

INITIAL APPEARANCE HEARINGS

2006

The following table presents information on the review of commitments by the Intake and Court Services Section of the Department of Corrections and Rehabilitation, Division of Juvenile Justice. Staff in the Intake and Court Services Section determine the offender's Board Hearing Category (BHC) and Potential Board Date (PBD) under guideline within the California Code of Regulations – Title 15, Division 4.5. The Board of Parole Hearings (BPH) reviews these determinations, and makes changes where necessary. During 2006, a total of 665 initial case reviews were conducted. In the case of parole violators and recommitments, BPH conducts the initial hearing concurrently with the parole revocation hearing and determines the PBD at the time. During 2006, there were 706 such hearings.

The time from a commitment's acceptance by the Division's Intake and Court Services Section to the assigned PBD, is referred to as the PBD interval. The table summarizes PBD intervals given at Initial Appearance hearings.

BPH has established seven categories of offenses (Board Hearing Categories) in order of seriousness, with Category I being the most serious. BPH has also established PBD guidelines for each category (e.g.; 84 months for Category I). Deviations are allowed based on the circumstances of each offense.

An offense may be listed in more than one category, depending upon the circumstances of the crime. For example, burglary while armed with a dangerous or deadly weapon *and* with substantial injury is in Category III; burglary while armed with a dangerous or deadly weapon *or* resulting in substantial injury is in Category IV; first degree burglary is in Category V; and second degree burglary is in Category VI.

The table shows the baseline PBD guidelines in effect in 2006; the number and percentage of offenders in each category; the average PBD time given for each category and offense; and the number of offenders whose PBD interval was below, at, or above the baseline PBD guidelines.

TABLE 1
 PAROLE CONSIDERATION DATE INTERVALS AT INITIAL REVIEWS
 BY PAROLE BOARD CATEGORY AND COMMITMENT OFFENSE
 2006

CATEGORY AND COMMITMENT OFFENSE	TOTAL HEARINGS	PERCENT	AVERAGE MONTHS	BELOW GUIDELINE	AT GUIDELINE	ABOVE GUIDELINE
TOTAL	1,371	100.0	13.7	173	1,186	2
Total First Commitments	665	48.5	21.9	173	491	1
Category I (84 months)	7	0.5	71.0	3	4	-
Murder (First Degree)	7		71.0	3	4	-
Category II (48 months)	79	5.8	41.2	29	50	-
Manslaughter (Voluntary)	3		39.7	2	1	-
Attempt/Assault to Murder	20		47.8	1	19	-
Rape	2		37.0	1	1	-
Lewd/Lascivious	51		38.4	25	26	-
Sodomy/Sex Perversion	2		48.0	-	2	-
Extortion/Kidnapping	1		48.0	-	1	-
Category III (36 months)	58	4.2	32.1	15	43	-
Manslaughter (Gross Vehicular)	2		27.5	2	-	-
Robbery (Enhanced)	10		35.4	1	9	-
Robbery (Unenhanced)	5		36.0	-	5	-
Carjacking	28		32.9	5	23	-
Assault with Deadly Weapon	5		24.0	3	2	-
Sodomy/Sex Perversion	6		26.5	4	2	-
Extortion/Kidnapping	2		36.0	-	2	-
Category IV (24 months)	206	15.0	21.6	54	152	-
Manslaughter (Involuntary or Vehicular)	2		24.0	-	2	-
Robbery (Enhanced)	31		22.0	6	25	-
Robbery (Unenhanced)	37		22.2	7	30	-
Attempted/Assault to Robbery	2		24.0	-	2	-
Carjacking	1		24.0	-	1	-
Assault with Deadly Weapon	77		21.9	21	56	-
Discharge/Display Weapon	8		24.0	-	8	-
Assault/Battery/Resisting	3		24.0	-	3	-
Domestic Violence	1		24.0	-	1	-
Misc Assault Offenses	2		11.5	2	-	-
Burglary (First Degree)	19		22.1	5	14	-
Burglary (Second Degree)	1		11.0	1	-	-
Grand Theft/Fraud	2		17.5	2	-	-
Vehicle Theft	1		18.0	1	-	-
Narcotic Offenses	5		21.6	1	4	-
Marijuana Offenses	3		12.0	3	-	-
Dangerous Drug Offenses	3		16.0	2	1	-
Weapons	1		24.0	-	1	-
Reckless/Hit and Run	1		24.0	-	1	-
Arson	5		20.4	2	3	-
Malicious Mischief	1		12.0	1	-	-
Category V (18 months)	188	13.7	16.0	67	120	1
Robbery (Enhanced)	4		18.0	-	4	-
Robbery (Unenhanced)	28		16.8	7	20	1
Attempted/Assault to Robbery	7		15.4	3	4	-
Assault with Deadly Weapon	38		15.9	13	25	-
Assault/Battery/Resisting	27		16.1	10	17	-
Misc Assault Offenses	4		18.0	-	4	-
Burglary (First Degree)	53		15.4	24	29	-
Burglary (Second Degree)	3		16.0	1	2	-
Grand Theft/Fraud	15		15.7	6	9	-
Rcv Stolen Property	1		12.0	1	-	-
Vehicle Theft	2		15.0	1	1	-
Dangerous Drug Offenses	2		15.0	1	1	-
Weapons	1		18.0	-	1	-
Extortion/Kidnapping	1		18.0	-	1	-
Accessory	1		18.0	-	1	-
Malicious Mischief	1		18.0	-	1	-

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 PAROLE CONSIDERATION DATE INTERVALS AT INITIAL REVIEWS
 BY PAROLE BOARD CATEGORY AND COMMITMENT OFFENSE
 2006

CATEGORY AND COMMITMENT OFFENSE	TOTAL HEARINGS	PERCENT	AVERAGE MONTHS	BELOW GUIDELINE	AT GUIDELINE	ABOVE GUIDELINE
Category VI (12 months)	126	9.2	11.9	5	121	-
Attempted/Assault to Robbery	3		12.0	-	3	-
Attempted/Assault to Murder	1		12.0	-	1	-
Discharge/Display Weapon	2		12.0	-	2	-
Assault/Battery/Resisting	5		12.0	-	5	-
Misc Assault Offenses	5		10.6	1	4	-
Burglary (Second Degree)	14		11.9	1	13	-
Attempted Burglary	1		12.0	-	1	-
Grand Theft/Fraud	1		12.0	-	1	-
Receiving Stolen Property	4		12.0	-	4	-
Vehicle Theft	33		12.0	-	33	-
Forgery	1		12.0	-	1	-
Rape (Statutory)	1		12.0	-	1	-
Narcotic Offenses	3		12.0	-	3	-
Dangerous Drug Offenses	7		12.0	-	7	-
Weapons	30		11.8	3	27	-
Accessory	2		12.0	-	2	-
Misc Felonies	8		12.0	-	8	-
Malicious Mischief	5		12.0	-	5	-
Category VII (0-12 months)	1	0.1	7.0	-	1	-
Malicious Mischief	1		7.0	-	1	-
Parole Violator Returns (0-12 months)	696	50.8	5.6	-	695	1
Recommitments	10	0.7	22.1			