

EXECUTIVE REPORT ON PAROLE

**PAROLE REVERSAL DECISIONS FOR THE PERIOD
JANUARY 1, 2024 THROUGH DECEMBER 31, 2024**



BY GOVERNOR GAVIN NEWSOM



OFFICE OF THE GOVERNOR

MESSAGE CONCERNING 2024 PAROLE CASES

To the Members of the Senate and Assembly of the State of California:

I submit this report as required by article V, section 8, subdivision (b) of the California Constitution.

The parole process in California, a critical cornerstone of our criminal justice system, is made stronger by the efforts of many in state government, including the California Department of Corrections and Rehabilitation under the leadership of Secretary Jeff Macomber.

At the end of 2024, after decades of service to the State of California, Jennifer Shaffer retired from her role as Executive Officer of the Board of Parole Hearings. For the past 14 years, Executive Officer Shaffer has demonstrated dedication and vision. Her considerable achievements during her tenure at the Board have made our justice system more fair and our communities safer.

I am also grateful to our community partners who provide rehabilitative programming in prisons and reentry services in the community, the attorneys who represent incarcerated people in the parole process, victim advocates and representatives, prosecutors, and the people in prison, on parole, and post-parole who have committed themselves to rehabilitation and accountability.

Finally, I acknowledge and thank crime victims and survivors for their participation in the parole process. I have been inspired by their courage and resilience.

The report may be found at www.gov.ca.gov/clemency, or, for a printed copy, contact the Governor's Office at 916-445-2841. Crime victims and survivors who would like information about the parole process and clemency notifications, restitution, and who need general victim resources please call 1-877-256-6877, email victimservices@cdcr.ca.gov, or visit www.cdcr.ca.gov/victim-services. Californians who would like information and instructions on how to apply for clemency may visit www.gov.ca.gov/clemency.

I look forward to our continued partnership in ensuring a fair criminal justice system for all Californians.

Sincerely,



Governor Gavin Newsom

GOVERNOR GAVIN NEWSOM • SACRAMENTO, CA 95814 • (916) 445-2841



PAROLE REVERSAL DECISIONS

2024

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

CONRAD CHERRY, H-33892
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 1992, Conrad Cherry drank heavily and argued with the victim about money. Mr. Cherry hit the victim with a hammer, killing him, stole his money, and fled in the victim's car.

In April 2019, Mr. Cherry was found suitable for parole and was released from prison in August 2019 after serving 27 years.

In 2021, the California Department of Corrections and Rehabilitation's Division of Adult Parole Operations learned that, while on parole, Mr. Cherry sustained two new arrests for driving under the influence of alcohol, once in September 2020 and again in November 2020, and a February 2021 arrest for driving with a suspended license, expired registration, and no proof of insurance. He was returned to CDCR custody. In March 2021, he was convicted of two DUIs in absentia.

In September 2023, the Board reviewed Mr. Cherry's case and found him suitable for re-release on parole.

DECISION

I acknowledge that Mr. Cherry has made efforts to improve himself in prison since he was reincarcerated in 2021. He completed additional self-help programming and enrolled in college courses. I commend Mr. Cherry for taking these steps, and I encourage him to continue on this positive path. However, these factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

The psychologist who evaluated Mr. Cherry in 2022 diagnosed him with multiple substance use disorders, including Alcohol Use Disorder. The psychologist

concluded that these are in institutional remission but wrote that his risk for relapse remains highly relevant to his current risk for violence.

Mr. Cherry engaged in substance use prevention programming during his initial prison term. At the time of his release in 2019, he had reported maintaining his sobriety since 2013. Those rehabilitative gains were not sufficient to prevent his relapse in the community. After his September 2020 DUI arrest, Mr. Cherry was ordered to complete a 30-day residential substance use treatment program. Despite this intervention, Mr. Cherry relapsed three weeks later. The evaluating psychologist also found that Mr. Cherry appeared to minimize aspects of his drunk driving convictions.

At his most recent parole hearing, Mr. Cherry reported that he used alcohol in the community to cope with his feelings of loneliness, rejection, fear, and financial concerns. Mr. Cherry also identified failed romantic relationships as a trigger for his substance use relapse and told the psychologist that "he does not know how to be in a romantic relationship." He also acknowledged that he failed to rely on his relapse preventions plans while on parole; he did not attend substance use prevention support meetings consistently, work with a sponsor, or reach out to his support network for assistance.

To his credit, Mr. Cherry demonstrated increased self-awareness about the nature of his risk factor for alcohol use relapse and the tools he will need to manage it in the community. This is an encouraging start. Before he can be safely released, however, Mr. Cherry must do additional work to mitigate his risk factors and improve his coping skills, including maintaining healthy romantic relationships.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Cherry is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Cherry.

Decision Date:
January 19, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

DEREK PETTIS, K-06969

First Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 1994, Derek Pettis was detained by police after he got into an argument with other patrons at a bar. One of the officers and a chaplain, who was doing a ride-along, agreed to drive Mr. Pettis home instead of taking him to jail. At Mr. Pettis's home, the officer opened the door so Mr. Pettis could exit the car. Mr. Pettis punched the officer in the face, knocking him to the ground, and then grabbed his gun. Mr. Pettis shot and injured the officer, and then fatally shot the chaplain as he pled for his life.

DECISION

In the cases of parole candidates who commit their crimes when they are under 26 years old, I am required by law to review the record for evidence of factors relevant to their diminished culpability as youthful offenders. Mr. Pettis committed this crime when he was 24 years old, at which time he demonstrated hallmark features of youth that diminished his culpability under youth offender laws. The psychologist who evaluated Mr. Pettis in 2023 concluded that, at the time of his crime, Mr. Pettis presented as "emotionally fragile as a youth, in that any provocation or stress was met with a violent response from Mr. Pettis. This emotional fragility was likely modeled by his environment as a child, was further encouraged by the gang culture, and was exacerbated by substance use."

As further required by youth offender laws, I have also examined the record for evidence of Mr. Pettis's subsequent growth and increased maturity since his life crime. He has been incarcerated for 29 years. I acknowledge that Mr. Pettis has made efforts to improve himself in prison. He has engaged in vocational training, maintained a positive work history, participated in self-help programming including substance use prevention courses, and has maintained his sobriety in prison. He disassociated from his gang in 2005 and has not been disciplined in the last 10 years. He has also served on the inmate advisory

committee. I commend him for taking these steps and I encourage him to continue on this positive path.

After evaluation of Mr. Pettis's record and giving great weight to the relevant youthful offender factors, I conclude that these mitigating factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

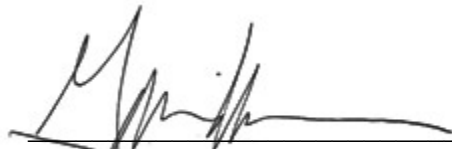
Mr. Pettis has a history of violent conduct in the community. At the time of the life crime, Mr. Pettis was on probation for shooting at an inhabited dwelling and at an unoccupied car. In prison, he continued to engage in violent conduct for two decades. Mr. Pettis was last disciplined for fighting in 2012, but he admitted that he was involved in a physical altercation in 2015. I acknowledge that Mr. Pettis has demonstrated some awareness about this risk factor, which is an encouraging sign of his developing insight. However, I have concluded that Mr. Pettis has not sufficiently mitigated this risk factor for violent conduct, and in particular, its nexus with his risk factor for substance use relapse.

Mr. Pettis has a lengthy history of substance use, and the psychologist who evaluated him in 2023 diagnosed him with multiple substance use disorders. Mr. Pettis reports maintaining his sobriety in prison, and the psychologist noted that his substance use disorders are all currently in remission in the controlled environment of prison. The psychologist cautioned, however, that Mr. Pettis's "lack of ready identification of emotional or other intrapersonal triggers may indicate a lack of understanding about the reasons he used substances, which may leave him vulnerable to future use." I have concluded that before Mr. Pettis can be safely released, he must do additional work to address his risk factor for substance use relapse, especially in light of the additional stressors and opportunity to access substances he would face upon release in the community. In particular, I encourage Mr. Pettis to deepen his understanding of his internal processes that previously led him to use substances. I also encourage him to further develop his self-awareness into his intrapersonal triggers for substance use to further mitigate his risk of relapse in the community.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Pettis is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Pettis.

Decision Date:
January 29, 2024

A handwritten signature in black ink, appearing to read "G. Newsom", is written over a horizontal line.

GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

JOE GONZALES, B-00288

First Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 1965, 24-year-old Joe Gonzales and his crime partners robbed three victims at knifepoint. The crime partners stabbed two of the victims, killing one. Mr. Gonzales was sentenced to death, but was subsequently resentenced to a parole-eligible term.

While incarcerated, Mr. Gonzales was a leader of the violent prison gang Nuestra Familia. Between 1973 and 1977, Mr. Gonzales was directly linked to the murders of eleven people. Mr. Gonzales was convicted for the murders of seven victims, including the brutal stabbing of a witness in a criminal case. Mr. Gonzales was convicted of conspiracy to murder the four other victims.

DECISION

In the cases of parole applicants who commit their crimes when they are under 26 years old, I am required to review the record for evidence of factors relevant to their diminished culpability as youthful offenders. Mr. Gonzales committed *this* crime when he was 24 years old. At the time of the crime, Mr. Gonzales demonstrated hallmark features of youth, which diminished his culpability under youth offender laws.

I have also examined the record for evidence of Mr. Gonzales's subsequent growth and increased maturity since his life crime as set forth in youth offender laws. After committing the life crime, he became the leader of a prison gang and was directly linked to 11 murders, which undercuts a finding that he made rehabilitative growth. He has, however, been incarcerated for 58 years and is now 82 years old. Mr. Gonzales has made efforts to improve himself in prison. He disassociated from his gang in 1978 and reports maintaining sobriety since 1969. Governor Brown reversed his parole grant in 2016, and since then Mr. Gonzales

has not been disciplined for misconduct. I commend him for taking these steps and I encourage him to continue on this positive path.

After assessing Mr. Gonzales's record and giving great weight to the relevant youthful offender factors, I conclude that these mitigating factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

Mr. Gonzales was serving a life sentence and continued to engage in violent conduct while in prison. At his hearing, Mr. Gonzales reports that he began to change his life around when he started receiving an education and questioning his thoughts. I acknowledge that Mr. Gonzales has demonstrated some awareness about this risk factor, which is an encouraging sign of his developing insight. However, I have concluded that Mr. Gonzales has not sufficiently mitigated this risk factor.

Mr. Gonzales also has a history of gang involvement. Mr. Gonzales disassociated from his gang in 1978 but continues to demonstrate a lack of insight into the harm he has caused as a former gang member. I have concluded he must do additional work to address this risk factor before he can be safely released.

In particular, I encourage Mr. Gonzales to deepen his insight into the causative factors for his violent conduct in the past and further develop coping skills to manage them in the future. I also encourage him to further develop his self-awareness into his triggers for yielding to antisocial external pressures.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Gonzales is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Gonzales.

Decision Date:
February 13, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

KENDRA BERNARD, X-06773
First Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ X _____

CRIME

In 2001, Kendra Bernard, while under the influence of alcohol and methamphetamine, fought with her mother who did not want Ms. Bernard's abusive boyfriend in the home. Ms. Bernard then fatally strangled her 62-year-old mother. Ms. Bernard and her boyfriend kept the body under a bed for two days before transporting it to a remote location where Ms. Bernard's boyfriend dismembered the body with an axe and machete and left the body parts spread across multiple counties.

DECISION

I acknowledge that Ms. Bernard has made efforts to improve herself in prison. She has an excellent disciplinary record, earned her GED, completed a vocation, participated in extensive self-help programming, and maintained a positive work history. I commend her for taking these positive steps. However, these factors are outweighed by negative factors that demonstrate she remains unsuitable for parole at this time.

Ms. Bernard experienced adverse childhood experiences that shaped her life and choices. Ms. Bernard has a significant history of relationship instability, including family conflict and intimate partner violence, which resulted in law enforcement intervention. There is a close nexus between this risk factor and Ms. Bernard's long history of substance use. She reports that she started using substances when she was 12 years old, and she committed her life crime while intoxicated. The psychologist who evaluated Ms. Bernard in 2022 diagnosed her with multiple substance use disorders, including cannabis, stimulant, and alcohol. To her credit, Ms. Bernard reports desisting from substance use while in prison, and her substance use disorders are in institutional remission.

The psychologist cautioned, however, “it is important to note that [Ms. Bernard’s] controlled environment may artificially inflate her success in managing these specific risk factors as she has not had the ease of access to illicit substances, potential partners, or familial relationship triggers (e.g., feeling unloved, unwanted/rejected) as she would in the community.”

In the parole process, Ms. Bernard demonstrated some self-awareness into her risk factors for family violence and substance use relapse, which is an encouraging sign of her developing insight. However, I have concluded that Ms. Bernard has not sufficiently mitigated these risk factors.

Ms. Bernard reported that she killed her mother in the context of resentment she felt about her mother’s failure to protect her from childhood abuse and feelings of being unwanted. The evaluating psychologist found that Ms. Bernard’s experiences of trauma remain a currently relevant risk factor for future violence.

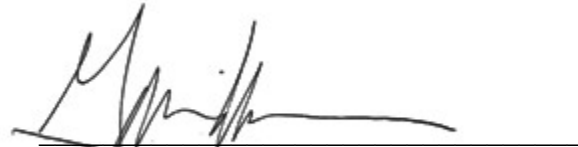
Ms. Bernard will almost certainly face significant stressors if released on parole. Ms. Bernard must be able to navigate these while maintaining her sobriety and mental health stability. While her mental health symptoms have been managed by consistent medication compliance in prison, the psychologist wrote that Ms. Bernard’s “historical maladaptive pattern of coping with negative emotions in self-destructive ways keeps her major mental health disorder at least moderately relevant to her future risk.”

I acknowledge that Ms. Bernard has expressed genuine remorse and a commitment to prosocial conduct, and I encourage her to continue on this positive path. I have determined that before Ms. Bernard can be safely released, she must do additional work to mitigate her risk factors and further develop her coping skills. In particular, I encourage Ms. Bernard to deepen her understanding of her internal processes that previously led her to use substances when she encountered stress and challenges in relationships, as well as the factors that caused her to escalate the ongoing conflict with her mother into lethal violence. I also encourage Ms. Bernard to further develop the self-awareness and tools she will need to establish and maintain healthy relationships in the community.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Ms. Bernard is currently dangerous. When considered as a whole, I find the evidence shows that she currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Ms. Bernard.

Decision Date:
February 20, 2024

A handwritten signature in black ink, appearing to read "Gavin Newsom", is written over a horizontal line.

GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

MARIET FORD, P-15796
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 1997, Mariet Ford fatally beat his wife, who was eight-months pregnant, and their three-year-old son, and then set fire to the victims' bodies and home.

DECISION

Mr. Ford's life crime was particularly brutal and targeted vulnerable victims. Based on Mr. Ford's lack of a prior record, he, untypically, committed the crime during a rare violent rage. Mr. Ford, however, has consistently denied his culpability, from the investigation of the crime through his trial, appeals, and parole suitability hearings.

I also acknowledge that during his 26 years in prison, Mr. Ford has engaged in significant rehabilitative programming and maintained an excellent disciplinary record. He has never been disciplined for violent conduct and has no prior convictions. I commend Mr. Ford for taking these positive steps. However, these factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

Mr. Ford is not required to admit guilt to be found suitable for parole, and I must refrain from readjudicating the facts of the life crime. Decision-makers in the parole process may, however, consider whether a parole candidate's denial of guilt is plausible, and if not, whether the denial supports a finding of current dangerousness.

Without reaching a conclusion about Mr. Ford's claim of innocence, I have concluded that he has demonstrated current gaps in insight that make him unsuitable for parole at this time.

Specifically, the record indicates that Mr. Ford lacks self-awareness into his triggers for violent conduct and the coping skills to manage them. The psychologist who evaluated Mr. Ford categorized him as representing a moderate (higher moderate) risk for future violence, and concluded, "Overall, Mr. Ford does not appear to have made use of the many rehabilitation opportunities that have been made available to him."

During the parole process, Mr. Ford demonstrated some awareness into his antisocial thinking and conduct. At his most recent parole hearing, Mr. Ford admitted to character defects including dishonesty. He admitted that before the crime, he kept secrets from his wife about his infidelity and lied during the police investigation and in his trial testimony. When the panel asked him to discuss how these character defects developed, however, Mr. Ford replied, "I don't know... I mean I don't want to, I don't want to guess." He did make some effort to further reflect but it was not sufficiently developed.

I have concluded that Mr. Ford must do additional work before he can be safely released. In particular, I encourage Mr. Ford to deepen his insight into the causative factors of his antisocial conduct and thinking, especially in the context of family relationships. Until he can identify those and mitigate them, he will remain at risk of repeating them.

Mr. Ford will face the standard stressors of community reentry following a long period of incarceration. He will need to manage those in a prosocial way, as well as the additional challenges of navigating old and new relationships in the context of the notoriety of this case, as well as complying with parole supervision conditions based on a crime for which he denies responsibility. I encourage him to continue to work on developing parole plans that account for these challenges.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Ford is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Ford.

Decision Date:
March 1, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

ROYCE CASEY, K-78120

First Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 1995, Royce Casey and his two juvenile crime partners made plans to kill their 15-year-old friend, then dismember, sexually violate, and cannibalize her body as part of a satanic ritual.

The crime partners strangled and stabbed the victim, and Mr. Casey stabbed her and then stomped on her head and neck, killing her. The crime partners did not carry out their other plans, and instead dragged the victim's body and attempted to hide it under leaves before fleeing.

DECISION

In the cases of parole applicants who commit their crimes when they are under 26 years old, I am required to review the record for evidence of factors relevant to their diminished culpability as youthful offenders. Mr. Casey committed this crime when he was 17 years old. At the time of the crime, Mr. Casey demonstrated hallmark features of youth, which diminished his culpability under youth offender laws. The psychologist who evaluated Mr. Casey in 2022 concluded that, at the time of his crime, Mr. Casey exhibited hallmark features of youth, writing, "There were some indications of impetuous and rash decision-making and recklessness in his behavior both prior to and during the commitment offense. He was also likely susceptible to negative peer influence at the time of the life crime from his crime partners."

I have also examined the record for evidence of Mr. Casey's subsequent growth and increased maturity since his life crime as set forth in youth offender laws. He has been incarcerated for nearly 28 years. Mr. Casey has made efforts to improve himself in prison. He has engaged in self-help programming to address his risk factors. He has not been disciplined in more than 20 years and reports maintaining sobriety throughout his incarceration. He has earned his GED and

an associate degree and completed extensive vocational training. I commend him for taking these steps, and I encourage him to continue on this positive path.

After assessing Mr. Casey's record and giving great weight to the relevant youthful offender factors, however, I conclude that these mitigating factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

In July 2021, I reversed the Board's March 2021 parole recommendation in Mr. Casey's case because Mr. Casey had not yet demonstrated that he had the insight and skills needed to maintain healthy relationships in the community. Following this parole reversal, Mr. Casey demonstrated increased insight into his risk factor for negative peer association and susceptibility to peer pressure, and I acknowledge that he has shown genuine remorse. While I commend Mr. Casey for taking this step forward in his rehabilitation, I have concluded that he must do additional work before he can be safely released.

Mr. Casey must better understand the internal processes that led him to commit the crime and hone the skills he will need to manage them beyond the controlled environment of prison. Mr. Casey will almost certainly encounter significant stressors while navigating his reentry into the community if he is allowed to parole, particularly given the stigma and notoriety of his case. I encourage him to continue to develop his parole plans, and in particular his relapse prevention plans and the strength of his social supports, which will be critical to his success on parole.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Casey is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Casey.

Decision Date:
March 8, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

ROYCE MILLER, G-13661
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 2004, 21-year-old Royce Miller fatally strangled his 17-year-old girlfriend. He wrapped her body in a blanket. The next day, a friend drove him to dispose of the body in a park.

DECISION

In the cases of parole applicants who commit their crimes when they are under 26 years old, I am required to review the record for evidence of factors relevant to their diminished culpability as youthful offenders. Mr. Miller committed this crime when he was 21 years old. At the time of the crime, Mr. Miller demonstrated hallmark features of youth, which diminished his culpability under youth offender laws. The psychologist who evaluated Mr. Miller in 2023 concluded that, at the time of his crime, "Mr. Miller appears to have been unable to establish more mature intimate relationships or equip himself with more effective coping strategies outside of substance use or violence."

I have also examined the record for evidence of Mr. Miller's subsequent growth and increased maturity since his life crime as set forth in youth offender laws. He has been incarcerated for 19 years. Mr. Miller has made efforts to improve himself in prison. Mr. Miller has participated in self-help programming, completed vocational training, and is in training to serve as a literacy mentor. He has not been disciplined in the last seven years, and he has maintained his sobriety since 2012. I commend him for taking these steps, and I encourage him to continue on this positive path.

After reviewing Mr. Miller's record and giving great weight to the relevant youthful offender factors, I conclude that these mitigating factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

Before the life crime, Mr. Miller's relationships with his partners were marked by a pattern of coercive control and abuse. During his psychological evaluation, Mr. Miller admitted that he was unfaithful to his past partners and verbally abused them. He described his behavior as "isolating them from others, making them feel they needed to be with him all the time, financial abuse, and allowing them to believe if they wanted to be with him they had to give him certain things."

Mr. Miller's risk factor for substance use relapse is an important consideration in his current risk level. The psychologist diagnosed Mr. Miller with multiple substance use disorders, including cocaine, cannabis, and alcohol, all currently in institutional remission. Mr. Miller was under the influence of alcohol, marijuana, and cocaine at the time of the life crime. He stated, "I want this to be my own words, it [drugs] was a contributing factor. In my anger, I think the powder cocaine amplified my anger. I was already in a violent state of mind and willing to produce violent results, I think it was my ideology, never let somebody punk you out or look like a bitch. If somebody does something to you, make an example, street mentality."

Mr. Miller denied culpability for his offense until 2013, and reports being dishonest in the parole process as recently as his 2018 hearing when he admitted that he lied about knowing the victim was dead at the time of the crime. At his hearing in 2023, he admitted, "when I let go right away, I knew she was dead, sir. And I did not say that at my last hearing." In speaking with the psychologist, Mr. Miller described how his antisocial thinking continued throughout his incarceration, saying, "Me going to work and acting up pretending I was on the straight and narrow. I had people believing I wasn't doing anything. Even with murdering [the victim], had people believing me...putting up websites free Royce Miller."

Mr. Miller's improved accountability and candor is a sign of his developing insight and self-awareness, and I encourage him to continue on this positive rehabilitative path. He has not, however, demonstrated satisfactory self-awareness into the nexus of his risk factors for substance use and intimate partner violence. The psychologist noted that Mr. Miller "continued to minimize the severity and extent of his negative behavior as compared to the information in the records," and determined "it cannot be concluded with any certainty that [Mr. Miller] will be fully responsive to management efforts and parole conditions in the future."

I have concluded that Mr. Miller must do additional work before he can be released. I encourage Mr. Miller to focus his rehabilitative efforts on deepening

his understanding of these dynamics and developing the skills he will need to manage them.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Miller is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Miller.

Decision Date:
March 8, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

STEVEN CHAVEZ, AZ-6377
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ **X** _____

STATEMENT OF FACTS

In 2009, Steven Chavez drove under the influence of alcohol, marijuana, and cocaine. A California Highway Patrol officer stopped him and found marijuana in his car. The officer demanded Mr. Chavez's car keys, but Mr. Chavez sped off. He drove at high speeds and crashed into a truck carrying five people. The collision killed two victims and injured three others.

DECISION

In the cases of parole applicants who commit their crimes when they are under 26 years old, I am required to review the record for evidence of factors relevant to their diminished culpability as youthful offenders. Mr. Chavez committed this crime when he was 23 years old. At the time of the crime, Mr. Chavez demonstrated hallmark features of youth, which diminished his culpability under youth offender laws. The psychologist who evaluated Mr. Chavez in 2023 concluded that, at the time of his crime, Mr. Chavez exhibited associated features of youth, including immaturity and impulsivity.

I have also examined the record for evidence of Mr. Chavez's subsequent growth and increased maturity since his life crime as set forth in youth offender laws. He has been incarcerated for 14 years. Mr. Chavez has made efforts to improve himself in prison. He has participated in significant self-help programming, including anger management and substance use prevention courses. He has taken college courses and has a positive work history. He has worked in the visually impaired program for several years as a Braille transcriber. I commend him for taking these steps and I encourage him to continue on this positive path.

After assessing Mr. Chavez's record and giving great weight to the relevant youthful offender factors, I conclude that these mitigating factors are

outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

Mr. Chavez has a significant history of substance use. During his risk assessment, Mr. Chavez reported that he first used alcohol at age 16 and marijuana and cocaine at age 17. He also reported experiencing tolerance, cravings, and psychological withdrawal symptoms. At the time of the life crime, Mr. Chavez was under the influence of alcohol, marijuana, and ecstasy. He told the psychologist, "My drug addiction and alcoholism was controlling my life." The psychologist diagnosed Mr. Chavez with multiple substance use disorders, including alcohol, cannabis, and stimulant (cocaine).

Mr. Chavez's risk for violent conduct resulting from substance use has a close nexus with his history of poor response to supervision. In 2006, prior to the life crime, Mr. Chavez sustained two separate DUI convictions. In both cases, his blood alcohol level was nearly twice the legal limit. He then failed to comply with conditions of his probation, including resuming substance use and driving without authorization. He also sold drugs during that period. Mr. Chavez's substance use continued while incarcerated until 2014.

Mr. Chavez reports maintaining sobriety since 2014, and his substance use disorders are in institutional remission. He also was able to demonstrate some self-awareness into managing his triggers for substance use. While these are encouraging signs of Mr. Chavez's progress in rehabilitation, I have concluded that before Mr. Chavez can be safely released, he must do additional work to develop his relapse prevention plans, and hone his coping skills to manage his risk factor for substance abuse in the community.

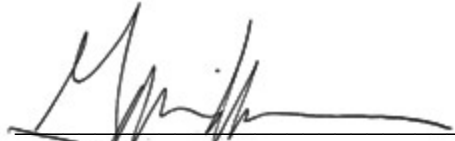
When released on parole, Mr. Chavez will almost certainly face new stressors in addition to those he has learned to manage in prison, as well as additional temptations to use substances. This includes marijuana, which has been legalized while he has been incarcerated. As he transitions to a far less structured setting, it is critically important that he adhere to his supervision conditions to prevent relapse and desist from risky and antisocial conduct.

I encourage Mr. Chavez to continue to work to develop and internalize his relapse prevention plans. The psychologist suggested he also improve his self-awareness relating to his triggers for negative peer associations. I endorse this, and encourage him to develop insight and tools to maintain healthy family and community relationships that reinforce and foster his sobriety.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Chavez is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison at this time. Therefore, I reverse the decision to parole Mr. Chavez.

Decision Date:
March 15, 2024

A handwritten signature in black ink, appearing to read 'Gavin Newsom', is written over a horizontal line.

GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

ROCIO SANTOYO, X-20884

First Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ X _____

STATEMENT OF FACTS

In 2004, Rocio Santoyo was on probation for beating her 10-year-old son with a belt. The child was placed in foster care and then returned to Ms. Santoyo's custody. Four days later, Ms. Santoyo became enraged at the child's father. She blindfolded the child and fatally stabbed him, and then wrote a vengeful message to his father on the wall above the victim's body.

DECISION

I acknowledge that Ms. Santoyo has made efforts to improve herself in prison and has been incarcerated now for 19 years. She has maintained her sobriety and a good disciplinary record for 10 years. She has also participated in programming and completed several associate degrees and a vocation. However, these factors are outweighed by negative factors that demonstrate she remains unsuitable for parole at this time.

Ms. Santoyo's insight into her risk factors and the causative factors of her life crime are insufficiently developed. The psychologist who evaluated Ms. Santoyo in 2024 found that she demonstrated selective memory deficits that indicated a lack of candor and accountability. Notably, Ms. Santoyo was unable to recall the instances she abused the victim before the crime. The evaluating psychologist concluded that, "Ms. Santoyo would benefit from continuing to discuss factors that contributed to the life crime within the context of self-help and/or counseling. She would particularly benefit from discussing her relationship with her son and the factors that contributed to the abuse cycle." To her credit, Ms. Santoyo is now engaging in programming in a way that demonstrates a commitment to address her risk factors, including for family violence. I encourage her to continue on this positive path and deepen her understanding into her triggers for unhealthy family relationships.

I also encourage her to do additional work to ensure she has the tools and social supports she will need to maintain mental health stability in the community. Ms. Santoyo will almost certainly face significant stressors on parole, which she must be able to navigate prosocially. At her hearing, Ms. Santoyo demonstrated increased awareness of her risk factor for emotional instability. This is an encouraging start. Before she can be safely released, however, Ms. Santoyo must do additional work to mitigate her risk factors and improve her insight and coping skills.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Ms. Santoyo is currently dangerous. When considered as a whole, I find the evidence shows that she currently poses an unreasonable danger to society if released from prison. Therefore, I reverse the decision to parole Ms. Santoyo.

Decision Date: August 16, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

JEROME THAMES, D-90070
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ X _____

STATEMENT OF FACTS

In 1990, Jerome Thames's brother was killed. While under the influence, he and his crime partners drove to the home of the victim to question him about the murder. He and his crime partners forced entry and tried to remove the victim from the home. The victim's stepson attempted to intervene, and Mr. Thames fatally stabbed him. Mr. Thames tossed the victim's body over a fence. Mr. Thames and his crime partners then drove the victim to an abandoned garage and questioned him, and Mr. Thames fatally stabbed him.

The next day, Mr. Thames went to the home of his ex-girlfriend and raped her.

That evening, he went to the home of a fourth victim and raped her and robbed her.

DECISION

I acknowledge that Mr. Thames has made efforts to improve himself in prison. He has participated in self-help programming, including treatment for sex offending, and has completed a vocation. I commend him for his efforts in rehabilitation and encourage him to continue on this positive path. However, I find that these factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

Mr. Thames has been incarcerated for a lengthy term but continues to exhibit gaps in insight that increase his risk for future violence. The psychologist who evaluated Mr. Thames found that although he accepts some degree of responsibility for his actions, "he continue[s] to minimize the severity and extent of his negative behavior as compared to the information in records." The psychologist wrote, "Mr. Thames's understanding of the underlying personality traits that made him vulnerable to engaging in violence, and how these factors

may impact his future decision-making and behavior remains limited." Mr. Thames must demonstrate that he has the self-awareness to identify and manage his triggers for antisocial conduct before he can be safely released.

In particular, I encourage Mr. Thames to do additional work to mitigate his risk factor for sexual offending. The evaluating psychologist categorized Mr. Thames as a well above average risk for sexual offense reconviction. While the evaluator found this categorization likely overstates Mr. Thames's actual current risk level because of his advanced age, several dynamic risk factors remain currently relevant to his risk for sexual offending. The psychologist wrote that Mr. Thames may be "vulnerable to acute dynamic risk factors in the community, such as intoxication or emotional lability, which may increase his susceptibility to future sexual offending."

Given the nexus between Mr. Thames's substance use and offending, it is imperative that he has the skills he will need to manage his risk factor for substance use relapse. Mr. Thames has maintained his sobriety while incarcerated, which is an encouraging sign of his progress. Mr. Thames must better understand the internal processes that trigger his substance use to manage the stressors he is likely to encounter on parole.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Thames is currently dangerous. When considered as a whole, I find the evidence shows that he currently poses an unreasonable danger to society if released from prison. Therefore, I reverse the decision to parole Mr. Thames.

Decision Date: August 19, 2024



GAVIN NEWSOM
Governor, State of California

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

LEYLANI SIMMONS, WF-0328
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ X _____

STATEMENT OF FACTS

In 2011, 25-year-old Leylani Simmons drove while intoxicated and crashed while evading police, killing her passenger. At the time of the life crime, she was on probation for another DUI.

DECISION

I acknowledge that Ms. Simmons has made efforts to improve herself during the 13 years she has been in prison. She participated in self-help programming, including substance use courses. Ms. Simmons also earned her GED, associate degree, and three vocational certifications.

In making this decision, I carefully examined the record for evidence demonstrating Ms. Simmons's increased maturity and rehabilitation, and gave great weight to all the factors relevant to her diminished culpability as a youthful offender—susceptibility to pressure from others and her inability to extricate herself from the criminal activity occurring in her home environment—and her other hallmark features of youth. I have also given great weight to her subsequent growth in prison during my consideration of her suitability for parole. However, these factors are outweighed by negative factors that demonstrate she remains unsuitable for parole at this time.

Ms. Simmons continued to engage in misconduct and use substances while incarcerated. She has been disciplined for multiple incidents involving violent conduct in prison, including fighting, most recently in 2019. Ms. Simmons also engaged in violent conduct against peace officers, which in 2016 resulted in an in-prison conviction for battery on a non-prisoner after she scratched two correctional officers during a struggle.

In 2022, the evaluating psychologist found that Ms. Simmons posed a high risk for future violence and wrote that her “misconduct extends beyond the developmental stages of an adolescent and appears related to her substance abuse, and an entrenched, criminally oriented mentality.” The psychologist diagnosed her with alcohol and hallucinogen use disorders, in institutional remission. The psychologist also identified several highly relevant factors that currently bear on Ms. Simmons’s risk, including her history of substance use, negative peer relationships, and response to treatment.

The 2022 comprehensive risk assessment is now several years old, and Ms. Simmons reported that she disassociated from gang activity, maintained her sobriety since 2019, and she is now seriously engaging in programming. Ms. Simmons told the psychologist that “she has only recently put forth meaningful effort toward self-improvement,” candor that signals her increased insight and accountability. I encourage her to continue on this positive path. However, given the extent and relative recency of Ms. Simmons’s past misconduct and the nexus between her substance use and violent conduct, I have concluded that Ms. Simmons has not yet sufficiently mitigated her risk factors and cannot be safely released at this time.

I encourage Ms. Simmons to strengthen her parole plans and continue to engage in and internalize programming that addresses her risk factors for substance use relapse.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Ms. Simmons is currently dangerous. When considered as a whole, I find the evidence shows that she currently poses an unreasonable danger to society if released from prison. Therefore, I reverse the decision to parole Ms. Simmons.

Decision Date: November 8, 2024



GAVIN NEWSOM
Governor, State of California