

BOARD OF PAROLE HEARINGS

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November 13, 2017

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

Subject: NONVIOLENT PAROLE REVIEW DECISION

Inmate's Name : REED, PATRICK, NEVELLE
CDCR# : AW1103
Location : California Medical Facility
Court Case# : CRF141124

The above inmate was referred to the Board of Parole Hearings under the Nonviolent Parole Review Process. The board has approved the inmate for release. Enclosed is a copy of the board's decision.

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

Respectfully,

BOARD OF PAROLE HEARINGS
NV Processing Unit

NONVIOLENT DECISION FORM

NONVIOLENT INFORMATION

Inmate Name: REED, PATRICK, NEVELLE

CDCR Number: AW1103

Institution: California Medical Facility

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

Case Factor #1- Current Commitment Offense

Mr. Reed's current commitment offense is a mitigating factor in this case.

The Commitment Offense is: (1) PC 236/237(a), false imprisonment with force/violence, committed on 11/5/2012.

On 11/5/2012, just as the victim got into her vehicle, which was parked in a parking structure adjacent to where she worked, Mr. Reed opened the rear passenger door and got into the backseat of the vehicle and said, "You need to drive." As the victim drove up to the second floor of the parking structure, she encountered another vehicle, stopped, and asked them to call the police. Mr. Reed then got out of the car and began walking down the ramp toward the exit. Victim stated no threats or demands were made to her by Mr. Reed, other than to drive.

On 3/5/2015, Mr. Reed was sentenced to a total term of 6 years (upper term, doubled) on the current commitment offense.

The aggravating circumstances are: none.

The mitigating circumstances are: (1) no weapon was used in the commitment offense, (2) no violence or threat of violence to the victim, and (3) no physical injury to the victim.

When balancing the aggravating circumstances against the mitigating circumstances, the current commitment offense is a mitigating factor. No weapons or violence were used in the commitment offense. The victim suffered no physical injuries. While the victim undoubtedly felt threatened by Mr. Reed's entry into her vehicle, the entry was not accomplished by force or fear and no threats of violence were uttered. Thus, there is an absence of aggravating circumstances under these criteria.

Case Factor #2- Prior Criminal Record

Mr. Reed's prior criminal record is an aggravating factor in this case.

His prior criminal history began in 1991 and continued until approximately the time of the commitment offense in 2012.

Mr. Reed has the following adult felony criminal convictions: PC 245(a)(1), assault with a deadly weapon, in 2010; PC 422, criminal threats, in 2012; PC 487(c), grand theft person, in 2013. An out of state records check indicates: Nevada, Driving under the influence of alcohol 3rd offense felony, 2004.

The aggravating circumstances relevant to the prior criminal record are: (1) three or more prior felony convictions, and (2) he was not free from incarceration for 5 years prior to the commitment offense. (Mr. Reed was last released from prison custody on 6/6/2014; he was incarcerated on the current offense on 3/12/2015.)

The mitigating circumstances relevant to the prior criminal record are: (1) Mr. Reed has no known juvenile record.

When balancing the aggravating circumstances against the mitigating circumstances, Mr. Reed's prior criminal record is an aggravating factor. He has three or more prior felony convictions, the majority of which are within a several year time period of the current commitment offense. The prior record is predominately crimes against the person, not property crimes. The aggravating circumstances outweigh the mitigation of no known juvenile record.

Case Factor #3- Institutional Adjustment

Mr. Reed has been incarcerated on the commitment offenses since 3/12/2015, a period of approximately 2 ½ years.

During this period of incarceration, Mr. Reed has not suffered from any negative factors, in that he has not incurred any notable disciplinary action or reports.

During incarceration, Mr. Reed has participated in or completed the following positive programming: Admin Bldg Maint lead work and worker; on grounds mechanic; custodian/facilities maintenance; dining room worker.

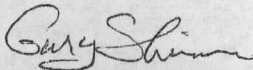
After balancing the positive factors against the negative factors, Mr. Reed's institutional record shows overall compliance with institutional rules and is a mitigating factor. He has no significant record of discipline, and he has maintained a work schedule.

Case Factor #4- Response to Legal Notices

There were no responses to Legal Notices in support of release.

There were responses to Legal Notices in opposition to release. An undated letter from the victim of the current commitment offense was received. A letter from the Yolo County District Attorney's Office, dated 10/2/2017, was received objecting to early release. These letters were reviewed and considered in the decision.

SUMMARY: When balancing the aggravating factor in this case (the prior criminal record), with the mitigating factors (commitment offense and institutional behavior), the mitigating factors outweigh the aggravating factor. There was no weapon used in the commitment offense, no force or violence against the victim, and no physical injuries incurred by the victim. Mr. Reed has shown satisfactory institutional adjustment. The relevant factors assessed under the above criteria tend to show that Mr. Reed does not pose an unreasonable risk of violence to the community. Accordingly, release is approved.



SIGNATURE

SHINAVER, GARY

NAME

NOVEMBER 9, 2017

REVIEW DATE