

BOARD OF PAROLE HEARINGS
Executive Board Meeting
May 16 to 17, 2022

May 16, 2022

Meeting called to order at 1:03 p.m.

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

Roll Call: Commissioners Barton, Cassady, Chappell, Garcia, Garland, Kozel, Long, Minor, Muñiz, Ndudim, Nwajei, O'Meara, Purcell, Ruff, Schneider, Sharrieff, Sullivan, Taira and Thornton present.

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

CONSENT CALENDAR

Commissioner SHARRIEFF moved to approve the consent calendar. Commissioner LONG seconded the motion, which carried, with Commissioners KOZEL, MUÑIZ, and NDUDIM abstaining.

REPORTS

Report from Executive Officer Jennifer Shaffer

SHAFFER welcomed Commissioners KOZEL, MUÑIZ and NDUDIM, whom the Governor appointed on April 20, 2022.

SHAFFER stated that the commissioners and Board staff recently attended the annual training conference of the Association of Paroling Authorities International.

Report from Chief Psychologist, Forensic Assessment Division, Dr. Cliff Kusaj

KUSAJ stated that Forensic Assessment Division psychologists also attended the annual training conference of the Association of Paroling Authorities International. Psychologists also received training on the Violence Risk Scale for Sexual Offending (VRS-SO). KUSAJ stated that the VRS-SO would not be used in comprehensive risk assessments at this time. KUSAJ stated that he and other psychologists also attended a weeklong training event at the Department of State Hospitals and that he visited the Guiding Rage into Power (GRIP) program.

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Report from Chief of Office of Victim and Survivor Rights and Services, Katie James

JAMES gave updates on the launch of the Hearing Reservation Portal for registered victims and their family members to use to indicate they intend to attend a parole hearing and on the apology letter program.

DISCUSSION ITEMS

Chief Counsel BLONIEN summarized the Emergency Videoconference Regulations and invited the Board to re-adopt the regulations for an additional 90 days.

Public Comment on the Emergency Videoconference Regulations

No comments received.

Commissioner BARTON moved to approve the regulations. Commissioner CHAPPELL seconded the motion, which carried with Commissioner SCHNEIDER voting against their approval and Commissioners KOZEL, MUÑIZ and NDUDIM abstaining.

OPEN COMMENTS

JOHN CROSS, San Diego County District Attorney's Office, expressed concern at a recent incident when the Office of Victims' Rights and Services refused permission for victims to attend a hearing on the ground that they had not provided sufficient personal information. The hearing panel permitted the victims to attend the hearing, but CROSS stated that the relevant regulations do not require victims to provide the requested information as a condition of being able to give notice of intention to attend a hearing.

VANESSA NELSON-SLOANE, Life Support Alliance, stated that the Victims' Letter Bank is now in operation.

MARIA GRIJALVA, Latinos Information and Resource Center, recommended that victims, in their written submissions to the Board, focus on dynamic factors, rather than on the circumstances of the controlling offense.

Roll Call: Barton, Chappell, Garland, Kozel, Long, Minor, Nwajei, Purcell, Schneider, Sullivan, Taira and Thornton.

Commissioner TAIRA stated that a majority of currently-appointed commissioners are present.

EN BANC REFERRALS

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 decision and the furtherance of public safety.

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ROJAS, JUAN (F35491)

ROJAS's family supported his release.

SCALES, SEAN (P90283)

SCALES's family and friends supported his release.

SEPULVEDA, AURELIO (J76828)

A representative of the Riverside County District Attorney's Office recommended ordering a rehearing.

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, and 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.

ROBINSON, DANIEL (P20691)

ROBINSON's family and friends supported his release.

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

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.

AYERS, ANTHONY (C46747)

AYRES's attorney, KATEY GILBERT, supported his release.

BRADLEY, NICOLE (W82508)

BRADLEY's friends supported her release.

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

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MARKHAM, CHESTON (K32799)

A representative of MARKHAM's attorney, MAYA EMIG, supported his release.

SMITH, DANIEL (P21875)

SMITH's family and friends supported his release.

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

Meeting recessed at 3:22 p.m.

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Meeting reconvened at 9:03 a.m.

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Roll Call: Commissioners Cassady, Chappell, Garcia, Garland, Long, Muñiz, Ndudim, O'Meara, Purcell, Ruff, Sharrieff and Sullivan present.

Commissioner SHARRIEFF 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.

RUEHLE, JULIE (X04848)

No speakers.

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.

LYMAN, KEVION (K89164)

LYMON's friend supported his release.

BYRD, MICHAEL (C30045)

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

CHANTHALUXAY, SANGPHET (J24177)

A representative of I-Can read an opposition letter from the victim's family.

DAWKINS, ANTHONY (E40626)

No speakers.

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GRAYSON, ALFRED (P52377)

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

SCONCE, DAVID (AP3966)

No speakers.

SMITH, DAVID (P41576)

No speakers.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, stated that the organization has scheduled a seminar in Sacramento on June 18, 2022 for life inmate family members. She thanked SHAFFER for agreeing to speak at the meeting and invited stakeholders to attend.

Meeting recessed at 9:41 a.m.

Meeting reconvened at 11:35 a.m. and adjourned at 11:35 a.m.



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

