



BOARD OF PAROLE HEARINGS
En Banc Decisions
Wednesday, February 21, 2018

GREEN, CHARLES
Sentencing Court:
Alameda

D-50639

**Governor-Referred pursuant to
Penal Code section 4802**

Motion: Refer Mr. Green's application for commutation to the Governor with a recommendation in support of the commutation.

Motion by: **Cassady**
Second by: **Dobbs**
Not Present: **Chappell, Ruff**
Abstained:

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

MCFADDEN, JACK
Sentencing Court:
Riverside

D-34424

**Governor-Referred pursuant to
Penal Code section 4802**

Motion: Refer Mr. McFadden's application for commutation to the Governor with a recommendation in support of the commutation.

Motion by: **Roberts**
Second by: **Grounds**
Not Present: **Chappell, Ruff**
Abstained:

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

BURTON, DERRICK
Sentencing Court:
Los Angeles

K-76660

**Governor-Referred pursuant to
Penal Code section 4802**

Motion: Refer Mr. Burton's application for pardon to the Governor with a recommendation in support of the pardon.

Motion by: **Minor**
Second by: **Barton**
Not Present: **Chappell, Ruff**
Abstained:

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

HOLLIDAY, GARY
Sentencing Court:
Santa Clara

K-14314

Penal Code section 1170(e)

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

Motion by: **Montes**
Second by: **Cassady**
Not Present: **Chappell, Ruff**
Abstained:

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

LA BRANCH, GARY
Sentencing Court:
Butte

E-09061

Penal Code section 1170(e)

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

Motion by: **Peck**
Second by: **Turner**
Not Present: **Chappell, Ruff**
Abstained:

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

WATTS, MYRON
Sentencing Court:
San Joaquin

C-90336

Penal Code section 1170(e)

Motion: Decline to recommend to the court that Mr. Watts' sentence be recalled and that Mr. Watts be resentenced based on a finding that he poses a current risk of danger to public safety because of his continued mobility and ability to perform his activities of daily living without assistance and his significant violent misconduct in prison.

Motion by: **Peck**
Second by: **Montes**
Not Present: **Chappell, Ruff**
Abstained:

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

Motion: Vacate the panel's October 25, 2017 decision to grant parole based on Mr. Irvin's institutional misconduct on December 22, 2017 and January 11, 2018, and schedule a new hearing on the next available calendar.

Motion by: **Barton**
Second by: **Labahn**
Not Present: **Chappell, Ruff**
Abstained:

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