

BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, June 16, 2015

FRAGOSA, BRUCE

B-30394

Penal Code 1170(e)

Motion: Decline to recommend to the court that the inmate's sentence be recalled or the inmate be resentenced based on a finding that the inmate poses a current risk of danger to public safety because of his serious institutional misconduct, his fluctuating medical condition, specifically the improvement in his condition and mobility since his initial diagnosis, and the fact that he continues to have significant use of his upper body.

Motion by: Labahn

Second by: Roberts

Not Present:

Abstained:

Decision: Motion approved by a majority of commissioners present.

GARZA, ROLANDO

C-11215

Referred by Chief Counsel

Motion: Affirm the February 19, 2015, decision to grant parole based on a finding that the inmate no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: Garner

Second by: Turner

Not Present:

Abstained:

Decision: Motion approved by a majority of commissioners present.

HARRIS, NINAUS

C-47388

Referred by Chief Counsel

Motion: Refer the inmate's January 6, 2015, grant of parole for a rescission hearing based on new information regarding the inmate's alleged institutional misconduct on April 20, 2015.

Motion by: **Peck**
Second by: **Roberts**
Not Present:
Abstained:

Decision: Motion approved by a majority of commissioners present.

SELVIAN, CHALEN

E-62457

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

Motion: Affirm the panel's February 19, 2015, decision to grant parole based on a finding that the inmate no longer poses an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: **Fritz**
Second by: **Zarrinnam**
Not Present:
Abstained:

Decision: Motion approved by a majority of commissioners present.

SHAVERS, BARRY

K-23249

**Tie Vote pursuant to Penal Code
section 3041**

Motion: The Board finds the inmate poses an unreasonable risk of danger and denies parole for three years for the reasons stated by the panel member who voted to deny parole at the inmate's May 5, 2015, hearing.

Motion by: **Roberts**
Second by: **Zarrinnam**
Not Present: **Singh**
Abstained:

Decision: Motion approved by a majority of commissioners present.