

Early Prison Releases: February 2018 Update



Sacramento County District Attorney's Office

Semper Justitia

As of February 28, 2018, 320 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 sacda.org/early-prison-releases. Monthly press releases are issued to provide the public with a sampling of recent noteworthy offenders, including:

Gross Vehicular Manslaughter (DUI), Repeat Drug Offender (Isaac Solis – Case #16FE001617) – In 2005, Solis pled guilty to felony gross vehicular manslaughter while intoxicated, a strike offense. He also pled to felony charges of driving under the influence causing injury and driving a stolen vehicle. In this case, Solis was driving a stolen pick-up truck while under the influence of methamphetamine. Solis lost control of the truck, struck a curb and crossed the center divide into oncoming traffic, which caused a head-on collision with a vehicle driven by 25-year-old Mattie Wilson. Ms. Wilson was pronounced dead at the scene. Solis was sentenced to 11 years, 4 months in state prison for causing Ms. Wilson's death. Despite the fatal consequence of his past unlawful drug use, and nearly six years in prison during his first incarceration, Solis continued to reoffend. While on parole in 2014, he was convicted of a misdemeanor and felony charge stemming from separate incidents where he attempted to fraudulently cash checks. In his most recent 2016 offense, an officer responded to a report of a suspicious person near a vehicle on the side of a road. The officer contacted the male, identified as Solis. After discovering Solis was on formal probation, a search of his person

revealed the following contraband in his jacket pocket: a methamphetamine pipe that contained residue of use, a useable amount (0.74 grams) of methamphetamine, and two rounds of live .45-caliber firearm ammunition. A search of the vehicle yielded a lock-picking kit that the officer described as burglary tools. Solis was convicted of felon in possession of ammunition and received a 4-year prison sentence. Solis' criminal history also includes prior misdemeanor convictions for drug-related offenses from 2002-2004 as well as a prior check fraud conviction in 2004. 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 and granted release on January 30, 2018. [Opposition Letter](#)

Threatened to Kill Victim with Knife (Donald Mayberry – Case #16FE021559) – In 2013, Mayberry was convicted of the strike offense making criminal threats and received a sentence of 7 years, 4 months in state prison. In that case, Mayberry tried to steal a car by breaking in and hot-wiring it. The owner of the vehicle heard a noise coming from his driveway and went to confront Mayberry. Mayberry ran off in an attempt to flee. When Mayberry realized he forgot his wallet at the scene, he went back and confronted the victim. Mayberry pulled a knife on the victim and accused the victim of stealing his wallet. He pointed the knife at the victim, telling him he would kill him if he did not return his wallet. In his 2016 commitment offense, Mayberry again tried to hot-wire and steal a car. This time, after gaining entry to the car, he broke open the steering column and cut several wires. He was unsuccessful at stealing the car, but stole an audio cable. When Mayberry was apprehended, he was found to be in possession of the audio cable and 14 shaved keys that could be used for stealing other cars. He was convicted of felony burglary and received a sentence of 44 months in state prison. Mayberry has been convicted of eight felonies and three misdemeanors, including multiple car thefts and his strike offense. He has been sent to prison a total of seven times for a total of 20 years. 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 and granted release on January 31, 2018. [Opposition Letter](#)

Con Artist Scammed 84-Year-Old Woman Out of Life Savings (Shelvert Lynn Dyer – Case #03F06598) – In 2004, Dyer was

convicted of multiple felony charges related to an elaborate two-part scam targeting an elderly woman. In this case, the 84-year-old victim was conned into believing a South African man would give her \$10,000 to help him fulfill a requirement that he donate \$90,000 of a large insurance settlement he was to receive. He told the victim she first needed to prove her bank would allow her to withdraw money. The victim withdrew \$7,000 cash from her bank, ordered cashier's checks and cashed the checks. She gave all of the money to the South African man, who put it in a bandana with what appeared to be additional currency and gave her the bandana supposedly filled with money. She later found the bandana was filled with worthless paper, and she lost all of her money. She reported it to the police, but the scammers were not caught. Four months later, Dyer and his accomplice showed up at the victim's door. They had badges and claimed to be police investigating the scam. Dyer told her she had to transfer all of the remaining money in her account into another account, and she had to go to the bank with them to make the transfer. Before leaving with Dyer, the victim told her housekeeper she was suspicious. The police were called and Dyer was apprehended at the bank. This crime not only robbed the victim of her money twice, it stole her dignity, sense of well-being and ability to trust. The seriousness of these crimes is reflected in the 23 year, 8 month state prison sentence Dyer received. Dyer has perpetrated similar crimes throughout his 35-year criminal history and across the state, including a 1996 strike conviction for first-degree burglary in San Joaquin County. Other felony offenses include possession of a forged seal with intent to defraud, forged bill or note and grand theft. The Board of Prison Hearings granted early release on January 29, 2018.

[Opposition Letter](#)

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.