



En Banc Decisions (Amended)
BOARD OF PAROLE HEARINGS

Thursday, February 22, 2024

JOHNSON, GERALD
C13789
Tie Vote pursuant to Penal Code section 3041
Sentencing Court: San Diego

Motion: The Board finds Gerald Johnson does not pose an unreasonable risk of danger and grants parole for the reasons stated by the panel member who voted to grant parole at Gerald Johnson's December 29, 2023 hearing.

Motion by: Nwajei

Second by: Weiss

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

MILLS, JAKAN
P11240

Panel-referred pursuant to Penal Code section 3041(a)(5) and California Code of Regulations, title 15, section 2044(a)
Sentencing Court: Orange

Motion: Vacate the panel's February 2, 2024 decision to deny parole and schedule a new hearing on the next available calendar.

Motion by: Dobbs

Second by: Weiss

Not Present: Barton, Cassady, Garland, Kozel, Long, O'Meara, Purcell, Schneider, Sharrieff

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

COOKS, KENDELL

T18983

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

Sentencing Court: Los Angeles

Motion: Refer for a rescission hearing to consider whether the panel's August 11, 2023 grant of parole was improvident, based on institutional misconduct dated November 3, 2023.

Motion by: Weiss

Second by: Ruff

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

STEWART, ROBERT

C45703

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

Sentencing Court: Los Angeles

Motion: Vacate the panel's November 16, 2023 decision to grant parole based on new confidential information dated January 30, 2024, and schedule a new hearing on the next available calendar.

Motion by: Weiss

Second by: Taira

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

BARRY, HARVEY

V13880

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Sonoma

Motion: Affirm the panel's September 7, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Chappell

Second by: Ndudim

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff, Weiss

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

CAIN, PAUL

K68828

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's September 7, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Minor

Second by: Ruff

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

DOHERTY, JAMES

F92383

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's August 16, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Muñiz

Second by: Taira

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

ESPINOZA, ESTEVAN

AP5831

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's August 15, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ndudim

Second by: Muñiz

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

EULLOQUI, FRANCISCO

P05692

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

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

Motion by: Weiss

Second by: Muñiz

Not Present: Barton, Cassady, Garland, Kozel, Long, O'Meara, Purcell, Schneider, Sharrieff

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

GARCIA, JONATHAN
AY2633

Governor-referred pursuant to Penal Code section 3041.1
Sentencing Court: Riverside

Motion: Affirm the panel's August 30, 2023 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special condition of parole: you shall not drive or operate a motor vehicle, with the exception of driving to and from work, as required to perform any duties of employment, or to perform obligations of parole supervision.

Motion by: Ruff

Second by: Chappell

Not Present: Barton, Cassady, Garland, Kozel, Long, O'Meara, Purcell, Schneider, Sharrieff

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

GATES, DAMIEN
V32133

Governor-referred pursuant to Penal Code section 3041.1
Sentencing Court: Los Angeles

Motion: Affirm the panel's September 6, 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 contact or communicate with your alleged crime partner, without prior written approval from a parole agent.

Motion by: Taira

Second by: Weiss

Not Present: Barton, Cassady, Garland, Long, Ndudim, O'Meara, Purcell, Schneider, Sharrieff

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

GUILLORY, SHANNON

X11664

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Contra Costa

Motion: Affirm the panel's September 6, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Thornton

Second by: Dobbs

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

HARRIS, MICAH

F43294

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's September 22, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Weiss

Second by: Kozel

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

Abstained: Ruff

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

LEE, JAMES

D81193

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's August 29, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Muñiz

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff, Weiss

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

LOPEZ, JOSE

F55386

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

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

Motion by: Minor

Second by: Taira

Not Present: Barton, Cassady, Garland, Kozel, Long, O'Meara, Purcell, Schneider, Sharrieff

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

MARAVILLA, ISIDRO

BC2915

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Fresno

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

Motion by: Muñiz

Second by: Chappell

Not Present: Barton, Cassady, Garland, Long, Ndudim, O'Meara, Purcell, Schneider, Sharrieff

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

PAYTON, DESMOND

H87035

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: San Diego

Motion: Affirm the panel's August 29, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ndudim

Second by: Nwajei

Not Present: Barton, Cassady, Garland, Long, Muñiz, O'Meara, Purcell, Schneider, Sharrieff

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

PHOUTTHACHAK, TONY
V46784

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's September 6, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Thornton

Second by: Nwajei

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

ROSALES, MANUEL
K65037

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 August 31, 2023 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated January 19, 2024.

Motion by: Chappell

Second by: Muñiz

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

RUSHING, PERRYNN
P86835

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Alameda

Motion: Affirm the panel's September 15, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Nwajei

Not Present: Barton, Cassady, Garland, Long, O'Meara, Purcell, Schneider, Sharrieff

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

SANDOVAL, ERNIE

AI8503

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's September 6, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Minor

Second by: Kozel

Not Present: Barton, Cassady, Garland, Long, Ndudim, O'Meara, Purcell, Schneider, Sharrieff

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

SMITH, TRYON

H32073

Governor-referred pursuant to Penal Code section 3041.1

Sentencing Court: Los Angeles

Motion: Affirm the panel's September 1, 2023 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Ndudim

Second by: Chappell

Not Present: Barton, Cassady, Garland, Kozel, Long, O'Meara, Purcell, Schneider, Sharrieff

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

TYSON, ARTHUR

V29892

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 September 13, 2023 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated February 2, 2024.

Motion by: Thornton

Second by: Ruff

Not Present: Barton, Cassady, Garland, Long, Nwajei, O'Meara, Purcell, Schneider, Sharrieff

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