



Sacramento County District Attorney's Office

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“Non-Violent Second-Striker” Early Prison Releases: JUNE 2017 Update

In January 2015, the Department of Corrections and Rehabilitation (CDCR) began a new parole determination process, evaluating “non-violent second-strikers” for early parole. If early release is granted, they are released after serving only 50% of their sentences. Under existing law, they would otherwise have to serve 80% of their sentences before being eligible for parole.

Upon receipt of inmate names from CDCR with a recommendation for release, the Board of Parole Hearings [BPH] conducts an administrative review to determine if the inmate should be released early from prison as a ‘non-violent second-striker.’ BPH forwards the names of these eligible inmates to District Attorneys’ offices and invites input in making their determination about the inmate’s potential early release. Unlike parole hearings, where the prosecution, defense attorney and victim may appear, there is no public hearing for these administrative reviews. Rather, the decision is made purely by CDCR administrative staff. Additionally, prior to consideration for early release, no evidence-based “risk assessment” is conducted to determine if the inmate poses a danger to the public.

The Sacramento County District Attorney’s Office takes an active role in evaluating these cases and writes letters to the Board with an overview of the inmate’s criminal history and current commitment offense, an opinion regarding the public safety risk posed by the inmate, and the appropriateness of an offender’s early release. The Board determines whether an offender would pose an unreasonable risk to public safety based on their prior criminal history, facts behind their current commitment offense, behavior in prison, rehabilitation efforts, whether the inmate has any medical condition which might affect his ability to re-offend, and written statements.

In November 2015, the Sacramento County DA’s Office began posting on its website information about “non-violent second-strike” offenders who have been granted early release from prison.

As of June 30, 2017, 242 inmates sentenced from Sacramento County have been granted early prison releases. Given the number of violent offenders who continue to be granted early release, DA Anne Marie Schubert began monthly updates to provide the public with a sampling of the noteworthy criminals who appear to pose a risk to public safety, but are being granted early release into our community as ‘non-violent second-strikers.’

In the month of June, inmates granted early prison release include:

James Lee Blake (Case #15F04732) – Blake has three prior strike convictions for residential burglary in 1997 and 1998. In 2006, he was found to be in possession of ammunition and was convicted of being a felon in possession of ammunition. In 2007, officers attempted to stop Blake, who was driving a stolen vehicle. Blake initially pulled over, but then sped away while throwing drug paraphernalia from the vehicle. Blake led officers on a dangerous chase, where he reached speeds up to 110 mph while driving on rural roads, freeways and streets. Throughout the chase, Blake crossed lanes of traffic and drove on the wrong side of roads, forcing other motorists and two semi-trucks to take evasive action

to avoid a collision. After avoiding two tack strip attempts, Blake ran over the third tack strip deployed, causing his rear tire to go flat. He continued to drive until he lost control of the vehicle and drove into a drainage ditch. Blake left the vehicle and was eventually apprehended with the aid of a K-9. Blake was convicted and sentenced as a 'three-striker' for evading an officer with willful disregard and resisting arrest. He was sentenced to 25 year to life in prison for this crimes series. In 2013, Blake petitioned for early release under Proposition 36. After his 25 years to life sentence was reduced to 6 years, Blake was released in October 2013 to Sacramento County on Post Release Community Supervision (PRCS). He was soon released from PRCS in October 2014. In July 2015, Blake used a fraudulent cashier's check for \$3,800 to 'buy' a motorcycle on Craigslist. Blake was identified as the culprit, and he is currently serving a sentence for vehicle theft. A few days before he was caught for the theft, he was cited for possession of methamphetamine.

Opposition Letter

The Early Prison Releases webpage can be found at [www.sacda.org/early prison releases](http://www.sacda.org/early_prison_releases).