

**BOARD OF PAROLE HEARINGS**

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



October 17, 2019

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

Subject: **NONVIOLENT PAROLE REVIEW DECISION**

Inmate's Name : TAYLOR, ERIC,JEROME  
CDCR# : AV4117  
Location : California Institution for Men  
Court Case# : CRF133334

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

If you believe the board's decision contains an error of law or error of fact, or you have new information you believe would have materially impacted the board's decision had it been known at the time of the decision, please submit a written statement to:

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

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

Respectfully,

BOARD OF PAROLE HEARINGS  
NV Processing Unit

# NONVIOLENT DECISION FORM

## NONVIOLENT INFORMATION

Inmate Name: TAYLOR, ERIC,JEROME  
CDCR Number: AV4117  
Institution: California Institution for Men

## 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 for Taylor, Eric, AV4117:** When considering together the findings on each of the inmate's four case factors, the inmate does not pose a current, unreasonable risk of violence or a current, unreasonable risk of significant criminal activity to the community. Release is approved.

#### **Statement of Reasons:**

##### **Case Factor #1 - Current Commitment Offense**

The circumstances of the inmate's current commitment offense(s) mitigate the inmate's current risk of violence or significant criminal activity. The inmate was sentenced to a total term of 14 years 8 months on the current commitment offense(s). The commitment offense(s) is/are

PC459: Burglary 1st degree (sentenced to 12 years-6 years doubled as a second strike offense)

PC459: Burglary 1st degree-second strike offense (sentenced to 2 years 8 months-consecutive)

On July 14, 2013 and August 1, 2013, two unoccupied residential structures were burglarized and multiple items, including a laptop computer, jewelry and electronics were missing. Investigations revealed that the inmate pawned many of the stolen items and the subject property was later positively identified by the victims in this case. The inmate was subsequently identified and arrested.

After careful review and consideration of the aggravating and mitigating circumstances in all of the current crimes, 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. The inmate did not personally use a deadly weapon in the commission of the commitment offenses.

2.No victims suffered physical injury or threat of physical injury. The residential structures that were burglarized by the inmate were unoccupied at the time of the commitment offenses. The facts of the case did not identify the physical injury or the threat of physical injury to any victim or party to this case.

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

##### **Case Factor #2 - Prior Criminal Record**

The inmate's prior criminal history began in 1995 and continued until the commitment offense(s) in 2013. The inmate's prior criminal record is a factor mitigating the inmate's current risk of violence or significant criminal activity. The inmate has the following adult criminal convictions:

1995: PC459-Burglary 1st degree

1998: VC10851(a)-Vehicle theft

1999: VC10851(a)-Vehicle theft

2002: VC10851(a)-Vehicle theft

2004: Burglary 1st degree

2005: PC484(a)/666-Petty theft with prior

2007: PC496(a) Receive stolen property

The circumstances of the inmate's prior criminal record that mitigate the inmate's current risk of violence or significant criminal activity 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. A review of the inmate's Rap sheet identified that the inmate has not been convicted of a violent felony as defined in section 667.5(c) of the Penal Code in the past 15 years.

The circumstances of the inmate's prior criminal record that aggravate the inmate's current risk of violence or significant criminal activity are:

1. The inmate was incarcerated for a felony conviction within five years prior to his current convictions. The inmate was released from parole following a previous felony conviction on November 19, 2011 and convicted of the commitment offenses on December 18, 2014 (a period of approximately 3 years 1 month since his release to parole). The identified release to parole date was the inmate's 4th return from parole subsequent to his conviction on receiving stolen property on October 1, 2007. As such, the inmate was not free from incarceration for a felony conviction within 5 years prior to his current convictions.

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 or significant criminal activity because the inmate has not been convicted of a violent felony pursuant to Penal Code 667.5(c) in the past 15 years. The fact that the inmate was free from incarceration for less than 3 1/2 years before being convicted of the current offenses is outweighed by the fact that the inmate's prior criminal record involves non-violent property crimes that do not include assaultive behavior.

### **Case Factor #3 - Institutional Adjustment**

The inmate was received into the California Department of Corrections and Rehabilitation on the current commitment offense(s) since December 18, 2014, a period of approximately 4 years 10 months.

The inmate has been involved in the following activities:

Institutional Rules Violations

4/17/2015: Delaying obstructing a peace officer

Work Assignments

4/2019-Present: Porter

Vocational Assignments

None

Educational Assignments

2/2019-Present: Voluntary ABE III

2/2019-Present: General Education Development

7/2018-1/2019: ABE II

1/2018-6/2018: ABE II (completed)

1/2018-6/2018: ABE III

8/2017-1/2018: ABE II

4/2017-6/2017: ABE II

5/2016-4/2017: ABE III

9/2015-5/2016: ABE I

8/2015-7/2017: ABE III

4/2015-8/2015: ABE III

Self-Help & Rehabilitative Programming

7/2018-1/2019: Substance abuse recovery support groups

3/2018-9/2018: Substance abuse recovery support re-entry (completed)

11/2017-2/2018: Criminal thinking (completed)

10/2017-11/2017: Victim awareness/impact  
9/2017: Substance abuse recovery  
7/2017-1/2018: Substance abuse recovery support groups (NA)

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

1.The inmate has not been found guilty of institutional Rules Violations Reports resulting in physical injury or threat of physical injury since his last admission to prison. A review of the inmate's central file identified that the inmate has not been found guilty of an institutional rules violation report that resulted in either the threat of physical injury or physical injury since his last admission to prison. The inmate's lack of assaultive behavior during this commitment term is probative of the inmate's future risk of violence.

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 combined vocational, educational, or work assignments for a sustained period of time. The inmate has not participated in vocational assignments and has limited participation thus far in work assignments. The inmate has, however, successfully participated in over 4 years of educational assignments. The participation thus far is considered successful participation over a sustained period of time.

The following circumstances of the inmate's institutional behavior, work history, and rehabilitative programming aggravate the inmate's current risk of violence or significant criminal activity:

1.The inmate has limited participation in available rehabilitative or self-help programming to address the circumstances that contributed to his criminal behavior. The inmate is, however, to be commended for his participation thus far which has included criminal thinking, substance abuse recovery and victim awareness/impact. The inmate is encouraged to continue his participation in this area to reduce his current recidivism risk and the current risk of violence or significant criminal activity.

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 or significant criminal activity because the inmate has not been found guilty of institutional rules violations resulting in physical injury or the threat of physical injury to any person since his last admission to prison and he has successfully participated in educational assignments for a sustained period of time. The fact that the inmate has limited participation to date in available rehabilitative or self-help programming is outweighed by his lack of assaultive behavior which is probative of the inmate's future risk of violence.

#### **Case Factor #4 - Response to Legal Notice**

There were response(s) to the Legal Notices in support of release from Eric Taylor dated June 25, 2019 which were reviewed and considered in this decision.

There were response(s) to the Legal Notices in opposition to release from Ryan Cowzens Yolo County District Attorney dated August 14, 2019 which were reviewed and considered in this decision.

**SUMMARY:** When reviewing all of the case factors as documented above, and taking into account the totality of the circumstances, including passage of time, the factors mitigating the inmate's current risk of violence outweigh the factors aggravating the inmate's current risk of violence or significant criminal activity.

Under the review criteria, the inmate's current commitment offense, prior criminal record, and institutional behavior are considered mitigating. The inmate's current offenses are non-violent property crimes which did not involve assaultive behavior. The inmate's prior record does not include a violent crime or other assaultive behavior. He has not incurred any Rules Violation Reports or engaged in criminal activity in prison and he has successfully participated in educational assignments for a sustained period of time. For these reasons, the inmate does not pose an unreasonable risk of violence to the community. The inmate is approved for release.



October 7, 2019

**SIGNATURE**

**REVIEW DATE**

**BETCHLEY, KEITH - Deputy Commissioner**

## DECISION

- ☒ X Concurs with approved recommendation to release.
- ☐ Does not concur with approved recommendation to release.

Decision based on the reasons stated below:

On October 16, 2019, the recommendation to approve the release of Mr. Taylor was reviewed and considered pursuant Title 15, Division 2, §2449.4(d)(2). The facts documented in each case factor in the decision to include the current crimes, the prior criminal history and the institutional adjustment, were reviewed and found to accurately reflect the documentation in Mr. Taylor's central file, department of justice data base, and letters from the Yolo District Attorney's Office. It is determined that the regulatory criteria in Title 15, Division 2, §2449.5, have been properly applied to the facts in each case factor. The hearing officer found that based upon the totality of the circumstances, the mitigating risk factors outweigh the aggravating risk factors and therefore Mr. Taylor does not pose a current unreasonable risk of violence if released or current, unreasonable risk of significant criminal activity. This recommendation is adopted as the final decision in the case. Mr. Taylor does not pose a current, unreasonable risk of violence or current, unreasonable risk of significant criminal activity and he is approved for release. So ordered.



October 16, 2019

**SIGNATURE**

**REVIEW DATE**

**MAHONEY, STEVEN - Deputy Commissioner**

If you believe this decision is not correct, you may send 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 were served this decision and your request must include a brief written statement explaining why you believe the decision is not correct. You may include additional information to support your request.