



En Banc Decisions
BOARD OF PAROLE HEARINGS

Monday, November 20, 2023

TUBBS, MICHAEL
J42679

Referred by the Chief Counsel under California Code of Regulations, title 15, section 2450 et seq.

Sentencing Court: San Joaquin

Motion: Refer for a rescission hearing to consider whether the panel's July 12, 2023 grant of parole was improvident, based on new information documented in the October 19, 2023 rules violation report.

Motion by: Purcell

Second by: Taira

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

GALLIEN, MITCHELL
G62820

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

Sentencing Court: Sacramento

Motion: Vacate the panel's September 14, 2023 decision to grant parole based on new confidential information dated November 3, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Muñiz

Second by: Sharrieff

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

GOMEZ, WENDY

WF0774

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

Sentencing Court: Kern

Motion: Vacate the panel's July 26, 2023 decision to grant parole based on new confidential information dated November 2, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Purcell

Second by: Kozel

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

KARPAN, STEVE

J81527

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

Sentencing Court: Tuolumne

Motion: Vacate the panel's July 27, 2023 decision to grant parole based on new confidential information dated October 17, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: Ndudim

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

LARA, JESSE

E75226

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

Sentencing Court: Los Angeles

Motion: Affirm the panel's September 12, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Taira

Second by: Weiss

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

RUSSELL, ERIC

J37753

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

Sentencing Court: Los Angeles

Motion: Vacate the panel's September 14, 2023 decision to grant parole based on new confidential information dated November 1, 2023, which the panel finds reliable, and schedule a new hearing on the next available calendar.

Motion by: Kozel

Second by: Nwajei

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

BISHOP, DEKLYN

AN2651

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Shasta

Motion: Affirm the panel's May 11, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Taira

Second by: Weiss

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Purcell, Ruff, Schneider

Abstained:

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

CEJA, ANTONIO

G27147

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's May 18, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Dobbs

Second by: Purcell

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

DEMERY, PATRICK

J38293

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's June 8, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Muñiz

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

CYPERT, GERALD

P15294

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Riverside

Motion: Affirm the panel's May 31, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: O'Meara

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

HULSEMAN, DELBERT

AX4258

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Trinity

Motion: Affirm the panel's May 31, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Muñiz

Second by: Dobbs

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

JOHNSTON, SALLY

D36067

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Francisco

Motion: Affirm the panel's June 9, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special condition of parole: promptly report to a Behavioral Health Reintegration Program for evaluation.

Motion by: Dobbs

Second by: Sharrieff

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

MITCHELL, DIONDRE

J31384

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's June 8, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special condition of parole: do not actively participate in, promote, further, or assist in any prison gang, disruptive group, or criminal street gang activity, as enumerated in Penal Code section 186.22, subdivision (e)(1)(A)-(Z), nor violate any gang abatement, injunction, ordinance, or court order. Do not associate with anyone you know, or should know, is a member of a prison gang, disruptive group, or criminal street gang, without prior written approval from a parole agent, nor wear or carry on your person gang colors or any sign, symbol, or paraphernalia you know, or should know, to be associated with gang activity.

Motion by: Nwajei

Second by: Sharrieff

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

ROBERTI, MICHAEL

D30337

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 June 13, 2023 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated October 6, 2023.

Motion by: O'Meara

Second by: Kozel

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

ROCHA, ELDA

WF4051

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's May 11, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special condition of parole: do not actively participate in, promote, further, or assist in any prison gang, disruptive group, or criminal street gang activity, as enumerated in Penal Code section 186.22, subdivision (e)(1)(A)-(Z), nor violate any gang abatement, injunction, ordinance, or court order. Do not associate with anyone you know, or should know, is a member of a prison gang, disruptive group, or criminal street gang, without prior written approval from a parole agent, nor wear or carry on your person gang colors or any sign, symbol, or paraphernalia you know, or should know, to be associated with gang activity.

Motion by: Muñiz

Second by: Weiss

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

SMITH, CHESTER

K76469

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's June 13, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Weiss

Second by: Ndudim

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

STANDER, DAVID

K15395

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Napa

Motion: Affirm the panel's June 14, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ndudim

Second by: Muñiz

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Nwajei, Ruff, Schneider

Abstained:

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

TREADWAY, BILL

K17840

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Courts: Sacramento, Solano

Motion: Affirm the panel's June 28, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special condition of parole: shall report to, enroll in, and actively participate in a Division of Adult Parole Operations approved treatment program specific to sex offenders.

Motion by: Sharrieff

Second by: Muñiz

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider

Abstained:

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

UCH, KANA

F00800

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Fresno

Motion: Affirm the panel's June 2, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: O'Meara

Second by: Weiss

Not Present: Barton, Cassady, Chappell, Garland, Long, Minor, Ruff, Schneider, Taira

Abstained:

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