



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
Sacramento, CA 95812-4036

RE: **LEE OTIS NELSON** CDC # **BI6814** DOCKET # **17FE016715**

Inmate Nelson is a well-established felon who has shown a disregard for the safety of others, the property of others, as well as the law and should not be paroled. Inmate Nelson has elected to continuously commit crimes over the last forty-seven (47) years, each time without regard for the community he puts at risk. The circumstances surrounding his current conviction and his prior criminal record shows that he poses an unreasonable risk of criminal activity to the community.

The Inmate's commitment offense is just the latest offense in his lengthy criminal history. On July 31, 2018, Inmate Nelson committed a residential burglary. The Inmate broke into an apartment through a window and stole electronic items and other personal items belonging to the victims. These items were located by law enforcement in the Inmates backpack, which also contained a twelve-inch crowbar, a glass breaking tool, and a single black glove. The apartment was also ransacked. On August 19, 2020, Inmate Nelson was sentenced to fourteen (14) years in prison. On Appeal, the Third District Court of Appeal struck a one-year prison term enhancement pursuant to Penal Code Section 667.5, reducing the Inmates prison sentence to thirteen (13) years.

Leading up to his current conviction, Inmate Nelson has had a serious criminal history dating back to 1973. He has been convicted of approximately twelve felonies, two (2) of which were serious felonies, aka strike offenses. The Inmate has also been convicted of approximately five (5) misdemeanor offenses. I'll begin by documenting the Inmate's prior felony history. On March 19, 1973, Inmate Nelson was convicted of First-Degree Burglary in violation of Penal Code Section 459, a serious felony, and was sentenced to four (4) months in the county jail and four (4) years of formal probation. On July 29, 1974, the Inmate was convicted of Health Safety Code Section 11359 and was sentenced to one-hundred twenty (120) days in the county jail.

Moving into the 1980's, Nelson was convicted of Second-Degree Burglary, in violation of Penal Code Section 459, on September 13, 1988, where he was sentenced to one hundred fifty (150) days in the county jail. On January 4, 1989, the Inmate was convicted of yet another Second-Degree Burglary in violation of Penal Code Section 459, where he received a ninety (90) day sentence. On December 12, 1989, Nelson was convicted of Penal Code Section 496 and was

sentenced to three hundred, sixty-five (365) days in the county jail. Inmate Nelson was then convicted of Second-Degree Burglary in violation of Penal Code Section 459, on April 18, 1989, and was sentenced to sixteen (16) months prison.

Moving into the 1990's, on April 7, 1992, Nelson was convicted of Vehicle Code Section 2800.2, Felony Evasion, and was sentenced to sixteen (16) months prison. On April 15, 1995, Nelson was again convicted of Felony Evasion, in violation of Vehicle Code Section 2800.2 and Vehicle Theft, in violation of Vehicle Code Section 10851. For these offenses, he received a prison sentence of sixteen months. On April 9, 1997, Inmate Nelson was convicted of Attempted Burglary, and received a one (1) year prison sentence.

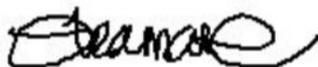
In the 2000's, the Inmate has been convicted of four (4) felonies, one of those being serious, and all felonies resulting in a prison commitment. On September 9, 2003, Nelson was convicted of a First-Degree Residential Burglary, a serious felony, and a Felony Evasion for which he received a prison sentence of four (4) years and eight (8) months. On September 24, 2006, Nelson was convicted of Second-Degree Burglary, admitting a strike prior, and received a four (4) year prison sentence. On November 3, 2011, the Inmate was convicted of Felony Vehicle Theft, Felony Evasion, admitted a strike prior, and received a sentence of nine (9) years and four (4) months prison.

Inmate Nelson's misdemeanor history is as follows: from 1990 to present he has misdemeanor convictions for possessing stolen property, possession of narcotics and narcotic paraphernalia, possession of burglary tools, resisting arrest, and driving while under the influence of alcohol.

Inmate Nelson's commitment to a life of crime will not change as demonstrated by his lengthy criminal history, his complete non-compliance with the Court and the law, and his complete lack of regard for victim's, their safety, and their property. The Inmate does not deserve to rejoin society until he has served his maximum prison sentence—as it is the only way to protect victims and their property.

As we are given 30 days to respond, and we are not provided with any disciplinary history or any other information aside from the one-page notice of parole review, I cannot comment on inmate Nelson's prison conduct. However, from the records that are available it is clear that Inmate Nelson should not be released as he poses a significant, unreasonable risk of criminal activity to the community. Inmate Nelson has demonstrated over the course of the last forty-seven (47) years that he cannot follow the laws, or conditions the court places on him. On behalf of the District Attorney's Office, I ask that you deny his request for early release.

Respectfully,



Frances Cobarrubio
Deputy District Attorney
Sacramento County District Attorney's Office