

**BOARD OF PAROLE HEARINGS**

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



January 20, 2022

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

Subject: **NONVIOLENT PAROLE REVIEW DECISION**

Inmate's Name : BROWN, SKYLER, RAMOND  
CDCR# : BA4084  
Location : Mule Creek State Prison  
Court Case# : 20141833

The above inmate was referred to the Board of Parole Hearings under the Nonviolent Offender Parole Review Process. The board has denied 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: BROWN, SKYLER, RAMOND  
CDCR Number: BA4084  
Institution: Mule Creek 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 Brown, Skyler, BA4084:** When considering together the findings on each of the inmate's four case factors, the inmate poses a current, unreasonable risk of violence or a current, unreasonable risk of significant criminal activity to the community. Release is denied.

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

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

The circumstances of the inmate's current commitment offense(s) aggravate 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

##### OFFENSES AND ENHANCEMENTS:

(1) PC 273.5(a) – Corporal injury to spouse for which the inmate received a term of 6 years, (doubled per PC667(b)(1)/PC1170.12, a prior strike enhancement).

(2) PC 422 – Criminal threats for which the inmate received a term of 16 months, consecutive to the other charge(doubled per PC667(b)(1)/PC1170.12, a prior strike enhancement).

(3) PC 136.1(c) – Dissuade a witness under specified circumstances for which the inmate received a term of 2 years, consecutive to the other charge(doubled per PC667(b)(1)/PC1170.12, a prior strike enhancement).

(4) PC 136.1 – Dissuade a witness for which the inmate received a term of 4 years, consecutive to the other charge (doubled per PC667(b)(1)/PC1170.12, a prior strike enhancement).

(5) There was an enhancement per PC667.5(b) for a prior prison term (1 year).

(6) There was an enhancement pursuant to PC 12022(b)(1) for 4 months for personal use of a deadly weapon.

**FACTS:** On December 21, 2014, police officers responded to a report of domestic violence. The inmate attempted to take a child without the mother (victim's) permission. The inmate locked himself in a van with the child. He had recently smoked methamphetamine and reportedly was out of control. The inmate was observed to be fidgety, sweating and pulling at his chest hairs. The victim provided a key to the van and as officers attempted to arrest him, he fled on foot and was subsequently arrested.

The victim reported that she and the inmate had argued for two days. He physically assaulted her by pushing her to the ground. On one occasion he followed the victim to the bathroom with a knife in his hand stating to her, "I might as well just kill her". The inmate additionally made other criminal threats that the child's father would be shot.

A criminal protective order was put in place prohibiting the inmate from contacting the victim. However, on March 17, 2015, the inmate called the victim from the county jail on a recorded line telling her to recant her accusation. The inmate told her to say that she lied, that her statement was false, and the evidence was

tampered with by the district attorney. The inmate called the victim again on March 19, 2015 trying to direct her testimony. On March 22, 2015, the inmate called the victim and told her to recant her statement. Later that day, the victim contacted the Siskiyou County Deputy District Attorney handling the case and recanted her statement. The inmate continued to contact the victim via a recorded line while in was in county custody.

After careful review and consideration of the aggravating and mitigating circumstances in all of the current crimes, there are aggravating circumstance(s) in the case and the following aggravating circumstances make this an aggravating factor in the case:

- 1.The inmate personally used a deadly weapon. The inmate used a knife during the commission of the crime.
- 2.There were one or more victims who suffered physical injury or threat of physical injury. The inmate assaulted the female victim by pushing her to the floor. He stated that he might as well kill the victim while he was holding a knife. He took the victim's child and placed it in a vehicle with the intention of going to the home of the child's father and starting a fight.

Therefore, the current crimes are found to be an aggravating risk factor in the case.

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

The inmate's prior criminal history began in 2010 and continued until the commitment offense(s) in 2016. 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:

05/04/2010 - PC 243(c)(2), Battery on a Peace Officer (Misdemeanor)  
10/04/2011 – PC 245(c), Assault on a Peace Officer  
10/04/2011 – PC 69, Obstruct Executive Officer (Misdemeanor)  
10/04/2011 – PC 243(b), Battery on a Peace Officer (Misdemeanor)  
01/03/2013 – PC 242, Battery (Misdemeanor)  
12/12/2013 – PC 243(e)(1), Domestic Battery (Misdemeanor) (90 days Jail)

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. The inmate does not have any convictions for statutorily violent crimes.

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's prior criminal convictions coupled with his current convictions show a pattern of assaultive behavior. The current offenses involve highly assaultive behavior against several victims. The behavior involved actual violence and threats of violence. These crimes, coupled with the inmate's prior convictions for battery on a peace officer, assault on a peace officer, battery, and domestic battery constitute a pattern of assaultive behavior.
- 2.The inmate was incarcerated for a misdemeanor conviction involving physical injury to a victim and a felony conviction within five years prior to his current convictions. The inmate was last incarcerated in state prison for assaulting a peace officer with a deadly weapon. His parole date was November 14, 2012. The inmate was convicted of the current offense on February 18, 2016, approximately 39 months later. In addition to the short period of time between his felony incarcerations, the inmate was incarcerated for two assaultive misdemeanors between his two prison terms.

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 the inmate's prior convictions display a continuing pattern of assaultive behavior over a period of time and is highly relevant to the inmate's current risk of violence.

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

The inmate was received into the California Department of Corrections and Rehabilitation on the current commitment offense(s) since July 13, 2016, a period of approximately 5 years, 6 months.

The inmate has been involved in the following activities:

#### **WORK HISTORY:**

06/21/18 – 08/14/18 - Painter (66 Hours)  
02/01/18 – 06/20/18 - Main Kitchen Cook (351.75 Hours)  
01/12/18 – 01/31/18 - Recreational Aid (91 Hours)

#### **VOCATIONAL TRAINING:**

None

**EDUCATIONAL PROGRAMS:**

02/02/19 – 07/05/19 – College, Correspondence (6 Units Completed)  
08/15/18 - 12/21/18 - College (Onsite)  
08/15/18 – 01/17/19 - College (Onsite)

**SELF-HELP PARTICIPATION:**

11/24/21 to Present – Narcotics Anonymous (0.00 Hours)  
11/13/20 – 01/08/21 – Health & Wellness Programs (2.5 Hours)  
10/05/20 - 01/08/21 – Health & Wellness Programs (9 Hours)  
11/23/19 – 01/13/20 – Narcotics Anonymous (4 Hours)  
10/07/19 – 01/13/20 – Narcotics Anonymous (6 Hours)  
04/05/19 – 07/06/19 - Anger Management (Reentry) (58.50 Hours)  
03/13/19 – 07/06/19 – Kid C.A.T. (0.00 Hours)  
03/08/19 – 07/06/19 – Substance Abuse Program (187.50 Hours)

02/16/19 - 02/26/19 – Parenting Class (2.0 Hours)  
12/11/18 – 03/06/19 – Substance Abuse Program(105.50 Hours)  
11/20/20 – Prep Domestic Violence Course  
04/19/19 – GOGI Release Preparation  
04/18/18 – GOGI Positive Decision Making Certificate Program  
10/18/17 – GOGI Increase Your Peace

The inmate attends group and individual therapy through the MHSDS at various levels of care. Following is an accounting of the inmate's participation:

Acute/ICF-EOP - Attended 86.7 Hours – Participated in 73% of all offered treatment  
ML -CCCMS – Attended 7.4 Hours – Participated in 71% of offered treatment  
ML-EOP – Attended 203 Hours – Participated in 62% of all offered treatment  
RC-EOP – Attended 80.5 Hours – Participated in 100% of all offered treatment

**SERIOUS RULES VIOLATIONS:**

01/01/22 – Delaying a peace officer  
12/27/21 – Delaying a peace officer (Pending – Not considered in this review)  
04/06/21 – Over familiarity  
08/28/19 – Fighting  
08/28/29 – Fighting  
08/27/19 – Refuse to accept housing  
05/04/19 – Fighting  
02/21/19 – Possession of Tattoo Paraphernalia

**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:

1. 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 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 or significant criminal activity:

1. The inmate has been found guilty of institutional Rules Violations Reports resulting in physical injury or threat of physical injury since his last admission to prison or has one or more recent serious institutional Rules Violation Reports. The inmate received eight serious RVRs. Three of these RVRs are for fighting. He received two RVRs during the last nine months.

2. The inmate has limited participation in available vocational, educational, or work assignments. The inmate has maintained a work assignment for approximately seven months while incarcerated on this term. He has not participated in any vocational training. While he has participated in the college program for two years, he completed only two courses.

3. The inmate has limited participation in available rehabilitative or self-help programming to address the circumstances that contributed to his criminal behavior, such as substance abuse and domestic violence. The inmate has not participated in any rehabilitative programming during the last 12 months. Overall, his programming is limited and he has not demonstrated a long-term commitment to any of the programs he has participated in. The inmate has not participated in a sufficient amount of programming to address the underlying causes of his criminality. A more robust pattern of program participation will assist the inmate in developing pro-social behaviors and will also provide the inmate with tools to enable him to eliminate criminal thinking and thereby diminish his risk of violence or significant criminality.

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 or significant criminal activity because the inmate's failure to address the

underlying causes of his criminal behavior is considered to be more probative to his current risk of violence than the lack of confidential information. The inmate has an extensive history of assaultive behavior, yet he has very limited participation in programs that would tend to reduce his violence potential. More importantly, the inmate incurred two RVRs during the last nine months, demonstrating that he continues to struggle with following institutional rules and regulations.

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

The Board of Parole Hearings received responses to the legal notices regarding the inmate's nonviolent review. The following responses were reviewed and considered in this decision:

No responses were submitted for the current review. However, responses to legal notices are contained in the inmate's file. These letters were submitted for consideration for prior NV evaluations. These responses have been reviewed and considered at the present time.

**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 factors aggravating the inmate's current risk of violence outweigh the factors mitigating 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.

The inmate has a CSRA score of 1.

All of the above information was weighed and considered in determining that the inmate continues to pose a current, unreasonable risk of violence to the community. Each of the factors considered tend to aggravate the inmate's current risk of violence. The commitment offenses included threats of violence and actual violence against the victims. The inmate's prior criminal history contains numerous convictions for crimes that involve violent and assaultive behavior. While incarcerated, the inmate failed to follow the rules and regulations of the institution and obtained nine serious rules violation reports. Two of these serious RVRs were received since the inmate's last NV Review. Additionally, the inmate has not participated in any rehabilitative programming during the last 12 months. His rehabilitative efforts in his work assignments, along with his educational and vocational programming are limited. . The inmate is denied for release.



January 19, 2022

**SIGNATURE**

**REVIEW DATE**

**NEWMAN, KATHLEEN - 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.