



En Banc Decisions

BOARD OF PAROLE HEARINGS

Tuesday, March 17, 2020

HOWE, WILLIAM

C50063

Penal Code section 1170(e)

Sentencing Court: Contra Costa

Motion: **Recommend to the court that William Howe's sentence be recalled and that William Howe 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 William Howe would be released would not pose a threat to public safety (to live at a hospice home).**

Motion by: Dobbs

Second by: Roberts

Not Present:

Abstained:

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

YOUNG, GUY

C66870

Penal Code section 1170(e)

Sentencing Court: Santa Clara

Motion: Decline to recommend to the court that Guy Young's sentence be recalled and that Guy Young be resentenced based on a finding that he poses a current risk of danger to public safety because of his continued mobility, ability to perform his activities of daily living, and proposed parole plans to live in a duplex without a confirmed caregiver.

Motion by: Chappell

Second by: Dobbs

Not Present:

Abstained:

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

RYAN, CHARLES

H02199

Referred by Chief Counsel

Sentencing Court: Alameda

Motion: Vacate the panel's December 12, 2019 decision to grant parole and schedule a new hearing based on new information regarding Mr. Ryan's recent negative institutional behavior as outlined in a February 27, 2020 investigation.

Motion by: Barton

Second by: Long

Not Present:

Abstained:

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

BENSON, JOSEPH

V90806

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Sacramento

Motion: Affirm the panel's November 8, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Grounds

Second by: Dobbs

Not Present: Castro

Abstained:

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

FIERROS, ORLANDO
K33900

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's October 22, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Long

Second by: Roberts

Not Present: Castro

Abstained:

Decision: Motion not approved by a majority of the commissioners present.

FIERROS, ORLANDO
K33900

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 October 22, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated February 13, 2020.

Motion by: Barton

Second by: Dobbs

Not Present: Castro

Abstained:

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

LUFT, DAVID
P15862

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Joaquin

Motion: Affirm the panel's October 25, 2019 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Minor

Second by: Castro

Not Present: Roberts

Abstained:

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

MORRISON, ANTHONY

C60307

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Bernardino

Motion: Refer for a rescission hearing to consider whether the panel's November 5, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated February 21, 2020.

Motion by: Barton

Second by: Grounds

Not Present: Roberts

Abstained:

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

SOTELLO, ADAM

J55703

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Benito

Motion: Refer for a rescission hearing to consider whether the panel's October 22, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated February 13, 2020.

Motion by: Barton

Second by: Ruff

Not Present: Cassady

Abstained:

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

TONN, DAVID

BB4289

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Refer for a rescission hearing to consider whether the panel's November 7, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated March 5, 2020.

Motion by: Schneider

Second by: San Juan

Not Present: Anderson

Abstained:

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

ZELL, MICHAEL

H76886

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 October 31, 2019 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated February 21, 2020.

Motion by: Dobbs

Second by: Chappell

Not Present: Taira

Abstained:

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

BLISS, RICHARD

K46957

Tie Vote pursuant to Penal Code section 3041

Sentencing Court: Monterey

Motion: The Board affirms the panel's denial of parole for five years for the reasons stated by the panel member who voted to deny parole for five years at Mr. Bliss' February 5, 2020 hearing.

Motion by: Schneider

Second by: Roberts

Not Present: Barton

Abstained:

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