

BOARD OF PAROLE HEARINGS

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



February 01, 2024

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

Subject: NONVIOLENT PAROLE REVIEW DECISION

Inmate's Name : ANGELEDES, SEAN,DAVID
CDCR# : BN9142
Location : Correctional Training Facility
Court Case# : 16188, 21105, 14651, 210078

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: ANGELEDES, SEAN,DAVID
CDCR Number: BN9142
Institution: Correctional Training Facility

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 Angeledes, Sean, BN9142: When considering together the findings on each of the incarcerated person's four case factors, the incarcerated person 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 incarcerated person's current commitment offense(s) aggravate the incarcerated person's current risk of violence or significant criminal activity. The incarcerated person was sentenced to a total term of 10 years on the current commitment offense(s). The commitment offense(s) is/are

Case #21105-Convicted May 27, 2021

1) PC4532(b)(1): escape county/prison without force (sentenced to 6 years-3 years doubled as a second strike offense)

On or about January 21, 2021, the incarcerated person attempted to escape from jail.

Case #210078-Convicted May 27, 2021

2) VC2800.2(a): evade or attempt to evade Peace Officer while driving recklessly (sentenced to 1 year 4 months-8 months doubled as a second strike offense)

3) PC29800(a)(1): possess/own firearm by felon or addict (sentenced to 1 year 4 months-8 months doubled as a second strike offense)

4) PC30305(a): possess ammunition by prohibited person (sentenced to 1 year 4 months-8 months doubled as a second strike offense)

On or about January 17, 2021, the incarcerated person drove a motor vehicle in willful and/or wanton disregard for the safety of persons, with the intent to evade, willfully fled and/or attempted to elude a pursuing peace officer's motor vehicle. The incarcerated person was found to be in possession of a .38 caliber revolver and ammunition; having been previously convicted of a felony.

Case #16188- Convicted March 29, 2016

5) PC587(a)-grand theft exceeding \$950

On or about October 2, 2015, the incarcerated person took a GPS ankle monitor belonging to the Siskiyou County Probation Department. The ankle monitor was valued in excess of \$950.

Case #14651- Convicted June 21, 2018

6) PC422: criminal threat to cause GBI/Death (sentenced to 2 years with a PC186.22(b)(1) enhancement-street

gang act in commission of serious felon (sentenced to 5 years)

On or about May 7, 2014, the incarcerated person made criminal threats to the victim that indicated an immediate prospect of the execution of the criminal threats. The victim sustained fear for his/her safety and the safety of his/her immediate family. This offense was determined to be committed for the benefit of, at the direction of and in association with a criminal street gang with the specific intent to promote, further and assist in criminal conduct by gang members.

The incarcerated person advised law enforcement that every time he has messed up in the past, it has been related to drugs.

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 incarcerated person evaded arrest while driving recklessly; thereby exposing countless motorists and pedestrians to the threat of physical injury. The incarcerated person also made criminal threats to a victim; for which the victim was in sustained fear for his/her safety.

2) There was a conviction involving large-scale criminal activity. Large-scale criminal activity is interpreted to mean criminal activity that was part of an exceptionally sophisticated and large-scale criminal enterprise that includes gang related cases with PC 186.22 enhancements; as in the subject count 6 conviction.

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

Case Factor #2 - Prior Criminal Record

The incarcerated person's prior criminal history began in 2016 and continued until the commitment offense(s) in 2021. The incarcerated person's prior criminal record is a factor mitigating the incarcerated person's current risk of violence or significant criminal activity. The incarcerated person has the following adult criminal convictions:

The incarcerated person does not have any prior felony adult convictions. The incarcerated person incurred a diagnostic commitment for criminal threat to cause GBI/Death and grand theft exceeding \$950 on February 1, 2018. This offense forms a part of the current commitment offenses.

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

1) The incarcerated person has no prior criminal convictions.

2) The incarcerated person 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 incarcerated person's prior criminal record that aggravate the incarcerated person's current risk of violence or significant criminal activity are:

Under the review criteria, there are not any aggravating circumstances of the incarcerated person's prior criminal record that are applicable.

Analysis: When balancing the aggravating circumstances against the mitigating circumstances, they tend to show that the circumstances of the incarcerated person's prior criminal record mitigate the incarcerated person's current risk of violence or significant criminal activity because under the review criteria, there are only circumstances in mitigation and none in aggravation.

Case Factor #3 - Institutional Adjustment

The incarcerated person was received into the California Department of Corrections and Rehabilitation on the current commitment offense(s) since June 14, 2021, a period of approximately 2 years 7 months.

The incarcerated person has been involved in the following activities:

Institutional Rule Violation Reports (Serious)

10/30/2023: possession of notes evidencing STG behavior (the incarcerated person was in possession of a "Kite" inscribed with micro writing with details of how to conduct illicit criminal activity against other groups by outlining strategies of attack to be committed on the Facility C Yard).

Work Assignments

8/2023-1/2024: porter (606 hours)
9/2021-11/2021: yard worker (203 hours)

Vocational Assignments

None

Educational Assignments

11/2022-3/2023: transitions (88 hours)
7/2022-10/2022: GED (37 hours)
2/2022-7/2022: ABE I (120 hours)

Self-Help and Rehabilitative Programming

5/2023-7/2023: NA (12 hours)
2/2023-7/2023: bridges to freedom (24 hours)
1/2023-7/2023: center for council (33 hours)
10/2022-5/2023: AA (completed-37 hours)
10/2022-7/2023: self awareness (24 hours)

Confidential

Yes: confidential memorandum dated 11/6/2023

The following circumstances of the incarcerated person's institutional behavior, work history, and rehabilitative programming mitigate the incarcerated person's current risk of violence or significant criminal activity:

1) Under the review criteria, there are not any mitigating circumstances of the incarcerated persons institutional behavior that are applicable.

The following circumstances of the incarcerated person's institutional behavior, work history, and rehabilitative programming aggravate the incarcerated person's current risk of violence or significant criminal activity:

1) The incarcerated person has been found guilty of institutional Rules Violation Reports resulting in physical injury or threat of physical injury since their last admission to prison or has one or more recent serious institutional Rules Violation Reports. 15 CCR § 2449.5(f)(1). The incarcerated person was found guilty for possession of a Kite (on October 30, 2023) evidencing STG involvement; which forms a nexus to the current commitment offenses.

2) There is reliable information in the confidential section of the incarcerated person central file indicating the incarcerated person has engaged in criminal activity since his last admission to prison. The incarcerated person's participation thus far is not considered successful participation over a sustained period of time. Vocational, educational and employment upgrades are beneficial to improve an inmate's marketable skills and provide the inmate with an enhanced ability to find lawful employment upon release to the community, which is probative of a reduced risk to recidivate.

3) The incarcerated person has limited or no participation in available vocational, educational, or work assignments. The incarcerated person has limited participation in work assignments (809 hours), limited participation in educational assignments (245 hours) and no participation in vocational assignments.

4) The incarcerated person has limited participation in available rehabilitative or self-help programming to address the circumstances that contributed to his criminal behavior, such as gang involvement. The limited participation to date is insufficient to be considered successful participation for a sustained period of time. As a result, the incarcerated person has not addressed the circumstances that contributed to his criminal behavior in the commitment offense and his ability to live a crime free life; which increases his recidivism risk and the current risk of violence or significant criminal activity.

Analysis: When balancing the aggravating circumstances against the mitigating circumstances, they tend to show that the incarcerated person's institutional behavior, work history, and rehabilitative programming aggravate the incarcerated person's current risk of violence or significant criminal activity because under the review criteria, there are only circumstances in aggravation and none in mitigation.

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 incarcerated person's current risk of violence outweigh the factors mitigating the incarcerated person'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 incarcerated person's record to determine all physical and cognitive disabilities documented for this incarcerated person. In reaching the decision articulated below, the author fully considered any mitigating impact of each documented disability on all of the factors considered.

Although the incarcerated person's prior criminal record is considered mitigating under the review criteria, it is outweighed by the incarcerated person's current commitment offenses and institutional behavior. The incarcerated person's current commitment offense involved large scale gang related criminal activity and the threat of physical injury to victims. Mr. Angeledes's institutional adjustment identified a gang related institutional rule violation report that has a nexus to the commitment offense, there is reliable confidential information in his central file indicating he has engaged in criminal activity during the current term and he has limited participation in rehabilitative or self-help programming to address the salient issues of his criminal behavior. For these reasons, the incarcerated poses an unreasonable risk of violence or significant criminal activity to the community.. The incarcerated person is denied for release.



January 31, 2024

SIGNATURE

REVIEW DATE

BETCHLEY, KEITH - 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.