

OFFICE OF THE
DISTRICT ATTORNEY
COUNTY OF SANTA BARBARA
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DA 03-95

RELEASE NUMBER

March 5, 2012

RELEASE DATE

APPROVED BY JOYCE E. DUDLEY, DISTRICT ATTORNEY

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***** PRESS RELEASE *****

March 5, 2012

Re: Jose Aceves Sentenced to Serve 23 Years in the Santa Barbara County Jail

Santa Barbara County District Attorney Joyce Dudley announced today that Jose Aceves was sentenced by Judge Kay Kuns to serve the maximum possible custody term of 23 years in the *Santa Barbara County Jail*. This sentence was handed down by the court following a July 16, 2011, jury trial where Aceves was convicted of possession of over 80 grams of Methamphetamine for the purpose of sales. That conviction, by a Santa Barbara County jury, was Aceves' sixth conviction for Possession of drugs for sales or transportation.

Although Aceves was sentenced to serve 23 years in-custody, under California's new sentencing law (AB 109, which became effective October 1, 2011), *he will serve that time locally* in the Santa Barbara County Jail. Prior to the new sentencing law, Aceves would have had to serve the custody time in a California State Prison. However, under the new sentencing scheme, convicted drug dealers are eligible to serve time locally if they do not have any excluding factors. Excluding factors include a current or past conviction for a serious or violent felony. Pursuant to AB 109, possession of methamphetamine for sales is not an offense that mandates custody in the state prison; irrespective of the quantity of methamphetamine involved, or the existence of prior similar convictions.

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