

# ALABAMA BOARD OF PARDONS & PAROLES

## Open Public Meeting Minutes

April 1, 2021

A. Call to Order:

1. The Alabama Board of Pardons and Paroles called to order its open public meeting on this date at 8:05 A.M., 100 Capitol Commerce Blvd. Montgomery, AL 36117 for the purpose of conducting its regular parole/pardon hearings, as prescribed by Alabama Code, Title 15, Chapter 22. Board members present were: Leigh Gwathney, Chairman and Cliff Walker, Board Member and Dwayne Spurlock, Board Member.
2. The Board met to discuss the attached agenda, with the action taken by this panel recorded by the Board's secretary, Sandra Cochran.

B. Board Business: None.

C. Files for Review:

1. The Board considered the attached list of files for revocation.
2. The Board considered the attached list of delinquent files.

D. Daily Pardon Case Docket:

1. Nills Wendell Phillips, AIS #824611
  - i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to deny a pardon.
2. Jessie C. Austin, AIS #131268
  - i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to deny a pardon.
3. Bobby Ray Sharp, AIS #236556
  - i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to deny a pardon.
4. Kevin Alan Foxworth, AIS #824769
  - i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to deny a pardon and remission of fines.
5. Clifford Adams, AIS #822737
  - i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to grant a pardon with the following restrictions (relief from habitual offender act and firearms disabilities).
6. Marcus John Wesley Dede, AIS #823568

- i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to deny a pardon.
7. Timothy Richard Vaughn, AIS #252481
  - i. The Board considered all information contained within the applicant's file in making its determination. Subsequently, the Board voted to grant a pardon with the following restrictions (relief from habitual offender act).

E. Daily Parole Case Docket

1. Jerry Lamar Lett, AIS #290614 parole hearing via Zoom
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board determines that it lacked jurisdiction to act to parole Mr. Lett and Alabama law voids the September 3, 2020 order paroling Mr. Lett. Mr. Lett will have to continue serving his sentence until properly paroled. (See Attached Board Order)
2. Tyrone Bernard Tiley, AIS #221375
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2026.
3. Jeremy William Alford, AIS #259815
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with no reset date.

The Board recessed for lunch from 12:10PM – 1:20PM.

4. Quincy Adam Banks, AIS #294131
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2026.
5. Antonio Martell Blevins, AIS #249576
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to grant parole with special condition complete Montgomery Day Reporting Center (DRC) and Drug Assessment Upon Release.
6. Barry Lewis Cannon, AIS #280565
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2023.
7. Kenyatta Jerome Carstarphen, AIS #323816
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with no reset date.
8. Nicholas Ray Damron, AIS #249456

- i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to grant parole with special condition complete Huntsville Day Reporting Center (DRC) and Drug Assessment Upon Release.
9. William Carl Jett, AIS #224224
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2026.
10. James Alan Edwards, AIS #244125
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2026.
11. Eddie D. Free, AIS #141244
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to grant parole with special condition Mental Health Follow-up and Drug Assessment Upon Release.
12. Joshua Ryan Hartness, AIS #263076
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to grant parole with special condition complete Mobile Day Reporting Center (DRC), NA/AA and Drug Assessment Upon Release.
13. Timothy Howard Hogue, AIS #233280
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2023.
14. Kenneth Darryl Leslie, AIS #156048
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with no reset date.
15. Wesley Ryan Morrow, AIS #287355
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with no reset date.
16. Jerry Wayne Perdue, AIS #251312
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2026.
17. Deanna Bagwell Robertson, AIS #321457
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to grant parole with special condition complete Jasper Day Reporting Center (DRC), Mental Health Follow-up and Drug Assessment Upon Release.
18. Rashaad Darnell Taylor, AIS #272534

- i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2026.
- 19. Ramiro Martinez Torres, AIS #324884
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to grant parole with special condition Moral Reconciliation Therapy (MRT) and Drug Assessment Upon Release.
- 20. William Harmon Whale, AIS #324641
  - i. The Board considered all evidence contained within the inmate's file in making its determination. Subsequently, the Board voted to deny parole with a reset date of 4/2023.

F. Additional Board Business: None.

G. Adjournment:


- a. The Board adjourned at 3:15pm moved by Leigh Gwathney and seconded by Dwayne Spurlock with majority vote. The Board's next meeting will be April 6, 2021 at 8:00am at 100 Capitol Commerce Boulevard, Montgomery, AL 36117.

**APPROVED:**


**DISAPPROVED:**

  
 \_\_\_\_\_  
 Leigh Gwathney, Chairman

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 Leigh Gwathney, Chairman

  
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 Cliff Walker  
 Board Member

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 Cliff Walker  
 Board Member

  
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 Dwayne Spurlock  
 Board Member

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 Dwayne Spurlock  
 Board Member

  
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 Sandra Cochran  
 Board Secretary

Date: 4/1/21

Alabama Board of Pardons and Paroles  
Meeting Agenda

The Alabama Board of Pardons and Paroles will convene  
at 100 Capitol Commerce Boulevard, Montgomery, Alabama 36117 at 8:00 AM.

April 1, 2021

1. Call to Order
2. Board Business
3. Files for Review
4. Daily Case Docket
5. Additional Board Business
6. Adjournment

PAROLE COURT HEARING DOCKET

4/1/2021

<u>NAME</u>	<u>AIS #</u>	<u>DECISION</u>
1. Dillard, Curtis	149032	Rev. None
2. Flint, Cortney	252646	Rev. w/4/2023
3. Harrell, Robert	119370	Rev. w/4/2022
4. James, Kristin	311106	Rev. None
5. Jordan, Frank	247337	Rev. None
6. Kennedy, Demetrius	274596	Rev. w/ 4/2024
7. Lepine, Dustin	304108	Rein.
8. Lewis, Ashley	284058	Rev. w/4/2022
9. Marlowe, Joshua	304922	Rev. None
10. Milliner, Alfred	139183	Rein.
11. Peoples, Archie	134576	Rev. w/4/2024

Reinstatements:	2
Cont'd on Parole:	0
Revoked:	9
Remanded	0

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Total	11
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Revoked

2 Technical Offense  
5 New Offenses  
2 Both Offenses

Dunks

2

DRC

0

Continued to DRC

0

PAROLEES DECLARED DELINQUENT  
04/01/2021

NAME	NUMBER	ACTION
1. Mathis, Jessica	324267	<u>DD</u>
2. Morris, Phillip	272183	<u>DD</u>
3. Rollins, Greg	281376	<u>DD</u>
4. Stovall, Elee	183715R	<u>DD</u>

BUREAU OF PARDONS AND PAROLES

HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PARDON DOCKET

SD	CLASS	NAME	AIS #	ACTION
		SHARP BOBBY RAY	236556	Denied -
		VAUGHN TIMOTHY RICHARD	252481	Granted -
		ADAMS CLIFFORD	822737	Granted -
		DEDE MARCUS JOHN WESLEY	823568	Denied -
		PHILLIPS NILLS WENDELL	824611	Denied -
		FOXWORTH KEVIN ALAN	824769	Denied -

*JJ*

*Dwayne Spindler*

*[Signature]*

*Sandra Cochran*

*4-1-21*



03-30-2021  
APS426

BUREAU OF PARDONS AND PAROLES

PAGE:

HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PARDON DOCKET

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SD CLASS NAME AIS # ACTION  
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\*\*\*\*\* TOTAL RECORDS WRITTEN ..... 6

\*\*\*\* SPECIAL DOCKET TOTALS... 0 MALES 0 FEMALES 0

*JB*

*Payne Smith* ~~CAW~~

*Sandra Cochran*  
*4-1-21*

03-30-2021  
APS426

BUREAU OF PARDONS AND PAROLES  
CLASS 'A' DOCKET  
HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PARDON DOCKET

PAGE:

SD	CLASS	NAME	AIS #	ACTION
A		AUSTIN JESSIE C	131268	<i>Denied-</i>

*JJ*

*Wayne Smithey* *CPD/STK*  
*Sandra Cochran*  
*4-1-21*

03-30-2021  
APS426

BUREAU OF PARDONS AND PAROLES  
CLASS 'A' DOCKET  
HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PARDON DOCKET

PAGE:

SD	CLASS	NAME	AMS #	ACTION
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\*\*\*\*\* TOTAL RECORDS WRITTEN ..... 1

\*\*\*\* SPECIAL DOCKET TOTALS... 0 MALES 0 FEMALES 0

*JO*

*Reggie Spivey* ~~CPA~~

*Sandra Cochran*  
4-1-21

HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PAROLE DOCKET

SD	CLASS	NAME	AVIS #	ACTION
		FREE EDDIE D	141244	Granted - PP
		LESLIE KENNETH DARRYL	156048	Denied - None
		JETT WILLIAM CARL	224224	Denied - 4/26
		HOGUE TIMOTHY HOWARD	233280	Denied - 4/23
		EDWARDS JAMES ALAN	244125	Denied - 4/26
		DAMRON NICHOLAS RAY	249456	Granted - DRC Huntsville
		BLEVINS ANTONIO MARTELL	249576	Granted - DRC Mtgy
		PERDUE JERRY WAYNE	251312	Denied - 4/26
		ALFORD JEREMY WILLIAM	259815	Denied - None
X		HARTNESS JOSHUA RYAN	263076	Granted - DRC Mobile
		TAYLOR RASHAAD DARNELL	272534	Denied - 4/26
		CANNON BARRY LEWIS	280565	Denied - 4/23
		MORROW WESLEY RYAN	287355	Denied - None
		LETT JERRY LAMAR	290614	Continue seeking
		BANKS QUINCY ADAM	294131	Denied - 4/26
		ROBERTSON DEANNA BAGWELL	321457	Granted - DRC Jasper
		CARSTARPHEN KENYATTA JER	323816	Denied - None
		WHALE WILLIAM HARMON	324641	Denied - 4/23
		TORRES RAMIRO MARTINEZ	324884	Granted - PP

Jandra Cochran  
4-1-21

HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PAROLE DOCKET

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SD CLASS NAME AIS # ACTION  
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\*\*\*\*\* TOTAL RECORDS WRITTEN ..... 19

\*\*\*\* SPECIAL DOCKET TOTALS... 1 MALES 1 FEMALES 0



Scandia Cochran

4-1-21

BUREAU OF PARDONS AND PAROLES  
CLASS 'A' DOCKET  
HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PAROLE DOCKET

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SD CLASS NAME AIS # ACTION  
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A TILEY TYRONE BERNARD

221375

*Denied - 4/26*

*JJ*

*Quincy Spivey*

*AF*

*Sandra Cochran*

*4-1-21*

BUREAU OF PARDONS AND PAROLES  
CLASS 'A' DOCKET  
HEARINGS BEGIN AT 8:00 A.M. ON 04-01-2021  
100 CAPITOL COMMERCE BLVD  
MONTGOMERY AL 36117  
PAROLE DOCKET

SD	CLASS	NAME	AVIS #	ACTION
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\*\*\*\*\* TOTAL RECORDS WRITTEN ..... 1

\*\*\*\* SPECIAL DOCKET TOTALS... 0 MALES 0 FEMALES 0

Sandra Cochran  
4-1-21

**STATE OF ALABAMA**  
**BOARD OF PARDONS AND PAROLES**  
Montgomery, Alabama  
April 1st, 2021

**BOARD ORDER**  
**and**  
**MINUTE ENTRY**

**In the matter of:**                      **PAROLEE: Jerry Lamar Lett**                      **AIS # 290614A**

The Alabama Board of Pardons and Paroles met on this **1st day of April 2021**, in open public meeting, at which time the following Board Members were present: Leigh Gwathney, Chair, Dwayne Spurlock, Associate Member, and Cliff Walker, Associate Member.

On this day the Board conducted a hearing to determine if the Board's Order, dated September 3, 2020, granting Jerry Lamar Lett parole complied with Alabama's parole statutes. The hearing was conducted via Zoom due to COVID restrictions. Mr. Lett, his counsel and other interested parties attended the hearing.

Mr. Lett affirmed that he was given a copy of the issues to be determined, notice of date, time, and place of the hearing, the fact that he would be allowed to present evidence and witnesses, cross-examine witnesses testifying against him, and he could be represented by counsel. The Board has reviewed the notice provided to Mr. Lett, the position statement submitted by the Bureau and the Memorandum of Facts and Law submitted by Mr. Lett's counsel.

Eric Anderson argued for the Bureau that following Mr. Lett's transfer to DOC custody to serve a life sentence on a trafficking cocaine conviction from Houston County in 2018, Mr. Lett's initial parole consideration date was set for September 2020. They argued that *Ala. Code* §15-22-28 was amended in 2019 and that the amendment made Mr. Lett ineligible for consideration in 2020. The Bureau argued that under the facts of Mr. Lett's case he was not eligible for parole consideration until he had served 10-years of his sentence. However, he came before the Board under his original set date of Sept. 2020 and was paroled after serving approximately 3-years. The Bureau argues this action was contrary to *Ala. Code* §15-22-28 and therefore null and void with no force or effect. *See Ala. Code* §15-22-40.

Allison Ganem, counsel for Mr. Lett argued that the parole was valid. She presented evidence and testimony from several witnesses in support of the merits of his parole. And presented legal arguments that Mr. Lett's parole should stand on the basis that he was eligible for parole pursuant to the relevant statutes and administrative rules and that rescinding his parole would violate Mr. Lett's due process rights and the holdings in the Ellard cases.



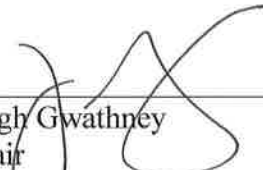
Conclusion:

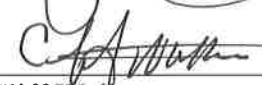
Considering the testimony, evidence, and arguments offered by both parties, the Board determines that it lacked jurisdiction to act to parole Mr. Lett and Alabama law voids the September 3, 2020 order paroling Mr. Lett. Mr. Lett will have to continue serving his sentence until properly paroled. At this time, the Board orders that Mr. Lett be taken into custody.

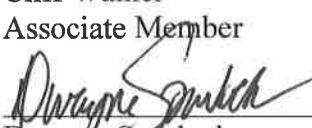
Done this the 1st day of April 2021.

Distribution Date 4/1/21:

Original Board File  
Field Office  
ADOC  
Control Book  
Counsel for the Bureau and Mr. Lett

  
\_\_\_\_\_  
Leigh Gwathney  
Chair

  
\_\_\_\_\_  
Cliff Walker  
Associate Member

  
\_\_\_\_\_  
Dwayne Sparlock  
Associate Member