



Sacramento County District Attorney's Office

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Non-Violent Second Striker Board of Parole Hearings
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RE: Eberhart, John; CDCR# F06358

February 24, 2015

Thank you for this opportunity to address the Board regarding the Board's administrative review of Inmate John Eberhart and his suitability for early release.

Inmate Eberhart was sentenced under a plea bargain in our county. In 2003 he went on a residential burglary crime spree. He was charged with twelve residential burglaries or attempted residential burglaries. On a couple of occasions victims were home. As part of the agreement the defendant pled to four counts of residential burglary with a Harvey waiver for restitution purposes for all remaining victims.

In one of the four counts the defendant pled to, Count 2, the victim Joe [REDACTED] was home. Mr. [REDACTED] heard loud thumping noises in his living room. The victim went to his living room where he found the defendant. Although the victim was home at the time, the People agreed to dismiss the allegation under PC 667.5(c)(21) as part of the plea bargain. This was because the defendant was agreeing to a state prison sentence of 21 years of which 80% would be served.

A review of the defendant's criminal history prior to the string of residential burglaries in 2003 shows a criminal pattern spanning 15 years. His convictions include resisting arrest, vandalism, altering a firearm, assault with a deadly weapon, possession of narcotics, theft, and another first degree burglary.

The defendant has another CDC Number. In 1998 he was committed to state prison. He was paroled November 28, 1998. He incurred five violations of parole and was discharged on December 3, 2002.

Given Inmate Eberhart's long and dangerous criminal history, the Sacramento County District Attorney's Office requests that the Board find that Inmate Eberhart is not an appropriate candidate for early release.

Respectfully,

Kimberly Macy
Deputy District Attorney
Sacramento County District Attorney's Office