

**BOARD OF PAROLE HEARINGS**  
**En Banc Decisions**  
**Tuesday, July 19, 2016**

**LOPEZ, GARY**  
Sentencing Court:  
Fresno

**K-22944**

**Penal Code section 1170(e)**

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**Motion:** Recommend to the court that Mr. Lopez's sentence be recalled, and Mr. Lopez be resentenced, based on the board's finding that he is terminally ill with an incurable disease that would produce death within six months and the conditions under which Mr. Lopez would be released (specifically, to live under the care of his cousin) would not pose a threat to public safety.

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

**Decision:** Motion approved by a majority of the commissioners present.

**TURNER, BENJAMIN**  
Sentencing Court:  
Los Angeles

**C-61977**

**Penal Code section 1170(e)**

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**Motion:** Decline to recommend to the court that Mr. Turner's sentence be recalled and that Mr. Turner be resentenced, based on a finding that Mr. Turner's continued mobility, potential for violence, and the conditions under which Mr. Turner would be released (specifically, to live under the care of his sister) pose a threat to public safety.

Motion by: **Labahn**  
Second by: **Anderson**  
Not Present: **Chappell**  
Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**CROOK, LYLE**  
Sentencing Court:  
Los Angeles

**E-69772**

**Referred by Chief Counsel**

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**Motion:** Refer the June 25, 2015 decision to grant parole for a rescission hearing based on the board's October 20, 2015, and February 17, 2016, decisions to consider new confidential information, and on the additional ground of whether Mr. Crook's institutional misconduct on March 3, 2016, demonstrates that Mr. Crook poses an unreasonable risk of danger to the public.

Motion by: **Turner**  
Second by: **Anderson**  
Not Present: **Chappell**  
Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**RODRIGUEZ, GEORGE**  
Sentencing Court:  
Los Angeles

**H-83070**

**Referred by Chief Counsel**

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**Motion:** Refer the May 26, 2016, decision to grant parole for a rescission hearing to consider whether the new information regarding institutional misconduct on May 3, 2016, demonstrates that Mr. Rodriguez poses an unreasonable risk of danger to the public.

Motion by: **Zarrinam**  
Second by: **Peck**  
Not Present: **Chappell**  
Abstained:

**Decision:** Motion approved by a majority of the commissioners present.

**CALIX, RAPHAEL**  
Sentencing Court:  
Los Angeles

**D-11492**

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

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**Motion:** Refer for a rescission hearing to consider whether the panel that granted parole on March 3, 2016, committed a fundamental error resulting in an improvident grant based on the concerns cited in the Governor's referral letter dated June 10, 2016.

Motion by: **Garner**  
Second by: **Richardson**  
Not Present: **Chappell, Fritz**  
Abstained:  
**Decision:** Motion approved by a majority of the commissioners present.

**CHAIDEZ, JONATHAN**  
Sentencing Court:  
Fresno

**AA-6653**

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

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**Motion:** Affirm the panel's March 8, 2016, decision to grant parole based on a finding that Mr. Chaidez does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.

Motion by: **Roberts**  
Second by: **Peck**  
Not Present: **Chappell, Labahn, Montes**  
Abstained: **Anderson**  
**Decision:** Motion approved by a majority of the commissioners present.

**HAMPTON, LANNIE**  
Sentencing Court:  
Los Angeles

**H-93688**

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

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**Motion:** **Affirm the panel's February 26, 2016, decision to grant parole based on a finding that Mr. Hampton does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.**

Motion by: **Minor**  
Second by: **Roberts**  
Not Present: **Chappell, Labahn, Montes**  
Abstained:

**Decision:** **Motion approved by a majority of the commissioners present.**

**HATCHER, VINCENT**  
Sentencing Court:  
Los Angeles

**D-00384**

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

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**Motion:** **Affirm the panel's April 12, 2016, decision to grant parole based on a finding that Mr. Hatcher does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.**

Motion by: **Richardson**  
Second by: **Minor**  
Not Present: **Chappell, Fritz**  
Abstained:

**Decision:** **Motion approved by a majority of the commissioners present.**

**KINCHELOE, DALE**  
Sentencing Court:  
Los Angeles

**C-30208**

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

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**Motion:**       **Affirm the panel's March 17, 2016, decision to grant parole based on a finding that Mr. Kincheloe does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.**

Motion by:       **Richardson**  
Second by:       **Anderson**  
Not Present:     **Chappell, Montes**  
Abstained:

**Decision:**       **Motion approved by a majority of the commissioners present.**

**MCCOTTRELL, WALTER**  
Sentencing Courts:  
Santa Clara and San Diego

**B-87482**

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

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**Motion:**       **Affirm the panel's April 5, 2016, decision to grant parole based on a finding that Mr. McCottrell does not pose an unreasonable risk of danger to the public, as articulated in the panel's proposed decision.**

Motion by:       **Fritz**  
Second by:       **Garner**  
Not Present:     **Chappell, Minor, Montes**  
Abstained:

**Decision:**       **Motion approved by a majority of the commissioners present.**