

BOARD OF PAROLE HEARINGS
En Banc Decisions
Wednesday, January 18 2012

Penal Code section 1170(e)

Pursuant to Government Code section 11126(c)(4)

BOUSAMRA, GARY **D41816** **PC 1170**

Motion: REFER TO COURT FOR CONSIDERTION OF SENTENCE RECALL
BECAUSE: THE PRISONER IS TERMINALLY ILL AS DEFINED IN PENAL
CODE SECTION 1170(E)(2)(A). THE CONDITIONS UNDER WHICH THE
PRISONER WOULD BE RELEASED OR RECEIVE TREATMENT DO NOT
POSE A THREAT TO PUBLIC SAFETY AS REFERENCE IN PENAL CODE
SECTION 1170(E)(2)(B).

Motion by: Prizmich

Second by: Peck

Aye: Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich,
Robles

Nay: Turner

Abstain:

Not Present:

Decision: Refer to Court

HOLLIDAY, GLEN MICHAEL **J88785** **PC 1170**

Motion: DECLINE TO REFER TO COURT FOR CONSIDERATION OF SENTENCE
RECALL BECAUSE: THE CONDITIONS UNDER WHICH THE PRISONER
WOULD BE RELEASED OR RECEIVE TREATMENT POSE A THREAT TO
PUBLIC SAFETY AS REFERENCED IN PENAL CODE SECTION
1170(E)(2)(B). THE INMATE'S MOBILITY RENDERS HIM A THREAT TO
PUBLIC SAFETY IN LIGHT OF HIS DISCIPLINARY HISTORY WITHIN THE
INSTITUTION AND HIS DESIRE TO NOT BE CONSIDERED FOR RECALL
OF SENTENCE.

Motion by: Anderson, Jr.

Second by: Ferguson

Aye: Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich,
Robles, Turner

Nay:

Abstain:

Not Present:

Decision: Decline to Refer

MARTINEZ, HARRY BONILLA **J58570** **PC 1170**

Motion: REFER TO COURT FOR CONSIDERATION OF SENTENCE RECALL
BECAUSE: THE PRISONER IS TERMINALLY ILL AS DEFINED IN PENAL
CODE SECTION 1170(E)(2)(A). THE CONDITIONS UNDER WHICH THE
PRISONER WOULD BE RELEASED OR RECEIVE TREATMENT DO NOT
POSE A THREAT TO PUBLIC SAFETY AS REFERENCE IN PENAL CODE
SECTION 1170(E)(2)(B).

Motion by: Anderson, Jr.

Second by: Turner

Aye: Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich,
Robles, Turner

Nay:

Abstain:

Not Present:

Decision: Refer to Court

En Banc Review

Pursuant to Government Code section 11126(c)(4)

Referred by Decision Review

AGUILERA, RUDOLFO

K16286

Motion:

THE GRANT WILL BE VACATED IF PAROLE PLANS, INCLUDING BUT NOT LIMITED THOSE PRESENTED BY ATTORNEY DEVALLO AT TODAY'S MEETING, CANNOT BE VERIFIED AS VIABLE BEFORE EXPIRATION OF DECISION REVIEW ON FEBRUARY 8, 2012. IF PLANS ARE FOUND VIABLE BEFORE FEBRUARY 8, 2012, THE GRANT WILL BE UPHeld.

Motion by:

Peck

Second by:

Moseley

Aye:

Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich, Robles, Turner

Nay:

Abstain:

Not Present:

Decision:

Affirm Conditional

Governor Referred

PHAM, LOC V

K33176

Motion:

AFFIRM THE AUGUST 31, 2011, SUITABILITY DECISION.

Motion by:

Anderson, Jr.

Second by:

Moseley

Aye:

Anderson, Jr., Figueroa, Fritz, Moseley, Peck, Robles, Turner

Nay:

Ferguson, Garner, Prizmich

Abstain:

Not Present:

Decision:

Affirm