

**BOARD OF PAROLE HEARINGS**

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



August 23, 2021

OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF SISKIYOU  
PO BOX 986  
YREKA, CA 96097

Subject: **NONVIOLENT PAROLE REVIEW DECISION**

Inmate's Name : BLOUNT, MELVIN  
CDCR# : BE0963  
Location : Pelican Bay State Prison  
Court Case# : 16889

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: BLOUNT, MELVIN  
CDCR Number: BE0963  
Institution: Pelican Bay State Prison

## 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 Blount, Melvin, BE0963:** 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 8 years on the current commitment offense(s). The commitment offense(s) is/are PC 368(d) Theft of Elder/Dependent Adult (doubled to 8 years per PC667(b)-(i) / PC1170.12) (convicted on 8/30/17).

On June 4, 2016, victim (DOB: 10/7/36) made a theft report. Inmate had lived on victim's property for approximately three years. When inmate moved out, inmate stole victim's property and sold them to his new roommate for \$2000. Inmate's roommate then attempted to sell the property at a yard sale. Inmate then attempted to return most of victim's property when caught by victim. At this time, inmate was 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:

The inmate did not personally use a deadly weapon.  
No victims suffered physical injury or threat of physical injury.  
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 1980 and continued until the commitment offense(s) in 2017. The inmate's prior criminal record is a factor aggravating the inmate's current risk of violence or significant criminal activity. The inmate has the following adult criminal convictions:

PC 261.2 Rape by Force/Fear (1980; CYA; prior strike)  
PC 211 Robbery (1984)  
Assault – intent/reckless/injure (2001; Arizona)  
Aggravated Domestic Violence (2001; Arizona)  
PC 459 Burglary (2007)  
PC 666 Petty Theft with prior (2007)  
PC 422 Threaten Crime with Intent to Terrorize/Criminal Threats (2007)  
PC 273.5(a) Inflict Corporal Injury to Spouse/Cohabitant (2007)  
PC 290(a)(1)(a) Failure to Register (2007)

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

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 or significant criminal activity are:

The inmate was incarcerated for felony convictions within five years prior to inmate's current conviction. The inmate was convicted of PC 459 Burglary, PC 666 Petty Theft with prior, PC 422 Threaten Crime with Intent to Terrorize/Criminal Threats, PC 273.5(a) Inflict Corporal Injury to Spouse/Cohabitant, and PC 290(a)(1)(a) Failure to Register in 2007, paroled on 7/14/13, and convicted of the most recent commitment offense on 8/30/17. The inmate was free from incarceration from a conviction for approximately four years and one month before inmate's conviction of the commitment offense.

Analysis: When balancing the aggravating circumstances against the mitigating circumstances, they tend to show that the circumstances of the inmate's prior criminal record aggravate the inmate's current risk of violence or significant criminal activity because of the violence and threats of violence exhibited by inmate and since inmate was not free from incarceration for five years prior to the commitment offense, which evidences inmate's continued inability to follow the rules and norms of society. The inmate's commission of yet another criminal offense within such a short time frame, reflects an ongoing pattern of criminal behavior undeterred by repeated custodial sanctions, and is reflective of a current risk, which is not mitigated by the inmate's lack of a violent PC 667.5 felony conviction within the past 15 years. Therefore, the prior criminal history is an aggravating risk factor in the case.

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

The inmate was received into the California Department of Corrections and Rehabilitation on the current commitment offense(s) since September 5, 2017, a period of approximately four years.

The inmate has been involved in the following activities:

Serious RVRs: none.

Work:

porter (11/7/20-1/11/21 – 2m)

Vocational:

computer and related technology (7/9/19-5/28/21 – 1y 10m)

Education:

adult basic education II (1/20/21-5/28/21 – 4m; assigned since 6/18/21 – 2m)

Self-Help:

substance use disorder treatment (11/20/18-5/15/19 – 6m; completed)  
recreation therapy group (11 week sessions completed 5/15/19)  
recreation therapy group (12 week sessions completed 3/1/19)  
recreation therapy group (12 week sessions completed 12/7/18)  
recreation therapy group (12 week sessions completed 9/14/18)  
recreation therapy group (12 week sessions completed 6/22/18)  
recreation therapy group (7 week sessions completed 6/21/18)  
anger management (2/21/18-6/8/18 – 4m; completed)  
criminal thinking (2/21/18-6/8/18 – 4m; completed)  
family relationships (2/21/18-8/6/18 – 6m; completed)  
criminal gangs anonymous CGA (8/17/18-1/15/19 – 5m completed; 11/16/19-1/11/20 – 2m)

Confidential Information: none.

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:

The inmate has not been found guilty of institutional Rules Violations Reports resulting in physical injury or threat of physical injury since inmate's last admission to prison.

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

The inmate has successfully participated in vocational, educational, or work assignments for a sustained period of time as, given the inmate's theft related history, inmate is gaining a skillset to curtail inmate's criminal history/activity, namely computer and related technology.

The inmate has successfully participated in rehabilitative or self-help programming to address the circumstances that contributed to inmate's criminal behavior for a sustained period of time as inmate has participated in and completed several programs that dealt with, amongst other matters, substance use disorder treatment, several recreation therapy groups, anger management, criminal thinking, family relationships, and criminal gangs anonymous.

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:

None.

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 there are no aggravating factors. Inmate's institutional record shows overall compliance with institutional rules. Furthermore, inmate has shown that inmate has positively rehabilitated inmate by remaining violence free, by not participating in criminal activity, and by participating in rehabilitative or self-help programming, vocational, educational, and work assignments in order to better inmate.

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

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, including the passage of time, the inmate's age (59), and any physical and/or cognitive limitations, 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.

To prepare for this review, the author reviewed the Disability and Effective Communication System as well as the inmate's record to determine all physical and cognitive disabilities documented for this inmate. In reaching the decision articulated below, the author fully considered any mitigating impact of each documented disability on all of the factors considered.

Although inmate's prior felony criminal record was found aggravating, greater weight is placed on inmate's more recent behavior which has been non-violent.

Great weight is given to the facts that the commitment offense was not violent, that there was no physical injury or threats of physical injury to any victim, and that the inmate did not personally use a deadly weapon, as this evidences inmate's recent non-violent criminal behavior. Great weight is given to the fact that inmate has remained violence free and has not participated in criminal activity while incarcerated, as this indicates that inmate has changed inmate's criminal behavior for the better. Great weight is given to the facts that inmate has positively rehabilitated inmate by participating in rehabilitative or self-help programming, vocational, educational, and work assignments during inmate's incarceration including programming to address the circumstances that contributed to inmate's criminal behavior.

These facts show that inmate is not a current risk of violence as inmate has not exhibited any violence since 2007 and has worked on rehabilitating inmate. The inmate is approved for release.



August 20, 2021

**SIGNATURE**

**REVIEW DATE**

**CHAKUR, KYROS - 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.