# CONSENT CALENDAR

**BOARD OF PAROLE HEARINGS**
**Executive Board Meeting**
**November 25, 2019**

**Meeting Called to Order at 1:03 p.m.**

**Roll Call:** Commissioners Anderson, Cassady, Castro, Chappell, Dobbs, Grounds, Gutierrez, Long, Minor, Roberts, Ruff, San Juan, Schneider, Sharrieff, Taira, and Thornton present. Commissioner Barton absent.

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

## CONSENT CALENDAR

Commissioner SAN JUAN moved to approve the consent calendar.
Commissioner SHARIEFF seconded the motion, which carried unanimously.

## REPORTS

**Report from Executive Officer, Jennifer Shaffer**
SHAFFER announced the regulations for the Non-Violent Parole Process for Indeterminately-Sentenced Nonviolent Offenders became effective October 21, 2019.

SHAFFER stated, in the last month, she visited Lancaster State Prison and Berkeley High School's advanced law class to provide information about the Board.

A conference with stakeholders took place on October 21, 2019, in which the updated panel attorney hiring processes were discussed.

**Report from Chief Counsel, Jessica Blonien**
BLONIEN reported she did not have an update.

**Report from Chief Deputy of Program Operations, Sandra Maciel**
MACIEL provided an update on the panel attorney program. The final filing date for applications is extended to December 15, 2019. Additional recruitment efforts are being made for attorneys near High Desert State Prison, Chuckawalla Valley State Prison, Ironwood State Prison, Calipatria State Prison, and Centinela State Prison. The Board has begun reviewing and screening applications, and is expected to conduct interviews in December 2019.

The Board is moving toward making inmate central file packets available to stakeholders 150 days prior to hearings. The Board expects to have packets available on the 150-day timeline for March 2020 hearings within the next two weeks.

The new reimbursement structure is now in effect for hearings scheduled in January 2020. The increased reimbursement rate is available to current panel attorneys who complete the new invoice form pursuant to the new guidelines. Currently, the Board will prorate the amount of reimbursement based upon work completed at the discretion of the Executive Officer.

**Report from Chief Deputy of Field Operations, Rhonda Skipper-Dotta**
SHAFFER stated SKIPPER-DOTTA was not available to provide her report and will introduce recently-appointed deputy commissioners at next month's Board Meeting.

## PRESENTATIONS

**An Introduction to California Sex Offender Management Board (CASOMB), presented by Dr. Lea Chankin, Consulting Psychologist / CASOMB Coordinator**
CHANKIN gave a presentation.

## OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, noted concerns with the implementation of recent in-prison program constraints. Specifically, NELSON-SLOANE alleges some prisons are endorsing a policy wherein inmates are only allowed to participate in programs, such as Alcoholics Anonymous, for a period of one year. The purpose of the removal of participants from programs after one year is to allow for new inmates to participate in programs with full enrollment. NELSON-SLOANE stated this time frame is not conducive to inmate or volunteer participation.

NELSON-SLOANE acknowledged the Board does not have control over this issue, but aimed to bring this issue to the Board's attention when considering an inmate's program participation.

**Meeting recessed at 1:48 p.m.**

**BOARD OF PAROLE HEARINGS**
**Consent Calendar**
**November 26, 2019**

**Meeting Called to Order at: 10:06 a.m.**
**Roll Call:** Commissioners Anderson, Barton, Cassady, Castro, Chappell, Dobbs, Grounds, Gutierrez, Long, Minor, Roberts, Ruff, San Juan, Schneider, Sharrieff, Taira, and Thornton present.

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

## EN BANC REFERRALS

**Referral by the Governor pursuant to Penal Code section 4802 to review a pardon application. Members of the public may address the Board for a period not to exceed five (5) minutes.**

A. **HUNERLACH, JEFFREY**
**E43897**

No speakers.

**Referral by the Governor pursuant to Penal Code section 4802 to review a commutation application. Members of the public may address the Board for a period not to exceed five (5) minutes.**

B. **BANKS, ANTHONY**
**E49895**

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, reserved comment, but noted her intent to submit letters to the Board and the Governor.

C. **GUERRA, BENJAMIN**
**F55468**

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, reserved comment, but noted her intent to submit letters to the Board and the Governor.

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

D. **HARRIS, PAUL**
**BG4440**

No speakers.

E. **HIGHTOWER, THOMAS**
**J98566**

DEAN ARCHIBALD, Sacramento County District Attorney's Office, opposed the inmate's release.

F. **KINNEY, CHRISTOPHER**
**T72977**

TIM BUCHANAN, the inmate's cousin, VIKKI BRUNO, the inmate's former spouse, CARL KINNEY, the inmate's brother, and LINDSAY KINNEY, the inmate's niece, supported the inmate's release.

DEAN ARCHIBALD, Sacramento County District Attorney's Office, opposed the inmate's release.

G. **PUGH, JONATHAN**
**E12567**

JILL KLINGE, Alameda County District Attorney's Office, opposed the inmate's release and alternatively recommended ordering an expanded medical parole hearing.

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

H. **CERDA, DAVID**
**D93835**

JILL KLINGE read a letter on behalf of the Ventura County District Attorney's Office, which recommended ordering a rescission hearing.

I. **LAWRENCE, EVERETT**
**H03880**

No speakers.

**Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044(b) to request review of a parole decision by the full board.**

J. **ACKER, WILLIAM**
**C14656**

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, recommended ordering a rescission hearing.

K. **CLIFFORD, ANTHONY**
**E84740**

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, recommended ordering a rescission hearing.

L. **DEBENEDETTO, DONALD**
**K09347**

No speakers.

M. **GAMEZ, CHRISTOPHER**
**P33959**

JASON TSOU and OKHUI TSOU, the inmate's parents, supported affirmation of the Board's decision to grant parole.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, recommended ordering a rescission hearing.

N. **GARCIA, RAYMOND**
**B69213**

LILI PARATORE, inmate's attorney, supported affirmation of the Board's decision to grant parole.

O. **LAMBERT, DREW**
**P27014**

No speakers.

P. **LOPEZ, FELIPE**
**P24395**

VANESSA NELSON-SLOANE, Life Support Alliance, read a letter from ALFONSO LOPEZ, the inmate's brother, which supported the affirmation of the Board's decision to grant parole.

Q. **MONTALVO, JOHN**
**B98603**

No speakers.

R. **PERROTTE, JEFFREY**
**H89472**

CHRISTINE WARD, victim representative, read a letter from ABBY RIZZO and KACEY COTTON, the victim's daughter and granddaughter, which supported ordering a rescission hearing.

KEITH CHANDLER, legal assistant, GARY GRIMM, retired correctional officer, JESSICA PERROTTE, the inmate's daughter, MICHELLE PERROTTE, the inmate's wife, BOB BENTLEY, TRINIDAD ORONDO, and JIM FOUDY and TOM GREEN, prison program volunteers, supported affirmation of the Board's decision to grant parole.

S. **RUBIN, TERRANCE**
**H39324**

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, recommended ordering a rescission hearing.

T. **SCOTT, KOZI**
**T09368**

KAREN SCHOUSBOE, program facilitator, SHEILA MARQUEZ, retired correctional officer, NURI NUSRA, program facilitator, LUCY LAYOLA, and LEONARD RUBIO, program facilitator, ALDO ROMERO, program facilitator, and WAKA SCOTT, supported affirmation of the Board's decision to grant parole. SCHOUSBOE read a letter from JENNIFER PORETZ, and NUSRA read letters from RICHARD CRUZ and NAIMA SHALHOUB, which supported affirmation of the Board's decision to grant parole.

AARON WEST, Santa Clara County District Attorney's Office, recommended ordering a rescission hearing.

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

U. **NGUYEN, JOHN**
**V86738**

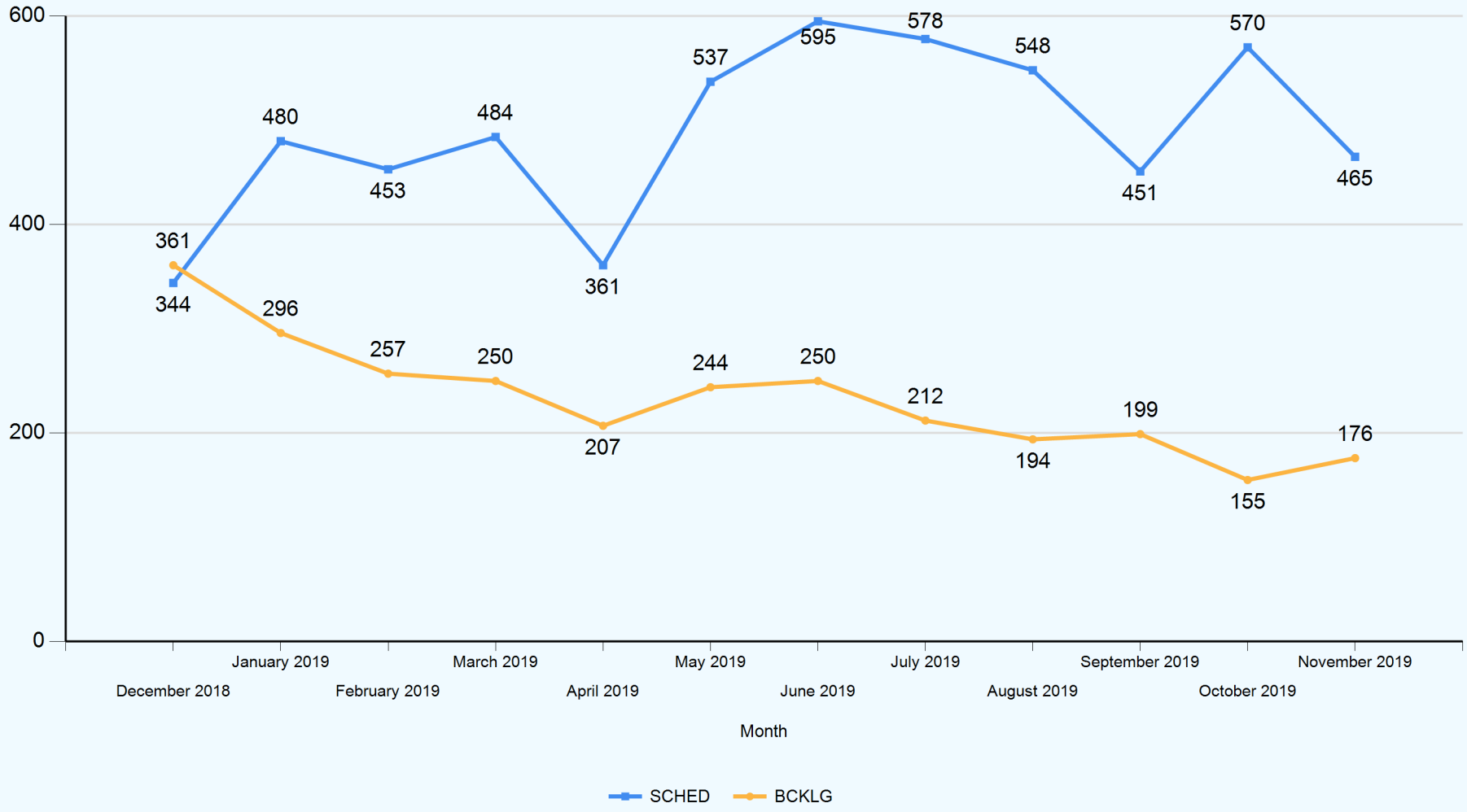
No public comment permitted.

## OPEN COMMENTS

CHRISTINE WARD, Crime Victims Assistance Network, explained the role of the victim assistant in relation to the Board's parole consideration hearings. WARD explained the network assists the victim(s) in preparing for the hearings, accompanies the victim(s) to the hearings, and acts as victim(s) representative. WARD expressed concern that the role and rights of the victim representative may be infringed upon in recent hearings. WARD conveyed the importance of the Board's recognition of victim rights and the role of victim representatives.

ELLEN YATES, Life Support Alliance, expressed concern regarding the legitimacy of psychological testing and evaluation. YATES cautioned relying on these tests with complete certainty. YATES expressed concern regarding the scoring of specific factors.

VANESSA NELSON-SLOANE, Life Support Alliance, listed several areas of concern on which she hopes to work with the Board in 2020, including: increased public understanding of the Structured Decision Making Framework, heightened acknowledgment of informal gang disassociation, assessment of the efficacy of the Forensic Assessment Division, additional avenues for communication between the Board and inmates regarding comprehension of the Structured Decision Making Framework and the Nonviolent Parole Process, and avenues of communication between the Board and stakeholders regarding amendments to parole policy.

**Meeting adjourned at 12:43 p.m.**

# Board of Parole Hearings
# Scheduled and Backlog Hearings Report
# Penal Code Section 3041(d)
# December, 2019