

BOARD OF PAROLE HEARINGS

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



January 31, 2022

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

Subject: **NONVIOLENT PAROLE REVIEW DECISION**

Inmate's Name : WATSON, JAMIE,ROSS
CDCR# : F83365
Location : California Correctional Center
Court Case# : 151117, 150988

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: WATSON, JAMIE,ROSS
CDCR Number: F83365
Institution: California Correctional Center

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 Watson, Jamie, F83365: 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 19 years and 8 months on the current commitment offense(s). The commitment offense(s) is/are

PC 459 Burglary 1st, with a 6 year term;
PC 182(a)(1) Subordination of Perjury - Conspiracy, with a 1 year term;
PC 136.1(c)(1) Prevent/Dissuade Vic/Witness Under Specified Circumstances, with a 3 year term;
PC 653f(a) Solicitation to Commit a Felony, with an 8 month term;
PC 653f(a) Solicitation to Commit a Felony, with an 8 month term;
PC 1320.5 Failure to Appear/Felony Charge, with an 8 month term;
PC 1320.5 Failure to Appear/Felony Charge, with an 8 month term;
Enhancement PC 12022.1, with a 2 year term; PC 667(a)(1), with a 5 year term;
Convicted on 10/27/2015 by plea.

STATEMENT OF FACTS

Around April 12, 2015, the inmate and a female broke into a residence, intending on stealing a gun, which they could not find. When the owner came home, the inmate pointed a toy gun at the victim. The victim was able to take the toy gun away from the inmate and hit the inmate with the object. The inmate threatened to spit on the victim, stating he had AIDS. The inmate then ran away with a small safe. Between May and October 2015, the inmate conspired with others to create an alibi, as well as threatened to assault the female codefendant to dissuade her from testifying. The inmate failed to appear for court on two occasions, on 8/11/2015 and 7/31/2015.

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. There were one or more victims who suffered physical injury or threat of physical injury. The inmate threatened the home owner with violence and assault, as well as threatened his codefendant with physical injury.

2. The inmate personally used a deadly weapon. While the gun may have been a toy, it was welded as a deadly weapon.

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 2006 and continued until the commitment offense(s) in 2015. 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:

2006 PC273.6(A) Violation of domestic violence court order
2006 HS 11377(a) Possess controlled substance
2007 HS 11377(A) Possess controlled substance
2010 PC 470(d) False checks/records/certs etc
2010 PC 496d(a) Possess stolen vehicle
2010 PC 182(a)(1) Conspiracy: commit crime
Released from CDCR on 06/18/2012

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 a misdemeanor conviction involving physical injury to a victim or a felony conviction within five years prior to his current convictions. The inmate was released from a prior term on 6/18/2012, and convicted of the current offenses on 0/27/2015 which is 3 years, 4 months, 9 days after release from a prior term.

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 while the inmate may not have any felony convictions pursuant to PC 667.5(c), this is outweighed by the short amount of time from his release from prison for a prior felony term and the current conviction. The inmate was convicted of the current offenses less than five years after his release from a prior term. This short amount of time demonstrates that prior incarcerations were not a deterrent to criminality. This is probative of his risk to reoffend and commit significant criminal activity in the community. Accordingly, the prior criminal record factor is overall aggravating.

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 16, 2015, a period of approximately 6 years, 1 month, 8 days.

The inmate has been involved in the following activities:

Confidential memos: n/a
Serious Rule Violation Reports: n/a

Chronos for participation in AA: 2/28/2017, 1/24/2017, 11/28/2016

Educational, Vocational, and Work Assignments:

09/16/2021 Alternative Education III (18 hours)
06/18/2021-1/2022 Camp Firefighter- Special Skills Porter I (972.5 hours)
11/24/2020-6/2021 Camp Firefighter- Special Skills Lead Cook (1015.75 hours)
11/13/2020 Alternative Education III Valley View/ Wash Ridge (73 hours)
10/05/2020 Camp Firefighter- Special Skills Butcher (312 hours)
04/24/2020-10/2020 Camp Firefighter- Special Skills Dining Room (936 hours)
12/27/2019 Satellite Kitch Wrk Tablewipe
07/12/2019 E-Learning - Non Tablet
07/10/2019 Auto Mechanics Mechanic
07/09/2019 E-Learning - Non Tablet
06/01/2019 Yard Worker Fac Ingrounds
05/07/2019 Satellite Kitch Wrk Lineserver
12/27/2018 Dining Room Line Server
05/10/2018 Voc Small Engine Repair
01/13/2018 Voc Career Core Core Vocation
08/15/2017 General Education Dev
08/11/2017 Porter
12/08/2016 Landscape Gardening
10/11/2016 Yard Worker
08/31/2016 General Education Dev
04/29/2016 General Education Dev
02/19/2016 Voluntary Abe III

Per the inmate's submission, he has earned his OSHA chrono, small engine chrono, forklift chrono, and

attended job readiness. He has been promised job in water readiness, and intends on living with his 79 year old mother in Red Bluff. OSHA certificates were reviewed.

Self-help and Rehabilitation:

Per his 2021 Rehabilitation Case Plan Study, the inmate is focused on developing his special skills, specifically at Camp, so as to develop a trade that will benefit him upon release. He wants to learn support skills at fire camp, such as maintenance, food service, or other facility positions.

01/04/2020 Visual And Performing Arts Basic Drawing

01/04/2020 Visual And Performing Arts Basic Drawing

12/04/2019 Victim Awareness-Impact Programs Victims Impact (6.25 hours)

10/11/2019 Substance Abuse Recovery Support Groups Narcotics Anonymous (12 hours)

10/08/2019 Substance Abuse Recovery Support Groups Alcoholics Anonymous (10 hours)

09/19/2019 Parenting/Family Support Fatherless Fathers (12 hours)

03/27/2017 -11/2017 Substance Abuse Recovery Support Groups Alcoholics Anonymous (46 hours)

Certificate - Alternative to Violence 2019

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.
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.
3. The inmate has successfully participated in vocational, educational, or work assignments for a sustained period of time. As listed above, the inmate has spent over 1000 hours in fire camps working on a vocation. This will help him reintegrate into the community upon his release. The inmate is encouraged to continue this positive development.

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:

-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, domestic violence, or gang involvement. The inmate has begun to work in this area, and it is noted he has taken victim awareness and substance abuse self-help. He is encouraged to continue in these areas as well as domestic violence, and courses that deal with criminal thinking and denial management. Upon a review of the extensive charges for the commitment offenses (conspiracy, dissuading victims etc.), as well as his criminal record, the inmate needs a commitment to sustained and continuous self help so as to remain stable for the long term. He needs to address his history of assaultive behavior, such as dissuading victims, violating restraining orders. It is encouraging that he has certificates in Alternatives to Violence. He may address some of his short-comings with in-cell study as well as groups. There are in-cell programs such as those by PREP, that specifically address concerns such as domestic violence, that the inmate can apply himself, even when conflicted with work and vocational hours. However, programming in the area of assaultive behavior must be addressed over a sustained period of time due to the seriousness of the Conspiracy, Prevent/Dissuade Vic/Witness Under Specified Circumstances, and facts surrounding the commitment offenses.

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 while the inmate has no RVRs or confidential memos, and sustained work and vocation hours, this is outweighed by the limited self-help programming. The inmate has not yet successfully participated in self-help and rehabilitative programming to address the circumstances of his criminal behavior, such as anger management, domestic violence, negative peers, or other such programming, for a sustained period. The inmate's limited participation in self-help or rehabilitative programming to address the criminal history of assaultive behavior and negative peer influence is a factor that weighs heavily against those other circumstances present in mitigation. Accordingly, the institutional adjustment factor is overall aggravating.

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: Family/Friends Support received 6/14/2021; Inmate Self Support received 6/24/2021; Inmate Self Support received 12/9/2021.

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.

Under the review criteria, the inmate's current commitment offenses, prior criminal record, and institutional behavior are considered aggravating. The inmate's current offense involved the use/wielding of a weapon and threat of physical injury to victims. He was free from incarceration for less than five years before his current convictions. The inmate has yet to successfully participate in self-help and rehabilitative programming to address the circumstances of his criminal behavior, such as substance abuse, domestic violence, or gang involvement, for a sustained period of time. For these reasons, the inmate poses a current, unreasonable risk of violence or a current, unreasonable risk of significant criminal activity to the community. The inmate is denied for release.



January 28, 2022

SIGNATURE

REVIEW DATE

ADAMS, ELEANORE - 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.