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Kathleen Allison
Secretary, Department of Corrections and Rehabilitation
P.O. Box 4036
Sacramento, CA 95812-4036

Attn: Release Information Correspondence
Re: Darnell E. Erby —CDCR #BD2967

Dear Secretary Allison,

I am writing to request information regarding the early release of inmate Darnell E. Erby.

Erby was convicted and sentenced in August 2017 in both Placer and Amador Counties to serve over 12 years in prison. In 2018, he was eligible for early parole under the state's non-violent early parole program. The Placer County District Attorney's Office and the Amador County District Attorney's Office wrote letters of opposition to Erby's release in 2018 and again in 2021. Erby was denied parole in 2018 and again in 2020. He was released in 2021.

The Placer County District Attorney's Office letter of opposition to Erby's release stated that "continued incarceration appears to be the only way to guarantee that this inmate will not continue to victimize people". The Placer County District Attorney's Office was not provided with sufficient notice and opportunity for feedback of the final decision of the release.

Erby was arrested on July 19, 2022, and subsequently charged with the murder and dismemberment of a local Sacramento woman. Erby currently remains in custody without bail in the Sacramento County Jail.

Erby was released after serving less than half of his sentence. The Placer County District Attorney's Office is requesting the following information regarding this inmate:

- 1) What was the process in determining the release of inmate Erby despite the opposition of both the Placer and Amador County District Attorney's Offices?
- 2) What specific rule or regulation authorized the early release of inmate Erby?
- 3) What measures did CDCR take to alert officials and his victims of your decision to release this inmate?
- 4) Given that inmate Erby's rehabilitation programming during incarceration was deemed unsatisfactory in March 2020, what, if anything, changed in his programming by his release in 2021?
- 5) Given that part of inmate Erby's denial of parole in 2020 was due to criminal activity noted during inmate Erby's incarceration, was this criminal activity considered for inmate Erby's release in 2021?
- 6) Is CDCR willing to consider changes to the early parole program to ensure inmates who pose a risk of violence to the community remain incarcerated?

The path to redemption is a noble one. CDCR's efforts to provide positive rehabilitative programming for inmates are laudable and most appreciated. Unfortunately, it was abundantly clear from inmate Erby's extensive record and lack of progress while incarcerated that he was unsuitable and undeserving of early release. Our residents want to know what steps were taken that resulted in this early release decision and what can be done to ensure public safety in future decisions.

I am open to sit down with you to discuss this issue further. Thank you for your attention to this matter.

Sincerely,

Morgan Gire
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