



Sacramento County District Attorney's Office

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Non Violent Parole Review Process
Board of Parole Hearings
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RE: Piert, Eugene Alex CDC # AV-6744 Court Docket: 10F05344

Inmate Piert is a career criminal with a long history of theft crimes and should not be paroled. The circumstances surrounding his current conviction and his prior criminal record show that he poses an unreasonable risk to the community.

Inmate Piert, is currently serving a sentence of 22 years, 4 months for committing 3 first degree burglaries. On May 22, 2010, Inmate Piert committed a first degree burglary of J [REDACTED]'s residence. During the commission of this crime, Piert took over one thousand dollars-worth of the victim's property, including four handguns and ammunition. When notified of Inmate Piert's consideration for early parole, J [REDACTED] stated that he is opposed to early release.

On July 21, 2010, Inmate Piert burglarized V [REDACTED]'s home. During the commission of the crime, Inmate Piert took property belonging to the victim totaling over one thousand dollars. Inmate Piert's DNA was identified through an analysis of blood left at the crime scene.

On January 15, 2011, Inmate Piert stole over six thousand dollars-worth of property from C [REDACTED]'s home. Inmate Piert was identified as a likely suspect by his DNA being located inside of the residence on a piece of gum. When notified of Inmate Piert's consideration for early parole, C [REDACTED] stated that he is opposed to early release.

Inmate Piert has engaged in serious and consistent criminal activity. [REDACTED]

[REDACTED] the defendant began a spree of first degree burglaries that continued until his arrest in 2011.

[REDACTED]

On September 17, 1988, a victim's home was burglarized. Jewelry and two cars were stolen. Inmate Piert's fingerprint was located in one of the stolen vehicles, and Inmate Piert entered a plea to this Vehicle Code Section 10851 violation on August 24, 1989.

Inmate Piert committed an additional residential burglary on October 10, 1988. In that case, the defendant entered the victim's home and stole jewelry, checks, and the victim's car. Inmate Piert pled no contest to this offense on August 24, 1989.

On October 30, 1988, a victim's home was burglarized. Jewelry, numerous electronics, and a car belonging to the victim were stolen during the commission of the burglary. On that same date, the victim's stolen car was involved in the burglary of another residence. In the second burglary, jewelry and a .45 caliber handgun were stolen. A witness identified Inmate Piert leaving the scene of the second burglary in the stolen car. Inmate Piert pled no contest to this offense on August 24, 1989. It should be noted the defendant also entered a *Harvey* waiver with respect to the first burglary on that date.

On November 1, 1988, Inmate Piert committed another burglary. In that case, the victim's home was broken into, ransacked, and items of property were taken. While Inmate Piert did not plead guilty to this offense, he did enter a *Harvey* waiver and agree to pay the victims of the offense restitution.

In relation to all the burglaries that occurred in September, October, and November of 1988, Inmate Piert was responsible for over \$18,000 worth of damage and lost property [REDACTED]. Although he only entered pleas related to two burglaries, it is relevant to note that he admitted responsibility for five separate burglaries and was sentenced to state prison to serve a term of 6 years.

Inmate Piert was released on April 20, 1992 and placed on parole. Within one year and while still on parole, on April 15, 1993, Inmate Piert was contacted driving a stolen Corvette. The Corvette and items found in the car had been stolen in a residential burglary occurring on the same date Inmate Piert was contacted in possession of the vehicle. Inmate Piert entered pleas of no contest to violations of Penal Code Section 496 and Vehicle Code Section 10851 and admitted a one-year prison prior pursuant to Penal Code 667.5(b). He was sentenced to serve an aggregate term of 4 years and 8 months in state prison.

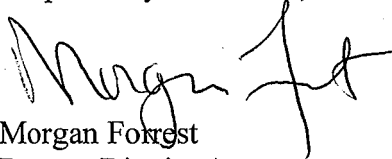
After serving a portion of this prison sentence, Inmate Piert was released from custody and placed on parole on August 3, 1995. In March of 1996, Sacramento Police detectives received information that a known parolee was committing burglaries and selling the property to local pawn shops. An investigation into the matter revealed that Inmate Piert had pawned property related to four recent residential burglaries. In Sacramento County Superior Court Docket No. 96F02586, Inmate Piert was charged with five counts of Penal Code Section 496. The two prior first degree burglaries were both alleged as prior strikes, and the District Attorney's Office pursued a sentence of 25 years to life in prison. On January 1, 1997, the Honorable Judge Tochtermann allowed Inmate Piert to enter a plea to all the alleged charges, took admissions as two both prior convictions, but found it was in the interest of justice to dismiss one of the strike allegations, agreeing to sentence Inmate Piert to 13 years and 4 months in prison.

On October 13, 2006, Inmate Piert was released from state prison and placed on parole. Despite receiving a generous second-chance to avoid a life sentence by Judge Tochtermann in 1997, Inmate Piert did not turn his life around. On April 10, 2009, Inmate Piert was pulled over and determined to be driving a motor vehicle with a blood alcohol level of .11. Notably, Inmate Piert told the arresting CHP officer, "I was not drinking." Inmate Piert was convicted of a Vehicle Code Section 23152(b) violation on May 20, 2009, and placed on three years informal probation. Following his conviction for this driving under the influence offense, Inmate Piert was discharged from parole supervision on October 7, 2009, remaining only on informal probation. Eight months removed from his parole discharge and while serving out the conditions of his informal probation, Mr. Piert committed the burglary at J [REDACTED]'s home.

Inmate Piert has spent his adult life in a revolving door of criminal conduct and time spent in custody. While on probation or parole Inmate Piert continued to engage in serious criminal activity. He has served three separate terms in state prison totaling more than 20 years. Inmate Piert's criminal behavior has never abated and he continued to victimize innocent people. Residential burglaries are especially dangerous crimes and invade the sanctity of a person's home. In the burglary at J [REDACTED]'s home, Inmate Piert pried open a gun safe and stole at least four firearms. Putting more illegal guns on the street puts everyone at risk. Inmate Piert has not availed himself to the many opportunities he has had on probation and/or parole.

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 Piert's prison conduct. However, from the available record, it is clear Inmate Piert should not be released as he poses a significant, unreasonable risk to the community. Parole should be denied.

Respectfully Submitted,



Morgan Forrest
Deputy District Attorney
Sacramento County District Attorney's Office