



En Banc Decision

BOARD OF PAROLE HEARINGS

Tuesday, June 18, 2019

GARRETT, ROBERT

V39449

Penal Code section 1170(e)

Sentencing Court: Lake

Motion: Recommend to the court that Mr. Garrett's sentence be recalled and that Mr. Garrett 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. Garrett would be released to live with his sister would not pose a threat to public safety.

Motion by: Barton

Second by: LaBahn

Not Present: Dobss

Abstained:

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

BRAGG, VERNON

D04720

Referred by Chief Counsel

Sentencing Court: Sonoma

Motion: Vacate the panel's February 21, 2019 decision to deny parole and schedule a new hearing on the next available calendar.

Motion by: Cassady

Second by: Grounds

Not Present: Dobbs, Sharrieff

Abstained:

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

BROOKS, HAROLD

B74384

Referred by Chief Counsel

Sentencing Court: San Francisco

Motion: Affirm the panel's February 21, 2019 decision to deny parole for five years, as articulated in the panel's proposed decision.

Motion by: LaBahn

Second by: Roberts

Not Present: Dobbs, Sharrieff

Abstained:

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

HILL, PIERCE

B95683

Referred by Chief Counsel

Sentencing Court: Los Angeles

Motion: Vacate the panel's March 15, 2019 decision to deny parole and schedule a new hearing on the next available calendar.

Motion by: Cassady

Second by: Ruff

Not Present: Dobbs, LaBahn

Abstained:

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

WARE, ALLEN

B79382

Referred by Chief Counsel

Sentencing Court: Los Angeles

Motion: Vacate the panel's March 15, 2019 decision to grant parole based on new information regarding a January 8, 2019 support letter improperly placed in Mr. Ware's central file, and schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Grounds

Not Present: Dobbs, Schneider

Abstained: Cassady

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

CLABORN, JERRY

C04455

Governor-Referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's February 14, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Cassady

Second by: Long

Not Present: Dobbs, Minor

Abstained:

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

FOSTER, JEREMY

P07030

Governor-Referred pursuant to Penal Code section 3041.1

Sentencing Court: Humboldt

Motion: Refer for a rescission hearing to consider whether the panel's February 12, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated May 13, 2019.

Motion by: Ruff

Second by: Barton

Not Present: Dobbs, Cassady

Abstained:

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

KENNEDY, SEAN

K26619

Governor-Referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Refer for a rescission hearing to consider whether the panel's February 6, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated May 13, 2019.

Motion by: LaBahn

Second by: Chappell

Not Present: Dobbs, Long

Abstained:

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

CLIFFORD, ANTHONY

E84740

Tie Vote pursuant to Penal Code section 3041

Sentencing Court: Los Angeles

Motion: **The Board finds that Mr. Clifford does not pose an unreasonable risk of danger and grants parole for the reasons stated by the panel member who voted to grant parole at Mr. Clifford's May 16, 2019 hearing.**

Motion by: Grounds

Second by: LaBahn

Not Present: Dobbs, Roberts

Abstained:

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

SERMENO, MICHAEL

P52669

Tie Vote pursuant to Penal Code section 3041

Sentencing Court: Los Angeles

Motion: **The Board finds that Mr. Sermeno does not pose an unreasonable risk of danger and grants parole for the reasons stated by the panel member who voted to grant parole at Mr. Sermeno's May 16, 2019 hearing.**

Motion by: Long

Second by: Anderson

Not Present: Dobbs, Castro

Abstained:

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