



En Banc Decisions
BOARD OF PAROLE HEARINGS

Tuesday, October 15, 2024

LUSTER, ANDREW (T97187)

Sentencing Court: Ventura

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

Motion: Vacate the panel's August 8, 2024 decision to grant parole based on new information regarding Andrew Luster's criminal history, including arrest reports provided to the Board August 16, 2024, and September 18, 2024, and whether an error of fact or law exists under Penal Code section 3041, subdivision (b).

Motion by: Muniz

Second by: Kozel

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

PETRESS, DUREE (WE4648)

Sentencing Court: San Bernardino

Referred by the Chief Counsel under Penal Code 3041, subdivision (b) and Governor-referred pursuant to Penal Code section 3041.1

Motion: Refer for a rescission hearing to consider whether the panel's April 3, 2024 grant of parole was improvident, based on new confidential information dated September 29, 2024, and the concerns cited in the Governor's referral letter dated August 1, 2024.

Motion by: Long

Second by: Dobbs

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

CARTWRIGHT, DONALD (D63973)

Sentencing Court: Alameda

Referred by a hearing panel member under Penal Code section 3041(a)(5)

Motion: Vacate the panel's September 11, 2024 decision to grant parole based on Donald Cartwright's minimization, lack of self-awareness, and lack of understanding of the risk factors related to his criminal history, including his sexual offending. Schedule a new hearing on the next available calendar.

Motion by: Barton

Second by: Chappell

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

AGUILAR, JOSE (AT4201)

Sentencing Court: Riverside

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's June 13, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Barton

Second by: Kozel

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

BIAS, DENNIS (P14304)

Sentencing Court: Los Angeles

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's June 20, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Chappell

Second by: Purcell

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

DRAGOS, JURE (V31341)

Sentencing Court: Santa Clara

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's June 13, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Kozel

Second by: Nwajei

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

FLORES, JAVIER (AK5319)

Sentencing Court: Orange

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's June 11, 2024 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special condition of parole: participate in a certified Batterer's Program, at the direction of your parole agent.

Motion by: Nwajei

Second by: Infante

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

FRIAS, ARMANDO (V17346)

Sentencing Court: Monterey

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's May 2, 2024 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: Purcell

Second by: Barton

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

HENDRIX, JOHN (B39977)

Sentencing Court: Los Angeles

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's May 3, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Nwajei

Second by: Muniz

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

INDACOCHEA, JOSE (AR8872)

Sentencing Court: Riverside

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's May 15, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Infante

Second by: Purcell

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

MCMEANS, DAJUAN (V02586)

Sentencing Court: Imperial, Los Angeles

Governor-referred pursuant to Penal Code section 3041.1

Motion: Refer for a rescission hearing to consider whether the panel's June 12, 2024 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated September 20, 2024.

Motion by: Taira

Second by: Barton

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

MURPHY, ANDRE (P56606)

Sentencing Court: Fresno

Governor-referred pursuant to Penal Code section 3041.1

Motion: Refer for a rescission hearing to consider whether the panel's June 5, 2024 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated September 13, 2024.

Motion by: Nwajei

Second by: Barton

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

RIVERA, PEDRO (AF2356)

Sentencing Court: Fresno

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's June 6, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Muniz

Second by: Infante

Not Present: Cassady, Chappell, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

RODRIGUEZ, ROY (P22401)

Sentencing Court: Monterey

Governor-referred pursuant to Penal Code section 3041.1

Motion: Refer for a rescission hearing to consider whether the panel's June 12, 2024 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated September 20, 2024.

Motion by: Barton

Second by: Chappell

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

SALINAS, JOEL (K71320)

Sentencing Court: Los Angeles

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's April 25, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Infante

Second by: Nwajei

Not Present: Cassady, Garland, Ndudim, O'Meara, Purcell, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

SMITH, EDWIN (P04864)

Sentencing Court: Los Angeles

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's May 1, 2024 decision to grant parole, as articulated in the panel's proposed decision. In addition, the board imposes the following special conditions of parole: (1) submit to random drug testing for marijuana, (2) do not possess or consume marijuana, (3) continue with your substance abuse relapse prevention and recovery efforts (Alcoholic Anonymous, Narcotics Anonymous, or equivalent non-religious efforts), (4) shall report to, enroll in, and actively participate in a sex offender management program, and (5) shall participate in a certified Batterer's Program, at the direction of your parole agent.

Motion by: Nwajei

Second by: Muniz

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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

VALLES, OSCAR (BE1072)

Sentencing Court: Ventura

Governor-referred pursuant to Penal Code section 3041.1

Motion: Affirm the panel's May 14, 2024 decision to grant parole, as articulated in the panel's proposed decision.

Motion by: Thornton

Second by: Kozel

Not Present: Cassady, Garland, Ndudim, O'Meara, Ruff, Schneider, Sharrieff, Sheffield, Weiss

Abstained:

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