

BOARD OF PAROLE HEARINGS
Executive Board Meeting
March 20 and 21, 2023

March 20, 2023

Meeting called to order at 9:00 a.m.

Pursuant to Senate Bill 189, which became effective on June 30, 2022, the meeting was conducted by videoconference and by telephone. All commissioners participated in the meeting on video through Microsoft TEAMS.

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

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

CONSENT CALENDAR

No public comments were made regarding the consent calendar. Commissioner SULLIVAN moved to approve the consent calendar. Commissioner DOBBS seconded the motion, which carried unanimously, with Commissioner TAIRA abstaining.

REPORTS

Report from Executive Officer, Jennifer Shaffer

SHAFFER summarized the provisions of Assembly Bill (AB) 88, Senate Bill (SB) 412, AB 89, AB 1177, AB 1416, AB 1523 and SB 81.

Report from Chief Counsel, Jessica Blonien

BLONIEN provided a staffing update.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, stated that self-esteem issues are important causative factors of many people's criminal activity.

EN BANC REFERRALS

Roll Call: Commissioners Barton, Chappell, Dobbs, Garcia, Long, Minor, Nwajei, O'Meara, Ruff, Schneider, Sullivan and Thornton present.

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

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Referral by the Chief Counsel pursuant to Penal Code section 3041 when there is a tie vote. Public comment is prohibited pursuant to Penal Code section 3041, subdivision (e).

10. GERONIMO, PABLO (F34230)

No public comment permitted.

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

11. FLORES, JOSUE (H93811)

FLORES spoke in support of his application.

12. LILLY, DANNY (N30705)

LILLY spoke in support of his application.

13. MASON, JEFFREY (J63428)

MASON and his family spoke in support of his application.

14. SARVER, ROY (B15822)

SARVER and his family spoke in support of his application.

15. TAYLOR, BEVERLY (W79278)

TAYLOR and her friends spoke in support of her application.

16. TORO, JASON (J20633)

TORO spoke in support of his application.

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

17. WONG, ELAINE (W15719)

WONG's family and friends spoke in support of her application.

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.

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18. BIVENS, JAMES (J80740)

BIVENS's attorney, MEGAN ARIAN, his family and friends supported his release.

19. BLAKE AUDWIN (C18734)

No speakers.

20. PATTERSON, JAIVON (H74487)

No speakers.

21. PRATT, THOMAS (E10961)

No speakers.

22. SHAW, ANDRE (F43745)

No speakers.

23. SHELTON, JOSEPH (C40228)

The victim's family opposed SHELTON's release.

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.

24. MARTINEZ, JOSE (V69352)

MARTINEZ's attorney, MAYA EMIG, and his family supported his release.

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

25. NGUYEN, TIEN (AZ8545)

NGUYEN's friends supported his release.

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

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26. RATCLIFFE, CLARENCE (P44409)

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

27. RODRIGUEZ, RAMIRO (K56235)

RODRIGUEZ's family supported his release.

28. VIELMAN, JUAN (K78674)

VIELMAN's attorney, SUSAN JORDAN, his family and friends supported his release.

Open session recessed at 12:10 p.m.

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Open session reconvened at 9:00 a.m.

Pursuant to Senate Bill 189, which became effective on June 30, 2022, the meeting was conducted by videoconference and by telephone. All commissioners participated in the meeting on video through Microsoft TEAMS.

Roll Call: Commissioners Chappell, Dobbs, Garland, Kozel, Long, Minor, Muniz, Purcell, Sharrieff, Sullivan, Taira and Weiss present.

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

EN BANC REFERRALS

Referral pursuant to Penal Code section 3041 when there is a tie vote. Public comment is prohibited pursuant to Penal Code section 3041, subdivision (e).

30. DESILVA, MIGUEL (D58821)

No public comment permitted.

Referral by the Chief Counsel to consider ordering a rescission hearing pursuant to California Code of Regulations, title 15, section 2450 et seq. Additionally, this case is a 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.

31. ADAMS, DAVID (K97939)

A representative of the Kern 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.

32. ALLEN, ANDRE (P05749)

ALLEN's family supported his release.

33. ANDRADE, TODD (V88970)

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ANDRADE's family supported his release.
A representative of the Madera County District Attorney's Office recommended ordering a rescission hearing.

34. APPLIN, BLAINE (P65786)

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

35. BURKE, TERRANCE (P15892)

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

36. COTTON, DUANE (K94908)

COTTON's family and friends supported his release.

37. GOMEZ, JOSEPH (T41858)

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

38. GUYTON, FRANCISCO (P40516)

GUYTON's family supported his release.

39. HOLIMAN, SCOTT (V2803)

No speakers.

40. KUNS, JR., RONALD (P84826)

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

The victim's family recommended ordering a rescission hearing.

41. LELAND, RHONDA (W62446)

LELAND's family and friends supported his release.

42. MABREY, ALAN (AB8395)

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MABREY's attorney, KATHY RICHARDS, and his friends supported his release.

43. RODRIGUEZ, JOSE (T29526)

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

44. RODRIGUEZ, JOSEPH (AB3551)

RODRIGUEZ's family supported his release.

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

45. SCHEINUCK, JOSEPH (G64012)

SCHEINUCK's friend supported his release.

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

46. WILLIAMS, RAYMOND (D18589)

WILLIAMS's attorney, ALEC WEISS, his family and friends supported his release.

The victims recommended ordering a rescission hearing.

47. YBARRA, MICHAEL (V77243)

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

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, welcomed the positive impact of the structured decision making framework and suggested that it would be helpful if comprehensive risk assessments were written in a way that would be easier for the incarcerated person to understand.

Open session recessed at 11:31 a.m.

Open session reconvened at 01:53 p.m. and meeting adjourned at 01:54 p.m.



Board of Parole Hearings Scheduled and Backlog Hearings Report Penal Code Section 3041(d) April, 2023

