

**BOARD OF PAROLE HEARINGS**

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



October 30, 2018

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

Subject: **NONVIOLENT PAROLE REVIEW DECISION**

Inmate's Name : WILLIAMS, DONNALL,AARON  
CDCR# : AZ9359  
Location : California Health Care Facility  
Court Case# : CRF156139

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: WILLIAMS, DONNALL,AARON  
CDCR Number: AZ9359  
Institution: California Health Care Facility

## BPH DECISION

### JURISDICTIONAL REVIEW

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BPH does not have jurisdiction, no further review.

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BPH has jurisdiction.

### REVIEW ON THE MERITS

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Recommendation to release approved.

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Recommendation to release denied.

**Decision for Williams, Donnall, AZ9359:** When considering together the findings on each of the inmate's 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 offense(s) mitigate the inmate's current risk of violence. The inmate was sentenced to a total term of 6 years on the current commitment offense(s). The commitment offense(s) is/are HS11379(a)-Transport/Import Controlled Substance (3 years doubled to 6 years due to strike) for a total of 6 years. The inmate was convicted of this current commitment offense on 2/19/2016. On 10/22/2015, undercover officers approached the inmate and asked the inmate if the inmate could provide methamphetamine to the undercover officers. The inmate indicated that he could provide them with methamphetamine and took the undercover officers' \$40 and returned with .12 grams of methamphetamine. The inmate was then 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;
- 2.No victims suffered physical injury or threat of physical injury; and
- 3.There was only one conviction.

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 1984 and continued until the commitment offense(s) in 2015. 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: PC484/487.2-Grand Theft person (8/2/1984), PC245-Assault with Deadly Weapon (7/3/1985), possession of methaqualone (12/11/1987), HS11350-Possession of Narcotic Controlled Substance (1/30/1991), PC212.5(b)-Attempted Robbery 2nd with PC12022a-Armed with firearm(3/22/1993), PC12021(a)- POSS F/A EX-FEL (3/22/1996), and PC487(c)-Grand Theft (11/29/2011, and the inmate was released from prison on 6/9/2012).

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.

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

1. The inmate was incarcerated a felony conviction within five years prior to his current conviction because the inmate was released from prison on 6/9/2012 for PC487-Grand Theft, while the inmate was convicted of his current commitment offense on 2/19/2016.

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 the inmate does not have a violent felony conviction in the past 15 years. Great weight is given to the fact that the inmate does not have a violent felony conviction in the past 15 years because it shows that the inmate's can follow the rules and norms of society. Less weight is given to the fact that the inmate was incarcerated a felony conviction within five years prior to his current conviction because the inmate was incarcerated for a property crime (not violence) -grand theft within five years prior to the current commitment offense.

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

The inmate was received into the California Department of Corrections and Rehabilitation on the current commitment offense(s) since May 19, 2016, a period of approximately 2 years and 5 months.

The inmate has been involved in the following activities: During the current incarceration, the inmate was found guilty and assessed for Over familiarity (2/15/2018 and 4/15/2018). 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 last admission to prison. The inmate participated in the following positive programming: Adult Basic Education I from 1/2017 through 4/2017 for about 4 months, anger management from 8/2018 through 10/2018 for 3 months, and criminal thinking from 8/2018 through 10/2018 for 3 months.

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 last admission to prison; and
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 last admission to prison.

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

1. The inmate has limited participation in available vocational, educational, or work assignments because the inmate only participated in educational assignment called Adult Basic Education for about 4 months; and
2. The inmate has limited participation in available rehabilitative or self-help programming to address the circumstances that contributed to his criminal behavior because the inmate participated in anger management for 3 months, and criminal thinking for 3 months.

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 aggravate the inmate's current risk of violence because the inmate's institutional record does not show overall compliance. Great weight is given to the inmate's limited participation in available rehabilitative or self-help programming and limited participation in available vocational, educational, or work assignments because the inmate has not addressed the circumstances that contributed to his criminal behavior. After balancing the mitigating factor of remaining violence free in the institution against the aggravating factors of having limited participation in available rehabilitative or self-help and limited participation in work, educational, or vocational assignments, the inmate's institutional record does not show overall compliance with institutional rules and therefore the inmate has thus far shown that he has not positively rehabilitated himself in the institution.

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

There were response(s) to the Legal Notices in support of release from Inmate, via letter received on 9/20/2018, supporting release, which were reviewed and considered in this decision.

There were response(s) to the Legal Notices in opposition to release from District Attorney's Officer, County of Yolo, via letter dated 10/11/2018, opposing release, which were reviewed and considered in this decision.

**SUMMARY:** When reviewing all of the case factors as documented above, taking into account the totality of the circumstances, including the inmate's physical limitation and no known cognitive limitations,, the factors mitigating the inmate's current risk of violence outweigh the factors aggravating the inmate's current risk of violence.

The factors aggravating the inmate's current risk of violence is the inmate's institutional adjustment because the inmate did not participated in educational assignment, work assignments or vocational assignment, along with self-help or rehabilitative programming to address the circumstances that contributed to his criminal behavior in the community. To his credit, the inmate has remained violence free in the institution. However, great weight is given to the commitment offense and the prior criminal record. In the commitment offense, the inmate did not use a deadly weapon and there was no victim that suffered physical injury or a threat of physical injury. In the prior criminal record,

the inmate was not convicted of a violent felony, as per PC667.5(c). The lack of violence in the commitment offense, the lack of any violent felony convictions in the prior criminal record, and the lack of any violence in the institution shows that the inmate can remain violence free in the community. Accordingly, based on the totality of the circumstances, the inmate does not pose an unreasonable risk of violence to the community. The inmate is approved for release.



October 29, 2018

**SIGNATURE**

**REVIEW DATE**

**MEIGHAN, TERESA - 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.