



En Banc Decisions **BOARD OF PAROLE HEARINGS**

Monday, May 15, 2023

ORTIZ, FRANCISCO

F06109

Tie Vote pursuant to Penal Code section 3041

Sentencing Court: San Francisco

Motion: The Board finds that Francisco Ortiz poses an unreasonable risk of danger and denies parole for three years for the reasons stated by the panel member who voted to deny parole for three years at Francisco Ortiz's April 27, 2023 hearing.

Motion by: Thornton

Second by: Purcell

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Schneider, Weiss

Abstained:

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

ALVAREZ, GUILLERMO

AN2949

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Court: Kern

Motion: Vacate the panel's March 9, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Garcia

Second by: Muñiz

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained: Taira

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

BELLACK, JOSEPH
H66807

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Court: San Diego

Motion: Vacate the panel's February 15, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Schneider

Second by: Garcia

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained: Taira

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

HURT, GERALD

D39177

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Court: Los Angeles

Motion: Vacate the panel's January 20, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Taira

Second by: Chappell

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained:

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

RIKARD, KEVIN

V44696

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Courts: Butte, Plumas

Motion: Vacate the panel's February 17, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Kozel

Second by: Purcell

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained: Taira

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

SMITH, HARUN

D05564

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Court: Los Angeles

Motion: Vacate the panel's February 2, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Muñiz

Second by: Chappell

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained: Taira

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

TOLIVER, TYRONE

H93393

Referred by the Chief Counsel under Penal Code 3041, subdivision (b)

Sentencing Court: Los Angeles

Motion: Vacate the panel's March 10, 2023 decision to grant parole and schedule a new hearing on the next available calendar.

Motion by: Garcia

Second by: Ndudim

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained:

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

BAPTISTE, KENNETH

T36354

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 December 14, 2022 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated March 30, 2023.

Motion by: Schneider

Second by: Kozel

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained:

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

CORLEY, JEFFREY

V53724

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's December 22, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Muñiz

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained: Taira

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

KING, ALTON

T83180

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Santa Clara

Motion: Affirm the panel's December 22, 2022 decision to grant parole, as articulated in the panel's proposed decision, with the following added special conditions of parole: (1) Shall report to, enroll in, and actively participate in a Division of Adult Parole Operations approved treatment program specific to sex offenders, (2) Do not parole to Santa Clara county, (3) Do not date any person who has physical custody of a minor under the age of 18, without prior written approval from your parole agent; and (4) Never serve as a guardian, babysitter, or person responsible for the care of any minor under the age of 18.

Motion by: Muñiz

Second by: Kozel

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained: Taira

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

REITZ, STEPHEN

V47730

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's November 10, 2022 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Taira

Second by: Sharrieff

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained:

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

RENDALL, JEFFREY

D70983

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Contra Costa

Motion: Affirm the panel's January 6, 2023 decision to grant parole, as articulated in the panel's proposed decision, with the added special condition of parole to not possess or consume illegal drugs and marijuana.

Motion by: Chappell

Second by: Sullivan

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained:

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

RODRIGUEZ, JORGE

D60761

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 November 16, 2022 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated March 30, 2023.

Motion by: Ndudim

Second by: Chappell

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Weiss

Abstained:

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

SCONCE, DAVID

AP3966

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's January 10, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Purcell

Second by: Schneider

Not Present: Barton, Cassady, Dobbs, Long, Minor, Nwajei, O'Meara, Ruff, Thornton, Weiss

Abstained:

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