

BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, December 23, 2014

COX, JIMMY

AK-7968

Penal Code section 1170(e)

Motion: Recommend to the court that the inmate's sentence be recalled, or the inmate be resentenced, based on the board's finding that the inmate is terminally ill with an incurable disease that would produce death within six months and that the conditions under which the inmate would be released or receive treatment (whether determined by CDCR to be a private residence or medical facility) would not pose a threat to public safety.

Motion by: **Labahn**
Second by: **Zarrinnam**

Not Present:

Abstained:

Decision: Motion carried.

SIMON, BOBBY

D-49680

Penal Code section 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 dangerousness as demonstrated by his institutional misconduct (including an act of violence in 2013 and threats of violence in 2014) and his continued ability to ambulate and perform activities of daily living (bathing, dressing, and toileting) without assistance.

Motion by: **Peck**
Second by: **Anderson**

Not Present:

Abstained:

Decision: Motion carried.

BASS, DANIEL

J-03303

Referred by Chief Counsel

Motion: Affirm the September 12, 2014, grant of parole, and schedule a re-hearing for the sole purpose of recalculating the inmate's term.

Motion by: **Garner**

Second by: **Roberts**

Not Present:

Abstained:

Decision: Motion carried.

BOHANA, DONALD

P-22798

Referred by Chief Counsel

Motion: Affirm the September 4, 2014, decision to deny parole and the panel's proposed adjusted base term.

Motion by: **Roberts**

Second by: **Richardson**

Not Present:

Abstained:

Decision: Motion carried.

LLAMAS, DONNIE

D-36130

Referred by Chief Counsel

Motion: Affirm the August 26, 2014, decision to deny parole and the panel's proposed adjusted base term.

Motion by: **Labahn**

Second by: **Fritz**

Not Present:

Abstained:

Decision: Motion carried.

PALMER, RICKY

C-15566

Referred by Chief Counsel

Motion: Affirm the September 12, 2014, denial of parole, and schedule a re-hearing for the sole purpose of recalculating the inmate's adjusted base term.

Motion by: **Roberts**

Second by: **Peck**

Not Present:

Abstained:

Decision: Motion carried.

BAILEY, THOMAS

C-96278

Referred for Possible Rescission

Motion: Refer the inmate's July 22, 2014, grant of parole for a rescission hearing based on new information regarding the inmate's alleged institutional misconduct (that occurred on or about October 29, 2014).

Motion by: **Peck**

Second by: **Richardson**

Not Present:

Abstained:

Decision: Motion carried.

GULLETT, ROBERT

H-45198

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

Motion: Affirm the panel's August 14, 2014, 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: **Richardson**

Not Present:

Abstained:

Decision: Motion carried.

Motion: Affirm the panel's December 4, 2013, decision to grant parole and the special conditions of parole imposed by the panel, based on a finding that the inmate no longer poses an unreasonable risk of danger to the public, and affirm the August 7, 2014, term calculation.

Motion by: **Anderson**

Second by: **Turner**

Not Present:

Abstained:

Decision: Motion carried.

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 November 6, 2014, hearing.

Motion by: **Richardson**

Second by: **Montes**

Not Present: **Singh**

Abstained:

Decision: Motion carried.