



# Sacramento County District Attorney's Office

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Non Violent Parole Review Process  
Board of Parole Hearings  
Correspondence NV  
P.O. Box 4036  
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Re: Floyd, James CDC # AT2350 Court Docket: 13F07539

Inmate Floyd is a well-established violent felon and should not be paroled. The circumstances surrounding his current conviction and his prior criminal record show he poses an unreasonable risk of violence to the community.

Inmate Floyd is currently in prison on a violation of Penal Code Section 459, residential burglary as well as a violation of a restraining order. The residential burglary and violation of the restraining order stems from a domestic violence incident where the inmate essentially stalked the victim and then ended up breaking into her home. Specifically, the victim returned to her home and saw she had been burglarized. In addition, the faucet was running causing the apartment to flood. The inmate had also sent her text messages of him wearing the items he stole from her residence. In the text messages he also stated that the victim was going to be evicted and asked who was going to "die for her." Almost a month after the burglary another call for service was placed from the victim's residence. When officers responded they found the inmate hiding in a closet. The nature of the relationship between the inmate and victim is significant. Here, the victim was not only the mother of the inmate's child but also a prostitute that worked for him. She would give the inmate all of her earnings from her work as a prostitute.

When the inmate committed the 2013 residential burglary he had already suffered a prior strike offense. That prior strike was also a residential burglary from 2005. [REDACTED]

[REDACTED] In 1999 the inmate was convicted for selling narcotics in San Francisco. In 2002, the inmate was again arrested for a robbery which resolved for a grand theft from a person. In 2009, the inmate was convicted for a domestic violence charge in Reno, Nevada. In that incident the inmate pushed and kicked a female he was dating at the time. Again, in 2011 the inmate was convicted of another domestic violence charge in Los Angeles. In that incident the inmate struck the victim multiple times in the face with a closed fist.

[REDACTED] This inmate poses a significant danger to the community and has a complete disregard

for court orders. It cannot be emphasized enough that there was a restraining order in place during the commission of this offense. This victim has a child with the inmate and worked for him as a prostitute. She showed incredible courage by obtaining a restraining order and coming to court to testify. What message does it send to her if he is let out early? She deserves the comfort and security of him serving his entire sentence.

It should also be noted, inmate Floyd petitioned this Board for early release less than a year ago. In May of 2020, the Board denied the inmate's early release. Specifically, the Board stated "inmate has continued to engage in illegal activity, as indicated by the Confidential section of his C-file. Inmate acts as if the rules don't apply to him, just as he did when he was out waging his campaign of vengeance against his victim acting then as if the laws and court orders issued against him meant nothing to him."

As we are given 30 days to respond, and we are not provided with a complete disciplinary history we cannot comment on the entirety of the inmate's prison conduct. We can however point out in 2017 and 2018 the inmate was found guilty of two serious rules violations. Which demonstrate his inability to follow rules wherever he may be. From the record it is clear inmate Floyd should not be released. He poses a significant and unreasonable risk of violence to the community. Based on all of the foregoing, parole should be denied.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'MEGAN EIXENBERGER', followed by a long horizontal line.

Megan Eixenberger  
Deputy District Attorney  
Sacramento County District Attorney's Office