



# Sacramento County District Attorney's Office

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## Early Prison Releases: JANUARY 2018 Update

In January 2015, the Department of Corrections and Rehabilitation began a new parole determination process after a federal court ordered California to reduce prison overcrowding. As a result, inmates characterized as “nonviolent second-strikers” (NVSS) became eligible for early parole. In November 2016, Proposition 57 was then passed with the promise that “nonviolent” inmates who “turn their lives around” in prison could also earn early parole under a new “nonviolent parole review” (NVPR).

Qualifying NVSS and NVPR inmates must not currently be serving a sentence for a crime legally categorized as a violent felony and must not be required to register as sex offenders. NVSS inmates must have served (or be within 12 months of serving) only 50 percent of their sentence, while NVPR inmates may be paroled after serving the base term for the principal offense and may earn additional conduct credits.

The Board of Prison Hearings (BPH) determines whether NVSS or NVPR offenders would pose an unreasonable risk of violence to the community based on a paper review of prior criminal history, facts of the current commitment offense, behavior in prison, rehabilitation efforts, whether the inmate has any medical condition which might affect the ability to re-offend, and written statements.

Unlike parole hearings - where the prosecution, defense attorney, and victim may appear - there is no public hearing for these BPH administrative reviews. Additionally, no evidence-based risk assessment is conducted prior to consideration of early release to indicate an inmate's safety risk.

The Sacramento County District Attorney's Office takes an active role in evaluating NVSS and NVPR cases. For inmates who appear to pose a danger to the public, the office writes opposition letters to BPH with an overview of the inmate's criminal history and current commitment offense, and an opinion on the public safety risk if an inmate is granted early release. NVPR cases are especially concerning since prosecutors are denied access to records of the inmate's behavior behind bars, which is critical to rehabilitation, and do not have a right to appeal an early parole decision.

**Many of the offenders who are granted early prison release have violent and lengthy criminal histories.** District Attorney Anne Marie Schubert feels it is important for the public to be aware of the so-called “nonviolent” offenders being released early from prison into our neighborhoods.

As of **January 31, 2018**, **315** inmates sentenced from Sacramento County have been granted early prison release. Information about some of these inmates can be found on the Early Prison Releases webpage at [www.sacda.org/early-prison-releases](http://www.sacda.org/early-prison-releases). Monthly press releases are issued to provide the public with a sampling of recent noteworthy offenders, including:

**Alfredo Casillas (Case #93F01877)** – In 1988, Casillas was convicted of second-degree murder with the use of firearm enhancement. He received a sentence of 16 years to life in prison for this murder. While in prison, he continued his violent conduct. In 1992, Casillas and another inmate attacked a third inmate in the yard at Folsom Prison. They used inmate-manufactured knives to slash the victim multiple times. The victim suffered four slash wounds, one to the back of the neck, one to the left shoulder, one to the nose, and a 9-inch cut to the stomach. Casillas was convicted of assault with force likely to cause great bodily injury. He was sentenced to 7

years in prison consecutive to the 16 years to life sentence he was already serving for murder. In 1995, Casillas was convicted of being a prisoner in possession of a weapon. Casillas' murder conviction and criminal record demonstrate his propensity for violence. The Board of Prison Hearings found this inmate to be a nonviolent offender who does not pose an unreasonable risk of violence to the community. [Opposition Letter](#)

**Joseph Holyfield (Case #11F04348)** – In his current commitment offense, Holyfield consumed excessive amounts of alcohol before choosing to drive his wife's BMW. Holyfield ran a red light at more than 65 mph when he collided with another car, which then collided with two other cars. In total, four cars and six people were involved. Holyfield left the scene on foot without checking on the welfare of any of the people he had injured. The victims (one of which was only 13 years old) were transported by ambulance to a hospital with deep lacerations, neck and back injuries, bruises, and contusions. Holyfield later threatened to kill his wife if she did not call the police to report the BMW had been stolen. He then told his insurance company the car was stolen, which delayed the financial recovery of the injured parties. Holyfield was arraigned in July 2011, but fled to the Caribbean in November. The FBI contacted local authorities, but they would not deport him. At the end of 2012, the St. Martin authorities informed the FBI that Holyfield had been kicked out of their country due to his alcohol and drug-fueled behavior, and that he was on a plane to Puerto Rico. The FBI took Holyfield into custody at the San Juan airport. In 2013, Holyfield was convicted of hit and run with death or injury, driving under the influence of alcohol or drugs with injury, felony insurance fraud and false report of a criminal offense. He was sentenced to 13 years and 8 months in state prison. Holyfield has lived a life of crime with 10 prior felony convictions and 12 misdemeanor convictions for crimes including attempted robbery, spousal abuse, burglary, auto theft, possession of narcotics, grand theft, violating a protective order and resisting arrest as well as multiple probation violations. The Board of Prison Hearings found this inmate to be a nonviolent offender who does not pose an unreasonable risk of violence to the community. [Opposition Letter](#)