

BOARD OF PAROLE HEARINGS

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



July 27, 2022

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

Subject: NONVIOLENT PAROLE REVIEW DECISION

Inmate's Name : DODD, CHRISTOPHER, MICHAEL
CDCR# : AP1888
Location : California State Prison, Corcoran
Court Case# : 2019721, 20191589

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: DODD, CHRISTOPHER, MICHAEL
CDCR Number: AP1888
Institution: California State Prison, Corcoran

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 Dodd, Christopher, AP1888: 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) mitigate the inmate's current risk of violence or significant criminal activity. The inmate was sentenced to a total term of six years on the current commitment offense(s). The commitment offense(s) is/are of the following:

On 8/27/2019, the Inmate was convicted of PC 4573.6 Possession of Controlled Substance in Jail and PC 530.5(a) Identity Theft and received a three-year (doubled-prior strike) to 6 years for the Possession of Controlled substance and a three-year stayed term for the identity theft. The Inmate received no other enhancements.

The Inmate's total term is 6 years.

FACTS:

Possession of Controlled Substance in Jail: On April 29, 2018, the Inmate was in custody, and Officers discovered heroin on his person.

Identity Theft: On June 16, 2019, the Inmate and another used the victim's credit cards to purchase goods.

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:

- a. The Inmate did not personally use a deadly weapon.
- b. No victims suffered physical injury or threat of physical injury.

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 2010 and continued until the commitment offense(s) in 2019. 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:

- 8/5/2010 -- Misdemeanor related to a Threat of Physical Injury or Physical Injury – PC 243(E)(1) Battery: Spouse (60 Days Jail);
- 4/30/2013 – PC 452(C) Causing Fire of Structure or Forest Land, and

---- PC 451(B) Arson Inhabited Structure or Property (Violent Felony within 15-years of this review).

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

None

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 has a prior conviction for a violent strike offense pursuant to PC 667.5(c) within the past 15 years. The Inmate's PC 451(b) is a violent felon with a conviction date of 1/22/2013, within 15 years of this review.
2. The Inmate was incarcerated for a felony conviction within five years before this current conviction. The Inmate was released from CDCR on 8/24/2016, and the conviction date of 8/27/2019 is within five years.

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 felony conviction displays current violent or threat of violent behavior and therefore is highly relevant to the Inmate's present risk of violence. The Inmate has a recent violent felony for Arson in 2013, which provides a probative value of the current risk. Additionally, the Inmate re-offended within 5-years of release. The Inmate has no mitigating factors; therefore, the prior criminal record aggravates.

Case Factor #3 - Institutional Adjustment

The inmate was received into the California Department of Corrections and Rehabilitation on the current commitment offense(s) since October 1, 2019, a period of approximately 3 years, 1 month.

The inmate has been involved in the following activities:

Work Assignments:

08/14/2020 Unassigned on 10/01/2020 Dining Room Worker 98 hours

Vocational assignments:

None

Educational assignments:

None

Self-help and rehabilitative programming:

07/09/2021 Assigned 07/09/2021 NA No Hours

07/08/2021 Assigned 07/08/2021 CGA No Hours

06/15/2021 Assigned 06/15/2021 CBI - Outpatient 92 Hours

04/03/2021 Unassigned on 05/04/2021 CBI - Intensive Outpatient 32 Hours

3/5/2020 Reassigned On 8/13/2020 Dad's Against Drugs 2 Hours

Confidential Information:

None

Rules Violations:

02/19/2022—Fighting—Serious--Guilty as Charged

08/26/2021--Possession of Alcohol—Serious--Guilty as Charged

06/22/2021--Possession of a controlled substance in an institution—Serious --Guilty as Charged

04/12/2021--Possession of Alcohol—Serious--Guilty as Charged

03/21/2021--Possession of Alcohol—Serious--Guilty as Charged

01/07/2021--The fermentation or distillation of Materials in a manner co—Serious--Guilty as Charged

11/30/2020--The fermentation or distillation of Materials in a manner co --Serious --Guilty as Charged

11/22/2020--Disobeying an Order—Serious--Guilty as Charged

11/11/2020--Possession of Alcohol—Serious--Guilty as Charged

11/08/2020--Disobeying an Order—Serious--Guilty as Charged

10/06/2020--Loaning of Personal Property—Serious--Guilty as Charged

09/20/2020—Fighting—Serious--Guilty as Charged

07/13/2020--Obstructing a Peace Officer—Serious--Guilty as Charged

06/14/2020--Obstructing a Peace Officer—Serious--Guilty as Charged

03/05/2020—Fighting—Serious--Guilty as Charged

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:

There is no reliable information in the confidential section of the Inmate's central file indicating the Inmate has engaged in criminal activity since this 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:

a. The Inmate has been found guilty of institutional Rules Violations Reports resulting in physical injury or threat of physical injury since this last admission to prison or has one or more recent serious institutional Rules violations Reports. On 2/19/2022, the Inmate has a rules violation for fighting. Additionally, the Inmate has 12 other serious rules violations with two more for fighting in 2020.

b. The Inmate has limited participation in available vocational, educational, or work assignments. The Inmate's record has under 100 hours in these areas, which does not support a sustained finding.

c. The Inmate has limited participation in available rehabilitative or self-help programming to address the circumstances that contributed to the criminal behavior. In a review of the above, the Inmate's record does NOT illustrate a sustained participation period in rehabilitative or self-help programming relevant to the current case factors because the Inmate has under 200 hours of programming. Additionally, the Inmate has continued to receive serious rules violations even after completing some programming including 124 Hours of CBI and 2 hours of Dads against drugs. Thus, the Inmate's participation is limited.

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 recent rules violation for fighting in February of 2022 and the lack of a sustained period of self-help or rehabilitative programming provide the most aggravating weight in this review. Additionally, the Inmate has received two more rule violations related to violence (March and September of 2020). Therefore, the recent rules violation for fighting is heavily weighted. Thus, the aggravating factors outweigh the mitigating.

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 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 aggravating factors make this decision a denial of release. First, the Inmate's institutional adjustment is aggravating because of the recent rules violation in February 2022 for fighting. The institutional adjustment becomes heavily weighted aggravation when the lack of a sustained period of programming and the prior rules violations for violence are combined. Second, the prior criminal record is aggravating based on the re-offense within five years and the violent felony conviction for Arson of an inhabited dwelling in 2013. These factors (prior criminal record and current institutional adjustment) are heavily weighted aggravation because they illustrate an elevated violence risk based on the abovementioned case factors. When these aggravating factors are combined, they outweigh the mitigating factor (the current commitment offense). The inmate is denied for release.



July 26, 2022

SIGNATURE

REVIEW DATE

WEILBACHER, JAMES - 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.