



Sacramento County District Attorney's Office

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February 5, 2019

Non Violent Parole Review Process
Board of Parole Hearings
Correspondence – NV
P.O. Box 4036
Sacramento, CA 95812-4036

Re: Luna, Julio CDC # AY6648 Court Docket: 15F01091

Inmate Luna is a well-established, violent felon and should not be paroled. The circumstances surrounding his current conviction and his prior criminal record show that he poses an unreasonable risk of violence to the community.

In the present case inmate Luna was convicted of violations of Penal Code section 530.5 and 2800.2. The underlying conduct was even more serious than the charges may suggest. Inmate Luna and a companion went into the Kohl's jewelry department and tried to buy six Best Buy gift cards with a fraudulent credit card. When employees attempted to detain inmate Luna, he pulled out a knife. Afraid, the employees let inmate Luna leave but documented his license plate number. When officers located inmate Luna in his vehicle, he fled. In the process of the evasion he ran three red lights, several stop signs, and ran into a curb. He even continued his evasion after his vehicle got a flat tire, and officers had to use a PIT maneuver multiple times before they could eventually detain inmate Luna. During this aggravated course of conduct, inmate Luna specifically endangered the Kohl's employees, other drivers, and the pursuing officers.

Inmate Luna's prior strike is a violation of Penal Code section 245(a)(2) from 1993. According to report SSD-92-081855, inmate Luna and some of his companions got into an argument with the victim. Inmate Luna's companion retrieved a gun and handed it to inmate Luna. Inmate Luna shot the victim in the neck at close range. The bullet lodged in the victim's spinal cord resulting in paralysis. The violence of the conduct and the seriousness of the resulting injuries make this a highly aggravated crime.

Inmate Luna has had numerous prison commitments since his prior strike. One probation report in 2010 observed that at that point he had been "paroled nine times and has returned to custody on nine separate occasions due to violations and new commitments." Since that report, he has continued to spend more time in prison than out of prison. Moreover, his record shows a diversity of crimes: assault with a firearm, making criminal threats, felony evasion from police, various kinds of theft and larceny, illegal gun and ammunition possession, and domestic violence. Quite simply, his record proves that he is not amenable to rehabilitation or out of custody supervision.

Given all of this, it is no wonder that when he applied for early release last year the Board denied inmate Luna's request.

As we are given 30 days to respond, and we are not provided with any disciplinary history or any other information aside from the one page notice of parole review, I cannot comment on inmate Luna's prison conduct. However, from the record that is available it is clear that inmate Luna should not be released as he poses a significant, unreasonable risk of violence to the community. Parole should be denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Courtney Martin', with a long horizontal flourish extending to the right.

Courtney Martin
Deputy District Attorney
Sacramento County District Attorney's Office