

# THE PERFECT STORM

Most of us who watched the movie “The Perfect Storm” back in 2000 remember the scene when weather forecasters realized that rare atmospheric conditions off the U. S. Atlantic coast were converging to create a powerful cyclone from which the movie took its name. The Oscar-winning film depicted an actual weather event which devastated parts of the East Coast in 1991. The plot of the film focused upon the captain of a swordfishing boat who ignored multiple warnings and tried to run through the storm and a yacht captain who also ignored the warnings and tried to ride it out.

It seems clear that this type of rare convergence is occurring right now with America’s approach to crime, promising devastating results. The legacy of U. S. Attorney General Eric Holder along with changes in federal policy regarding the prosecution of drug dealers and the deportation of illegal immigrants coupled with a national movement to adopt “smart sentencing” laws in many large states are creating conditions that guarantee a devastating wave of crime and violence in most parts of the country.

Attorney General Holder’s relentless injection of race into every aspect of the Department of Justice has been extremely damaging to our nation’s rule of law. In several instances, his office has actually abandoned prosecutions as an apparent response to the racism he insists corrupts virtually every decision to prosecute and sentence criminals. Last Fall, noting that most of the drug criminals sentenced to federal prisons are black, the Attorney General announced federal prosecutors would be backing off the aggressive prosecution of drug dealers. This was a signal to every U. S. Attorney in the nation to under-charge or plead down drug cases to shorten sentences for dealers. In April, the Attorney General proposed significant reductions in federal sentences for drug dealers and recommended retroactive reduction of sentences to facilitate early release of dealers convicted before the reductions were announced.

The Attorney General is certainly complicit in the President’s unwillingness to secure the U. S. border. His legal attacks on Texas and Arizona to prevent them from actually enforcing immigration laws currently on the books and his stonewall of the “fast and furious” gun running operation, which provided cartels with guns that killed two U. S. agents and an unknown number of Mexicans, demonstrate that public safety has not been his priority. U. S. Border Patrol agents have reported that under current policies, three illegals are crossing the border for every one they catch.

While the President has repeatedly told us that illegals who commit crimes are being deported, recent news stories of border agents, police officers, and innocent Americans being murdered by illegal felons who were deported and re-crossed the border on multiple occasions, make it clear that this is a hollow promise. The day after his speech granting legal status to roughly 5 million illegals and promising to deport criminals and provide more resources for border security, the President’s Department of Homeland Security announced new priorities for deportation.

The top priority will be terrorists, felons, and new border crossers. Illegals convicted of drunk driving, sexual assault, drug dealing and gun crimes will be a lower priority. Under the Obama Administration, it is safe to say that illegals who commit these crimes will not be deported.

But the President was just catching up with California. Cities such as San Francisco have already become sanctuaries where illegals are protected from arrest. And, more recently, Governor Jerry Brown signed laws to provide driver’s licenses and more tax-funded benefits for illegals.

As I mentioned earlier, several states have adopted “smart sentencing” policies which promise to rehabilitate “low level” criminals and save millions in state prison costs. “Smart sentencing” is the politically correct synonym for lower sentences. It enjoys the support of the ACLU, the Sentencing Project, and other pro-criminal groups, along with Newt Gingrich and some other naive conservatives and libertarians. Among the states following the “smart sentencing” path to some degree are: Washington, Ohio, Michigan, New York, Connecticut, New Jersey, Georgia, Louisiana, North Dakota, and Texas. The reforms in most of these states have reduced penalties and required rehabilitation programs for drug possession and some juvenile crimes.

Not surprisingly, California went a bit further. Starting with non-revocable parole in 2010, then adopting a massive reform called “Public Safety Realignment” in 2011, the state legislature eliminated prison sentences for roughly 500 felonies, abolished the tight supervision of parole for most felons and created a structure that forced counties to release thieves, drug dealers, wife beaters, and child molesters with no punishment at all.

Then in 2012, millions in out-of-state contributions financed a thoroughly deceptive media campaign which led to the adoption of Proposition 36, which abolished the third strike penalty for serious habitual criminals whose third felony was not a violent crime.

As if that were not enough, this year, additional millions in out-of-state contributions funded a media campaign of outright lies which convinced voters to adopt Proposition 47, which transformed crimes such as gun theft, identity theft, and possession of “date rape” drugs from felonies to misdemeanors. This opened the door to releasing roughly 10,000 inmates serving time for these crimes in prison.

The experts have told us that these “low level” offenders can be rehabilitated. They say that under these policies, the state inmate population will go down, reducing tax dollars spent on prisons. They are wrong.

A June 21, 2014 Los Angeles Times investigation revealed that after an initial drop in inmate population after Realignment took effect, the *trend has reversed* and is now nearly 20,000 inmates higher than projected. State prison costs did *not go down* as promised, but increased by \$2 billion in 2013 and may increase by \$3 billion in 2015.

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What about rehabilitation?

Reports from across the state indicate that counties dealing with the 30,000 prison inmates released under Realignment and thousands of new felons now ineligible for prison under that law, do not have adequate funding for the rehabilitation programs which were supposed to reduce crime. Many of the offenders assigned to programs simply don't show up. Probation officials in Los Angeles, for example, have reported that several thousand potentially high-risk probationers set free in Los Angeles County under Realignment have disappeared, and their whereabouts are unknown.

The laws and policies which have decriminalized illegal immigration and reduced the consequences for thousands of crimes that politicians and “experts” have decided are no longer serious are already having a profound human impact.

On December 2, 2012, former prisoner Ka Pasasouk, who was on community supervision under Realignment, shot and killed four people in Los Angeles. Prosecutors are seeking the death penalty, while relatives of the victims have filed suit against the Los Angeles County District Attorney's Office and Probation Department, claiming county officials failed to properly supervise Pasasouk after he was released from prison.

In June 2013, a few months after Dustin James Kinnear, 26, was released from prison and placed on community supervision under Realignment, he stabbed to death a 23-year-old woman on the Hollywood Walk of Fame because she refused to give him a dollar. Kinnear, who has mental health problems, would have been incarcerated at the time were it not for Realignment. Apparently, there was no program to rehabilitate him.

In August 2014, two illegal immigrants were arrested for murdering a Border Patrol agent in front of his family in Texas. One suspect has been arrested no fewer than four times for entering the U. S. illegally, according to federal court records. The other has been deported twice after entering the U. S. illegally.

On September 10, 2014, illegal immigrant Baldomero Velasco-Lopez was arrested for the brutal stabbing attack of a Chambersburg, PA, woman. Velasco-Lopez stabbed the woman

three times in the back with a large kitchen knife and left her on the sidewalk in front of her home while her children were asleep inside.

On October 24, 2014, Sacramento County Sheriff's Deputy Danny Oliver and Placer County Detective Michael Davis, Jr. were murdered by an illegal immigrant and habitual felon who had re-entered the country after being deported twice. Luis Enrique Monroy-Bracamonte, armed with at least two pistols and an AR-15 rifle, shot Deputy Oliver in a Motel 6 parking lot, carjacked two other vehicles, shot a motorist who resisted in the face, then fled to Auburn in a carjacked pickup. When Placer County deputies confronted the triggerman and his wife along a roadway, Monroy-Bracamonte shot them both, killing Detective Davis.

On November 12, 2014, Elk Grove police reported that habitual felon Moses Valdez was still at large. Valdez is the prime suspect in the murder of Marissa Pineda de Almanza, a 37-year-old married mother of two. Valdez had a violent criminal history, including voluntary manslaughter and was serving his third strike for leading police on a high-speed chase which, under Proposition 36, allowed for his release from prison.

On November 16, 2014, Guillermo Lomeli Cenicerros was arrested for trying to kidnap and rape a 13-year-old girl in Santa Clarita. Just one day prior to the incident, Cenicerros was arrested for commercial burglary. He would have had to make bail or remain in jail before Proposition 47, but thanks to the recently passed initiative, Cenicerros was set free.

The innocent victims of these crimes were murdered or injured because of policies that set the criminals who attacked them free.

Our Foundation has been accused of fear-mongering for issuing regular reports to the media about the victims of “smart sentencing” and the failure to enforce immigration law or secure our borders.

A little fear might be a healthy thing right now.

*Michael Rushford  
President & CEO*