



Serving Justice

The Lassen County District Attorney's Office Quarterly E-newsletter

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Newsletter Date: August 2016

Special points of interest:

- A message from your District Attorney
- Proposition 57
- Victim Witness— Services within the DA Office
- Meet the staff
- Community Education

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Welcome!

I am pleased to provide the opportunity for the citizens of Lassen County to learn more about the District Attorney's Office and clarify our role and responsibilities. As your District Attorney, my duty is to protect all citizens of the county by prosecuting those who threaten our safety. The positive reputation my office has developed since I was elected is one that I am proud of, particularly through the effective prosecution of violent criminals, "three strikers", sexual predators, and other violators. I am a strong supporter of my staff, a team of dedicated attorney's and professionals committed to the mission and vision of our office.

Other than the prosecution of crime in the county, did you know of the different type of work and various programs our office provides the community? The District Attorney's Office is responsible for: Prison Prosecution, Criminal Investigation, Asset Forfeiture, Public Administration, Public



Record Requests, presentations to the public about the District Attorney's Office and the Adult Criminal Justice System and community outreach designed toward the prevention of domestic violence, child abuse, and other senseless crimes. One of our many goals for the future includes an intervention and diversion program designed to give new opportunities to early, non-serious criminal and drug-addicted offenders. Moreover, I am proud of the efforts of the Victim Witness staff that work closely with crime victims to help guide them from victim to survivor. Please take a look at our Victim Witness website for more information on this valua-

ble program.

I appreciate your interest and look forward to your input as to how our office may better serve you. We appreciate the community's input, so please feel free to share your kudos and/or concerns via our email at:

LassenDA@co.lassen.ca.us.

We will respond as soon as possible. Additionally, there is an opportunity to share your opinion by participating in our survey at the bottom of the DA webpage. Thank you for visiting!

-Stacey L. Montgomery

The Dangerous Road—Prop 57



"It says that if the person is convicted of a burglary of a home, and has prior convictions for rape and murder, he is eligible for parole as soon as he finishes his sentence. And that is insane." - Kent Scheidegger

Town Hall
Meeting

September 15,
2016

The Grange
472-690

Theatre Road,
Johnstonville

6:00—7:30PM

The District Attorney's Office has a responsibility to impact public policy in a constructive way by actively promoting public safety issues and bringing to light dangerous propositions that have an effect on the safety of Lassen County residents. Soon you'll be hearing about a November ballot measure - Prop 57; a measure, deceptively titled, the "Public Safety and Rehabilitation Act of 2016." Governor Jerry Brown's Proposition 57 could be devastating to our community and would allow perpetrators of serious violent crimes to be eligible for early release from prison.

In 2009, the federal government decided that the California prison system, the nation's largest with more than 150,000 inmates, reduce its population, divert nonviolent felons to county programs, provide inmates with credits toward early release, and reform parole. All of these steps, the judges stated, would have no adverse impact on public safety. However, in recent years, Prop 47 and AB 109 have essentially put more criminals back on the street - we are seeing the results every day as evidenced by rising recidivism. It is taking its toll on law enforcement.

California voters approved Proposition 47 in 2014, which reduced certain non-violent felonies to misdemeanors and gave more inmates a higher chance for parole

consideration. The Prop 47 initiative was also designed to lower prison population numbers, however, the results of these mandates, coupled with AB 109, have not had the expected, or desired effect initially anticipated. Our county jails are suffering overcrowding as a result and lack the state funding to support the mandates. Interestingly, early in Governor Brown's career he signed a bill that provided fixed penalties for many serious crimes and felonies, removing the option of parole for inmates convicted of serious crimes. Now, Brown has reversed himself claiming the current proposed reform initiative is designed to remove some of the harmful side effects of his earlier bill.

Prop 47 reclassified certain crimes, Prop 57 will allow for early release and parole of violent offenders. The 57 initiative defines "non-serious, non-violent crimes" as misdemeanors instead of felonies unless the defendant has prior convictions for murder, rape, certain sex offenses or certain gun crimes. However, the California District Attorneys Association states the verbiage of the proposed legislation is misleading. The term "non-violent felony offense" is not defined in the Governor's plan or established in California law. Penal Code Section 667.5 (c), which has been the law in California since 1977, defines "violent felony" with a list of 23 offenses. We can

extrapolate then that any felony not included in the definition of "violent felony" would be a "non-violent felony" for purposes of the initiative. Some examples of crimes in which early release of "non-violent felons" under Prop 57 include: assault with a deadly weapon, rape of an unconscious or intoxicated victim, involuntary or vehicular manslaughter, battery with personal infliction of serious bodily injury and exploding a destructive device with intent to injure.

In June of 1982 voters enacted Proposition 8 which created a "serious felony" list and is contained in PC§ 1192.7 (c). The violent felony list is a subset of the serious felony list - meaning that violent felonies are also serious felonies. There are numerous serious felonies that are referred to as "not violent" under California law, but which are in fact, violent in nature. Releasing individuals guilty of these crimes jeopardizes the safety of our community; we must take a stand against another initiative cloaked in the feel good tactics of "rehabilitation" by Governor Brown. Please vote NO on Proposition 57 in November. Together we must thwart another attempt to defraud voters for political gain.



Victim Witness—Program & Services An Overview

The Lassen County Victim Witness Program was created 24 years ago and continues to grow today. We are housed with the Lassen County District Attorney's Office. There are a number of services the Victim Witness Program can assist victims with:

- Provide timely and comprehensive responses to the individual needs of victims in crisis
- Provide resources and referrals to agencies within the community which are appropriate for the victim's needs
- Assist in the completion and processing of applications made to the California Victim Compensation Board (CalVCB)
- Assist in obtaining the return of victim's property that is being held as evidence by law enforcement
- Provide information concerning the criminal justice system process
- Keep victim's apprised of the progress and outcome of their case
- Accompany and support victim's to criminal court appearances
- Notify family, friends



and/ or employer, if requested by the victim, of the occurrence of a crime and the victim's condition

- Assist with the filing of a request for victim restitution
- Assist with the completion of a Victim Impact Statement
- Assist victim's in arranging and attending meetings with the prosecutor handling their case
- Inform victims of their Marsy Law Rights

VOLUNTEERS:

We are looking for a few good people who would like to volunteer throughout the year during outreach events. These events may include, but not limited to: informational fairs, Children's Fair, Walk a Mile and Safe and Sane Halloween. Please call or email.



The Victim/ Witness staff encourage crime victims to talk about their needs and listens to their wishes with compassion and a commitment to help. They work to provide crime victims with information, resources and respect as they navigate the often-turbulent waters of the criminal justice process. Should you or someone you know be victimized, it is important to understand the rights afforded to victims in our state.

The mission of the Victim-Witness Assistance Program of the Office of the District Attorney is to support victims and witnesses with services which will help them cope with the aftermath of victimization and help make their participation in the system less difficult and burdensome. This program works closely with other local, state, and county offices to provide assistance to victims and their families.

For more information about the Victim Witness Program call (530) 251-8281

Or email:

lcvictimwitness@co.lass

en.ca.us

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Susanville, CA 96130

(530) 251-8283

E-mail:
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Check out our web page :

www.lassencounty.org/dept/district-attorney/welcome

Please share your opinion on Public Safety issues on our Public Safety Survey on the web page.



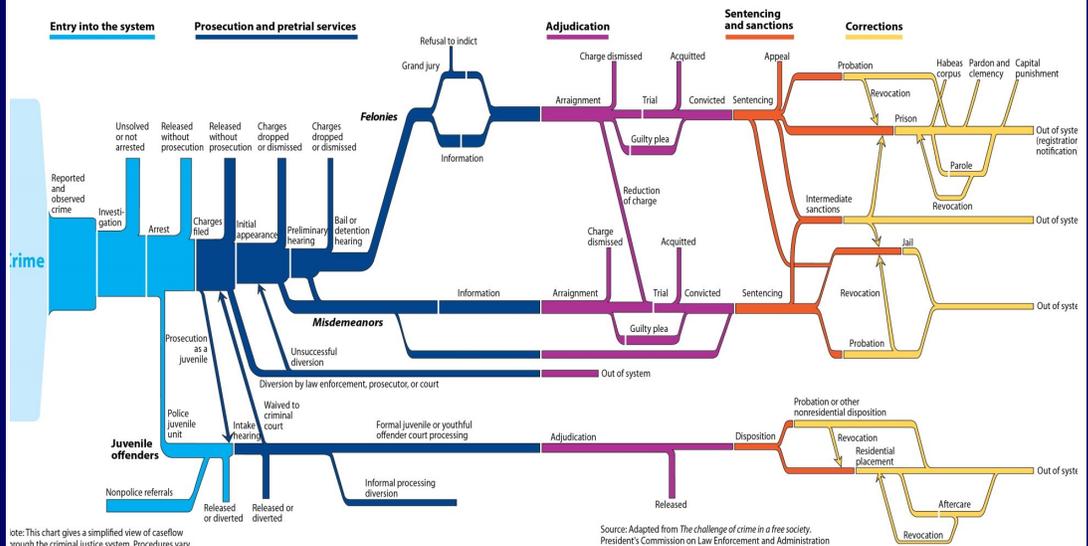
Mission Statement: The Lassen County District Attorney's Office, in partnership with the community we serve, is dedicated to ensuring public safety through the vigorous, ethical and professional prosecution of crime while protecting the rights of victims and witnesses.

Meet the staff of the Lassen County District Attorney's Office:

Stacey L. Montgomery, District Attorney
Michelle Latimer, Program Coordinator
Dan Howe, Prison Prosecution
Phong Banh, Deputy District Attorney
David Evans, Deputy District Attorney
Stephanie Skeen, Deputy District Attorney
Mark Beallo, Deputy District Attorney
Leann Christensen, Sr. Legal Secretary
Alicia Heard, Sr. Legal Secretary
Ellie Brown, Legal Secretary
Dave Woginrich, Senior Investigator
Latoya Salas, Victim Witness Advocate II
Michielle Noonberg, Victim Witness Advocate I

Sequence of Events

What is the sequence of events in the criminal justice system?



Note: This chart gives a simplified view of caseload throughout the criminal justice system. Procedures vary among jurisdictions. The weights of the lines are not intended to show actual size of caseloads.

Source: Adapted from *The Challenge of Crime in a Free Society*, President's Commission on Law Enforcement and Administration of Justice, 1967. This revision, a result of the Symposium on the 30th Anniversary of the President's Commission, was prepared by the Bureau of Justice Statistics in 1997.