



## COUNTY OF FRESNO

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# NEWS RELEASE

FOR IMMEDIATE RELEASE  
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## PAROLE BOARD RELEASES TWO CAREER CRIMINALS PURSUANT TO PROPOSITION 57

Today, September 28, 2017, the Fresno County District Attorney's Office received notice of two more inmates granted early release by the Board of Parole Hearings (BPH) over the objections of this office. (See previous press release at [http://www.co.fresno.ca.us/uploadedFiles/Departments/District\\_Atorney/PDF/083017\\_press\\_release\\_ParoleBoardReleaseProp57.pdf](http://www.co.fresno.ca.us/uploadedFiles/Departments/District_Atorney/PDF/083017_press_release_ParoleBoardReleaseProp57.pdf) )

JONATHAN PAUL TRUJILLO was convicted in 2013 of Residential Burglary, a "Serious" Felony by law, and Felony Theft with a Prior Conviction. In spite of these being his 7<sup>th</sup> & 8<sup>th</sup> felony convictions and his having two prior serious felony convictions or "Strikes", and over the objections of this office, Judge Don Penner struck both "Strike" priors and granted the defendant Felony Probation instead of 33 years to Life as recommended by the Probation Dept. In spite of Judge Penner telling the defendant, "You're not going to like what happens if you come back before me on a Probation Violation", the defendant twice violated probation in 2014 and 2015. In 2015, he was finally sent to prison for only the minimum term of 7 years. The felony Theft conviction was later reduced to a misdemeanor.

In the decision, BPH Deputy Commissioner Miles made the following statements:

- 1) The defendant violated probation and was sentenced to prison on January 24, 2013 (July 11, 2016 is correct and only after his 2<sup>nd</sup> Violation of Probation);
- 2) His adult criminal history began in 1997 (1992 is correct);
- 3) He was on misdemeanor probation at the time of his latest offense (he was also on Felony Probation for Felony Theft with a Prior Conviction. NOTE: BPH ignores prior misdemeanor convictions including felonies later reduced to misdemeanors pursuant to Proposition 47).

GERALD WAYNE DORSEY was convicted twice in 2015 of Vehicle Theft with a Prior Conviction. In spite of these being his 8<sup>th</sup> and 9<sup>th</sup> felony convictions, having a prior serious felony conviction or “Strike” as well as 5 prior prison commitments, Judge Alvin Harrell III undercut the offer made by this office of 10 years in prison and sentenced the defendant to only 6 years in prison.

In the decision, BPH Deputy Commissioner Pomerantz made the following statements:

- 1) The defendant’s criminal history began in 1989 at age 15 for Grand Theft Person (failed to mention his other felony juvenile adjudications for Burglary, Burglary and Possession for Sale of Narcotics as well as his commitment to the California Youth Authority in 1991);
- 2) The defendant had six adult prior felony convictions (a seventh was later reduced to a misdemeanor pursuant to Prop. 47);
- 3) He had a serious rules violation in prison in May, 2016;
- 4) “His extensive criminal history is concerning”;
- 5) “[H]e is not the ideal candidate to remain law abiding” (NOTE: BPH ignores parole violations. The defendant violated his Parole in 1998, 2001, 2003 [twice], 2006, 2007 [twice], 2009 [twice] and 2010 [twice]. BPH also ignores Post Release Community Supervision [PRCS] violations, which replaced Parole for most released prison inmates pursuant to Realignment. The defendant violated PRCS in 2013 [twice], 2014 and 2015.).

To date, BPH has granted release to 12 prison inmates from Fresno County pursuant to Prop. 57. Many more releases are expected. In addition, inmates denied release under Prop. 57 will still be eligible for release annually.

Under the terms of regulations adopted by the California Dept. of Corrections & Rehabilitation (CDCR), only the inmate has the right to appeal an early release decision. The District Attorney’s Office cannot appeal. BPH will only notify crime victims of possible release if they have registered with the CDCR Office of Victim & Survivor Rights & Services.

District Attorney Lisa Smittcamp joined other elected District Attorneys and law enforcement officials around the state in strongly campaigning against Prop. 57. The voters of Fresno County voted against the “Public Safety and Rehabilitation Act of 2016”, but it passed statewide.

The media may e-mail [FCDAMedia@co.fresno.ca.us](mailto:FCDAMedia@co.fresno.ca.us) or contact Administrative Assistant Geri Benavides at (559)600-4441 with questions.

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