Stewart has repeatedly received the benefits of the parole system and early release. However, he has never used such an opportunity to rehabilitate himself or to live within the laws of his community. Rather, he continues his life as a serial first degree burglar by forcing himself into other people’s homes and stealing from his victims. Stewart should not be considered for early release because of his persistent criminal conduct. Stewart remains a danger to his community and as such, the People oppose his early release.

Respectfully,


Morgan D. Forrest
Deputy District Attorney
Sacramento County District Attorney’s Office