

INITIAL APPEARANCE HEARINGS

2009

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 Juvenile Parole Board (JPB) reviews these determinations, and makes changes where necessary. During 2009, a total of 872 initial case reviews were conducted. In the case of parole violators and recommitments, JPB conducts the initial hearing concurrently with the parole revocation hearing and determines the PBD at the time. During 2009, there were 530 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.

JPB has established seven categories of offenses (Board Hearing Categories) in order of seriousness, with Category I being the most serious. JPB 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 bodily injury is in Category III; burglary while armed with a dangerous or deadly weapon *or* resulting in substantial bodily 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 2009; 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
 2009

CATEGORY AND COMMITMENT OFFENSE	TOTAL REVIEWS	PERCENT	AVERAGE MONTHS	BELOW GUIDELINE	AT GUIDELINE	ABOVE GUIDELINE
TOTAL	872	100.0	16.1	36	828	7
Total First Commitments	342	39.2	29.6	36	300	6
Category I (84 months)	16	1.8	74.4	9	7	-
Murder (First Degree)	12		75.9	5	7	-
Murder (Second Degree)	3		67.0	3	-	-
Extortion/Kidnapping	1		78.0	1	-	-
Category II (48 months)	70	8.0	43.2	17	53	-
Manslaughter (Voluntary)	3		48.0	-	3	-
Attempt/Assault to Murder	22		48.0	-	22	-
Rape	4		35.5	2	2	-
Lewd/Lascivious	31		39.3	14	17	-
Sodomy/Sex Perversion	4		43.8	1	3	-
Extortion/Kidnapping	6		48.0	-	6	-
Category III (36 months)	22	2.5	34.2	3	19	-
Robbery (Enhanced)	5		33.6	1	4	-
Robbery (Unenhanced)	6		31.5	1	5	-
Carjacking	5		36.0	-	5	-
Assault with Deadly Weapon	2		36.0	-	2	-
Burglary (First Degree)	1		35.0	1	-	-
Rape	3		36.0	-	3	-
Category IV (24 months)	155	17.8	23.8	5	148	2
Robbery (Enhanced)	30		24.2	1	28	1
Robbery (Unenhanced)	34		23.5	2	32	-
Attempted/Assault to Rob	1		24.0	-	1	-
Carjacking	2		24.0	-	2	-
Assault with Deadly Weapon	80		23.8	2	77	1
Discharge/Display Weapon	1		24.0	-	1	-
Assault/Battery/Resisting	1		24.0	-	1	-
Misc Assault Offenses	1		24.0	-	1	-
Burglary (First Degree)	3		24.0	-	3	-
Rape	1		24.0	-	1	-
Arson	1		24.0	-	1	-
Category V (18 months)	78	8.9	18.5	2	72	4
Robbery (Enhanced)	8		18.8	-	7	1
Robbery (Unenhanced)	21		18.8	1	19	1
Attempted/Assault to Robbery	2		18.0	-	2	-
Assault with Deadly Weapon	40		18.0	1	39	-
Assault/Battery/Resisting	1		24.0	-	-	1
Burglary (First Degree)	5		19.2	-	4	1
Prostitution/Pimping	1		18.0	-	1	-
Category VI (12 months)	1	0.1	12.0	-	1	-
Misc Assault Offenses	1		12.0	-	1	-
Category VII (0-12 months)	-	-	-	-	-	-
Parole Violator Returns (0-12 months)	529	60.7	7.4	-	528	1
Recommitments	1	0.1	24.0			