

**BOARD OF PAROLE HEARINGS**

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



May 24, 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: PEREZ, RICARDO, JR  
CDCR#: AW2608  
COURT CASE#: CRF134266

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**  
**MAY 26 2016**

*Yolo County District Attorney*

## NON-VIOLENT SECOND STRIKER DECISION FORM

## NON-VIOLENT SECOND STRIKER INFORMATION

Inmate Name: PEREZ, RICARDO, JR  
 CDCR Number: AW2608  
 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:

Issue: When considering together the findings on each of the five of the inmate's case factors, both aggravating and mitigating, they tend to show the inmate does not pose an unreasonable risk of violence to the community. Release is approved.

## Statement of Reasons:

Current Commitment Offense: The second strike offense is 459 2nd Burglary 2nd - Conspiracy, for which the inmate received a sentence of 2 years and 8 months. On 10/16/13, Davis Police Department observed the parking lot lights go out and a big bang noise. Officer saw the inmate and accomplice walking away from the utility/electrical room. They had a prybar, bolt cutters, screw driver a utility knife and latex gloves. Inmate had turned off the lights and was going to cut the wires (no damage occurred). The mitigating circumstances are: 1) no weapon was used during the commitment offense; 2) there was no threat of violence involved; and 3) no one was injured. No aggravating factors were found. When balancing the aggravating circumstances and the mitigating circumstances, the current offense is a mitigating factor.

Prior Criminal Record: The inmate's criminal record began in 2001 and continued until the second strike crime in 2013. The relevant felony conviction is: PC 215 Carjacking (2001), and the current commitment offense. Aggravating circumstances are: 1st Strike serious under PC 1192.7 and violent under PC 667.5(c). The mitigating circumstances related to the prior criminal record are: No multiple serious or violent felony convictions under PC 1192.7 or PC 667.5(c); 3 or less felony convictions, and it was greater than 5 years between the 2nd strike (10/13/16) and previous incarceration (1/19/08). When balancing the aggravating circumstances and the mitigating circumstance, the inmate's criminal record is an aggravating factor due to the serious and violent felony of Carjacking.

Institutional Adjustment: Inmate has been incarcerated on the second strike offense since 3/26/15. During his current incarceration, inmate has not suffered any CDC-115 or CDC-128 violations. The inmate is currently assigned as a Camp Firefighter and has gone through firefighter training. He has previous work in the main kitchen, yard worker, has been involved in adult basic education and physical fitness training. Therefore his current institutional time would be considered a mitigating factor.

Medical Condition: Inmate does not suffer from a medical condition.

Response to Legal Notices: Legal letters were not received.

Decision: When balancing the aggravating factors in this case, the prior criminal record, with the mitigating factor in this

NON-VIOLENT SECOND STRIKER DECISION FORM

**REVIEW ON THE MERITS**

case, the second strike crime and institutional behavior the mitigating factors outweigh the aggravating factors due to the lack of institutional violations. The inmate does not pose an unreasonable risk of violence to the community and release is approved.

*Michael Grottkau*

May 23, 2016

SIGNATURE

REVIEW DATE

GROTTKAU, MICHAEL

NAME