

## **BOARD OF PAROLE HEARINGS**

### **Executive Board Meeting**

**February 21 & 22, 2017**

**February 21, 2017**

#### **Meeting Called to Order at 1:06 p.m.**

**Roll Call:** Commissioners Anderson, Cassady, Chappell, Fritz, Garner, Grounds, Labahn, Minor, Montes, Peck, Roberts, Ruff, Taira, and Turner present.

Commissioner ANDERSON stated that the majority of currently-appointed commissioners are present.

#### **CONSENT CALENDAR**

Commissioner ROBERTS moved to approve the consent calendar. Commissioner TURNER seconded the motion, which carried unanimously.

#### **REPORTS AND PRESENTATIONS**

##### **Report from Executive Officer, Jennifer Shaffer**

SHAFFER introduced Commissioner RUFF and outlined his background. She also introduced Acting Chief Administrator, Offender Investigations and Screening Division, BRIAN KELLEY.

SHAFFER stated that the Three-Judge Panel status report was filed on February 14, 2017. From January 1, 2014, through January 31, 2017, the Board held 2,353 youth offender hearings, resulting in 622 grants, 1,434 denials and 297 stipulations to unsuitability. There are no current tie votes. There were 1,368 hearings waived, postponed, continued or cancelled.

From January 1, 2015, through January 31, 2017, 10,316 non-violent second strike inmates were referred to the Board, which approved 3,526 inmates for release and denied release to 3,554 inmates. Other referrals are pending because the 30 day written input period has not elapsed or because the inmates are not within 60 days of their 50% time-served date.

As of February 9, 2017, there have been 94 medical parole hearings, with another 28 being postponed, continued or cancelled.

There have been 1,780 elderly parole hearings between February 11, 2014 and January 31, 2017. They resulted in 465 grants, 1,181 denials and 134 stipulations to unsuitability. There are no current tie votes and a further 819 hearings were waived, postponed, continued or cancelled.

##### **Report from Chief Counsel, Jennifer Neill**

NEILL introduced Staff Attorney, CHRISTOPHER HOEFT.

The matter of *In re Butler* is still pending in the California Supreme Court. The respondents have requested an extension of time to file their opening brief.

In the *Johnson* case, there is a motion on calendar in the middle of March to extend the court's jurisdiction.

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#### **Report from Chief Deputy of Program Operations, Sandra Maciel**

MACIEL stated that the next quarterly stakeholder meeting is scheduled for Monday, March 27, 2017, at 1:00 p.m.

#### **Report from Chief Deputy of Field Operations, Rhonda Skipper-Dotta**

SKIPPER-DOTTA introduced KELLY FOWLER, the new Associate Chief Deputy Commissioner in Fresno.

Associate Chief Deputy Commissioner, MICHAEL GUNNING introduced DIANE DOBBS, CHERYL CARLSON and STEVEN RUSSO, new deputy commissioners for the Northern Region.

Associate Chief Deputy Commissioner, SHANNON HOGG introduced new deputy commissioners in the Wasco office, ANNA MARIA SORES and THOMAS DANIEL SPARKS.

#### **Report from Chief Psychologist, Forensic Assessment Division, Dr. Cliff Kusaj**

KUSAJ stated that, in February, 2017, FAD psychologists were assigned 317 comprehensive risk assessments, to be completed in March. It is anticipated that they will be completed and distributed at least 30 days before the hearing. More than 85% will be completed at least 60 days before the hearing and 30% more than 90 days before the hearing.

#### **Report from Acting Chief Administrator, Offender Investigations and Screening Division, Brian Kelley**

KELLEY introduced Parole Agent II DALY SHISHAK and Office Technician SHILO QUINN. KELLEY stated that there was an outreach event at Solano State Prison, in which Chief Counsel NEILL gave a presentation to the Long-Term Offender Program.

#### **OPEN COMMENTS**

ELLEN YATES encouraged greater transparency in providing information about the Board's closed sessions.

VANESSA NELSON-SLOANE, Life Support Alliance, regretted that copies of Dr. Kusaj's report are only posted in the institutions' libraries. Life Support Alliance has received numerous requests from inmates for copies of the report and it is concerning that they are being denied the opportunity to review it.

NEILL emphasized that, under the terms of the settlement agreement, it is the obligation of class counsel to make the report available to members of the class. She would convey to class counsel the concerns expressed by NELSON-SLOANE.

DANIEL SILVA, former life inmate, described his post-release experiences.

**Meeting recessed at 1:38 p.m.**

**BOARD OF PAROLE HEARINGS**

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**February 22, 2017**

**Meeting called to order at 10:09 a.m.**

**Roll Call:** Commissioners Anderson, Cassady, Chappell, Fritz, Garner, Grounds, Labahn, Minor, Montes, Peck, Roberts, Ruff, Taira, and Turner present.

Commissioner ANDERSON stated that the majority of the currently-appointed commissioners are present.

**EN BANC REFERRALS**

**Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence.**

**A. FIGUEROA, JIMMY T-31172**

No speakers.

**B. YOUNG, CLARENCE C-35530**

TAMARA YOUNG, inmate's daughter, and SABINA CROCHETTE, inmate's attorney, supported a recommendation for recall of sentence.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office opposed a recommendation for recall of sentence.

**Referral by the Chief Counsel pursuant to Penal Code section 3041(b) and California Code of Regulations, title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety**

**C. MANNING, LENZO E-71638**

SHAQUIRAS MANNING and CAROLYN WILLIAMS, inmate's nieces and EBONY MANNING GOODWIN, inmate's daughter, supported his release on parole.

**D. PORTILLO, WALTER K-20571**

No speakers.

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**E. VALENCIA, EDGAR J-07778**

No speakers.

**Referral by the Governor, pursuant to Penal Code section 4802 to review a pardon application.**

**F. BONNANO, MARTIN D-76017**

MARTIN BONANNO, applicant, and BERT BONANNO, applicant's father, supported the pardon application

**G. DEMPSTER, DENNIS Case Nos. 05-912256-5 and 05-901636-1**

No speakers.

**H. GALUSHA, BENJAMIN E-13757**

No speakers.

**I. LEWIS, KATHERINE W-45579**

No speakers.

**J. LOOP, DAVID K-90798**

DONNA LOOP, applicant's wife, BARRY LOOP, applicant's father, PATIENCE SPINA, applicant's sister, JERRY SPINA, applicant's brother-in-law, ERIC DISNEY, LARRY PARKER JEANETTE MEERS, applicant's friends, and DAVID LOOP, applicant, supported the pardon application

**Referral, pursuant to Penal Code section 3041 to either grant or deny parole when there is a tie vote.**

**K. CAMBA, ORLANDO J-86607**

No comments permitted.

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#### **OPEN COMMENTS**

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, stated that commissioners can expect to see different attorneys representing the Los Angeles County District Attorney's Office in parole suitability hearings.

VANESSA NELSON-SLOANE, Life Support Alliance, stated that lifer inmates now have greater hope of being granted parole, which has had a positive effect on security in the institutions. She welcomed the Board's outreach efforts. On March 18, 2017, SHAFFER will be speaking at a seminar organized by Life Support Alliance. NELSON-SLOANE welcomed panels' efforts to explain the hearing process to inmates.

**Meeting adjourned at 11:21 a.m.**

**Board of Parole Hearings**  
**Scheduled and Backlog Hearings Report**  
**Penal Code section 3041(d)**  
**March, 2017**

