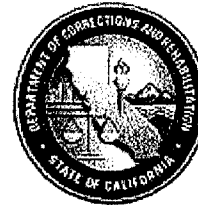


BOARD OF PAROLE HEARINGS

P.O. BOX 4036
SACRAMENTO, CA 95812-4036
(916) 445-4072



May 4, 2017

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF YOLO
301 2ND ST.
WOODLAND, CA 95695

Subject: **NON-VIOLENT SECOND STRIKER RELEASE DECISION**
Inmate's Name: JIRON, VINCENT, RUDOLPH
CDCR#: AS6592
COURT CASE#: CRF112724, CRF133650

The California Department of Corrections and Rehabilitation (CDCR) is mandated by court order to have a parole process that allows certain offenders convicted of a "second strike" based on a non-violent offense to be eligible for parole after serving 50% of their term. It is for this reason the inmate referenced above was referred to the Board of Parole Hearings (Board) from CDCR with a recommendation for release. The Board reviewed the inmate's record and the Board's decision is to approve.

Please direct any inquiries concerning the inmate to the institution where the inmate is housed.

Respectfully,

BOARD OF PAROLE HEARINGS
NVSS Processing Unit

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MAY 05 2017

Yolo County District Attorney

BOARD OF PRISON HEARINGS STATE OF CALIFORNIA
NON-VIOLENT SECOND STRIKER DECISION FORM

NON-VIOLENT SECOND STRIKER INFORMATION

Inmate Name: JIRON, VINCENT,RUDOLPH
CDCR Number: AS6592
Institution: Avenal State Prison

BPH DECISION

JURISDICTIONAL REVIEW

- BPH does not have jurisdiction, no further review.
 BPH has jurisdiction.

REVIEW ON THE MERITS

- Recommendation to release approved.
 Recommendation to release denied.

Decision based on the reasons stated below:

ISSUE: Does the inmate pose an unreasonable risk of violence to the community? When considering together the findings on each of the four case factors below, both aggravating and mitigating, they do not tend to show that Mr. Jiron poses an unreasonable risk of violence to the community. Release is therefore approved.

STATEMENT OF REASONS:

Case Factor #1—Current Commitment Offense(s)

The inmate's second strike offense for PC HS 11378- Possession of Controlled Substance for Sale is a mitigating factor. On 9/10/13, officers conducted a probation search of inmate's residence and found 8 baggies containing meth, monies and other paraphernalia indicative of drug sales.

The relevant aggravating circumstance related to this factor is inmate was on probation at the time the second strike offense was committed. (He was placed on 36 month probation on 1/12/12 for 2 counts of HS 11379- Transport/Import Controlled Substance and 1 count of HS 11377(a)- Possession of Controlled Substance. His probation for these charges was revoked as a result of his current commitment offense and he was sentenced concurrently and consecutively to the current strike offense.)

The pertinent mitigating circumstances are as follows: (1) no weapon was used; (2) there was no violence or threat of violence involved and (3) there was no physical injury involved.

After balancing the foregoing mitigating circumstances against the aggravating circumstance, the inmate's current commitment offense is a mitigating factor as it involved drug sales and not weapons, violence or injuries to others.

Case Factor #2—Prior Criminal Record

The inmate's prior criminal history began in 1990 and continued until the second strike crime in 2013. His prior criminal record is a mitigating factor. It includes felony convictions PC 459 1st-Residential Burglary (strike), VC 10851(a)/PC

BOARD OF PRISON HEARINGS STATE OF CALIFORNIA
NON-VIOLENT SECOND STRIKER DECISION FORM

REVIEW ON THE MERITS

664-Attempted Vehicle Theft and VC 10851(a)-Vehicle Theft in 1994 and HS 11377(a)-Possession of Controlled Substance and 2 counts of HS 11379- Transport/Import Controlled Substance in 2012, as well as misdemeanor convictions for theft and drug-related crimes.

The pertinent aggravating circumstances are as follows: (1) the inmate has been convicted of three or more felony offenses and (2) he was not free from incarceration for five years prior to committing the second strike offense (placed on probation on 1/12/12).

The pertinent mitigating circumstances are as follows: (1) the prior felony convictions are primarily for drugs and theft-related offenses; and (2) the inmate has no known juvenile criminal record.

After balancing the foregoing aggravating and mitigating circumstances, the inmate's prior criminal record is a mitigating factor in view of the lack of serious violence associated with his felony convictions.

Case Factor #3—Institutional Adjustment

The inmate has been incarcerated on the second strike offenses since 2/20/14. The inmate's institutional record shows compliance with institutional rules and programs. The inmate has not received any serious rules violations and the record reflects he has held full-time institutional work assignments and participated in voluntary education and self-help courses. Accordingly, the inmate's institutional adjustment is a mitigating factor.

Case Factor #4—Legal Notices

Response to Legal Notices from the Yolo County District Attorney's Office in opposition to release was received and considered in this decision.

CONCLUSION:

Inmate's current commitment offense, prior criminal record and good institutional adjustment are all mitigating factors. Inmate does not have an extensive history of violence and/or assaultive behavior. Therefore, the Board finds Mr. Jiron does not pose an unreasonable risk of violence to the community. Release is approved.

SIGNATURE

LAM, NGA

NAME

May 1, 2017

REVIEW DATE