

BOARD OF PAROLE HEARINGS
En Banc Decisions
Wednesday, February 19, 2014

JENNINGS, CHARLES **C-01249** **Penal Code section 1170(e)**

Motion: **Decline to recommend to the court that the prisoner's sentence be recalled or the prisoner be resentenced based on the findings reached by the panel at his recent parole hearing on October 24, 2013, in particular his lack of anger management skills as displayed at the hearing when the inmate departed angrily midway through the hearing, indicating that the prisoner's release would pose a threat to public safety.**

Motion by: **Garner**
Second by: **Labahn**
Not Present: **Roberts**
Abstained:

Decision: **Motion carried.**

MAGEE, LYDEL **D-20132** **Penal Code section 1170(e)**

Motion: **Decline to recommend to the court that the prisoner's sentence be recalled or the prisoner be resentenced based on the Board's finding that the inmate has received numerous rules violations demonstrating a pattern of non-compliance with societal norms and continued criminogenic thinking rendering him a threat to public safety if released.**

Motion by: **Montes**
Second by: **Peck**
Not present: **Roberts**
Abstained:

Decision: **Motion carried.**

Motion: Vacate the November 14, 2013, parole decision and schedule a re-hearing on the next available calendar to ensure the confidential information found in the inmate's central file is considered in a manner consistent with other Board decisions and the furtherance of public safety, as required by CCR, title 15, section 2042.

Motion by: **Zarrinam**

Second by: **Garner**

Not Present: **Roberts**

Abstained:

Decision: Motion carried.

Motion: Vacate the November 13, 2013, parole decision and schedule a re-hearing on the next available calendar to ensure the inmate's parole plans are considered in a manner consistent with other Board decisions and the furtherance of public safety, as required by CCR, title 15, section 2042.

Motion by: **Richardson**

Second by: **Garner**

Not Present: **Roberts**

Abstained:

Decision: Motion carried.

Motion: Vacate the October 23, 2013, parole suitability decision and schedule a re-hearing on the next available calendar to ensure the confidential information found in the inmate's central file is considered in a manner consistent with other Board decisions and the furtherance of public safety, as required by CCR, title 15, section 2042.

Motion by: **Montes**

Second by: **Anderson**

Not Present: **Roberts**

Abstained:

Decision: Motion carried.

OLMOS, JAIME

AF-4802

Referred by Decision Review

Motion: Affirm the panel's December 4, 2013, grant of parole, but schedule a hearing for the sole purpose of re-calculating the prisoner's parole release date in compliance with applicable statutes and regulations.

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

ACEVES, SALVADOR

H-73423

Referred by Decision Review

Motion: Refer for a rescission hearing to consider the inmate's alleged misconduct on or about January 22, 2014, to be held in conjunction with the rescission hearing already scheduled on May 2, 2014, to address other allegations of misconduct previously referred by the Board for a rescission hearing.

Motion by: **Labahn**
Second by: **Richardson**
Not Present: **Roberts**
Abstained:
Decision: Motion carried.

ROGGE, CHAVES

E-37145

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Affirm the panel's decision to grant parole made on November 7, 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: **Richardson**
Second by: **Peck**
Not Present: **Roberts**
Abstained:
Decision: Motion carried.

Motion: Vacate the panel's November 8, 2013, decision to grant parole and schedule a new hearing in compliance with applicable statutes and regulations for the reasons stated by the Governor in his January 17, 2014, referral to the Board.

Motion by: **Garner**
Second by: **Richardson**
Not Present: **Roberts**
Abstained:

Decision: **Motion carried.**

Motion: Refer Ms. Olsgard's application for pardon to the Governor with a favorable recommendation that Ms. Olsgard be considered by the Supreme Court for a pardon.

Motion by: **Turner**
Second by: **Fritz**
Not Present: **Roberts**
Abstained:

Decision: **Motion carried.**

Motion: Refer Mr. Previti's application for pardon to the Governor with a favorable recommendation that Mr. Previti be considered by the Supreme Court for a pardon.

Motion by: **Montes**
Second by: **Garner**
Not Present: **Roberts**
Abstained:

Decision: **Motion carried.**