

# DA Anne Marie Schubert Exposes Violent Early Prison Release REOFFENDERS



## Sacramento County District Attorney's Office

*Semper Justitia*

In 2015, Sacramento District Attorney Anne Marie Schubert began opposing and publicizing the early release of so-called “non-violent second-strike felons.” Under California law, “non-violent” felonies include domestic violence, rape of an unconscious person, human trafficking, and assault with a deadly weapon. “Second strike” refers to an inmate who was previously convicted of a serious or violent felony.

Many of these inmates have long and violent criminal histories – including felony domestic violence, sexual assault and gun violence. ([See Opposed Early Prison Releases from Sacramento County](#))

DA Schubert opposed a number of these early releases, noting that after criminal realignment (AB 109) only individuals with serious and violent criminal convictions were sent to prison and housed at the California Department of Corrections and Rehabilitation (CDCR).

In May 2021, the Sacramento District Attorney's Office submitted a California Public Records Act (PRA) request to CDCR. Pursuant to the PRA request, CDCR produced a list of inmates sentenced from Sacramento County to CDCR and released from January 2019 to May 17, 2021.

There were 4,070 inmates sentenced from Sacramento County released from CDCR custody during that time frame. More than 1,300 served less than half of their sentence.

CDCR recently passed so-called “emergency” regulations that allowed for additional credits to be awarded to serious and violent felons, including credits that are not based upon completing any rehabilitation programs. The information gained by the PRA chronicled individuals released before the passage of the additional so-called “emergency” credits. Those credits will now result in even more early releases.

A recent U.S. Department of Justice study found an alarming 71% recidivism rate amongst prison releases across 34 states, including California ([See U.S. Department of Justice Study](#)). A review of the individuals released from prison demonstrates an alarming trend of serious recidivism including arrests for murder, assault with a deadly weapon, robbery, felony domestic violence and hit-and-run with death or injury.

Concerns over these releases is why DA Schubert and 44 other elected District Attorneys throughout California joined together to file suit against CDCR to oppose the additional so-called “emergency” credits.

Below is a small sample of inmates who were released from prison early and rearrested.

GARY ALLEN (CASE #15F00089, #16FE006613)

In April of 2015, Gary Allen pled to felony vehicle theft. In July of 2016, a jury convicted Allen of first-degree burglary and resisting a peace officer.

In January of 2015, Allen was found in possession of a stolen motorcycle. In April of 2016, Allen stole another motorcycle out of the garage of a residence. He was also found to be in possession of some of the homeowner’s belongings. While Allen was detained, he kicked at officers and damaged a patrol vehicle.

In August of 2016, Allen was sentenced to 10 years in prison by the trial court judge. However, the California Department of Corrections and Rehabilitation (CDCR) released Allen after serving only 4 years and 7 months of that 10-year sentence. This represents 49% of his actual sentence.

Allen was arrested in October of 2020, April of 2021 and May of 2021. He is currently charged with murder (case #21FE008098), brandishing a weapon in a threatening manner (case #21MI010227),

and drug possession and vandalism (case #21MI006373, #20MI016376).

AKEIM MCFADDEN (CASE #16FE007206)

In May of 2016, Akeim McFadden pled guilty to felony domestic violence.

In April of 2016, McFadden hit his ex-girlfriend over the back of the head with a bicycle pump, causing her to require seven staples to her scalp.

In May of 2016, McFadden was sentenced to 5 years in state prison. However, the California Department of Corrections and Rehabilitation (CDCR) released McFadden after serving only 2 years and 10 months of that 5-year sentence. This represents 58% of his sentence.

McFadden was released from prison in February of 2019. He reoffended just months later and was convicted of first-degree murder, attempted voluntary manslaughter and two counts of being a felon in possession of a firearm (case #20FE003314).

In June of 2019, McFadden shot the victim in the stomach at point blank range over a dispute about a bicycle. That victim survived. Just five months later, McFadden shot and killed a second victim while that victim was sleeping in a tent in the backyard of a residence. If McFadden would have served his full sentence, one man would be alive and another would not be recovering from life threatening injuries.

McFadden was sentenced to 98 years and 8 months to life in prison.

RALPH HIBBLER (CASE #17FE016325)

In January of 2018, a jury convicted Ralph Hibbler of being a felon in possession of a firearm.

In September of 2017, the victim called law enforcement when Hibbler had a gun and would not let the victim leave. When deputies arrived, they detained Hibbler and found a loaded handgun with a round in the chamber. The gun was previously reported stolen. Hibbler had been convicted of multiple previous felonies, prohibiting him from owning a gun. For this offense, he was sentenced to 6 years in state prison.

In 2002, Hibbler was convicted of two counts of unlawful sexual intercourse with a 15-year-old victim. That same year, he was convicted of the strike offense, assault with a firearm. Hibbler shot the victim with a handgun. When the victim tried to run away, he shot the victim a second time. The victim sustained life-threatening injuries. Hibbler went to prison for 5 years for that assault. Once released and on parole, Hibbler was convicted of another drug charge in 2008 and sentenced to 12 years in state prison. He was released in March of 2017 and was once again on parole when he committed the September of 2017 offense.

In April of 2018, Hibbler was sentenced to 6 years in state prison by the trial court judge. However, the California Department of Corrections and Rehabilitation (CDCR) released Hibbler after serving only 2 years and 4 months of that 6-year sentence. That represents 40% of his actual sentence. [Opposition Letter](#)

Hibbler was arrested in February and March of 2021. He is currently charged with felony domestic violence, false imprisonment and drug possession (case #21FE009236). He is charged in a separate case with felony hit-and-run with death or injury, being a felon in possession of a firearm, felony evading an officer with willful disregard, hit and run driving, resisting a peace officer and unlicensed driver (case #21FE002308).

#### CORDELL JONES (CASE #14F06952)

In January of 2015, a jury convicted Cordell Jones of felony domestic violence, assault with a deadly weapon, battery causing serious bodily injury, and assault with force likely to cause great bodily injury.

In September of 2014, Jones attacked the victim with a knife, threatened to kill her and her family members, punched the victim repeatedly in the face, strangled her two times and punched her in the face and mouth with a set of metal keys. Jones told the victim, "I'll kill you," and "I'll chop you up into little pieces." Jones has a 20-year history of violence, particularly against women, with two prior convictions for domestic assaults that occurred in 2007 and 2013.

Jones has a prior strike conviction for assault with a deadly

weapon. Jones threatened to kill his then girlfriend and then attacked her by striking her with a shovel. He then tried to run her over with his vehicle.

In February of 2015, Jones was sentenced to 15 years in state prison by the trial court judge. However, the California Department of Corrections and Rehabilitation (CDCR) released Jones after serving only 5 years and 4 months of that 15-year sentence. This represents 36% of his actual sentence. [Opposition Letter](#)

Jones was arrested in May of 2021. He is currently charged again with felony domestic violence (case #21FE009236).

#### JUSTIN HICKS (CASE #15F02023)

In May of 2018, Justin Hicks pled to felony charges of assault with a deadly weapon, burglary, vehicle theft, evading an officer with willful disregard and two counts of being a felon in possession of a firearm.

In May of 2015, officers tried to make a traffic stop on Hicks and Hicks led them on high-speed pursuit driving at speeds in excess of 90 miles per hour. Hicks was finally taken into custody and was found to be in possession of a loaded .32 caliber handgun, four handguns, two rifles and two zipguns. One of the rifles was an assault rifle with an extended magazine and two of the firearms had previously been reported stolen. A female victim reported that she was in her friend's vehicle when Hicks came up from behind in his vehicle and hit their rear bumper at a high rate of speed. The victims were not injured. When the female victim went over to Hick's vehicle to check on him, Hicks pointed a handgun directly at her.

In March of 2015, Hicks stole a locksmith van and put the tools that were inside the van in his garage. He then disposed of the van in Elk Grove. Soon after, Hicks burglarized a landscaping business while wearing a ski mask.

In June of 2018, Hicks was sentenced to 9 years and 4 months in state prison by the court judge. However, the California Department of Corrections and Rehabilitation (CDCR) released Hicks after serving only 4 years and 1 month of that 9-year and 4-month sentence. This represents 37% of his actual sentence.

Hicks was arrested in June of 2020. He is currently facing felony charges of two counts of assault with a deadly weapon, robbery, first-degree burglary, felon in possession of firearm, evading an officer with willful disregard, two counts of evading an officer and drug possession for sale (case #20FE010013).

**CHRISTOPHER ORGELIA (CASE #15F07521)**

On August 8, 2017, Christopher Orgelia pled to three counts of being a felon in possession of a firearm and possession of a controlled substance for sale.

In December of 2015, Orgelia was a convicted felon when he was found with seven assault style rifles, five handguns, one shotgun, a ballistic vest, 1,000 rounds of live ammunition for the firearms, several high capacity magazines, approximately 1,248 grams of Nartec positive methamphetamine, approximately 1,922 grams of processed marijuana, 16 grams of Xanax pills, packaging material commonly used to package narcotics and a digital scale commonly used to weigh narcotics. Two of the firearms were stolen. Orgelia was also validated as an active gang member. His criminal history spans more than 28 years, including convictions for buying/receiving stolen property and possession of a controlled substance for sale.

In August of 2017, Orgelia was sentenced to 10 years in state prison. However, the California Department of Corrections and Rehabilitation (CDCR) released Orgelia after serving only 3 years and 2 months of that 10-year sentence. This represents 32% of his actual sentence. [Opposition Letter](#)

Orgelia was arrested in October of 2020. He is currently facing felony charges of two counts of being a felon in possession of a firearm, eight counts of being a felon in possession of ammunition, possession of a firearm silencer and possession of a controlled substance for sale (case #20FE016303). In a separate case, he is charged with two felony counts of possession of a controlled substance for sale (case #20FE017159).

See previous release with samples of egregious cases in which individuals were released from prison for serious and violent offenses after serving only fractions of their sentences [[DA Anne Marie Schubert Exposes Early Releases of Dangerous Inmates](#)].