BOARD OF PAROLE HEARINGS
Executive Board Meeting
June 15 & 16, 2020

June 15, 2020

Meeting called to order at 11:11 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.

In compliance with Executive Order N-28-20, and to minimize the spread and mitigate the effects of COVID-19, the meeting was conducted by telephone.

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

CONSENT CALENDAR

Commissioner ROBERTS moved to approve the consent calendar. Commissioner CHAPPELL seconded the motion, which carried unanimously.

REPORTS

Report from Executive Officer, Jennifer Shaffer

SHAFFER stated that the Board has provided information and training to public defenders' offices. The Board has been working with the California Department of Corrections and Rehabilitation to ensure the confidentiality of conferences between inmates and their attorneys. SHAFFER stated that 2,444 inmates and 270 CDCR staff members have tested positive for the COVID-19 virus. The Board has transitioned 90% of its workforce to teleworking. SHAFFER anticipated that Secretary DIAZ will extend the Board's requirement to conduct its hearings by video conference. It is likely that there will be further monthly extensions until it is safe to resume hearings in-person at the institutions. SHAFFER stated there may eventually be an incremental approach to resuming in-person hearings, with inmates, attorneys, and interpreters present at the institutions and other participants appearing by video conference.

Between April 1, 2020 and June 5, 2020, the Board conducted 598 hearings, resulting in 218 grants and 360 denials. The grant rate was 37%, compared with 34% for the whole of 2019. The Board has added COVID-19 information on its website. Previous years' Reports of Significant Events can be found on the Statistical Data tab.

Report from Chief Counsel, Jessica Blonien

BLONIEN stated that, beginning next month, all panel attorneys will be subject to the new program's requirements.

Report from Chief Deputy, Field Operations, Rhonda Skipper-Dota
SKIPPER-DOTA introduced two new Deputy Commissioners, KATE MAKIKO MAWANAMI and LAWRENCE NWAJEI.

Report from Chief Psychologist, Dr. Cliff Kusaj
In May, 2020, KUSAJ and Assistant Chief Counsel TIFFANY SHULTZ provided an overview of the Board's approach to risk assessment and parole decision making to the pre-release coordinators of the Correctional Health Care Services, Mental Health Services Division.

EN BANC REFERRALS

Referral by the Governor, pursuant to Penal Code section 4802, to review of a pardon application.

A. BAKER, GENE
J94312

RICHARD GLENN BOIRE, applicant's attorney, supported the pardon application.

Referral by the Governor, pursuant to Penal Code section 4802, to review a commutation application.

B. BARAJAS, JOSE
K92078

JOSE BARAJAS, inmate's son, JOSE BARAJAS, inmate's father, PETER GARCIA, RALPH RAMIREZ, ANGELINA RIVERA, LAINIE BARAJAS, CHRISTOPHER BARAJAS, MONIQUE BARAJAS supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed the application. She regretted the inability of the District Attorney's Office to view the records of any of the commutation applications in which it is involved.

C. DIAZ, DAVID
P6195

RACHELLE BARR, ADAM GRANT, ALEX SIMPSON, SCOTT WOOD, RAQEL COHEN, AUDREY McGINN, all of the California Innocence Project, ANGELA DIAZ, JUDITH GENAIDO, JESSE JAQUEZ, YOLANDA DIAZ, LIDIA PEREZ, ERNESTINE PASSAS, FAITH GUTIERREZ and DARLENE JACKSON supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, referred to the opposition letter that the Office submitted in relation to the application. She stated that the Office reserved its position, pending completion of the Innocence Project's investigation.

D. FLETCHER, GREGORY
C41111

GRACE JUN, attorney, supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed the application.

E. GARCIA, LARRY
D77688

JOE GARCIA, RUTH GONZALEZ, GINA GARCIA, ANA OWEN and JOHN GARCIA supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed the application.

F. GUERRERO, CARLOS
G18772

JENNIFER GUERRERO supported the commutation application.

G. HAYMOND, TYRONE
C03269

ELLIOTT ZARABI, attorney, CRAIG DUMAS, JOHANNA CLARK, KIM NELLUM, DINARA HAYMOND, MONIQUE HAYMOND, DARLENE MOORE, SHIRLEY MARIE HAYMOND, TRENT DUMAS, SARAH HAYMOND, SAUVIGNON WESLEY, TERI DOUGLAS, TYRONE HAYMOND Jnr., JADE WESLEY, CAROL WIMBISH, ROCHELLE HAMILTON, BRETT TRENIER, NICOLE ANDRY and MYCHAEL HAYMOND supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed the application.

H. HUGHES, GEORGE
C60663

No speakers.

I. PABON, TRACEY
C84831

No speakers.

J. REESE, MARY
W72019

DONYALE WILLIAMS, MONIQUE HOSKINS, DANIEL TRAUTFIELD, LAURA SANTOS, JON ANDERSON, GRETCHEN ANDERSON, SABRINA BUCK and BENJAMIN BURKS supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed the application.

K. WALKER, OMAR
J97770

SARAH ACEVES, ARIANA NESBETH, JANET JOHNSON, BRITTANY CHU, RUDOLPH ROEE, NEVADA NESBETH and SANDRA WEDDERBURN supported the commutation application.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed the application.

OPEN COMMENT

CHARLES CARBONE, attorney, expressed concern about the proposed incremental approach to resuming hearings at the institutions. He recommended allowing inmate attorneys the option of participating via video conference. CARBONE welcomed the Board's efforts to ensure the confidentiality of telephone conferences between attorneys and their clients. He stated that there have been difficulties with conferences involving inmates whose case is not on the Board's hearing calendar. He suggested that confidential telephone conferences be permitted for inmates whose hearing is due within one year of the requested conference.

Meeting recessed at 3:19 p.m.

June 16, 2020

Meeting called to order at 10:08 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 the currently-appointed commissioners are present.

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

L. GLOVER, ROCKY
C35738

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, supported the decision denying parole. She expressed concern about the poor quality of the transcript and stated that many other hearings are also very poorly transcribed.

M. OLMEDA, ALBERT
H21347

LENNARD MENDOZA, ART OLMEDA II, MARIA OLMEDA, ARTURO OLMEDA, LIDIA GONZALEZ, STEPHANIE MARTINEZ and ELENA GASCA supported the inmate's release on parole.

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

N. BRAMBLES, MICHAEL
K26517

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

MARC NORTON, inmate's attorney, supported the decision granting parole. He expressed concern at the poor quality of many hearing transcripts.

O. COWLES, MICHAEL
J44576

No speakers.

P. DANIEL, JOHN
B62053

MICHELLE PRINCE, VALERIE PRINCE AND JOY DANIEL, supported the decision granting parole.

Q. FITZPATRICK, MARK
P14990

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

R. GIBSON, JEFFREY
J83580

DANIEL SELF supports the decision granting parole.

ALICIA OLIVER, PETER JOHNSON, WENDY JOHNSON SANFORD and BOB SANFORD recommend ordering a rescission hearing.

S. MAYORGA, OSCAR
C17327

No speakers.

T. MCDOWELL, CEASAR
T88668

THOMAS COOPER, DANIEL WOHL, ANITA TURNER, OCTAVIA TURNER, ANDREA De BERRY, PEDRO BORDENABE, DERRICK HINTON, BETHANY CROOKS, MARIO Mc DOWELL, EARLONNE WOODS, OLIVIA Mc DOWELL, RONA GOODEN, TEJAS GALA, PATRICK LACEY, DIANA BORDENAVE, LAISCE Mc DOWELL, CHELSEA Mc DOWELL, MICHELLE Mc DOWELL, JONATHAN WILLIAMS, WILETTA Mc DOWELL, GIAVONIE Mc DOWELL, JOSHUA CARSON, YACUD BROOKS and AMBER Mc KENNLEY supported the decision granting parole.

U. POST, ERIC
K22842

TINA COTTON, EARLONNE WOODS, MYESHA WASHINGTON, and ANDRE COSENTINO supported the decision granting parole.

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

V. QUARLES, WOODROW
T07293

SHARRON QUARLES, CORNELEYA BROWN QUARLES and WOODROW QUARLES Snr. supported the decision granting parole.

KAREN MITCHELL, Fresno County District Attorney's Office, recommended ordering a rescission hearing.

W. RODRIGUEZ, FELIPE
K06374

No speakers.

X. THOMPSON, DARYL
K90945

SUSAN JORDAN, inmate's attorney, STUART THOMPSON, JACK GREENBURG, TRENA THOMPSON, RON THOMPSON, DAN SHINDER, LORRAINE KOHAGEN and JENNIFER EAVES NYE, supported the decision granting parole.

AARON WEST, Alameda County District Attorney's Office, recommended ordering a rescission hearing. CHRISTINE WARD, I-Can, read an opposition letter from a victim's mother. MICHAEL DOE (pseudonym), a victim, opposed the decision granting parole.

Referral pursuant to Penal Code section 3041 when there is a tie vote.

Y. CASTRO, ELIO
D36836

No public comment permitted.

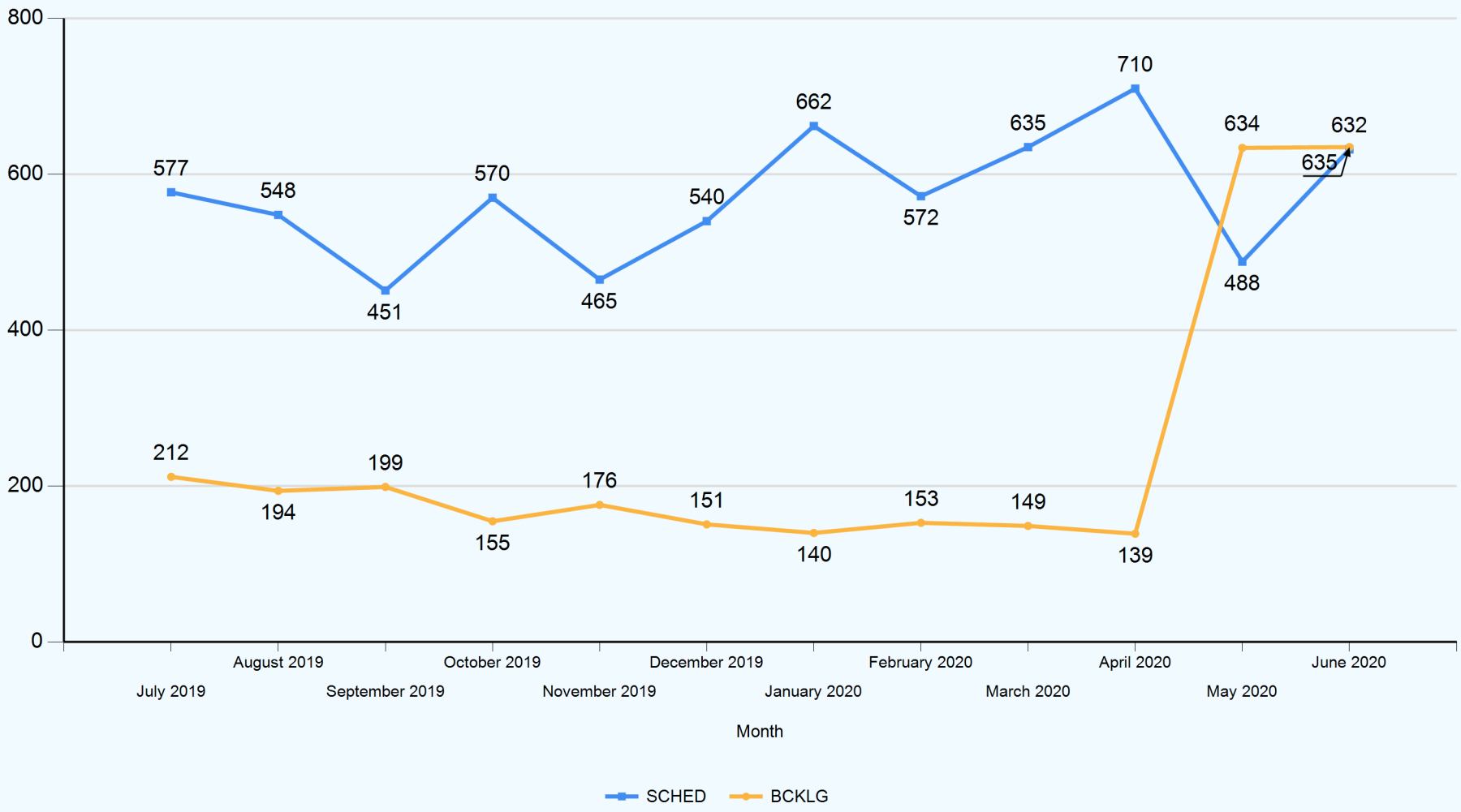
Z. HIGH, JONATHON
K45775

No public comment permitted.

PUBLIC COMMENTS

CONNIE LASKY, San Bernardino County District Attorney's Office, expressed concern that many hearing transcripts are of very poor quality. She stated that this is unacceptable and requested that the Board address the issue urgently.

VANESSA NELSON-SLOANE, Life Support Alliance, stated that materials for in-cell study regarding mental health issues have been produced. She expressed concern that the California Department has refused to distribute the materials and she requested that the Department reconsider the decision.

Meeting adjourned at 02.24 p.m.

Board of Parole Hearings
Scheduled and Backlog Hearings Report
Penal Code Section 3041(d)
July, 2020