

BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, November 22, 2016

LARA, ALFREDO
Sentencing Court:
Contra Costa

D-31690

Penal Code section 1170(e)

Motion: Decline to recommend to the court that Mr. Lara's sentence be recalled and that Mr. Lara be resentenced based on a finding that he poses a current risk of danger to public safety because of his ability to perform all activities of daily living on his own and the conditions of his proposed release.

Motion by: **Zarrinam**
Second by: **Peck**
Not Present: **Chappell, Fritz**
Abstained:
Decision: Motion approved by a majority of the commissioners present.

PEREZ, EDWARD
Sentencing Court:
Los Angeles

D-98572

Penal Code section 1170(e)

Motion: Decline to recommend to the court that Mr. Perez's sentence be recalled and that Mr. Perez be resentenced based on a finding that he poses a current risk of danger to public safety because of his continued mobility, ability to perform all activities of daily living on his own, history of violence, recent disciplinary activity, and the conditions of his proposed release.

Motion by: **Garner**
Second by: **Montes**
Not Present: **Chappell, Fritz**
Abstained:
Decision: Motion approved by a majority of the commissioners present.

WEATHERLY, JOHNNY
Sentencing Court:
San Bernardino

D-00347

Penal Code section 1170(e)

This case was not considered by the Board due to Mr. Weatherly's death.

BURKE, CARL
Sentencing Court:
San Diego

P-67699

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Refer for a rescission hearing to consider whether the July 26, 2016 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated October 21, 2016, including Mr. Burke's lack of sufficient understanding into the intersection of his alcoholism and mental health concerns, and a new Comprehensive Risk Assessment approved November 8, 2016.

Motion by: **Labahn**
Second by: **Roberts**
Not Present: **Chappell, Fritz, Turner**
Abstained:
Decision: Motion approved by a majority of the commissioners present.

LOPEZ, EMILIANO
Sentencing Court:
Kern

V-81256

**Governor-Referred pursuant to
Penal Code section 3041.1**

Motion: Affirm the panel's July 27, 2016 decision to grant parole, as articulated in the panel's decision.

Motion by: **Minor**
Second by: **Zarrinam**
Not Present: **Chappell, Fritz, Labahn**
Abstained:
Decision: Motion approved by a majority of the commissioners present.

Motion: Refer for a rescission hearing to consider whether the July 27, 2016 grant of parole was improvident, based on the concerns cited in the Governor's referral letter dated October 28, 2016, including Mr. Medina's lack of insight into his violence toward women.

Motion by: **Turner**
Second by: **Peck**
Not Present: **Chappell, Fritz, Labahn**
Abstained:
Decision: Motion approved by a majority of the commissioners present.