

**BOARD OF PAROLE HEARINGS**

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



January 22, 2018

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

Subject: **NONVIOLENT PAROLE REVIEW DECISION**

Inmate's Name : GOELZ, DAVID,RICHARD  
CDCR# : AZ9357  
Location : California State Prison, Solano  
Court Case# : CRF16284

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: GOELZ, DAVID,RICHARD  
CDCR Number: AZ9357  
Institution: California State Prison, Solano

## 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 inmate Goelz's, CDCR number AZ9357, four case factors, the inmate does not pose an unreasonable risk of violence to the community. Release is approved.

Statement of Reasons:  
Case Factor #1- Current Commitment Offense

The circumstances of the inmate's current commitment offenses mitigate the inmate's current risk of violence. The inmate was sentenced to a total term of 6 years, 4 months on the current commitment offenses. The commitment offenses are H&S §11379(a) Sale or Transport Controlled Substance and PC §30305 Possession of Ammo by Felon with enhancements of PC §667.5(b) and 667(e)/667e1. On 1/14/2016, the inmate was stopped by Woodland Police while riding his bicycle at night. He had failed to stop for a stop sign and was riding a bicycle without lights. The officers searched him and found a small amount of methamphetamine and a bullet in his back pack. He was arrested without incident.

After careful review and consideration of the aggravating and mitigating circumstances in all of the current crime, there are no aggravating circumstances and the following mitigating circumstances make this a mitigating factor in the case:

- (1)The inmate did not personally use a deadly weapon.  
(2)No victims suffered physical injury or threat of physical injury.

Therefore, the current is found to be a mitigating risk factor in the case.

Case Factor #2- Prior Criminal Record

The inmate's prior criminal history began in 2009 and continued until the commitment offense in 2016. The inmate's prior criminal record is a factor mitigating the inmate's current risk of violence. The inmate has the following adult criminal convictions: 9/14/2009, PC §459 Burglary 1st and H&S §11379(a) Sale or Transport Controlled Substance.

There are no circumstances of the inmate's prior criminal record that aggravate the inmate's current risk

of violence.

The circumstances of the inmate's prior criminal record that mitigate the inmate's current risk of violence are:

(1) The inmate has not been convicted of a violent felony as defined in subdivision (c) of section 667.5 of the Penal Code in the past 15 years,

(2) The inmate was free from incarceration for a misdemeanor conviction involving physical injury to a victim or a felony conviction for five years or more prior to his or her current conviction - paroled on 3/14/2011 and was convicted of the current offense on 5/19/2016, 62 months.

Analysis: When balancing the aggravating circumstances against the mitigating circumstances, they tend to show that the circumstances of the inmate's prior criminal record mitigate the inmate's current risk of violence because there are no aggravating circumstances.

#### Case Factor #3- Institutional Adjustment

The inmate was received into the California Department of Corrections and Rehabilitation on the current commitment offense on 5/19/2016, a period of approximately 1 year, 8 months.

There are no circumstances of the inmate's institutional behavior, work history, and rehabilitative programming that aggravate the inmate's current risk of violence.

The following circumstances of the inmate's institutional behavior, work history, and rehabilitative programming mitigate the inmate's current risk of violence:

(1) The inmate has not been found guilty of institutional Rules Violations Reports resulting in physical injury or threat of physical injury since his or her last admission to prison.

(2) There is no reliable information in the confidential section of the inmate's central file indicating the inmate has engaged in criminal activity since his or her last admission to prison.

(3) The inmate has successfully participated in vocational, educational, or work assignments for a sustained period of time specifically he has worked in CalPIA metal fabrication since 4/14/2017 and has a letter from his supervisor describing him as an excellent worker, a valuable asset to the endeavor and consistently professional in his performance. He is currently assigned there and is also assigned to College (Correspondence).

(4) The inmate has successfully participated in rehabilitative or self-help programming to address the circumstances that contributed to his or her criminal behavior specifically he is assigned to Substance Abuse Recovery Support Groups, for which he has laudatory chronos and he has completed the program of Criminals and Gang members Anonymous. He has facilitated in the yoga class and has a laudatory chrono for that participation.

Analysis: When balancing the aggravating circumstances against the mitigating circumstances, they tend to show that the inmate's institutional behavior, work history, and rehabilitative programming mitigate the inmate's current risk of violence because of positive programming and a lack of discipline RVRs.

#### Case Factor #4- Response to Legal Notices

There were no responses to Legal Notices.

SUMMARY: When reviewing all of the case factors as documented above, and taking into account the totality of the circumstances, the factors mitigating the inmate's current risk of violence outweigh the factors aggravating the inmate's current risk of violence.

The inmate's commitment offense is mitigating. The inmate's criminal history is also mitigating. His institutional adjustment is above and beyond that of most inmates. He has no history of violence. The inmate is approved.



**SIGNATURE**

**KLINK, STEPHEN**

**NAME**

**JANUARY 18, 2018**

**REVIEW DATE**

## DECISION

☒

Concurs with approved recommendation to release.

☐

Does not concur with approved recommendation to release.

AA

Decision based on the reasons stated below:

Concur with the recommended approved hearing decision and approve the release, but amend the statement of reasons as follows:

### Case Factor #1- Current Commitment Offense

The circumstances of the inmate's current commitment offenses facts.... A BOX OF AMMUNITION WAS RECOVERED FROM INMATE FROM UNDERNEATH HIS SWEATER AND A SEARCH OF HIS BACKPACK REVEALED A NARCOTICS PIPE, TWO BAGGIES CONTAINING 97.29 GRAMS OF METHAMPHETAMINE, A DIGITAL SCALE, \$302, AND A BULLET.

### Case Factor #4- Response to Legal Notices

LETTERS RECEIVED FROM KENDRA MORRISSON AND TAMMY MARLOW IN SUPPORT OF RELEASE



JANUARY 19, 2018

**SIGNATURE**

**ZARRINNAM, ALI**

**REVIEW DATE**

**NAME**

If you believe this decision contains an error of fact, an error of law, or if you have additional information you believe would change the outcome of this decision, you may request that it be reviewed by the Board of Parole Hearings by sending a written request to:

Board of Parole Hearings  
Attn: Nonviolent Parole Review  
P.O. Box 4036  
Sacramento, CA 95812-4036

Your request must be post marked within 30 calendar days from the date you received this decision and your request must include a brief statement explaining why you believe the decision is wrong. You may include additional information to support your request.