

**BOARD OF PAROLE HEARINGS**

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June 14, 2016

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

Subject: **NON-VIOLENT SECOND STRIKER RELEASE DECISION**

Inmate's Name: SHOWTELL, IMMANUEL, PRINCE

CDCR#: G58378

COURT CASE#: CRF086553

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

**RECEIVED**

**JUN 16 2016**

**Yolo County District Attorney**

## NON-VIOLENT SECOND STRIKER DECISION FORM

## NON-VIOLENT SECOND STRIKER INFORMATION

Inmate Name: SHOWTELL, IMMANUEL, PRINCE  
 CDCR Number: G58378  
 Institution: North Kern 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:

Decision: The 5 case factors below tend to show inmate (IMMANUEL PRINCE SHOWTELL- G58378) does not pose an unreasonable risk of violence to the community. Release Approved.

Case Factor #1-The 2nd Strike Offense Is A Mitigating Factor.

The 2nd strike offense is PC459-burglary 1st. On 12/5/2008, inmate entered a residence. He took 2 laptops & a digital camera from the residence. The victim entered his residence & confronted the inmate. The inmate ran out the front door. The victim chased him & caught up to him. The victim tried to hold the inmate down, but the inmate hit him in the head several times. Others came to help the victim until the police arrived.

The aggravating circumstance related to the 2nd strike offense is the inmate used violence to try to escape from the victim.

The mitigating circumstances related to the 2nd strike offense are:

- 1) Inmate did not use a weapon during the offense; &
- 2) The 2nd strike offense is a theft related offense

When balancing the aggravating circumstance & the mitigating circumstances, the 2nd strike offense is a mitigating factor.

Case Factor #2-The Prior Criminal Record Is A Mitigating Factor.

Inmate's prior criminal history began in 2003 & continued until the 2nd strike offense in 2008. Prior to the 2nd strike offense, inmate committed PC459-burglary 1st (2007).

The aggravating circumstances related to the prior criminal record are:

- 1) The 1st strike is PC459-burglary 1st, a serious felony per PC1192.7; &
- 2) Inmate was arrested for the prior PC459 on 3/30/2007, but he committed the 2nd strike offense less than 2 years from this date on 12/5/2008.

The mitigating circumstances related to the prior criminal record are:

- 1) Inmate does not have multiple prior felony convictions. He has only 1 prior felony conviction;
- 2) As such, inmate does not have multiple felony convictions classified as violent (PC667.5(c)) or serious (PC1192.7); &
- 3) The prior conviction was for a theft related crime.

When balancing the aggravating circumstances & the mitigating circumstances, the prior criminal record is a mitigating

NON-VIOLENT SECOND STRIKER DECISION FORM

REVIEW ON THE MERITS

factor.

Case Factor #3-The Institutional Adjustment Is A Mitigating Factor.

Inmate has been incarcerated for the 2nd strike offense since 5/7/2009 for over 7 years. During this incarceration period, he received the following rules violation reports (C115): possession of a cell phone (11/19/2013); failure to meet work expectations (1/17/2014) & disobedience with potential for violence/disruption (2/22/2014). While these are negative factors, to inmate's credit, he has not been involved in violent conduct & has not received a C115 since 2/22/2014.

The positive factors related to the institutional adjustment are he completed 20 hours of safety training, attended anger management & participated in computer literacy. He has laudatory chronos from correctional officers M.Orgeta & E.Smith. After balancing these positive factors against the negative factors, the institutional record shows overall compliance with institutional rules & programs. Therefore, it is a mitigating factor.

Case Factor #4-The Medical Condition Is Not A Factor.

Case Factor #5-Responses To The Legal Notices.

Inmate, Patricia Mcelroy, James Bradford, Brianna Miles, Bobbi Carrasio, Yvette Lindsey, Lillian Viega, Chris Hart, Denise Cornell, Deema Ratkawski, Annette Hughes, Gina Handy, Melanie Dow & Crystal Lee wrote letters in support of release. Yolo DA's office wrote a letter in opposition. All of these were considered.

SUMMARY: The mitigating case factors, 2nd strike offense, the prior criminal record, & the institutional adjustment, outweigh the lack of any aggravating factors. Inmate does not pose an unreasonable risk of violence to the community. Release Approved.

SIGNATURE

DESAI, VIJAY

NAME

June 14, 2016

REVIEW DATE