BOARD OF PAROLE HEARINGS
En Banc Decisions

Tuesday, June 19 2012

Penal Code section 1170(e)
Pursuant to Government Code section 11126(c)(4)

ANDERSON, LASALEE HERBERT **D98823** **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). RECENT DISCIPLINARY HISTORY INVOLVING CONDUCT THAT COULD LEAD TO VIOLENCE AND HIS RECENT ATTITUDE EXPRESSED REGARDING SUBSTANCE ABUSE, DESPITE SUBSTANCE ABUSE AS A FACTOR IN THE COMMITMENT OFFENSE.
Motion by:	Moseley
Second by:	Fritz
Aye:	Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Labahn, Moseley, Peck, Prizmich, Turner
Nay:	
Abstain:	
Not Present:	Robles
Decision:	**Decline to Refer**

LOVATO, GILBERT JAMES **B95450** **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). RECENT PSYCHOLOGICAL EVALUATION RATED HIM AS A HIGH RISK OF VIOLENT RECIDIVISM, HIS RATE OF DECLINE IS SLOW, HE HAS HAD NO BIOPSY ON HIS LIVER, DESPITE MEDICAL STAFF ESTIMATING THAT HE HAS SIX MONTHS OR LESS TO LIVE. HE IS HIGHLY FUNCTIONAL, AMBULATORY, NEEDS NO ASSISTANCE WITH THE ACTIVITIES OF DAILY LIVING, AND HE HAS A CLASSIFICATION SCORE OF 97.
Motion by:	Anderson, Jr.
Second by:	Labahn
Aye:	Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Labahn, Moseley, Peck, Prizmich, Turner
Nay:	
Abstain:	
Not Present:	Robles
Decision:	**Decline to Refer**

En Banc Review
Pursuant to Government Code section 11126(c)(4)

LOZIER, DALE WAYNE **H20362** **Referred by Decision Review**

Motion:	AFFIRM THE FEBRUARY 28, 2012, PROPOSED SUITABILITY DECISION. MODIFIED TO INCLUDE THE SPECIAL CONDITION THAT THE INMATE PAROLE TO LOS ANGELES COUNTY TO FACILITATE HIS ALTERNATIVE PAROLE PLANS.
Motion by:	Peck
Second by:	Ferguson
Aye:	Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Labahn, Moseley, Peck, Prizmich, Turner
Nay:	
Abstain:	
Not Present:	Robles
Decision:	**Affirm**