

**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting**  
**November 19 & 20, 2018**

**November 19, 2018**

**Meeting Called to Order at 1:02 p.m.**

**Roll Call:** Commissioners Anderson, Barton, Cassady, Castro, Chappell, Dobbs, LaBahn, Long, Minor, Roberts, Schneider, Taira and Turner present. Commissioners Grounds and Ruff absent.

Commissioner ANDERSON stated that the majority of currently-appointed commissioners are present.

**CONSENT CALENDAR**

**Public Comment on Consent Calendar**

VANESSA NELSON-SLOANE, Life Support Alliance, stated that there is an error in the draft minutes of the October 15, 2018 meeting. The RISE program operates at the California Medical Facility, not the California Men's Colony.

Commissioner TURNER moved to approve the consent calendar, as amended. Commissioner ROBERTS seconded the motion, which carried unanimously

**REPORTS**

**Report from Executive Officer, Jennifer Shaffer**

SHAFFER stated that the Board is drafting emergency regulations to implement the *Edwards* decision. It is anticipated that the regulations will take effect in January 2019. The Board's emergency regulations governing its administrative review and petition to advance processes were approved by the Office of Administrative Law.

**Report from Chief Counsel, Jennifer Neill**

NEILL stated that the Board has requested review of the *Palmer* decision, regarding the review standard in youth offender hearings. The respondents have filed an Answer and the Board will file a Reply next week. Regulations addressing the issue will be discussed at the December 2018 meeting and it is anticipated that they will be submitted to the Office of Administrative Law in January 2019.

**Report from Chief Psychologist, Forensic Assessment Division, Dr. Cliff Kusaj**

KUSAJ stated that he and Senior Psychologist JASMINE TEHRANI met certified law students at the University of Southern California's Gould School of Law Post-conviction Project. He thanked Directing Attorney HEIDI RUMMEL for the invitation to address the students. KUSAJ stated that all the comprehensive risk assessments assigned in December 2018 are for hearings on or after March 1, 2019. All assessments will be completed and distributed at least 60 days before the hearing.

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**PRESENTATIONS**

**Youth Offender Regulations, Presented by Chief Counsel Jennifer Neill,**

NEILL reviewed the draft youth offender regulations. She invited comments from stakeholders before they are publically posted on December 7, 2018, in advance of next month's executive board meeting.

**Engaging Survivors; Opportunities and Responsibilities, Presented by Javier Stauring, Executive Director of Healing Dialogue and Action, Noelle Swan Gilbert, Restorative Justice Practitioner, Joshua Gunner Jonson, Victim-Offender Dialogue Participant, and Kyla Wyatt, USC Post-Conviction Justice Project**

STAURING, GILBERT, JOHNSON and WYATT gave a presentation.

**OPEN COMMENTS**

VANESSA NELSON-SLOANE, Life Support Alliance, expressed concern at the housing difficulties experienced by an elderly parolee, suffering from severe medical issues. His parole plan was to reside with his wife, but her house was not ready to accommodate him. The Division of Adult Parole Operations found him a transitional facility, which was about 70 miles from his wife's home. He is now housed at a closer facility, but is required to attend meetings, despite having significant mobility issues.

**Meeting recessed at 2:34 p.m.**

**November 20, 2018**

**Meeting called to order at 10:04 a.m.**

**Roll Call:** Commissioners Anderson, Barton, Cassady, Castro, Chappell, Dobbs, LaBahn, Long, Minor, Roberts, Schneider, Taira and Turner present. Commissioners Grounds and Ruff absent.

**EN BANC REFERRALS**

**Referral by the Governor pursuant to Penal Code section 4802 to review a pardon application.**

**A. LINN, TAMMY**

**N-13771**

SYLVIA MILLER, CASSANDRA PERRYMAN, JOSEPH MORROW, SENATOR JOHN BURTON, BOHSIU WU, BROOKE PURVES, CELY SMART, CURTIS MILLER, JOSHUA GUNNER JOHNSON, SUSAN KISCHMISCHIAN, ANDREW WINN, ESTEBAN NUNEZ and ALEX HILL supported the pardon application.

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ZACHARY YEATES supported the application and read a support letter from MAYOR DARRYL STEINBERG. TAMMY LINN supported her application.

**B. O'KEITH, MARLON** **D-27280**

No speakers.

**C. VASQUEZ, ELIZABETH** **X-30743**

KAREN SILVER, SENATOR JOHN BURTON, ERIN McDERMOTT, RITO RODRIGUEZ, RHONDA FINDLING, DIANNA BADALAMENT and MARILYN JAFFE supported the pardon application. RICHARD ORTIZ supported the application and read a support letter from JUDGE SIMONDS, Sonoma County Superior Court. ELIZABETH VASQUEZ supported her application.

**Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence.**

**D. DARDEN, GERALDINE** **W-81216**

DORRIS KELLEY, inmate's daughter, supported a recommendation for recall of sentence.

JILL KLINGE, Alameda County District Attorney's Office, summarized the inmate's life crime and criminal history.

**E. MAGEE, RUNAKO** **P-60766**

TAMMY DUNCAN, inmate's aunt, NICOLE MAGEE, inmate's wife, THADDEUS DUNCAN, KAREEM WALTON, TEQUILLA MILLER, OREMARIO MAGEE, inmate's brother, and CYNTHIA ISON, inmate's great-aunt, supported a recommendation for recall of sentence.

**Referral by the Chief Counsel pursuant to Penal Code section 3041(b) and California Code of Regulations, title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety.**

**F. COLLIER, DOUGLAS** **C-42473**

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DAN GALLETTA, inmate's brother, CATHERINE LA FERME, inmate's aunt, LILLIANA PARATORE, inmate's attorney, and VICTOR PERRELCH supported the inmate's release on parole.

AARON WEST, Santa Clara County District Attorney's Office, recommended ordering a re-hearing.

**G. DAWSON, DOUGLAS** **H-28536**

No speakers.

**H. HERNANDEZ, SAMMY** **C-24795**

No speakers.

**Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044 (b) to request review of a parole decision by the full board.**

**I. ROOKS, ANDREW** **G-17350**

JACOB RUNCKEL, victim, opposed the inmate's release on parole.

**Referral by a panel member pursuant to Penal Code section 3041 (a) (5) and California Code of Regulations, title 15 section 2044 (a) to request review of a parole decision by the full board.**

**J. CROSBY MARVIN** **B-24611**

JILL KLINGE, Alameda County District Attorney's Office, recommended ordering a re-hearing.

**Referral, pursuant to Penal Code section 3041 to either grant or deny parole when there is a tie vote.**

**K. JACKSON, MICHAEL** **C-14208**

Public comment prohibited.

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**L. MALDONADO, MARIBEL**

**X-31488**

Public comment prohibited.

**OPEN COMMENTS**

VANESSA NELSON-SLOANE, Life Support Alliance, expressed concern that inmates experience difficulty in obtaining information about the Board's proposed regulations.

**Meeting adjourned at 12:26 p.m.**



## Board of Parole Hearings Scheduled and Backlog Hearings Report Penal Code Section 3041(d) December, 2018

