

BOARD OF PAROLE HEARINGS

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April 19, 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: TUCKER-BOULET, GAVIN, VALENTINE
CDCR#: AM8799
COURT CASE#: CRF121784

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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APR 20 2017

Yolo County District Attorney

STATE OF CALIFORNIA
NON-VIOLENT SECOND STRIKER DECISION FORM

NON-VIOLENT SECOND STRIKER INFORMATION

Inmate Name: TUCKER-BOULET, GAVIN, VALENTINE
CDCR Number: AM8799
Institution: California Correctional Center

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:

When considering together the findings of each the inmate's case factors, both aggravating and mitigating, they do not tend to show the inmate poses an unreasonable risk of violence to the community. Release is APPROVED.

STATEMENT OF DECISION

Mr. Tucker-Boulet's commitment offense is found to be a mitigating factor. The inmate was convicted of a violation of PC 484(A)/PC 487(A) Grand Theft Exceeding \$950.00. On 4/15/12, the victim of the second strike offense left his backpack with camera equipment inside (\$1,300.00) in a park. Officers found the inmate in possession of the victim's property, and the inmate had placed other property in the backpack including a laptop and binoculars. Mitigating circumstances include: No weapons were used by the inmate during the commitment offense, there was no violence or threats of violence in the commitment offense, no victim suffered physical injury in the commitment offense and the commitment offense involved theft. No aggravating circumstances were found as to this factor.

The inmate's prior criminal history began in 1997 and continued until the second strike crime in 2012. Mr. Tucker-Boulet's prior criminal record is found to be an aggravating factor in this case. Aggravating circumstances include: The inmate has been convicted of 3 or more felony offenses, the prior felony convictions show a pattern of similar repetitive criminal conduct and the inmate had not been free from incarceration for five years prior to the 4/15/12 second strike offense as he was released from custody on a parole revocation RTC on 1/20/12 from DVI. The inmate's adult felony criminal record includes: 1997 PC 496(A) Receiving Stolen Property; 1998 PC 459 Burglary Second; 1999 PC 459 Burglary Second; 2000 PC 666 Petty Theft with a Prior; 2002 PC 459 Burglary First and 2004 PC 459 Burglary First. Mitigating circumstances that the inmate's prior felony convictions were property offenses and the inmate has no known juvenile record are found to be outweighed by the aggravating circumstances noted above.

The inmate has been incarcerated in CDCR on the second strike offense since 11/20/12. Since 10/2/14, the inmate has been assigned as a Camp Firefighter with satisfactory and above-satisfactory assessments. The inmate also participated in Vocational Welding, and obtained his NCCER Core Welding certificate. The inmate's lone RVR is dated 6/22/13 for Theft of State Property (a fly swatter and floor wax with a total value of \$2.63). On balance, Institutional Behavior is weighed as mitigating.

There was a letter from the Yolo County District Attorney's Office opposing release in response to Legal Notices sent out in this matter. The letter was read and considered.

NON-VIOLENT SECOND STRIKER DECISION FORM

REVIEW ON THE MERITS

When all factors are weighed as a whole, it does not appear that Mr. Tucker-Boulet poses an unreasonable risk of violence to the community. Although weighed as aggravating, the inmate's adult criminal history is not violent as it consists of property offenses. Mr. Tucker-Boulet's commitment offense involved no use of weapons, violence or threats of violence or injuries as it was a theft crime. The inmate's Institutional Behavior has been positive with no violence, and an over 2.5 year assignment as a Camp Firefighter after obtaining a Welding certification. Release is approved.



SIGNATURE

DENVIR, JOHN

NAME

April 18, 2017

REVIEW DATE