

BOARD OF PAROLE HEARINGS
En Banc Decisions
Wednesday, January 22, 2014

CHRISTIAN, RONALD **H-83985** **Penal Code section 1170(e)**

Motion: **Recommend to the court that the prisoner’s sentence be recalled, or the prisoner be resentenced, based on the Board’s finding that the prisoner is terminally ill with an incurable condition caused by an illness or disease that would produce death within six months, and the conditions under which the prisoner would be released or receive treatment would not pose a threat to public safety.**

Motion by: **LaBahn**
Second by: **Garner**
Not Present:
Abstained:
Decision: **Motion carried.**

HATHCOCK, WELDON **B-18483** **Referred by Decision Review**

Motion: **Vacate the November 15, 2013, decision and schedule a re-hearing to consider new information with respect to the inmate’s parole plans.**

Motion by: **Singh**
Second by: **Roberts**
Not present:
Abstained:
Decision: **Motion carried.**

KELSCH, RAYMOND **D-63773** **Referred by Decision Review**

Motion: **Vacate the November 15, 2013, decision and schedule a re-hearing to consider new information with respect to the inmate’s parole plans.**

Motion by: **Singh**
Second by: **Anderson**
Not present:
Abstained:
Decision: **Motion carried.**

Motion: Refer for a rescission hearing to consider the inmate's alleged misconduct on or about October 30, 2013.

Motion by: **Roberts**

Second by: **LaBahn**

Not Present:

Abstained:

Decision: Motion carried.

Motion: Based on the totality of the record before the panel that granted parole to inmate Smith on September 4, 2013, as well as the content of the confidential file in his central file and the Board's recent investigative report regarding the reliability and validity of that information, affirm the panel's decision to grant parole based on a finding that the prisoner no longer poses an unreasonable risk of danger to the public as articulated by the panel.

Motion by: **Garner**

Second by: **Roberts**

Not Present:

Abstained:

Decision: Motion carried.

Motion: Affirm the panel's decision to grant parole made on October 8, 2013, based on a finding that the prisoner no longer poses an unreasonable risk of danger to the public as articulated by the granting panel.

Motion by: **Montes**

Second by: **Roberts**

Not Present:

Abstained:

Decision: Motion carried.

Motion: The Board finds the inmate would not pose an unreasonable risk of danger to the public if released on parole for the reasons stated by the panel member who voted to grant parole at the inmate's December 18, 2013, hearing, and thus grants parole subject to all of the conditions of parole imposed by the panel member and that the inmate participate in a transitional housing program upon release for at least six months.

Motion by: **Anderson**

Second by: **Roberts**

Not Present: **LaBahn**

Abstained:

Decision: Motion carried.