



Sacramento County District Attorney's Office

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Non-Violent Parole Review Process
Board of Parole Hearings
Correspondence – NV
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RE: Foster, Dante; CDCR # AZ9087; XREF 1351265; DOCKET #15F03395; SPD 15-157570

Inmate Foster is a well-established violent felon who has repeatedly demonstrated his disrespect for the law by repeatedly selling large quantities of narcotics over the course of two decades. Despite the many opportunities Inmate Foster has had to reform his criminal behavior over the years, he has repeatedly shown a pattern of behavior indicative of his disregard for the health and wellbeing of others. The circumstances surrounding his current conviction and his lengthy criminal record demonstrate that he poses an unreasonable risk of violence to the community.

On June 5, 2015, officers with the Sacramento Police Department were on patrol in the area of Franklin Boulevard and Brookfield Drive in Sacramento. Inmate Foster observed the officers and accelerated his vehicle at a high rate of speed in an attempt to avoid making contact. The officers observed Inmate Foster erratically change lanes while disregarding traffic lights and stop signs. These actions placed both innocent bystanders and the pursuing officers at risk. After stopping Inmate Foster, officers recovered multiple cellphones, approximately \$5,000 cash and 440 grams of processed marijuana buds. It was subsequently discovered that Inmate Foster had messages on his phone indicative of his involvement in narcotics sales. Subsequently, officers obtained a search warrant for Inmate Foster's residence. Inside, officers recovered a semi-automatic handgun, digital scales, packaging, and 91.60 grams of cocaine. On January 11, 2016, Inmate Foster was sentenced to serve 8 years in state prison for this offense.

The aforementioned conduct was hardly Inmate Foster's first foray into criminal behavior. At the time he was convicted of his present commitment offense, he had been involved in serious and dangerous criminal behavior for over two decades.

In 1989, Inmate Foster was indicted by federal authorities on one count of violating 21 U.S.C. Section 841(a)(1) by distributing four grams of cocaine base. Inmate Foster was also indicted on one count of violating 18 U.S.C. Section 924(c)(1) by carrying a firearm at the time of the offense. Ultimately, Inmate Foster entered into a plea agreement for his violation of carrying a firearm. Though initially sentenced to serve 60 months in federal prison, Inmate Foster's conviction and sentence were ultimately vacated and dismissed in 1996 pursuant to the United States Supreme Court's decision in *Bailey v. United States* (1995) 116 S.Ct. 501. Nevertheless, this offense constitutes the beginning of Inmate Foster's lengthy criminal history.

In 1999, merely three years after being given a second chance at reforming his behavior, Inmate Foster was indicted on two counts of violating 21 U.S.C. 841(a)(1). Inmate Foster was indicted for distributing cocaine base in excess of 50 grams on two separate occasions -- Inmate Foster distributed 68.3 grams of cocaine base on January 6, 1999 and 80 grams of cocaine base on February 3, 1999. On February 17, 1999, when law

enforcement personnel attempted to arrest Inmate Foster for the aforementioned indictment, Foster fled in a motor vehicle and attempted to dispose of 165 grams of cocaine hydrochloride by throwing it out of the vehicle. Inmate Foster was ultimately sentenced to serve 87 months in federal prison for these offenses. He was released under supervision on July 2, 2004.

On October 28, 2004, Inmate Foster violated the terms of his supervised release. Those violation proceedings were deferred by federal authorities.

On January 24, 2007, Inmate Foster again committed violations of his supervised release. Again, those violation proceedings were deferred, giving Inmate Foster yet another chance.

On May 25, 2007, Inmate Foster admitted to multiple violations of his supervised release. Those violations included failing to report as required, associating with a known felon, and failure to notify in relation to a change in his residence. Inmate Foster was sentenced to three months in federal prison as a result.

During his incarceration for his present commitment offense, Inmate Foster has committed a number of disciplinary violations. While incarcerated, Inmate Foster has committed the following violations:

- On September 12, 2016, Inmate Foster was disciplined for possessing a cellphone.
- On December 24, 2016, Inmate Foster was disciplined for theft of state property.
- On December 29, 2016, Inmate Foster was disciplined for possessing a cellphone.
- On June 12, 2017, Inmate Foster failed to complete a counseling program as required.
- On June 15, 2018, Inmate Foster was disciplined for failing to show up to his assigned work program.

Inmate Foster's record clearly indicates an ongoing disrespect for the law, as well as the health and safety of the public. It is abundantly clear that should Inmate Foster be released, he will undoubtedly return to the criminal conduct he has engaged in for over two decades. Moreover, each time that Inmate Foster has been given an opportunity to reform his behavior, he has seized that opportunity to place others in harm's way for his own personal gain.

I respectfully request that parole be denied.

Respectfully submitted,



Jennifer Kennedy
Deputy District Attorney
Sacramento County District Attorney's Office