

BOARD OF PAROLE HEARINGS
Executive Board Meeting
April 18 to 19, 2022

April 18, 2022

Meeting called to order at 1:07 p.m.

In compliance with Bagley Keene Open Meeting Act the meeting was conducted in person at 1515 K Street, Sacramento. All commissioners participating were in person, other participants were able to join the meeting and provide comments by video via TEAMS and by telephone.

Roll Call: Commissioners Barton, Cassady, Chappell, Dobbs, Garcia, Garland, Long, Minor, Nwajei, O'Meara, Purcell, Ruff, San Juan, Schneider, Sharrieff, Sullivan and Thornton present.

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

CONSENT CALENDAR

Approval of Motion for Hearings with Procedural Errors.

SILVA, ANTONIO (K30756)

No speakers.

Commissioner BARTON moved to approve the consent calendar. Commissioner CASSADY seconded the motion, which carried unanimously.

REPORTS

Report from Executive Officer, Jennifer Shaffer

SHAFFER stated that Commissioner ZARRINNAM has resumed his position as Associate Chief Deputy Commissioner and will no longer be serving as a commissioner.

SHAFFER stated that National Crime Victims' Rights Week will be observed from April 24 to 30, 2022.

Report from Chief Counsel, Jessica Blonien

BLONIEN summarized the decision of the Court of Appeal, Third District in *In re Bailey*.

DISCUSSION ITEMS

Elderly Parole Regulations

BLONIEN summarized amendments to the regulations.

Public Comment on Elderly Parole Regulations.

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No comments received.

Commissioner RUFF moved to approve the amended regulations. Commissioner SHARRIEFF seconded the motion, which carried unanimously.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, expressed concern about the increasing trend for the contents of comprehensive risk assessments to be published in the media and commented upon publicly.

EN BANC REFERRALS

Roll Call: Commissioners Barton, Cassady, Garcia, Garland, Long, Nwajei, O'Meara, Ruff, San Juan, Sharrieff and Sullivan present.

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

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

BRITTON, TERRY (D03658)

No speakers.

HARRIS, DATON (H40985)

No speakers.

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 a majority of appointed commissioners.

BOATMAN, JEFFREY (E06607)

No speakers.

ELLIOT, DOUGLAS (C80363)

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

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GARAY, JOE (AN7133)

GARAY's attorney, CHARLES CARBONE, his family and friends supported his release.

A representative of the Orange County District Attorney's Office and the victim's family recommended ordering a rescission hearing.

IRIARTE, JERARDO (AK0423)

A representative of the San Luis Obispo County District Attorney's Office and the victim's family recommended ordering a rescission hearing.

JONES, LARRY (J03345)

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

LINKE, HAROLD (P26615)

LINKE's attorney, MARC GARDNER, supported his release.

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

MUSLADIN, MATTHEW (J99556)

MUSLADIN's attorney, KATEY GILBERT, his family and friends supported his release.

A representative of the Santa Clara County District Attorney's Office recommended ordering a rescission hearing.

PROVENCIO, SAMMY (AT7548)

A representative of the Stanislaus County District Attorney's Office recommended ordering a rescission hearing.

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SCOTT, ROBERT (P17118)

SCOTT's attorney, CHARLES CARBONE and his family supported his release.

A representative of the Placer County District Attorney's Office recommended ordering a rescission hearing.

SMITH, KONOLUS (G06539)

A representative of the El Dorado County District Attorney's Office recommended ordering a rescission hearing.

TYBERG, CHARLES (D56352)

TYBERG's attorney, MARC GARDNER, supported his release.

A representative of the San Diego County District Attorney's Office recommended ordering a rescission hearing.

Meeting recessed at 3:20 p.m.

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Meeting reconvened at 9:03 a.m.

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Roll Call: Commissioners Barton, Chappell, Dobbs, Minor, Nwajei, O'Meara, Purcell, Ruff, Schneider, Taira, and Thornton present.

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

EN BANC REFERRALS

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 a majority of appointed commissioners.

EDWARDS, LLOYD (T50476)

EDWARDS's attorney, JERRY LOWE, supported his release.

ELLIS, ANDRE (V09832)

No speakers.

HUGHES, SAM (P97093)

No speakers.

LYCETT, GRANT (P73797)

A representative of the San Bernardino County District Attorney's Office recommended ordering a rescission hearing.

MCCULLOUGH, MATTHEW (K60603)

No speakers.

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MOULAYI, MATTHEW (AB1856)

MOULAYI's attorney, MARC NORTON, his family and friends supported his release.

A representative of the Orange County District Attorney's Office and the victim's family recommended ordering a rescission hearing.

RAMIREZ, ALEJANDOR (J09904)

No speakers.

ROSS, TOMMY (D83621)

ROSS's attorney, KEITH WATTLEY, his family and friends supported his release.

VALENCIA, DAVID (AB9906)

VALENCIA's family and friends supported his release.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, gave an update on the Amends Project.

KEITH WATTLEY, UnCommon Law, welcomed the various methods that the Board has employed to facilitate participation in the executive board meeting. He commended the meeting moderator for his work.

Meeting recessed at 10:56 a.m.

Meeting reconvened at 12:53 p.m. and adjourned at 12:54 p.m.



Board of Parole Hearings Scheduled and Backlog Hearings Report Penal Code Section 3041(d) May, 2022

