



BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, July 17, 2018

GUERRERO, ARTURO
Sentencing Court:
San Bernardino

AH-0800

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

Motion: **On the application of Arturo Guerrero for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.**

Motion by: **Barton**

Second by: **Grounds**

Not Present: **Minor, Roberts**

Abstained: **Schneider**

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

JORDAN, KENNETH
Sentencing Court:
Los Angeles

C-32725

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

Motion: On the application of Kenneth Jordan for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.

Motion by: **Labahn**

Second by: **Dobbs**

Not Present: **Minor, Roberts**

Abstained: **Schneider**

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

LOCKHART, ERIC
Sentencing Court:
Alameda

V-17246

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

Motion: On the application of Eric Lockhart for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.

Motion by: **Long**

Second by: **Anderson**

Not Present: **Minor, Roberts**

Abstained: **Labahn, Schneider**

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

PEREZ, ALFREDO
Sentencing Court:
Fresno

J-60797

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

Motion: On the application of Alfredo Perez for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.

Motion by: **Barton**

Second by: **Cassady**

Not Present: **Minor, Roberts**

Abstained: **Schneider**

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

SMITH, DAVID
Sentencing Court:
Los Angeles

T-67799

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

Motion: On the application of David Smith for commutation of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a commutation of sentence.

Motion by: **Ruff**

Second by: **Chappell**

Not Present: **Labahn, Minor, Roberts**

Abstained: **Schneider**

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

WESTLY, TRAVIS
Sentencing Court:
Riverside

AA-3442

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

Motion: **Continue to the August 21, 2018 Executive Board Meeting and refer for an investigation into new allegations raised at the July 17, 2018 Executive Board Meeting.**

Motion by: **Long**

Second by: **Castro**

Not Present: **Labahn, Minor, Roberts**

Abstained: **Dobbs, Schneider**

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

QUARLES, VONYA
Sentencing Court:
Los Angeles

N-06592

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

Motion: **On the application of Vonya Quarles for pardon of sentence, the Board, with the majority of commissioners concurring, hereby makes the recommendation required by Penal Code section 4813 for the Governor to grant a pardon of sentence.**

Motion by: **Barton**

Second by: **Ruff**

Not Present: **Labahn, Minor, Roberts**

Abstained: **Schneider**

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

HAYWARD, DAVID
Sentencing Court:
Ventura

D-84182

Penal Code section 1170(e)

Motion: Recommend to the court that Mr. Hayward's sentence be recalled and that Mr. Hayward 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. Hayward would be released would not pose a threat to public safety.

Motion by: **Labahn**

Second by: **Turner**

Not Present: **Minor, Roberts**

Abstained: **Schneider**

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

JOHNSON, JERMAINE
Sentencing Court:
Fresno

H-07346

Referred by Chief Counsel

Motion: Vacate the panel's April 18, 2018 decision to grant parole and schedule a new hearing based on new information outlined in an investigative report dated July 6, 2018.

Motion by: **Cassady**

Second by: **Grounds**

Not Present: **Labahn, Minor, Roberts, Turner**

Abstained: **Schneider**

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

SPENCE, CHARLES
Sentencing Court:
Sacramento

P-10874

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

Motion: **Vacate the panel's January 19, 2018 decision to deny parole, and schedule a new hearing on the next available calendar.**

Motion by: **Castro**

Second by: **Long**

Not Present: **Labahn, Minor, Roberts**

Abstained: **Ruff, Schneider**

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

CAIN, ADRIAN
Sentencing Court:
Los Angeles

C-37437

**Panel-Referred pursuant to
Penal Code section 3041(a)(5)**

Motion: **Affirm the panel's June 13, 2018 decision to deny parole, as articulated in the panel's proposed decision.**

Motion by: **Turner**

Second by: **Cassady**

Not Present: **Labahn, Minor, Roberts**

Abstained: **Castro, Schneider**

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

RADKE, MARK
Sentencing Court:
San Diego

E-70238

**Panel-Referred pursuant to
Penal Code section 3041(a)(5)**

Motion: Vacate the panel's March 9, 2017 decision to grant parole and schedule for a new hearing. The hearing panel made an error of law under the *In re Lawrence* standard because Mr. Radke's version of the crime is implausible. His implausible denial along with evidence in the confidential section of his central file establish a reasonable likelihood that he poses an unreasonable risk of danger to public safety.

Motion by: **Taira**

Second by: **Barton**

Not Present: **Castro, Labahn, Minor, Roberts**

Abstained: **Schneider**

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

VANG, THUE
Sentencing Court:
Sacramento

V-37059

**Tie Vote pursuant to Penal Code
section 3041**

Motion: The Board finds that Mr. Vang 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 Mr. Vang's June 20, 2018 hearing.

Motion by: **Anderson**

Second by: **Chappell**

Not Present: **Castro, Labahn, Minor, Roberts**

Abstained: **Schneider**

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