

INITIAL APPEARANCE HEARINGS

2008

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 guidelines 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 2008, a total of 721 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 2008, there were 317 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 2008; 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
 2008

CATEGORY AND COMMITMENT OFFENSE	TOTAL REVIEWS	PERCENT	AVERAGE MONTHS	BELOW GUIDELINE	AT GUIDELINE	ABOVE GUIDELINE
TOTAL	721	100.0	19.3	45	670	5
Total First Commitments	403	55.9	30.2	45	354	4
Category I (84 months)	19	2.6	82.0	4	15	-
Murder (First Degree)	14		81.6	2	12	-
Murder (Second Degree)	4		83.8	1	3	-
Extortion/Kidnapping	1		81.0	1	-	-
Category II (48 months)	81	11.3	43.6	21	60	-
Manslaughter (Voluntary)	12		48.0	-	12	-
Attempt/Assault to Murder	20		47.9	1	19	-
Rape	6		48.0	-	6	-
Lewd/Lascivious	37		39.1	19	18	-
Sodomy/Sex Perversion	5		43.0	1	4	-
Assault/Battery/Resisting	1		48.0	-	1	-
Category III (36 months)	38	5.3	34.5	5	33	-
Manslaughter (Gross Vehicular)	1		36.0	-	1	-
Robbery (Enhanced)	7		36.0	-	7	-
Robbery (Unenhanced)	3		35.7	1	2	-
Carjacking	13		36.0	-	13	-
Assault with Deadly Weapon	4		36.0	-	4	-
Burglary (First Degree)	1		36.0	-	1	-
Rape	3		36.0	-	3	-
Sodomy/Sex Perversion	5		25.0	4	1	-
Extortion/Kidnapping	1		36.0	-	1	-
Category IV (24 months)	176	24.4	23.8	11	163	2
Manslaughter (Involuntary)	1		24.0	-	1	-
Robbery (Enhanced)	50		24.1	1	48	1
Robbery (Unenhanced)	43		22.7	8	35	-
Attempted/Assault to Murder	1		24.0	-	1	-
Assault with Deadly Weapon	66		24.2	1	64	1
Discharge/Display Weapon	9		24.0	-	9	-
Misc Assault Offenses	1		24.0	-	1	-
Burglary (First Degree)	2		24.0	-	2	-
Rape	1		24.0	-	1	-
Possession of Hard Narcotic	1		18.0	1	-	-
Arson	1		24.0	-	1	-
Category V (18 months)	86	11.9	18.0	3	81	2
Robbery (Enhanced)	2		18.0	-	2	-
Robbery (Unenhanced)	36		17.7	2	34	-
Attempted/Assault to Robbery	4		16.8	1	3	-
Assault with Deadly Weapon	32		18.2	-	31	1
Assault/Battery/Resisting	1		24.0	-	-	1
Burglary (First Degree)	11		18.0	-	11	-
Category VI (12 months)	3	0.4	11.7	1	2	-
Misc Assault Offenses	1		12.0	-	1	-
Prostitution/Pimp	1		12.0	-	1	-
Weapons	1		11.0	1	-	-
Category VII (0-12 months)	-	-	-	-	-	-
Parole Violator Returns (0-12 months)	317	44.0	5.4	-	316	1
Recommitments	1	0.1	57.0			