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8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES
11

12
13 In re

Case No. BH013600

14 **RENE ENRIQUEZ,**

**RETURN TO ORDER TO SHOW CAUSE;
MEMORANDUM OF POINTS AND
AUTHORITIES**

15 Petitioner,

16 **On Habeas Corpus.**

17 Dept: 100
18 Judge: The Honorable William C. Ryan
Action Filed: 4/27/2021

19 Respondent submits this return to the order to show cause on Rene Enriquez's petition for
20 writ of habeas corpus. Enriquez claims Governor Gavin Newsom's September 18, 2020 parole
21 decision violates his due process rights. The petition should be denied because the Governor
22 issued a decision supported by some evidence probative of Enriquez's current dangerousness.
23 Respondent admits, denies and alleges as follows:

24 1. Enriquez is lawfully in the custody of the California Department of Corrections and
25 Rehabilitation pursuant to a valid judgment from the Los Angeles County Superior Court for two
26 convictions of second degree murder and one conviction of assault with a deadly weapon. (Ex. 1
27 – Abstract of Judgment.) Enriquez was sentenced to three concurrent life sentences and is
28 currently incarcerated at Ironwood State Prison in Blythe, California. (*Ibid.*; Petn. at p. 6.)

1 2. On May 6, 2020, Enriquez appeared before the Board of Parole Hearings (Board) and
2 was found suitable for parole. (Ex. 2 – 2020 Parole Consideration Hearing Transcript.) The
3 Governor reversed the Board’s decision on September 18, 2020. (Ex. 3 – Governor’s 2020 Parole
4 Decision Letter.)

5 3. Respondent denies the Governor’s decision violates due process. Respondent further
6 denies that no evidence supports the Governor’s decision, that the decision is arbitrary or
7 capricious, or that Enriquez’s extensive criminal history is not predictive of his current
8 dangerousness. Finally, respondent denies that “the Governor improperly resorted to base
9 speculation” in reaching his decision or that “the Governor relied on a host of risk factors that
10 were taken out of context from the Comprehensive Risk Assessment and that were based on
11 immutable and historical—not current—events that are not relevant to determination of
12 Petitioner’s current dangerousness.” (Petn. at p. 22.)

13 4. Respondent alleges that the Governor complied with due process by considering all
14 relevant parole factors and issuing a decision supported by some evidence that Enriquez’s release
15 would pose an unreasonable risk to public safety. (See *In re Shaputis* (2011) 53 Cal.4th 192, 199,
16 (*Shaputis II*); *In re Lawrence* (2008) 44 Cal.4th 1181, 1212; *In re Shaputis* (2008) 44 Cal.4th
17 1241, 1258-1260 (*Shaputis I*.) Respondent further alleges that Enriquez’s current risk factors
18 establish a “rational nexus” between his “extensive history of violent and manipulative behavior”
19 and the threat he currently poses to public safety. (*Shaputis II*, at p. 218.)

20 5. Respondent asserts the some-evidence standard is highly deferential and satisfied by
21 “any relevant evidence” supporting the conclusion that Enriquez poses a current danger to public
22 safety. (*Shaputis II, supra*, 53 Cal.4th at p. 221; *In re Stevenson* (2013) 213 Cal.App.4th 841,
23 867.) Respondent further asserts the Court reviews the record in a light most favorable to the
24 Governor’s factual findings. (*Shaputis II*, at p. 214.)

25 6. Respondent denies that the positive factors in Enriquez’s record form a basis to
26 vacate the Governor’s decision. It is for the Governor to weigh the positive factors in the record
27 against the negative factors—“it is not for the reviewing court to decide which evidence in the
28 record is convincing.” (See *Shaputis II, supra*, 53 Cal.4th at pp. 199, 214.)

1 pp. 1258-1260.) The Governor may be more cautious than the Board when determining if an
2 inmate is suitable for parole. (*Id.* at p. 1258.) The some-evidence standard is minimally stringent
3 and meant to guard against decisions based on “mere guesswork.” (*Shaputis II*, at p. 219; *In re*
4 *Davidson* (2012) 207 Cal.App.4th 1215, 1219; *In re Mims* (2012) 203 Cal.App.4th 478, 486.)

5 The Court’s review for some evidence is extremely deferential to the Governor’s
6 determination about releasing an inmate to parole— “[it] is limited, and narrower in scope than
7 appellate review of a lower court’s judgment.” (*Shaputis II*, *supra*, 53 Cal.4th at p. 215; see *In re*
8 *Davidson*, *supra*, 207 Cal.App.4th at p. 1219.) In fact, “[o]nly when the evidence reflecting the
9 inmate’s present risk to public safety leads to but one conclusion may a court overturn a contrary
10 decision by the Board or the Governor.” (*Shaputis II*, at p. 211.) Thus, properly applying the
11 some -evidence standard requires that a court review the entire record in a light most favorable to
12 the Governor’s decision. (*Id.* at pp. 212, 214-219.) Under this very deferential standard, the
13 Governor’s decision must be upheld. (*Id.* at p. 214; *In re Lawrence*, *supra*, 44 Cal.4th at p. 1214.)

14 The Governor first considered Enriquez’s history of criminal activities, which includes
15 “several armed robberies, gang rape and sodomy of a young woman, sexual assault against
16 another inmate, and multiple murders and assaults.” (Ex. 3 at pp. 1-2.) Enriquez joined the
17 Artesia street gang at the age of 12 or 13. (Ex. 2 at p. 14.) In 1985, while serving a prior term for
18 robbery, Enriquez became a member of the Mexican Mafia. (Ex. 3 at p. 1.) Upon his release
19 from prison, Enriquez carried out the commitment offenses by ordering Cynthia Galvador’s
20 murder, killing David Gallegos, and stabbing another inmate in the county jail 26 times. (*Id.* at p.
21 1; Ex. 2 at pp. 22-33.) Once he returned to prison, Enriquez rose in the ranks of the gang. As the
22 Governor noted, “[a]s a high-ranking member of the Mexican Mafia” Enriquez “ordered attacks
23 on other gang members, manufactured and distributed weapons, trafficked drugs, and recruited
24 and trained new members.” (Ex. 3 at p. 2.)

25 Immutable factors, such as the commitment offense, may no longer indicate a current risk
26 of danger to society in light of a lengthy period of incarceration. (*In re Lawrence*, *supra*, 44
27 Cal.4th at p. 1211.) Here, Enriquez’s “extensive history of violent and manipulative behavior
28 elevates his current risk level” and, in combination with current risk factors, indicates that he

1 remains an unreasonable risk to public safety. (Ex. 3 at p. 2; see Cal. Code Regs., tit. 15, § 2402,
2 subd. (b) [“[a]ll relevant, reliable information,” including “past and present mental state” and
3 “past and present attitude toward the crime”]; *In re Lawrence*, at pp. 1221, 1228-1229
4 [commitment offense in light of other facts in record may continue to be predictive of current
5 danger many years after offense; combination of circumstances provides evidence of current
6 danger].) Indeed, as the Governor noted, Enriquez’s “violent conduct for his personal gain
7 continued until he began assisting law enforcement, which resulted in favorable treatment.” (Ex.
8 3 at p. 2.) And, the psychologist who evaluated Enriquez acknowledged that “because of Mr.
9 Enriquez’s ‘ingrained patterns of antisocial and narcissistic thinking and behavior. . . some of the
10 prosocial changes he has made may not have been altruistic.’” (*Ibid.*) The psychologist further
11 determined that Enriquez “‘tends to present as a ‘smooth talker’ who is facile with
12 communication. He is bright and has adequate resources to research what he believes is expected
13 of him and address the issues the parole board and the governor have raised in the past.’” (*Ibid.*)

14 Besides reasonably questioning the sincerity of Enriquez’s prosocial conduct, the Governor
15 was also concerned about “several of Mr. Enriquez’s current risk factors for violence.” (Ex. 3 at
16 p. 2.) Specifically, the psychologist found “‘significant personality disorder traits, substance
17 abuse issues, extremely negative/violent attitudes, involvement with antisocial individuals, and
18 limited insight into these issues.’” (*Ibid.*) Additionally, “the psychologist categorized Mr.
19 Enriquez as representing an above-average risk of sexual offense reconviction.” (*Ibid.*) Finally,
20 the psychologist determined that, “despite the mitigating factors of Mr. Enriquez’s age and the
21 absence of information that Mr. Enriquez has sexually offended for more than 30 years, this
22 categorization only ‘slightly’ overstates his current risk level.” (*Ibid.*) In view of these findings
23 and Enriquez’s “extensive history of violent and manipulative behavior,” it was reasonable for the
24 Governor to conclude that Enriquez remains a current threat to public safety and “must do more
25 to demonstrate that his desistence from misconduct represents an authentic and enduring
26 transformation in thought and conduct, and not merely an attempt to game the system for his
27 needs.” (*Ibid.*)
28

1 Enriquez claims that the Governor’s decision was based partly on “base speculation” and
2 “the Governor relied on a host of risk factors that were taken out of context from the
3 Comprehensive Risk Assessment and that were based on immutable and historical—not current—
4 events that are not relevant to determination of Petitioner’s current dangerousness.” (Petn. at p.
5 22.) Not so. As outlined above, in addition to relying on immutable and historical factors, the
6 Governor relied on current risk factors in finding Enriquez unsuitable for parole. Moreover,
7 viewing the evidence in a light most favorable to the Governor’s determination upon review of
8 the entire record, it was not arbitrary for the Governor to express concerns about the sincerity of
9 Enriquez’s prosocial conduct or to conclude that Enriquez remains a current threat to public
10 safety. Thus, despite Enriquez’s positive gains and efforts to improve himself in prison, the
11 Governor’s decision satisfies due process because the Governor identified some evidence
12 probative of Enriquez’s current dangerousness. (See *Lawrence, supra*, 44 Cal.4th at p. 1214;
13 *Shaputis II*, at p. 227-229; *Montgomery*, at p. 162.) As such, the Governor’s findings should be
14 affirmed because “[t]he ‘some evidence’ standard does not permit a reviewing court to reject the
15 [Governor’s] reasonable evaluation of the evidence and impose its own judgment.” (See *Shaputis*
16 *II, supra*, 53 Cal.4th at p. 199; see also *Montgomery, supra*, 208 Cal.App.4th at p. 162.)

17 **CONCLUSION**

18 For the foregoing reasons, this Court should deny the petition for writ of habeas corpus and
19 discharge the order to show cause.

20 Dated: July 28, 2021

Respectfully Submitted,

21 ROB BONTA
22 Attorney General of California
23 JULIE A. MALONE
24 Supervising Deputy Attorney General

25 */s/ Jennifer O. Cano*

26 JENNIFER O. CANO
27 Deputy Attorney General
28 *Attorneys for Respondent*

LA2021602111

Exhibit – 1

**ABSTRACT OF JUDGMENT - PRISON COMMITMENT
INDETERMINATE SENTENCE**

FORM CR 292

SUPERIOR
 MUNICIPAL
 JUSTICE

COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

**ORIGINAL FILED
MAR 25 1994
LOS ANGELES
SUPERIOR COURT**

COURT (I.D.)
19101011

BRANCH OR JUDICIAL DISTRICT: CENTRAL CRIMINAL

PEOPLE OF THE STATE OF CALIFORNIA versus

PRESENT BA011487 - A

DEFENDANT: ENRIQUEZ, RENE OLMOS

NOT PRESENT - B

AKA:

- C

COMMITMENT TO STATE PRISON

AMENDED

- D

ABSTRACT OF JUDGMENT

ABSTRACT

- E

DATE OF HEARING (MO) (DAY) (YR)
03-12-93

DEPT. NO.
110

JUDGE
FLORENCE M COOPER

CLERK
R VILLARREAL

REPORTER

K PARKER-RIJKE

COUNSEL FOR PEOPLE
F JOHNSON

COUNSEL FOR DEFENDANT
J GUTIERREZ ICDA

PROBATION NO. OR PROBATION OFFICER
X1448322

1. DEFENDANT WAS CONVICTED OF THE COMMISSION OF THE FOLLOWING FELONIES:

ADDITIONAL COUNTS ARE LISTED ON ATTACHMENT _____ (NUMBER OF PAGES)

COUNT	CODE	SECTION NUMBER	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION			CONVICTED BY			CONCURRENT	CONSECUTIVE	184 STR
					MO	DAY	YEAR	JURY TRIAL	COURT TRIAL	PLEA			
<u>1</u>	<u>PC</u>	<u>187(a)**</u>	<u>MURDER 2nd</u>	<u>89</u>	<u>01</u>	<u>07</u>	<u>93</u>			<u>X</u>			
<u>2</u>	<u>PC</u>	<u>187(a)**</u>	<u>MURDER 2nd</u>	<u>89</u>	<u>01</u>	<u>07</u>	<u>93</u>			<u>X</u>	<u>X</u>		
<u>4</u>	<u>PC</u>	<u>245</u>	<u>ASSLT W/ FIREARM</u>	<u>91</u>	<u>01</u>	<u>07</u>	<u>93</u>			<u>X</u>	<u>X</u>		

2. ENHANCEMENTS charged and found true **TIED TO SPECIFIC COUNTS** (mainly in the § 12022-series) including WEAPONS, INJURY, LARGE AMOUNTS OF CONTROLLED SUBSTANCES, BAIL STATUS, ETC.:
For each count list enhancements horizontally. Enter time imposed for each or "S" for stayed or stricken. DO NOT LIST enhancements charged but not found true or stricken under § 1385.
Add up time for enhancements on each line and enter line total in right-hand column.

Count	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Total

3. ENHANCEMENTS charged and found true **FOR PRIOR CONVICTIONS OR PRIOR PRISON TERMS** (mainly § 667-series) and OTHER:
List all enhancements based on prior convictions or prior prison terms charged and found true. If 2 or more under the same section, repeat it for each enhancement (e.g., if 2 non-violent prior prison terms under § 667.5(b), list § 667.5(b) 2 times). Enter time imposed for each or "S" for stayed or stricken. DO NOT LIST enhancements charged but not found true or stricken under § 1385. Add time for these enhancements and enter total in right-hand column. Also enter here any other enhancement not provided for in space 2.

Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Enhancement	Yrs. or "S"	Total

4. Defendant was sentenced to State Prison for an indeterminate term:

- A. For LIFE WITHOUT THE POSSIBILITY OF PAROLE on counts FOR 20 YEARS 4 C. For 15 years to life, WITH POSSIBILITY OF PAROLE on counts 1 & 2
B. For LIFE WITH POSSIBILITY OF PAROLE on counts _____ D. For 25 years to life, WITH POSSIBILITY OF PAROLE on counts _____
E. For other term prescribed by law on counts _____ (Specify term on separate sheet if necessary.)

PLUS enhancement time shown above.

5. Indeterminate sentence shown on this abstract to be served consecutive to concurrent with any prior uncompleted sentence(s).

6. Other Orders: (List all consecutive/concurrent sentence relationships, fines, etc. if not shown above)

****The sentence in Count 4 (Life with no possibility of Parole for 20 years) is pursuant to the plea agreement and the admission of the use allegation pursuant to Section 1203.06(a)(1) Penal Code, and the admission of two priors pursuant to Section 667.7(a)(1) Penal Code. The defendant is permitted a visit with his mother before being sent to State Prison. The defendant's personal property maybe released to his mother.**

(Use an additional page if necessary.)

7. The Court advised the defendant of all appeal rights in accordance with rule 470, California Rules of Court. (AFTER TRIAL ONLY)

8. EXECUTION OF SENTENCE IMPOSED:

- A. AT INITIAL SENTENCING HEARING B. AT RESENTENCING PURSUANT TO DECISION ON APPEAL C. AFTER REVOCATION OF PROBATION D. AT RESENTENCING PURSUANT TO RECALL OF COMMITMENT (PC § 1170(4)) E. OTHER _____

9. DATE OF SENTENCE PRONOUNCED (MO) (DAY) (YR) 03-12-93 CREDIT FOR TIME SPENT IN CUSTODY _____ TOTAL DAYS 1,691 INCLUDING: ACTUAL LOCAL TIME 1,127 LOCAL CONDUCT CREDITS 564 STATE INSTITUTIONS DMH CDC

10. DEFENDANT IS REMANDED TO THE CUSTODY OF THE SHERIFF, TO BE DELIVERED:

- FORTHWITH INTO THE CUSTODY OF THE DIRECTOR OF CORRECTIONS AT THE RECEPTION-GUIDANCE CENTER LOCATED AT: CALIF. INSTITUTION FOR WOMEN-FRONTIERA COWF-CHOWCHILLA CALIF. INSTITUTIONS FOR MEN-CHINO DEUEL VOC. INST.
 AFTER 48 HOURS, EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS WASCO SAN QUENTIN R.J. DONAVAN
 OTHER (SPECIFY) _____

CLERK OF THE COURT

I hereby certify the foregoing to be a correct abstract of the judgment made in this action.

DEPUTY'S SIGNATURE
[Signature]

DATE MAR 25 1994

This form is prescribed under Penal Code § 1213.5 to satisfy the requirements of § 1213 for indeterminate sentences. Attachments may be used but must be referred to in this abstract.

Form Approved by the
Judicial Council of California
Effective January 1, 1993

ABSTRACT OF JUDGMENT - PRISON COMMITMENT - INDETERMINATE
CR 292

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WHITE COPY—ADMINISTRATIVE OFFICE OF THE COURTS



Exhibit – 2

PAROLE SUITABILITY HEARING

STATE OF CALIFORNIA

BOARD OF PAROLE HEARINGS

In the matter of the Parole CDC Number: **H69471**
Consideration Hearing of:

RENE OLMOS ENRIQUEZ

IRONWOOD STATE PRISON

BLYTHE, CALIFORNIA

05/06/2020

8:33 AM

PANEL PRESENT:

DAVID LONG, Presiding Commissioner

JOHN DENVIR, Deputy Commissioner

OTHERS PRESENT:

RENE ENRIQUEZ, Inmate

LAURA SHEPPARD, Attorney for Inmate

STEVE SOWDERS, Deputy District Attorney

AMANDA RODRIGUEZ, Victim's Cousin

RAYMOND FIGUEROA, Victim's Father

DAVID FIGUEROA, Victim's Cousin

CYNTHIA LUA, Victim's Cousin

ROBERT MONTENEGRO, Victim's Son

UNIDENTIFIED, Correctional Officer

Transcribed by:

Celina Thyra

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PROCEEDINGS

1
2 **DEPUTY COMMISSIONER DENVIR:** We're on the record.

3 **PRESIDING COMMISSIONER LONG:** Good morning everybody.
4 Today is May 6, 2020. The time is 08:33 hours. We're
5 conducting this hearing by video conference. Mr. Enriquez,
6 can you see, hear, and see me? Oh, we can't hear you.
7 Apparently, you're on mute on your end.

8 **CORRECTIONAL OFFICER:** There we go, there we go,
9 we're-

10 **INMATE ENRIQUEZ:** I can hear you and I can see you.

11 **PRESIDING COMMISSIONER LONG:** Thank you. And if at
12 any time that changes, please let us know so we can, we
13 can, uh, make the adjustments to, to fix it. For the
14 record, I can hear and see you. Uh, Commissioner Denvir,
15 can you also see and hear Mr. Enriquez?

16 **DEPUTY COMMISSIONER DENVIR:** Yes, I can. Thank you.

17 **PRESIDING COMMISSIONER LONG:** Very good. So, this is
18 a subsequent number five parole suitability hearing for
19 Rene Enriquez, excuse me, H69471 who is present in the BPH
20 hearing room at Ironwood State Prison in Blythe,
21 California. This hearing is being audio recorded so for
22 the purpose of voice identification, I will identify each
23 participant and when I do, each person is asked to state
24 their full name and spell their last name. I'll go first.
25 My name is David Long, Presiding Commissioner

1 participating by teleconference. Commissioner Denvir.

2 **DEPUTY COMMISSIONER DENVIR:** John Denvir, D-E-N-V-I-
3 R, Deputy Commissioner, Board of Parole Hearings. Also
4 participating by teleconference.

5 **PRESIDING COMMISSIONER LONG:** Mr. Enriquez, could you
6 please identify yourself, spell your last name and give us
7 your CDCR number?

8 **INMATE ENRIQUEZ:** Rene Enriquez, E-N-R-I-Q-U-E-Z.
9 My CDC number is H69471.

10 **PRESIDING COMMISSIONER LONG:** Thank you. And would
11 Mr. Enriquez's Attorney also please identify yourself.

12 **ATTORNEY SHEPPARD:** Laura Sheppard, S-H-E-P-P-A-R-D.
13 Attorney for Mr. Enriquez.

14 **PRESIDING COMMISSIONER LONG:** Thank you. And, uh,
15 would the Deputy DA please identify yourself.

16 **DEPUTY DISTRICT ATTORNEY SOWDERS:** Yes, I am Steve
17 Sowders, S-O-W-D-E-R-S. I'm a Deputy District Attorney for
18 the County of Los Angeles.

19 **PRESIDING COMMISSIONER LONG:** Thank you. And would
20 the victims appearing by video conference, uh, please
21 identify yourselves and spell your last names.

22 **VICTIM'S COUSIN RODRIGUEZ:** Amanda Rodriguez, R-O-
23 D-R-I-G-U-E-Z. I'm a cousin to the victim.

24 **PRESIDING COMMISSIONER LONG:** You know that, I want
25 to ask you to come a little bit closer to, uh, the

1 microphone when you speak. It's, it's difficult to hear
2 you.

3 **VICTIM'S COUSIN RODRIGUEZ:** Yeah. Do you want me to
4 repeat it?

5 **PRESIDING COMMISSIONER LONG:** Uh, yes, please. Just,
6 just so the transcriber will have a clear recording.

7 **VICTIM'S COUSIN RODRIGUEZ:** Amanda Marie Rodriguez,
8 R-O-D-R-I-G-U-E-Z. I'm a cousin to Cynthia, the victim.

9 **PRESIDING COMMISSIONER LONG:** Thank you.

10 **VICTIM'S FATHER FIGUEROA:** Raymond Figueroa, I'm
11 the father of Cynthia.

12 **PRESIDING COMMISSIONER LONG:** I'm sorry. I wasn't
13 able to catch the name. Could you state that one more time
14 and spell your last name?

15 **VICTIM'S FATHER FIGUEROA:** Ray Figueroa, F-I-G-U-
16 E-R-O-A.

17 **PRESIDING COMMISSIONER LONG:** Thank you.

18 **VICTIM'S COUSIN FIGUEROA:** And I'm David Figueroa,
19 F-I-G-U-E-R-O-A.

20 **PRESIDING COMMISSIONER LONG:** And your relationship
21 to the victim, sir.

22 **VICTIM'S COUSIN FIGUEROA:** Oh, I'm sorry. I'm the
23 cousin too, also.

24 **PRESIDING COMMISSIONER LONG:** Thank you. Is there
25 just the three of you there on that end?

1 **VICTIM'S COUSIN FIGUEROA:** There's four of us
2 including myself.

3 **PRESIDING COMMISSIONER LONG:** Okay.

4 **VICTIM'S COUSIN FIGUEROA:** The dad of Cynthia and
5 three cousins.

6 **PRESIDING COMMISSIONER LONG:** Okay. I'm sorry. I
7 caught for the record. Amanda Rodriguez and, uh, Mr.
8 Figueroa, the father, David Figueroa. I think we're
9 missing one.

10 **VICTIM'S COUSIN LUA:** Cynthia Lua, L-U-A. Um, I'm
11 the cousin of victim Cynthia.

12 **PRESIDING COMMISSIONER LONG:** Perfect. And that's
13 everybody in the room there?

14 **VICTIM'S COUSIN LUA:** Right.

15 **PRESIDING COMMISSIONER LONG:** Okay. Thank you
16 everyone. Mr. Enriquez, were you able to hear all the
17 participants that identified themselves?

18 **INMATE ENRIQUEZ:** I was, sir.

19 **PRESIDING COMMISSIONER LONG:** Are there any other
20 persons present by video or teleconference that did not
21 identify themselves?

22 **VICTIM'S COUSIN FIGUEROA:** No.

23 **PRESIDING COMMISSIONER LONG:** Very good. Uh, also
24 present in the room at ISP are Correctional Officers who
25 may be relieved from time to time throughout the hearing.

1 As I mentioned, this proceeding is being recorded as
2 mandated by Penal Code Section 3042B and it will be
3 transcribed as the official record of this hearing. No
4 other recordings are authorized including a recording
5 available by video conference software. A violation of
6 this provision may result in exclusion from this or future
7 hearings. Commissioner Denvir, let's take a short break to
8 check the quality of the audio.

9 **DEPUTY COMMISSIONER DENVIR:** We're off the record.

10
11
12
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15
16 **[RECESS]**
17
18
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25

1 **DEPUTY COMMISSIONER DENVIR:** We are back on the
2 record.

3 **PRESIDING COMMISSIONER LONG:** 08:38, everything's
4 recording appropriately and everybody that was here prior
5 to the short recess, uh, remains on the line. So, Mr.
6 Enriquez, as this hearing is being conducted by video
7 conference, I'm going to notify you of certain rights that
8 you have and ensure that you want to continue with the
9 hearing today. First, you have a right to be present at
10 the hearing and meet with the Board of Parole Hearing
11 panel. Do you accept that this video conference satisfies
12 that right?

13 **INMATE ENRIQUEZ:** Yes sir, I do.

14 **PRESIDING COMMISSIONER LONG:** Thank you. And you also
15 have the right to be represented by an Attorney at your
16 parole consider, consideration hearing. Do you accept that
17 your Attorney's appearance by video conference and your
18 ability to have privileged communications with her by
19 telephone satisfy that right?

20 **INMATE ENRIQUEZ:** Yes, I do.

21 **PRESIDING COMMISSIONER LONG:** Very good. So, I know
22 you've been through this a few times before, Mr. Enriquez.
23 Just a reminder, we're not here to reconsider the findings
24 of the trial and appellate courts or to retry your case
25 here today. We accept the findings in the previous courts

1 as true. Instead, our purpose is to consider whether
2 you're suitable for parole. And in doing so, we will
3 consider many factors including your prior criminal
4 history and the life crimes, uh, your behavior and
5 programming since you've been in prison, your plans if
6 released as well as your testimony to us here today. It's
7 our expectation that all parties to this hearing will
8 treat one another with dignity and respect. Mr. Enriquez,
9 I strongly encourage you to be completely honest with us
10 today. Please raise your right hand. Do you solemnly swear
11 or affirm that the testimony you give at this hearing will
12 be the truth, the whole truth and nothing but the truth?

13 **INMATE ENRIQUEZ:** I do.

14 **PRESIDING COMMISSIONER LONG:** Thank you. So, Mr.
15 Enriquez, uh, just, uh, looking at the record, it appears
16 you are about 27 years old at the time of the crime and
17 you're now 57 years old and have, uh, been in prison about
18 30 years. Is that right?

19 **INMATE ENRIQUEZ:** Yes, sir.

20 **PRESIDING COMMISSIONER LONG:** Very good. And we did
21 review the DECS database in your case and the 1073 dated
22 March 25th, 2020 noted you have a 9.9 grade point level,
23 is that accurate?

24 **INMATE ENRIQUEZ:** Yes.

25 **PRESIDING COMMISSIONER LONG:** And according to the

1 1073, you require eyeglasses, which I see you're wearing.

2 **INMATE ENRIQUEZ:** Yes.

3 **PRESIDING COMMISSIONER LONG:** Can you, uh, read with
4 those?

5 **INMATE ENRIQUEZ:** I can. I can read and I can see
6 with them.

7 **PRESIDING COMMISSIONER LONG:** Excellent. And, uh, it
8 also says that you require hearing aids, do you have your
9 hearing aids today?

10 **INMATE ENRIQUEZ:** I forgot them when it came out of
11 the house, but I only used them for ambient noise when
12 there's a lot of ambient noise and distorts the quality of
13 hearing. But I could hear you perfectly fine.

14 **PRESIDING COMMISSIONER LONG:** Okay, very good. And I
15 saw that you walked in under your own power. Do you have
16 any difficulty sitting for long periods of time?

17 **INMATE ENRIQUEZ:** Uh, no. Not, not, uh, not, uh, as
18 long as it's not hours and hours, I'll be fine.

19 **PRESIDING COMMISSIONER LONG:** Well, if you do need a
20 break, let us know. We can take a recess and that goes for
21 everybody on the call here. If anybody needs a break,
22 don't hesitate to ask and we'll, we'll take a recess. It
23 looks like you got your GED back in 1992, correct?

24 **INMATE ENRIQUEZ:** Yes.

25 **PRESIDING COMMISSIONER LONG:** And, uh, you're not

1 currently part of the mental health services delivery
2 system. Are you taking any medications today that might
3 impact your ability to participate in this hearing?

4 **INMATE ENRIQUEZ:** No, just my high blood pressure
5 medication and my, uh, my, uh, Flomax, they lower my blood
6 pressure, get me tired, that's all. But it's not going to
7 impede my ability to participate today.

8 **PRESIDING COMMISSIONER LONG:** Excellent. So, Counsel,
9 based on your client's responses, I don't see any reason
10 why we can't proceed today. Do you concur?

11 **ATTORNEY SHEPPARD:** I do.

12 **PRESIDING COMMISSIONER LONG:** Very good. So, before
13 we get started, I wanted to kind of advise everybody at
14 the process. Uh, this is, uh, a sensitive case. And so,
15 um, when we're going to go through the hearing process and
16 when we get to the parole plan section of the hearing, uh,
17 we're going to ask the, uh, Deputy District Attorney and
18 the victim's next of kin to disconnect while we discuss
19 just the parole plans. We won't discuss anything else and
20 then, uh, we'll ask you to reconnect. We'll probably, um,
21 Counselor, is 15 minutes enough time you think for us to
22 cover the, the parole plans roughly?

23 **ATTORNEY SHEPPARD:** I think it should be. Yeah.

24 **PRESIDING COMMISSIONER LONG:** Okay. And so then we'll
25 ask everybody to reconnect at a particular time. Um,

1 anybody have any, uh, questions about that? Once we
2 reconnect, we'll do the, uh, clarifying questions.

3 **DEPUTY DISTRICT ATTORNEY SOWDERS:** Commissioner, this
4 is District Attorney. Did you say you wanted me to
5 disconnect when you're discussing his parole plans?

6 **PRESIDING COMMISSIONER LONG:** Uh, let me go back to
7 what legal sent us. I believe that is what they said. Uh,
8 let me just double-check.

9 **DEPUTY DISTRICT ATTORNEY SOWDERS:** I mean, I think
10 we're part of it.

11 **PRESIDING COMMISSIONER LONG:** Now, maybe if, if you
12 were in the same - let me just double-check. Yes.
13 According to our, our, uh, uh, senior legal Counsel, they
14 would like the DA and the victims next of kin to
15 disconnect for that portion.

16 **DEPUTY DISTRICT ATTORNEY SOWDERS:** Well. I will, but
17 I'm, I'm pretty sure we have access to that information
18 because they, we're part of it, but it's not that
19 important to us to, for me to be on, uh, on the line so I
20 will disconnect if you would tell me to.

21 **PRESIDING COMMISSIONER LONG:** I appreciate that.

22 **DEPUTY DISTRICT ATTORNEY SOWDERS:** All right.

23 **PRESIDING COMMISSIONER LONG:** Okay. So, it looks
24 like, Mr. Enriquez, your subsequent number four hearing
25 was held on, uh, December 14th of 2018, uh, and resulted

1 into granted parole, which was overturned by the Governor.
2 You also had, uh, uh, three previous grants, four grants
3 total that have been overturned. Is that correct? I'm
4 sorry, I can't hear you. Somehow, I think you got muted on
5 your end.

6 **INMATE ENRIQUEZ:** Yes, sir. Uh, four, four grants
7 total.

8 **PRESIDING COMMISSIONER LONG:** Perfect. Okay. Thank
9 you. And so, just, uh, uh, so you're aware, we reviewed
10 the Central File and the Comprehensive Risk Assessment and
11 we also did review, uh, your confidential file and we'll
12 advise you if a confidential information is used for this
13 hearing today. So, as I look at your juvenile history, uh,
14 you started off at about 11 years old, pretty, pretty
15 young at getting, uh, getting in trouble, committing
16 crimes, correct?

17 **INMATE ENRIQUEZ:** Yes, sir.

18 **PRESIDING COMMISSIONER LONG:** Looks like you had a,
19 uh, an age 11 burglary, uh, taking a vehicle without
20 consent. Could you reach the pedals on the vehicle at 11
21 years old?

22 **INMATE ENRIQUEZ:** We struggled, but we reached
23 them.

24 **PRESIDING COMMISSIONER LONG:** Okay. And you had
25 robbery and even a, a kidnapping as, as a juvenile,

1 correct?

2 **INMATE ENRIQUEZ:** Yes.

3 **PRESIDING COMMISSIONER LONG:** And it looks like you,
4 uh, um, started running with the street gang in Artesia at
5 about age 12, is that right also?

6 **INMATE ENRIQUEZ:** Yes, sir.

7 **PRESIDING COMMISSIONER LONG:** Uh, and you started
8 drinking and was started smoking marijuana, 12, drinking
9 alcohol, 13, by six, uh, 13, LSD, PCP, 16, heroin. Um, and
10 so, can you tell us how it is that you at such a young age
11 you got off onto this path and went that direction?

12 **INMATE ENRIQUEZ:** I think that all of these
13 behavioral issues are a result of my core issues. Uh, um,
14 uh, traumatic childhood that I, that I had, but in no way
15 am I attempting to minimize my responsibility for my
16 actions. I, I believe that the events that occurred in my
17 life shaped and formed my thought process and my belief
18 system, and that's what pushed me down this path towards
19 antisocial behavior and criminality.

20 **PRESIDING COMMISSIONER LONG:** And you described some
21 both physical and emotional abuse from your father,
22 correct?

23 **INMATE ENRIQUEZ:** Yes.

24 **PRESIDING COMMISSIONER LONG:** Can you tell us a
25 little bit about that?

1 **INMATE ENRIQUEZ:** Yeah. Uh, my dad used to, uh, to
2 beat us if we did wrong. It started with my brother, Mark.
3 He would really beat my brother, Mark, if something, uh,
4 happened to me. I was accident-prone. I was always getting
5 stitches, getting cut, you know, getting my head cracked
6 open, through playing, just playing as normal kids, but he
7 would really brutally beat my brother, Mark. And, uh, and
8 I was too young at the time to be beat. I think I was
9 excluded from the beatings, but when I became of an age,
10 right about six, seven, that's what he started with the
11 ropes. His favorite go to was to grab me behind the neck
12 and, uh, squeeze and say, I'll break your neck, uh, with
13 gritting his teeth, uh, very violently. Another one was,
14 his, uh, pulling the ears till the cartilage popped. Um,
15 the beatings were normal and, and one of the things my
16 sister reminded me that I forgot about, I talked to my
17 sister, Pearl, uh, just a month ago was one of his
18 favorites was, uh, to make us go and get the bamboo switch
19 out of the backyard. He had to pick our bamboo switch. We
20 had a bamboo, uh, bush so he would make us go get a bamboo
21 switch and whip us with it.

22 **PRESIDING COMMISSIONER LONG:** And, um, you also
23 described some abuse, uh, from your brother. Mark,
24 correct?

25 **INMATE ENRIQUEZ:** Yes, there was sexual abuse with

1 my brother, Mark.

2 **PRESIDING COMMISSIONER LONG:** And, uh, and, and you
3 also witnessed him abuse your brother, John, sexually,
4 correct?

5 **INMATE ENRIQUEZ:** Yeah. Sexual, uh, I'm sorry. I'm
6 sorry. I'm sorry.

7 **PRESIDING COMMISSIONER LONG:** Go. No, go ahead.

8 **INMATE ENRIQUEZ:** Sexual abuse is to fraught in my,
9 in my household. It's just since I start addressing, uh,
10 my sexual abuse and receiving therapy for it, I've reached
11 out to my family members and I've discovered that, um, my
12 sisters, my brother, my niece, uh, my entire, almost of my
13 entire family has been covered in this cloud of, of sexual
14 dysfunction and, and, and sexual deviancy. So, I was
15 raised in this, this, this cloud of, uh, uh, sexual
16 deviancy and, and secrecy.

17 **PRESIDING COMMISSIONER LONG:** And so, how do you
18 think that impacted you?

19 **INMATE ENRIQUEZ:** I think it, it shaped again, it,
20 uh, the traumatic experiences, uh, shaped my behavior. Uh,
21 and, and, and I'm not, again, I'm not, I'm not minimizing
22 or rationalizing my activity. I think that as a result of
23 being raised in this environment, I became a product of
24 the environment and I went on to, uh, participate in those
25 behaviors in my adult life. I think it just carried on as

1 a continuum of this because I felt, um, completely
2 powerless and impotent, uh, being a victim of, uh,
3 multiple sexual assaults. Uh, I, I went on to seek out
4 power and control and everything and then I did and I
5 think that manifested in my antisocial personality
6 disorder, my narcissism by seeking power and control in
7 all my activities.

8 **PRESIDING COMMISSIONER LONG:** And, uh, and why were
9 you drawn to, to drugs and alcohol?

10 **INMATE ENRIQUEZ:** They killed my pain, you know,
11 and just quite simply, uh, I didn't realize it then I
12 thought I was like, oh, it's like this. It feels good but
13 I was readily, really, uh, just self-medicating.

14 **PRESIDING COMMISSIONER LONG:** And then, why did you
15 feel drawn to the street gang?

16 **INMATE ENRIQUEZ:** Acceptance. It was a, I never
17 really felt that I fit in my own family. And as much as I
18 say I was gravitating towards gangs, I was running from my
19 family, uh, to the life that I had there and, uh, and I
20 was accepted. They accepted my idiosyncrasies and, and,
21 and my flaws and, and, and, and I was praised there. I
22 received the, uh, the affirmation that I needed so much as
23 a kid, uh, coming up as a, in this, in this household, I,
24 I needed that affirmation, the acceptance, the
25 unconditional love and that's, that's what they gave me.

1 **PRESIDING COMMISSIONER LONG:** So, also, uh, let's
2 see, when you were about 17, you were arrested for, uh, a
3 forcible rape, oral cops, sodomy and kidnapping. Can you
4 tell us about that, what happened on that day?

5 **INMATE ENRIQUEZ:** Yeah. We, we exited a party and
6 we, uh, saw one of my, our fellow gang members with a girl
7 in a car and they were engaging in, uh, amorous behavior.
8 And, uh, we decided at that point that we're going to all
9 that we're going to take her to a park and engage in group
10 sex and we did, we took her and we raped her.

11 **PRESIDING COMMISSIONER LONG:** Is that something that
12 you had done previously or even after that?

13 **INMATE ENRIQUEZ:** Never. Oh, after, in prison I
14 participated intercoursing an inmate into a, a sex act.

15 **PRESIDING COMMISSIONER LONG:** But as far as out on
16 the street, that was a, that was the only time?

17 **INMATE ENRIQUEZ:** Oh, the only time ever.

18 **PRESIDING COMMISSIONER LONG:** And you mentioned this
19 desire for power and control. Are there any other
20 causative factors you think of the, the, the sex offense?

21 **INMATE ENRIQUEZ:** I think that it was a, the power
22 and control. I think it was for repressed rage. Uh, I
23 think it was, uh, again, uh, uh, replicating the behavior,
24 like I was repeating the behavior that I learned and I,
25 and I think I was identifying with, with the aggressor,

1 you know, it's, uh, it's, uh, I cherished, uh, my brother,
2 like this traumatic bonding. I, I cherished him. My
3 brother was my hero and he's the same person who tormented
4 me. I didn't see it that way as a child when it was
5 happening. I knew it was wrong. I knew it was dirty, uh,
6 but I still loved him, you know, so I bonded with him, you
7 know, and, uh, and I went on to repeat what he did to me.

8 **PRESIDING COMMISSIONER LONG:** And was Mark, uh, a
9 member of the street gang also?

10 **INMATE ENRIQUEZ:** He was, he was a member of Arta
11 before I was a member of Arta.

12 **PRESIDING COMMISSIONER LONG:** And, and do you, uh,
13 you said you joined for acceptance, but do you think in
14 part, uh, it was because your older brother was a part of
15 the gang?

16 **INMATE ENRIQUEZ:** I was destined to become a member
17 because he was a member, but I want to make real clear in
18 my past, uh, testimony I didn't want to join initially,
19 not because I wasn't going to become a member because I
20 was scared to get beaten by the initiation. So, I, I think
21 that that path was cut out for me already. I didn't want
22 to be like my dad, you know, I wanted to be cool and
23 charismatic and, and, and, uh, like these gang members
24 that my brother hung out with, I, I admired them, I
25 admired everything they did.

1 **PRESIDING COMMISSIONER LONG:** So, you were 12 years
2 old when you got jumped in. Is that right?

3 **INMATE ENRIQUEZ:** Yes, sir.

4 **PRESIDING COMMISSIONER LONG:** At your request or at
5 Mark's request?

6 **INMATE ENRIQUEZ:** No. Um, we're walking. Uh, uh, my
7 brother, Mark, was at his girlfriend's house later who
8 become his wife and the mother of his kids and I'm walking
9 with her brother and another homeboy, Bobby Guerrero, and
10 one of my homeboys, uh, named Sparky, I forgot his real
11 name. That's why I'm referring to him as a homeboy. Um,
12 so, we're walking, uh, down the street and there's a
13 defunct gas station. I forgot was it Mobil or 76 or
14 something, Standard, and they said, we're going to jump
15 you into the gang and I said, no, I don't, I don't want to
16 be in the gang and, uh, they said, no, we're going to jump
17 you in. So, they dragged me behind this gas station. They
18 beat me up and they made me cry and then they brushed me
19 off once I started crying. Uh, they really, they beat me
20 up pretty good and I was crying and they dust me off and
21 they picked me up, homeboys don't cry no more and don't
22 tell your brother we beat you up. So, I was homeboy then,
23 my brother found out a week or so later, and then he just
24 accepted it.

25 **PRESIDING COMMISSIONER LONG:** So, when we get to the,

1 uh, well there was also 15 counts of armed robbery as an
2 adult, correct?

3 **INMATE ENRIQUEZ:** Yes.

4 **PRESIDING COMMISSIONER LONG:** Why were you committing
5 all these armed robberies?

6 **INMATE ENRIQUEZ:** To support my drug habit. I was a
7 heroin addict at that time.

8 **PRESIDING COMMISSIONER LONG:** You started using
9 heroin at 16, pretty young.

10 **INMATE ENRIQUEZ:** Yes.

11 **PRESIDING COMMISSIONER LONG:** And, um, so, uh,
12 besides what's in the record, what other crimes did you
13 commit out on the street that you didn't get caught for?

14 **INMATE ENRIQUEZ:** Oh, drugs, robberies, burglaries.
15 Uh, there's, there's a number of crimes, uh, drug sales,
16 uh, uh, selling stolen property, you name it, I did it.
17 Um, I, I think that there's a, uh, uh, you said that I was
18 arrested for a kidnap in my juvenile years, um, I think
19 that kidnap was part of the sexual assault.

20 **PRESIDING COMMISSIONER LONG:** Yes. Yeah. I realized
21 that when I looked back at my notes. Um, so, um, you also
22 violated probation multiple times, correct?

23 **INMATE ENRIQUEZ:** Yes.

24 **PRESIDING COMMISSIONER LONG:** And so, getting
25 arrested, going to jail, getting put on probation or

1 parole, they didn't really slow you down at all?

2 **INMATE ENRIQUEZ:** No, that's, I was just hell bent
3 on, on, on just unleashing my rage and staying high.
4 That's all. I was killing my pain.

5 **PRESIDING COMMISSIONER LONG:** Okay. Sorry. So, uh,
6 can you tell us about, uh, the, uh, incident offenses and
7 start with the, um, Cynthia Galvadan of December 23rd,
8 1989. What happened there?

9 **INMATE ENRIQUEZ:** Uh, Cynthia Galvadan, well, I
10 went to this, we control the drug house in, in, uh, in
11 Boyle Heights, California in the White Gangs gang area.
12 And, uh, one of our objectives was to, uh, one of my
13 objectives was to control that specific gang territory.
14 And, uh, Cynthia was introduced to me as the wife of a
15 Mexican Mafia associate and the brother-in-law of a
16 Mexican Mafia member, David Galvadan. And, uh, she was,
17 uh, she agreed to deal drugs, uh, for us and she would
18 maintain these drugs, collect money. Uh, and then there
19 was a number of occasions where we were coming up short
20 and customers were complaining that, uh, their, their,
21 their bindles were coming up short. Um, so I decided, uh,
22 on my own with no, uh, assistance from anybody else to, to
23 have her killed. And I ordered a Mexican Mafia member, uh,
24 uh, Gilbert Reese and Jaco Padilla to carry out the
25 murder, uh, uh, and which they did. Gilbert Reese took her

1 and shot her to death in a, in a, uh, empty lot in, uh,
2 Boyle Heights, California.

3 **PRESIDING COMMISSIONER LONG:** And you were, uh, you
4 were about 27 years old at this time?

5 **INMATE ENRIQUEZ:** Yes, sir.

6 **PRESIDING COMMISSIONER LONG:** How is it that you
7 already had that much authority that you could order
8 people killed at 27 years old?

9 **INMATE ENRIQUEZ:** I was, uh, I, at, at, uh, 22
10 years old, I joined a prison gang, uh, the Mexican Mafia.

11 **PRESIDING COMMISSIONER LONG:** While you were on the,
12 in prison or on the street?

13 **INMATE ENRIQUEZ:** In prison. I joined in prison.

14 **PRESIDING COMMISSIONER LONG:** And so, you had the
15 authority to, um, to order this hit, why wouldn't you just
16 do it yourself?

17 **INMATE ENRIQUEZ:** Um, I could have done it myself.
18 Uh, but it typically, Mexican Mafia members reserve their
19 participation in, in these violent crimes for members and,
20 uh, high priority, uh, what they consider high priority,
21 uh, uh, missions.

22 **PRESIDING COMMISSIONER LONG:** It looks like, did
23 somebody just pop in on the call here? Uh, Robert
24 Montenegro?

25 **VICTIM'S COUSIN FIGUEROA:** That is Cynthia's, uh,

1 son. Hear me?

2 **PRESIDING COMMISSIONER LONG:** So, let me double check
3 our listing. I'm not sure.

4 **VICTIM'S COUSIN FIGUEROA:** <inaudible> Yes..

5 **PRESIDING COMMISSIONER LONG:** Uh, Mr. Montenegro, can
6 you hear me? Hello?

7 **VICTIM'S COUSIN FIGUEROA:** Can you, uh, text him
8 as he's not?

9 **DEPUTY COMMISSIONER DENVIR:** It's showing he hasn't
10 joined the Skype call. There's a line through his phone,
11 but...

12 **PRESIDING COMMISSIONER LONG:** I'm going to remove him
13 and then if he wants to, uh, log in, he's, he's late, so
14 we'll have to, um, we'll have to bring him on and ask him
15 to state his, his name and spell his last name and all
16 that if he does, uh, if he does log on but since we
17 couldn't hear or we couldn't see him, I just logged him
18 off.

19 **VICTIM'S COUSIN FIGUEROA:** Okay, I'm calling him
20 right now and I'll let him know. Thank you.

21 **PRESIDING COMMISSIONER LONG:** Let him know if he
22 wants to come in that, um, we'll have to pause and, and,
23 uh, bring him in for the record. So, um, I guess it
24 strikes me a little bit, um, and I understand the politics
25 of it, but it strikes me as a little bit cowardly to have

1 somebody else do, commit that murder for you at that time.
2 Did you not see it as that way or - you lost your, your
3 audio again, Mr. Enriquez. I don't know why the audio
4 keeps cutting off.

5 **INMATE ENRIQUEZ:** Can you hear us?

6 **PRESIDING COMMISSIONER LONG:** Ah, now I can hear you.
7 Yes.

8 **INMATE ENRIQUEZ:** Okay. May I answer?

9 **PRESIDING COMMISSIONER LONG:** Yes, please.

10 **INMATE ENRIQUEZ:** Yeah. It was an entirely cowardly
11 act. There's no, there's no, uh, uh, uh, stating that I
12 was too important to do the hit in retrospect. Uh, after
13 all this self-help, all the introspection, I understand it
14 was a completely cowardly act, uh, to have a woman killed,
15 not to do it, have done it myself, even to have considered
16 murdering her, uh, everything about it was a cowardly act.
17 So, so there's, there's, there's, there's no justification
18 for what happened. There's no rationalization that can
19 make my ordering her death, uh, right in any kind of way.
20 It was just, it was wrong. It was cowardly. And, and I
21 understand that today.

22 **PRESIDING COMMISSIONER LONG:** And, but at the time,
23 how did it make you feel that you had the power to get
24 made somebody else commit the ultimate act of murder?

25 **INMATE ENRIQUEZ:** Well, at that time, I, uh, that,

1 that's what, uh, being a, a Mexican Mafia member was, uh,
2 uh, just solely about power and his own, uh, uh,
3 egocentricity and building his own, my own, uh,
4 reputation. Uh, the more violence that I committed, the
5 higher you, you raise in the ranks of the organization.
6 That was the status mobility system in the organization.

7 **PRESIDING COMMISSIONER LONG:** And, uh, did it feed
8 your narcissism?

9 **INMATE ENRIQUEZ:** Oh certainly, certainly, uh,
10 being a member, uh, certainly feed, gave me that
11 narcissistic supply, a continuous form of narcissistic
12 supply. Uh, and, and I thrived off that. The more I
13 received, the more I wanted. So, I used that as a fuel,
14 uh, for my narcissism.

15 **PRESIDING COMMISSIONER LONG:** So, it looks like
16 somebody's logged in again. It looks like Mr. Montenegro's
17 trying to log in. Can, can you see or hear us, Mr.
18 Montenegro? It's muted. It's, um, no camera. Um, so, he's
19 going to have to use that link and actually go into the
20 Skype part of the call versus the audio part if he wants
21 to log in.

22 **VICTIM'S COUSIN FIGUEROA:** I can't hear you or see
23 you guys either.

24 **DEPUTY COMMISSIONER DENVIR:** Yeah, he needs to click
25 on the link and come in.

1 **PRESIDING COMMISSIONER LONG:** Yeah. Okay. I just
2 removed him again cause he wasn't in on the right link.
3 So, there's an on the actual, uh, meeting invite. It says
4 join by Skype and, uh, I think if he clicks on that link
5 he'll, he'll be able to get in.

6 **VICTIM'S COUSIN FIGUEROA:** Yes. He said that he's,
7 uh, clicked on the link, uh, but he just can't see you
8 guys and he can't...

9 **PRESIDING COMMISSIONER LONG:** Well, we can't see or
10 hear him either. And so, without getting him formally on
11 the record, we can't have him participate unless we can
12 get them onto where we can see and hear him. So, uh, we'll
13 continue while he tries to, to log into that. And so, uh,
14 tell us about the murder of David Gallegos.

15 **INMATE ENRIQUEZ:** Uh, David Gallegos was a, um, a
16 member who had, a Mexican Mafia member who had fallen into
17 disfavor with the organization and previously, uh, shown
18 cowardice during a, uh, confrontation with an ex-member
19 and, and abandoned, um, the individuals who were with
20 them, which were fellow Mexican Mafia members and, uh,
21 and, and it was decided and not by me, I was given the
22 order to, to kill Mr. Gallegos, they voted on it and they
23 decided that he was to, to, to be killed. And, uh, and I
24 received a call from Mexican Mafia members while I was on
25 parole to, uh, to do the murder and I, I actually did the

1 murder. I killed David Gallegos.

2 **PRESIDING COMMISSIONER LONG:** It seems like an
3 exceptionally, um, hard punishment. What, why do you
4 think, I mean, what was the point in, in murdering a man
5 just because, you know what I mean, people are get afraid
6 in conflicts and run all the time. It just seems like, uh,
7 overly harsh to say you got him murdered just for that.

8 **INMATE ENRIQUEZ:** That's one of the, the rules
9 that, uh, the members have to adhere to. There are certain
10 rules, uh, that, that are given to you when you join.
11 They're explained to you after you're, you're, you're
12 voted into the organization and, and showing cowardice is
13 one of the primary rules for, uh, for being killed.

14 **PRESIDING COMMISSIONER LONG:** Yeah, it's, um, it, it
15 strikes me as more about control and trying to instill
16 fear to members. I mean, because clearly you were a coward
17 in having, uh, Cynthia Galvadan killed by somebody else,
18 they didn't whack you for being a coward. So, it's kind of
19 the word standard, it seems more to me about fear, keeping
20 the control.

21 **INMATE ENRIQUEZ:** The real objective of the
22 organization is, uh, instilling fear and, and terror into,
23 uh, the Hispanic gang subculture. So, that in itself, and
24 there's double standards in the rules all the time for
25 members and, and nonmembers, there's a, there's a whole

1 set of double standards. Uh, so that's, that observation
2 is, is spot on that, uh, that I can commit this act of
3 cowardice against Cynthia Galvadan and yet kill a man for
4 being a coward. So, there's the double edge sword. I mean,
5 I recognize that, I acknowledge it and it's the truth, you
6 know, one man's killed for being a coward and I, yet I can
7 commit a cowardly act against an innocent victim.

8 **PRESIDING COMMISSIONER LONG:** And so, um, you shot
9 him multiple times in the head.

10 **INMATE ENRIQUEZ:** Yes, sir.

11 **PRESIDING COMMISSIONER LONG:** How did you feel about
12 what you'd done?

13 **INMATE ENRIQUEZ:** Um...

14 **PRESIDING COMMISSIONER LONG:** At that time, at that
15 time.

16 **INMATE ENRIQUEZ:** At that time, I felt like I
17 completed the job that was given to me and I was a, a
18 loyal Mexican Mafia member.

19 **PRESIDING COMMISSIONER LONG:** No emotion?

20 **INMATE ENRIQUEZ:** There was emotion. I mean, there
21 was, uh, an adrenaline, uh, uh, like, uh, kind of being
22 nervous, like a bit nervous. Uh, at the time, there was no
23 remorse. I was just doing my job as a Mexican Mafia
24 member. Um, and that's, that's how it was. He, as a
25 Mexican Mafia member, I believe that he knew the rules, he

1 was a member of the Mexican Mafia, he accepted those rules
2 and violated them. And that I was just doing my job as a,
3 as a, as a fellow member.

4 **PRESIDING COMMISSIONER LONG:** And then, uh, when you
5 were in the Attorney room on, uh, on July 16th, 1991, so
6 were you-- why were you in the, you were in the jail,
7 right? County jail at the time.

8 **INMATE ENRIQUEZ:** Yes.

9 **PRESIDING COMMISSIONER LONG:** Why are you in County
10 jail for at that particular time?

11 **INMATE ENRIQUEZ:** Uh, fighting incident offenses.

12 **PRESIDING COMMISSIONER LONG:** Yeah, the, the, the two
13 murders.

14 **INMATE ENRIQUEZ:** Yes, sir.

15 **PRESIDING COMMISSIONER LONG:** And, um, and so you
16 and, uh, and, and Peters stabbed Salvador Buenrostro?

17 **INMATE ENRIQUEZ:** Yes, sir.

18 **PRESIDING COMMISSIONER LONG:** So, tell us about that.

19 **INMATE ENRIQUEZ:** Uh, again, Salvador Buenrostro
20 was a Mexican Mafia member, had gone in disfavor of the
21 organization. He was voted against, uh, and, uh, they told
22 us that, uh, he had to go, that was basically the phrase,
23 is "he's got to go", he's been voted on and, uh, and we
24 carried out the hit.

25 **PRESIDING COMMISSIONER LONG:** Was he, was he

1 testifying against the mafia or--?

2 **INMATE ENRIQUEZ:** No, he was just, he was a made
3 guy. In reality, he had done nothing wrong. This was
4 simply internal mafia politics and it was, it was the
5 nature of the organization to, to cannibalize when members
6 have personality conflicts. The core of his issue was he
7 was conflicting with Joe Morgan and, and other members fed
8 Joe Morgan political information that put him in disfavor.
9 And Joe Morgan being a very influential member ordered his
10 death and, and, and we carried out the stabbing in the
11 Attorney room that day.

12 **PRESIDING COMMISSIONER LONG:** How'd you-- you guys
13 had makeshift handcuff keys?

14 **INMATE ENRIQUEZ:** No, they were real handcuff keys.

15 **PRESIDING COMMISSIONER LONG:** Oh, they were real
16 handcuff keys. How'd you, how'd you get the handcuff keys?

17 **INMATE ENRIQUEZ:** They were readily available.
18 There was an investigator who would bring in, uh, uh,
19 handcuff keys, legal, uh, correspondence. It was a
20 contraband was smuggled in that way. There were many
21 number of guys that would turn themselves in for weekends
22 and bring in contraband to the County jail. That was
23 pretty, pretty simple to get contraband at the County
24 jail.

25 **PRESIDING COMMISSIONER LONG:** Okay. Um, so, I'm

1 trying to figure out, it looks like Mr. Montenegro's tried
2 to join by audio. Um, Mr. Montenegro, can you hear us?

3 **VICTIM'S SON MONTENEGRO:** Yeah, I'm here and I had
4 seen, I have video as well.

5 **PRESIDING COMMISSIONER LONG:** Let's see. Okay. Can
6 you turn on the camera? We can't see you.

7 **VICTIM'S SON MONTENEGRO:** Okay.

8 **PRESIDING COMMISSIONER LONG:** There you go. Very
9 good. All right. So, Mr. Montenegro, can you please state
10 your, your full name, spell your last name and your
11 relationship to the victim. Tell us your relationship.

12 **VICTIM'S SON MONTENEGRO:** Sure. Uh, Robert Montenegro,
13 M-O-N-T-E-N-E-G-R-O, and I'm the victim's son.

14 **PRESIDING COMMISSIONER LONG:** Okay, very good. Thank
15 you for that. Um, and just as a, an admonishment, we're
16 not allowed to-- you're not permitted to record, uh, this
17 hearing in any way and you're not permitted to have any,
18 uh, anybody else in the room listening into the hearing.
19 Do you agree that this, do you agree with those terms?

20 **VICTIM'S SON MONTENEGRO:** Yes.

21 **PRESIDING COMMISSIONER LONG:** Okay. Thank you very
22 much. Okay. And, uh, I just want to make sure, uh, we, we
23 still have everybody on the, the Figueroa side?

24 **VICTIM'S FATHER FIGUEROA:** Yes, sir.

25 **PRESIDING COMMISSIONER LONG:** Okay. Very good. All

1 right. So, let's continue. So, um, how many times did you
2 guys stab Salvador?

3 **INMATE ENRIQUEZ:** I think it was 27 or 29 times.

4 **PRESIDING COMMISSIONER LONG:** So, clearly you were
5 trying to kill him. Your intent was to kill him.

6 **INMATE ENRIQUEZ:** Oh, certainly. We were trying to
7 kill Mr. Buenrostro.

8 **PRESIDING COMMISSIONER LONG:** Um, but somehow, he did
9 survive, correct?

10 **INMATE ENRIQUEZ:** Fortunately, he survived.

11 **PRESIDING COMMISSIONER LONG:** And so, uh, you know,
12 we talked a little bit, you, when we talked about
13 causative factors of your crimes, you already talked
14 about, um, how the abuse affected you and power and
15 control and repressed rage and, uh, as I understand it,
16 were you, uh, you were using heroin and cocaine, uh, at
17 least during some of the life crimes or all the life
18 crimes. Can you tell us about that?

19 **INMATE ENRIQUEZ:** Yeah, I was, I was using drugs,
20 uh, during-- uh, on the days that I committed the crimes.
21 All, all, every day that I was out during that period of,
22 of, of, uh, release to the community I was, I was using
23 drugs, I was under the influence of drugs.

24 **PRESIDING COMMISSIONER LONG:** And so, uh, how much of
25 a factor do you think the drugs were in you committing

1 these crimes if any?

2 **INMATE ENRIQUEZ:** I believe, I believe they
3 desensitized me, but I would have committed them either
4 way. I believe that they, they, they, they desensitized
5 me, they clouded judgment but I would have done the crimes
6 either way. I was, I was a full-fledged Mexican Mafia
7 member, so I don't want to, uh, I don't want to insinuate
8 or suggest that somehow the drugs absolved me of
9 responsibility or, or clouded my judgment. Certainly, uh,
10 uh, I was under the influence, but I would have committed
11 the crimes had I been sober.

12 **PRESIDING COMMISSIONER LONG:** So, you're talking
13 about power and control, repressed rage. What other
14 causative factors were there?

15 **INMATE ENRIQUEZ:** Oh, there was impulsivity, uh,
16 lack of, uh, coping skills. There were, uh, uh, um, like
17 I, I witnessed domestic violence. I witnessed, uh,
18 physical violence, gang violence, drug use in my home. Um,
19 there are a number of things that I concluded in my
20 insight reports. Uh, my mother was very permissive. She
21 later became a heroin addict and, and, and this was later
22 in life, but as a, as a child, she was very permissive.
23 She taught us the art of manipulation. Um, if my dad
24 forbade something, who was the disciplinarian. We would
25 circumvent his authority by going to my mother and she

1 would allow it. And, uh, and, and, and she would pit us
2 against my dad as well. Um, she allowed, uh, gang members
3 to be in my house. So did my father. Uh, later on, they
4 allowed me to deal drugs. I actually dealt drugs for my
5 mother, um, when I was in junior high school. Um, the
6 physical violence, the, uh, the verbal violence, the
7 sexual abuse, all of these things were contributing
8 factors. All these things were contributing factors in my
9 life.

10 **PRESIDING COMMISSIONER LONG:** When, and when do you
11 think the narcissistic, uh, traits developed?

12 **INMATE ENRIQUEZ:** I think when I, I, I, I, I joined
13 the gang. I think that's when it, it, it, uh, narcissism
14 started blossoming, uh, because you, you get, you, you
15 receive, um, you started receiving praise from gang
16 members and it made me feel, uh, better, boosted, my self-
17 esteem was boosted so I, it became like a mask. The, the,
18 the greater I created this persona, my gang persona, uh,
19 the better off I felt.

20 **PRESIDING COMMISSIONER LONG:** So, I'm going to read a
21 paragraph, uh, from the Governor's decision, which I'm
22 sure you read, but I would like to, uh, to get, uh, your
23 thoughts on, on what the Governor says here. And this is
24 the Governor's letter date, dated April 12th of 2019.
25 Although Mr. Enriquez's debrief for the Mexican Mafia, his

1 extensive history of callous violence as well as the
2 striking, strikingly high number of those violent crimes
3 on countless victims remained a relevant risk factor for
4 his future violence. Mr. Enriquez continues to blame the
5 violent culture of the gang on his past conduct, lack of
6 empathy and insight and demonstrate troubling behavior.
7 The psychologist who evaluated Mr. Enriquez stated that he
8 meets the diagnostic criteria for antisocial personality
9 disorder with narcissistic features. This diagnosis is
10 evidenced by Mr. Enriquez's repetitive and pervasive
11 pattern of behavior of violating other people's basic
12 rights, a lack of empathy, a sense of grandiosity and
13 entitlement, including to special treatment and a tendency
14 to inflate his accomplishments while minimizing his faults
15 and failing to take full responsibility for his past
16 conduct. Current evidence that these personality traits
17 and attitudes indicates that Mr. Enriquez's personality
18 disorder has not sufficiently resolved to allow for his
19 safe release from custody at this time. So, I'd like to
20 get your thoughts on, on the Governor's, uh, statements
21 there.

22 **INMATE ENRIQUEZ:** Uh, yeah, it's a lot to, uh, to
23 digest. It's a lot. So, so let's, I read that specific,
24 uh, that specific excerpt in the Governor's reversal and,
25 and I said about not just in this event and the

1 disadvantage of this reversal, but in the past, uh, four
2 reversals, addressing the issues that concern, uh, not
3 just Governor Newsom, but Governor Brown as well. And I, I
4 couldn't address the static issues, the historic factors.
5 Those things are, are, are there and I can never change
6 them. And as ugly as they are, they'll always be there.
7 And, and, and I'm shamed. I'm ashamed of what I've done. I
8 am remorseful for what I've done. And, and it strikes me
9 as, as horrific that the victims have to sit here every
10 year and listen to it, have to sit here and listen to me,
11 uh, explain the good things that I've done when they still
12 feel the pain of, of my actions. So, so I apologize to
13 them for this. And in, in addressing these issues, I, I
14 went about addressing the clinical factors, even factors
15 that, that Mr. Sowders pointed out last year. Mr. Sowders
16 says, said that I should take correspondence course and
17 write book reports because the programs are not available
18 that, that, that, that I needed to address my antisocial
19 personality disorder. I sought out therapy through the
20 mental health services delivery system at CDC. I did three
21 years of therapy. I, I wrote, uh, comprehensive, uh,
22 insight reports and relapse prevention plans for sexual
23 deviancy. So, I went about addressing these issues, uh,
24 and not just to satisfy, uh, this commission, this panel
25 or parole board but I wanted to become a better human

1 being. It really just boils down to being a better man. I
2 wanted to be a better human being. I wanted to address
3 these issues, and I knew that I had to peel back the
4 layers of the onion to get back in deep within myself to
5 address really what was being presented to the Governor
6 because I took it, this is me presenting to the Governor,
7 not directly, but my case. And somehow, something wasn't
8 coming across right. Uh, even though the boards had
9 granted my parole, there was something that the Governor
10 was seeing. So, this year, I set about to completely
11 dismantle, uh, my presentation. I created an entirely
12 different packet. I did multiple book reports in order to
13 distance myself and learn about antisocial personality
14 disorder, uh, narcissism. I, I read extensively. I had,
15 uh, my Attorney, Ms. Sheppard, provide me with materials
16 on sexual deviancy and addressing those issues in terms of
17 identifying with aggressor, traumatic bonding and
18 replicate the behavior. I, I did book reports on, on
19 victims awareness. I took victims awareness courses. I, I
20 participated in prosocial behaviors and empathy building
21 exercises. Um, I, I, I did the, uh, the victims meeting
22 with, uh, with uh, uh, murder, uh, uh, family, uh,
23 victim's next of kin with the um, um, healing and, uh,
24 dialogue and action with how they're starring. I even
25 created a group called VIEW, victims, uh, impact education

1 workshop, where a small group of inmates really delve into
2 the impact of our crimes on, on victims and their families
3 in the community. So, I, I believe that I, I, I really, I
4 dug in deep. I've addressed a lot of the issues and I
5 think that's reflected in my current CRA, uh, that
6 specifically states that, uh, those, those issues are no
7 longer a concern, although that, that diagnosis will
8 always be, I understand that the diagnosis of antisocial
9 personality disorder with narcissistic features will
10 always be, uh, I know, I now know what to look for. I, I
11 created a relapse prevention plan specifically for those
12 behaviors, those belief processes, the cognitive, uh,
13 distortions. I recognize those as, as, as warning signs
14 and triggers, and in delving into these studies into the
15 specific diagnosis that was given to me in, in a number of
16 occasions. Um, I know that in order to distance myself
17 from, from this diagnosis, I have to understand it. That's
18 why I submitted the book reports on that issue. And, and
19 in doing so, I feel confident that, uh, that my sustained
20 period of, of disciplinary free behavior and prosocial
21 activity is a reflection of, of not who I was but who I am
22 today. Cause I, I've created this persona. I, I'm no
23 longer the man that I once was. I understand that that
24 diagnosis will always be there, but that's, that's no
25 longer who I am today. Today, I can finally say I'm a

1 decent man.

2 **PRESIDING COMMISSIONER LONG:** So, I'd like to know,
3 um, specifically there is where you think you've, uh,
4 gained insight since the last hearing.

5 **INMATE ENRIQUEZ:** Um, empathy, remorse, victim
6 impact, uh, sexual deviancy, uh, the causative factors,
7 uh, what molded-- the mind molders, like the cognitive
8 distortions, uh, even in my gang behaviors there were
9 cognitive distortions and rationalizations that made
10 certain behaviors acceptable, acceptable to me. Um, I
11 changed my belief system. Uh, uh, again, I, I'm a
12 Christian. Uh, I accept as the Lord as my savior. So, uh,
13 that's been a process that my wife introduced me to over
14 the past six, seven years. Uh, I was baptized. Um, so
15 there's a lot of spiritual foundation to my change, uh,
16 but it's victim awareness, uh, comprehensive relapse
17 prevention plan to address my, uh, my, my criminal
18 thinking, my antisocial behavior, uh, relapse prevention
19 plans that have been augmented to address, uh, substance
20 abuse, anger management, uh, even stress after a long-term
21 incarceration. So, I believe that those issues, those,
22 those, those clinical issues that, that were raised, the,
23 uh, the things that I could address, I believe that I have
24 addressed each of those, uh, extensively, uh, this year.
25 And I, I attempted to submit, um, most of the work in

1 SOMS, which I was successful in doing, but, uh, I think in
2 January they stopped allowing us to, um, introduce, uh,
3 our written work or journaling. Uh, so there may be some
4 that the board doesn't have, but you have the majority of
5 my work for this past year.

6 **PRESIDING COMMISSIONER LONG:** And so, um, let's talk
7 about the, the impact of the victims of this crime. What
8 do you think the impact was?

9 **INMATE ENRIQUEZ:** I think the impact is ongoing. It
10 will never stop. I, I, I could never fathom the depth of
11 their pain. I wouldn't even try to understand it, but I
12 know that I've harmed them. I wouldn't even try to say
13 that I understand them. Let me rephrase that-- um, because
14 I can't, I can't know what they feel. I know that each day
15 that they, they no longer have their mother, their cousin,
16 their daughter, it's a painful event. The days that their
17 birthday passes or their birthdays pass that she'll never
18 know or David Gallegos will never know, the touch of the
19 granddaughter or the embrace of their child, that they may
20 have nightmares, there may be psychological impact, there
21 may be still be financial impact on them. And I'm ashamed
22 because of that. I know that will never go away. And my
23 words may ring hallow. They may sound like a plead for
24 their mercy and I won't, I won't ask for that because I've
25 already done too much. I've already done too much to the

1 family. And I understand that. I understand that I've hurt
2 them irreparably. I'm living my life today, living a right
3 life in honor of their family, in honor of the victims
4 that, that have been hurt because of me. And I do what I
5 do today by giving back to the community in the ways that
6 I do it and in my peers in a way of living amends. That's
7 how I live today. In honor of their family members.

8 **PRESIDING COMMISSIONER LONG:** So, tell us a specific,
9 we read the file, but specifically, um, some of the things
10 that you have done, uh, to make amends.

11 **INMATE ENRIQUEZ:** Um, one of the, my proudest
12 achievements is, uh, becoming a youth mentor for the youth
13 offender program here at Ironwood State Prison. There's a,
14 a bunch of essentially kids that are in prison here with
15 prison sentences, like 250 years to life and just
16 outrageous prison sentences and they come in here and
17 they're susceptible to all the peer pressures of prison.
18 So, I've been pretty successful in reaching some of the
19 kids and get them into positive programming, maybe even
20 get some of them to go get baptized. Uh, some of them
21 still struggle, you know, I see some of them, they're
22 still in the throes of their addiction, but I don't
23 abandon them. I continue helping them. And, uh, another
24 thing I do is help, uh, other inmates who are, uh,
25 intellectually challenged to prepare for the board. Some

1 of them have very difficult time remembering the steps.
2 The, uh, the 12 steps or, uh, uh, grasping what spiritual
3 principles are, grasping the concept of, uh, of, of God.
4 Uh, I try to help them. Um, uh, another thing I do is, uh,
5 I testify in a number of gang cases and, uh, and I do this
6 as a way to give back to the community. It's a way that I,
7 I, like a scorched earth practice of giving back, and I
8 only testify in cases where the prosecutors ask me to
9 testify. I don't solicit cases. Um, it's difficult and
10 it's a two-edge sword for that, you know. Uh, some may
11 think I do it to aggrandize myself or that I like this
12 concept of being special. Uh, but, but nothing could be
13 further from the truth, you know, maybe at some point in
14 the past. Well, no, at some point in the past, truly I, I,
15 I wallowed in my own self-importance, but now it's, it's
16 just about giving back to the community. Um, and, and I do
17 so because it's the best way to give back and stop what I
18 helped create, you know, by helping dismantle the Mexican
19 Mafia. I don't have a personal agenda or any, any
20 antipathy or anger towards the organization. That's who
21 they are. But as long as I can help dismantle what I
22 helped create or what I contributed to rather, um, I'll
23 continue to do so and I, and, and one of the best
24 instances in that, and I keep repeating this even when I
25 testify in court is, is when the family of Vanessa Torres,

1 it was a death penalty case in Riverside and I was
2 testifying and the family came back and, and met me and,
3 uh, and, uh, they thanked me for, uh, helping them find
4 closure in the, in the case that the individuals
5 responsible for killing their daughter was convicted and
6 they said, you, you helped us so much and you helped ease
7 our pain and it's that, one of those moments was at
8 <unintelligible> I realized as I've created this kind of
9 pain for families, for the Figueroa family, for the
10 Gallegos family, uh, for the Galvadan family, you know,
11 and, uh, and I knew that I would never, ever go back to
12 hurting people again. And I made my vow I'll never commit
13 violence again or participate in any kind of criminality
14 or substance abuse ever again. My life is, is completely
15 changed in that respect. And, and, and, and in doing these
16 things, the more that I do them, it solidifies who I am
17 today. 'Cause I look back at, at everything that I've done
18 and everything that I was and today, I know that, uh, in,
19 in helping people and giving back to the community, um,
20 this is what I was supposed to do all along. This is what
21 human beings are supposed to do, care for each other, and
22 have compassion for each other. But I take great care in
23 not, in not, uh, wallowing in that sense of importance.
24 So, I try, I don't take leadership positions like MAC, the
25 MAC committee. I don't take chairmanship positions. I

1 don't take leadership job positions. Um, I try not to have
2 the savior attitude like I can fix anything for you, or I
3 can do this cause that would just feed the narcissistic
4 traits within me. So, so I think great care and doing this
5 as well. So, I, I take care of not to replace one
6 personality defect or one addictive factor with another
7 one. So, that's what I've done.

8 **PRESIDING COMMISSIONER LONG:** And as you sit here
9 today, when you look back on your life, if you could
10 change anything, what would it be?

11 **INMATE ENRIQUEZ:** All of it.

12 **PRESIDING COMMISSIONER LONG:** Can you see any way
13 that you could, you could have gone on a completely
14 different path?

15 **INMATE ENRIQUEZ:** Yeah. I would.

16 **PRESIDING COMMISSIONER LONG:** I want to note for the
17 record that you're, you're clearly emotional. Can you tell
18 us what you're feeling?

19 **INMATE ENRIQUEZ:** I'm sorry. Shame. Regret. I would
20 change everything. Drugs, violence, gangs, sexual
21 deviancy. I would change everything about my life. I
22 wouldn't be a criminal. I would be good man. I'm sorry.

23 **PRESIDING COMMISSIONER LONG:** No, it's okay.

24 **INMATE ENRIQUEZ:** I would try to be good man.

25 **PRESIDING COMMISSIONER LONG:** Commissioner Denvir, do

1 you have any follow up questions?

2 **DEPUTY COMMISSIONER DENVIR:** Just a few, sir, that,
3 uh, I know that there's, uh, been a lot of questions on
4 all this information and just focusing in on the person
5 you were at the time of the commitment offenses. You were
6 an EME member versus associate. Uh, I note maybe that's a
7 CDCR distinguishment between a member and associate. Uh,
8 does EME distinguish between those two levels?

9 **INMATE ENRIQUEZ:** So, yes, they do. There's, uh-

10 **PRESIDING COMMISSIONER LONG:** Okay.

11 **INMATE ENRIQUEZ:** There's associate, uh, and
12 there's member. Members of full fled, full-fledged made
13 guy-

14 **PRESIDING COMMISSIONER LONG:** Okay-

15 **INMATE ENRIQUEZ:** And you're inducted in the
16 organization.

17 **PRESIDING COMMISSIONER LONG:** You became a member at
18 22?

19 **INMATE ENRIQUEZ:** Yes, sir.

20 **DEPUTY COMMISSIONER DENVIR:** Okay. So, you're jumped
21 in at 12 and then an EME member as opposed to associate at
22 22. Okay. I want you to, briefly, if you could, describe
23 the level of commitment that EME is looking for with
24 respect to - Do you have to cut off ties with your street
25 family? Um, what's required of an EME member in terms of,

1 uh, loyalty being pledged to the gang?

2 **INMATE ENRIQUEZ:** Um, they want people that will do
3 anything for the organization. That you'll kill, you give
4 up your life, the-- the organization comes first. You
5 don't have to cut off ties with your family, you can still
6 have family ties and you're still a member of your gang,
7 but you're not represented -- you kind of abandon your
8 gang ties but you now embrace the ideology of the
9 organization and essentially they just want automatons.
10 They want individuals who will kill for the organization,
11 will promote the philosophies of the organization and,
12 and, um, uh, spread that fear and terror to expand their
13 control. Somebody can contribute some kind of, uh, become
14 an asset to the organization. That's what they look for.
15 Somebody who can contribute to that, expanding the
16 organization in a sense.

17 **DEPUTY COMMISSIONER DENVIR:** So, you described the
18 abuse that was going on in your home, uh, and the sexual
19 abuse. You hadn't been able to come forward with the abuse
20 that Mark, uh, perpetrated until 2017, correct?

21 **INMATE ENRIQUEZ:** Yes, sir.

22 **DEPUTY COMMISSIONER DENVIR:** And that was a, a
23 difficult thing to disclose in your mind?

24 **INMATE ENRIQUEZ:** It was, it was really difficult.
25 That was a shame, I was deeply ashamed of, uh, I'm not

1 ashamed now. I know that it wasn't my fault. I know that
2 my reactions and my behavior after that are completely
3 responsible for. Um, I was afraid that it would be made
4 public.

5 **DEPUTY COMMISSIONER DENVIR:** Okay.

6 **INMATE ENRIQUEZ:** You know, to be made in public.
7 And this is exactly what happened. It came out in LA
8 times, the front page and the news mentioned it. But since
9 that time, uh, a number of inmates have approached me
10 because it was made public and, uh, they've told me about
11 their own abuse, so it's been actually a blessing. I think
12 that that was, uh, that was really a blessing because I've
13 been able to help a number of individuals address their
14 own sexual abuse, their own deviancy in their lives. So,
15 it's, that's, that's really what helped me back with the
16 shame. It's just so shameful to say I was emasculated, I
17 was sexually violated. Uh, and then couple that with the
18 perpetrating the same violence that I was subjected to.

19 **DEPUTY COMMISSIONER DENVIR:** Right.

20 **INMATE ENRIQUEZ:** So, there was this double shame,
21 this double shame that, that I was, I didn't want to bring
22 it out. I wouldn't even want anyone to talk about it. Now,
23 I talk about it freely. I mean, I don't carry a, a placard
24 above my head, but in groups where individuals, uh, uh,
25 address this issue, I speak about it freely. There's no

1 more hesitation in discussing it anymore.

2 **DEPUTY COMMISSIONER DENVIR:** So, you described it as
3 running from your family to the gang at 12 when you were
4 jumped in, and then you found the acceptance with the
5 street gang at that time, and then ultimately look to the
6 Mexican Mafia at age 22, 10 years later, which offered you
7 more acceptance and more status, all that fair to say?

8 **INMATE ENRIQUEZ:** That's, that's fair to say, but
9 it is also boosting my, my narcissistic, uh,
10 characteristic within me, it was boosting it, of being a
11 gang member, they put in work for the gang affrays.

12 **DEPUTY COMMISSIONER DENVIR:** All right.

13 **INMATE ENRIQUEZ:** Being a Sureño that went through
14 prison and, and put in work for the Mexican Mafia, gave
15 you praise and it boosted your reputation. Then ultimately
16 becoming a Mexican Mafia member gave you power and control
17 and that's all to the pinnacle of power and control and
18 the prison subculture. That's the pinnacle of power and
19 control.

20 **DEPUTY COMMISSIONER DENVIR:** And then once we, we
21 make our way to the timeframe of the commitment offenses,
22 um, I have a list here. I wondered if it pertained to you
23 as of that time. That you had blind loyalty to the gang.
24 You were ruthless. You had no concern for human suffering.
25 You had no concern for human life. You were selfish and

1 you were cowardly. Did all that pertain to you?

2 **INMATE ENRIQUEZ:** That's all true.

3 **DEPUTY COMMISSIONER DENVIR:** Okay.

4 **INMATE ENRIQUEZ:** All that's true. All, each and
5 every one of those are true.

6 **DEPUTY COMMISSIONER DENVIR:** Do you, do you think
7 you brought that to the Mexican Mafia or do you think that
8 was cultivated by that, them in you as you, um, were
9 already in the, in the, um, membership with the gang?

10 **INMATE ENRIQUEZ:** No, I didn't, I didn't bring that
11 to the Mexican Mafia. I think that that was cultivated. I
12 think there were character defects in-- within, within me,
13 I hadn't killed anybody when I joined the Mexican Mafia.

14 **DEPUTY COMMISSIONER DENVIR:** Right.

15 **INMATE ENRIQUEZ:** I never killed anybody. You know,
16 I had, did a couple of prison stabbings. Um, and I had
17 done some horrific things in my past, like robberies and
18 sexual assault.

19 **DEPUTY COMMISSIONER DENVIR:** Right.

20 **INMATE ENRIQUEZ:** Um, but I had never, I had never
21 killed anybody, but, but I think that was cultivated by
22 the organization, uh, by the exposure to this. That
23 Mexican Mafia was, uh, is this organization that was just
24 embedded in the, uh, violent prison subculture. So, this
25 existed long before I came. The, uh, the violent nature of

1 the organization. I wasn't the one that came into the
2 organization and said, okay, let's make it a violent thing
3 now.

4 **DEPUTY COMMISSIONER DENVIR:** Right.

5 **INMATE ENRIQUEZ:** Um, but I think it was, it was,
6 it was, uh, how can I say, um, cultivated by the
7 organization.

8 **DEPUTY COMMISSIONER DENVIR:** Okay.

9 **INMATE ENRIQUEZ:** All those qualities--
10 disqualities [sic] within me were cultivated by the
11 organization.

12 **DEPUTY COMMISSIONER DENVIR:** Okay.

13 **INMATE ENRIQUEZ:** But I also think they were part
14 of my deep-seated, uh, uh, character defects and, and the
15 experiences I, I suffered as a child, they fostered that.

16 **DEPUTY COMMISSIONER DENVIR:** And I think some people
17 wonder if a person who has displayed the, those
18 characteristics, the question is, can they ever be
19 rehabilitated? Can they ever become an entirely different
20 person? And, um, you know, that I, I think we're going to
21 talk about all that you've done, but why don't you tell us
22 what light went on or what was it that caused you to step
23 away and debrief and do all that you did when you
24 initially broke ties?

25 **INMATE ENRIQUEZ:** You know, that's one of the

1 things that I've, I've, I've, I've thought about, you
2 know, it's - can a person really step away? Can a person
3 really change? Can a person really say, you know what, I'm
4 done with this, these attitudes, I'm done with them, these
5 thought processes, I'm done with them. Um, look at the
6 apostle, Paul.

7 **DEPUTY COMMISSIONER DENVIR:** Right.

8 **INMATE ENRIQUEZ:** You know, the apostle, Paul, was
9 a Slayer of Jews and persecutor, you know, and, uh, and,
10 and Jesus came on the road to Damascus, touched him, put
11 scales in his eyes, and you know, who are you Lord? You
12 know, the whole story, right? And I look at that and I
13 said, wow, that's, that's heavy duty. If, if, if that can
14 be done for him then, then nobody's behind redemption. You
15 know, and, and, and I look at it this way, like I, I don't
16 want to speak, talk the talk, you know, I walk the walk.

17 **DEPUTY COMMISSIONER DENVIR:** Right. Right.

18 **INMATE ENRIQUEZ:** My life has changed and, and I
19 have changed. I've been sober for 14 years now. I've been
20 disciplinary free for 16 years. And, uh, and I don't want
21 to be the one to say, I did this, I did this, I did this.
22 I want others to say, hey, we, we observed his behavior.

23 **DEPUTY COMMISSIONER DENVIR:** Right.

24 **INMATE ENRIQUEZ:** And that's reflective of an
25 individual whose changed his life. I believe that anybody

1 can change. If I can change and have real change, I'm at
2 peace today.

3 **DEPUTY COMMISSIONER DENVIR:** Right.

4 **INMATE ENRIQUEZ:** I'm truly at peace. I'm on a
5 yard, on a general, uh, a SNY yard. And they're all
6 obviously threats against me.

7 **DEPUTY COMMISSIONER DENVIR:** Right.

8 **INMATE ENRIQUEZ:** But I walk in peace, not because
9 I'm naive, but because I am at peace and I wish no harm
10 upon anybody and no harm comes to me. Um, so I believe
11 that anybody can change. Anybody can change.

12 **DEPUTY COMMISSIONER DENVIR:** You're, you're talking
13 to someone, I've, I've obviously, I've been doing this job
14 for a long time. Same people in the Pelican Bay SHU, 25,
15 30 years and a light bulb will go on or something will
16 happen, a letter from a grandchild sometimes and all of a
17 sudden they put, they, they realize they have a kind of
18 euphoric realization that they've been dedicating their
19 whole life to this gang, um, and they decide to do
20 everything they can to maybe not to the extent you have,
21 but certainly do what they can to, to undermine the gang,
22 to, um, you know, change themselves and put all their
23 effort that they have previously put into the gang, into
24 their rehabilitation and they become different people and
25 I'm just wondering what it was, what light bulb went on

1 with you? What caused you to say, wait a minute. After all
2 these years, this isn't the life I want.

3 **INMATE ENRIQUEZ:** There's a number of factors there
4 that, you know, and I, and I often testify to this and
5 it's hard to peg down to one event. Uh, there was a series
6 of campaigns in the organization where they were talking
7 about killing family members and I like, oh, wow, this is,
8 this is outrageous. This is crazy. You know, this is, uh,
9 like if they couldn't get to you, they'd kill your family
10 members. Uh, and that, that just wasn't part of it. It
11 just, they're civilians, you know, that's how the
12 organization saw, that's how I felt at the time. And then
13 there was another campaign where they, uh, well actually
14 it was a murder, a series of murders that occurred. Uh,
15 they killed a Mexican Mafia member dropout. Another Sureño
16 associate was with him, his sister and two children, uh,
17 in the Maxson road murders. One child was five years old
18 and, uh, one was, uh, uh, I think less than a year old.
19 Um, and we, we saw, I saw it on TV and this was just
20 horrific for everybody. Even the most damaged guy, the
21 most, the hardest personalities felt this right. And then
22 there were a series of, of campaigns in the organization
23 where I just felt like this is, this is not a brotherhood.
24 This is about betrayal, about disloyalty, about deceit,
25 it's just about killing. That's all it was, killing and

1 power-grabbing. And, uh, so I dropped out. I had made the
2 decision, uh, Pelican Bay investigator, uh, IGI, brand new
3 on the job by the name of Ernie Madrid, listened to my
4 communications, and heard me talking about being tired. I
5 told one of my visitors, I said, what would you do if it
6 wasn't here anymore? What would you do if I wasn't Boxer
7 anymore? Uh, I'm so effing tired of this, I said on the
8 visit and he approached me and, um, and I made the
9 decision right then, but the change didn't come then.
10 That's, that, that, that-

11 **DEPUTY COMMISSIONER DENVIR:** Right.

12 **INMATE ENRIQUEZ:** That was the beginning of the
13 process. Cause I still started using dope, I still, you
14 know, I <unintelligible> of my tattoo even when I was a
15 dropout, you know, it was still, I had still had some
16 status even in the PC world.

17 **DEPUTY COMMISSIONER DENVIR:** Right.

18 **INMATE ENRIQUEZ:** Uh, the change came when my son
19 told me, Bobby, my oldest son, Bobby, he's a UCLA grad.
20 He, uh, he's a, he told me, uh, Dad, if you're ever going
21 to change, if you're ever, if you're true about not
22 wanting to be this, you'll take that tattoo off of your
23 chest and it's a black end. And, uh, and I actually went
24 to the process of having this tattoo removed and I had to
25 show him and he told me I was, I was still using dope and

1 he told me, Dad, look at you. You know, you have to stop
2 that and my wife told me as well, she says, you know what?
3 I'm talking, you should -off handed like, ah, they're
4 just, just mobsters. You know, we didn't kill shop keepers
5 or, or old ladies and we just stayed within the group and
6 she's all, how dare you? How dare you say that? What would
7 you do if somebody killed, what would you do if somebody
8 killed me? What would you do if somebody killed one of the
9 boys? And I realized, I said, you know what? This is what
10 I've done to people. This is what I've done to these
11 families. And it just started to change right there.
12 That's when I realized. And she told me, you use drug, you
13 use drugs again, I'm out. I'm done. You're going to die in
14 here.

15 **DEPUTY COMMISSIONER DENVIR:** Yeah.

16 **INMATE ENRIQUEZ:** You need to change your life. And
17 it began, in slow, incremental process throughout these
18 years, throughout these past 16 years. Each year, I
19 learned something new. Each month, I learned something new
20 and I keep contributing to like a little sticker, I put it
21 on, it's another little piece of me, it becomes part of me
22 and it's like a mosaic of tiles. You know, if somebody
23 contributes a handler, a prosecuting United States
24 Attorney, you know, an Attorney, uh, a family member, they
25 all give me something that I, that I incorporate into my

1 being. They teach me a life lesson.

2 **DEPUTY COMMISSIONER DENVIR:** And it, I think it goes
3 without saying, again, having done this job for quite a
4 few years, that generally, members or high ranking
5 associates of the EME that I'm aware of that do what you
6 did in terms of debriefing, obviously putting themselves
7 and their family at risk, um, their every intention is to
8 lay as low as they possibly can and certainly don't go on
9 the path that you have in terms of, uh, testifying,
10 educating law enforcement, you know, we've read all the,
11 the 547 page backfile of all the work you've done. Um, so,
12 that's an unusual path. Do you know why you chose that
13 initially?

14 **INMATE ENRIQUEZ:** Um, I didn't want to do it
15 initially. Uh, uh, there's a, uh, assistant director of
16 correction by the name of Brian Perry. Um, he came in and
17 he videotaped me and I did a series of debrief videos.
18 We're educating, uh, the Sacramento legislature, and the
19 Director's Office. It was the Director's Office at the
20 time I was at the Secretary's Office and Ernie Madrid,
21 they said, you can change lives, you can change lives. And
22 at first it fed my narcissism. I still have, oh, man, I
23 still have some status and some power. I'm still special.
24 So, there's some truth to that, you know, in the initial
25 stages. Later on, um, it really just came up, I became

1 giving back to the community and trading those old past
2 antisocial associations who I sought praise from. I sought
3 praise from gang members, drug dealers and, and hustlers
4 and criminals. Now, I, I get accolades from law
5 enforcement and it's not that I need this continuous
6 source of, of reinforcement because I could do without it,
7 you know? But it's just, I think it's just a great way to
8 give back because I, I had done so much. So, I had to
9 balance the scales. I felt that I had to balance a scale
10 somehow. I could never really right the scales. I can't
11 say that this equates, you know, enough done cause I can
12 never do enough. I could never do enough for, uh, giving
13 back to the community because I've taken so much. But at
14 first, I really admit that it was all about my
15 egocentricity, all about building, oh man, I'm special, I
16 feel great, you know, about receiving accolades, like
17 feeding my own narcissism. But now, nothing could be
18 further from the truth. In fact, I've reduced, greatly
19 reduced the number of cases that I've testified in and,
20 and I, and I only do small-group education with law
21 enforcement, I did the last time I went out for, uh, a
22 RICO trial in Los Angeles a couple of months ago. I did a
23 small group for Rialto PD and that's usually what I do
24 now. I don't go to big forums because it's just, it's just
25 too much, you know, it's, it's, it's, sometimes it becomes

1 overwhelming, you know, but I know how to balance it now.

2 **DEPUTY COMMISSIONER DENVIR:** Right.

3 **INMATE ENRIQUEZ:** I know how to say no to a case.

4 Uh, and I know how to say no to training that, that, that
5 may not be perceived correctly, you know. I just do it to
6 give back now.

7 **DEPUTY COMMISSIONER DENVIR:** Okay. I'm just going
8 ahead to your post-conviction. Uh, your last hearing as
9 the Commissioner said, uh, was December 14th of 2018 and
10 Commissioner Roberts granted you parole at that time. The
11 panel recommended you stay disciplinary free, earn
12 positive chronos, get self-help and keep it, and, uh,
13 learn a trade, you, the Governor reversal letter is dated
14 April 12th, 2019. You remain SNY Level II, 19
15 classification score, medium AS, custody status, um, you
16 have 25, uh, 115, same as last time. The last was the, um,
17 June 22nd of '04. RVR for introduction of controlled
18 substance for distribution and sales. And that was after
19 you had dropped out. Were you trying to compete with the
20 EME on drug distribution or what was going on then, sir?

21 **INMATE ENRIQUEZ:** No, I wasn't competing with the
22 Mexican Mafia. I was just seeking out that, that, that,
23 that need for acceptance and having power. You know, I,
24 I'd been dropped off, uh, again at Lancaster and I was
25 there just, uh, inmate, you know, former Mexican Mafia

1 member and I, I sought out power and control through
2 drugs. You know, and I, I'd still, I had been abstinent
3 from, from drug use for, for quite a while before that,
4 for years actually. And, uh, and I started using, uh, soon
5 after I got to Lancaster. I started using dope again and
6 drinking and then I, I came to realize that abstinence
7 does not equate recovery, you know, so I just fell right
8 back into the cycle again until I learned about real
9 recovery and started doing my step work that I, and I
10 really learned it. So, yeah, I was just trying to regain
11 that sense of, of power and control through narcotics and
12 reputation.

13 **DEPUTY COMMISSIONER DENVIR:** We've done hearings,
14 uh, with other EME associates, uh, at Ironwood who are
15 inactive and I had talked to them about the years it takes
16 to unwind the, the gang thinking, the criminal thinking,
17 the substance reliance, uh, all the things that kind of
18 tie in with that life. Um, how long do you think it took
19 you to fully rehabilitate yourself or do you feel you're
20 fully rehabilitated at this point?

21 **INMATE ENRIQUEZ:** I think I'm, I'm suitable for
22 parole. Uh, and I think I've, I've, I've, I've
23 rehabilitated, but I think that the recovery process and
24 rehabilitation is a lifelong process. Cause the character
25 defects that I, that I have displayed in the past will

1 always be with me. But now I have coping skills to deal
2 with those, those, those negative thought processes and I
3 have the coping skills to stop thought process and thought
4 replacement and positive mental movies and positive self-
5 talk and now I have the skills to do it. But I think that
6 those character defects and the addiction will be a
7 lifelong process. I can't, I can't take it for granted
8 that, oh, I got this contract because I've been sober 14
9 years. You know, there are certain, the easiest thing can
10 trigger a relapse or a lapsed or, or as seemingly
11 unimportant decision could lead to a cascading of, you
12 know, risky behaviors and risky situations and then re-
13 offense, you know, so, so I think it's a lifelong process.
14 Have I been rehabilitated, am I suitable for parole, I
15 believe that, yes, certainly. But my rehabilitation
16 continues on a daily basis and I, I'm hypervigilant to the
17 reality that, that I have to remain, uh, super focused,
18 super dedicated to my recovery more so, uh, when I'm
19 released rather than when I'm just here.

20 **DEPUTY COMMISSIONER DENVIR:** Okay. Just in terms of
21 hallmark timeframes, you dropped out in 2002 while in
22 federal custody, is that correct?

23 **INMATE ENRIQUEZ:** No, that's a, that was a, a small
24 error in the, um, in the CRA. I dropped out in, uh, 2002,
25 while at Pelican Bay State Prison.

1 **DEPUTY COMMISSIONER DENVIR:** Pelican Bay. Okay.

2 **INMATE ENRIQUEZ:** I was then, I was then
3 transferred to federal custody with the FBI to do my
4 debrief.

5 **DEPUTY COMMISSIONER DENVIR:** Ah, okay. And then, uh,
6 last used substances in '05?

7 **INMATE ENRIQUEZ:** Yes.

8 **DEPUTY COMMISSIONER DENVIR:** Okay. Last, uh, 115
9 '04. And then you had a 128A in '05 of a violation of, um,
10 procedures. I guess you lied to an Officer in terms of
11 what building you were in. Is that true?

12 **INMATE ENRIQUEZ:** I was trying to sneak in the
13 canteen and I lied to the Officer. I got caught.

14 **DEPUTY COMMISSIONER DENVIR:** Little manipulation
15 there. Attempted manipulation.

16 **INMATE ENRIQUEZ:** Yes.

17 **DEPUTY COMMISSIONER DENVIR:** Okay. Um, you, um, got
18 your GED in 2002, and then you've attended a number of,
19 uh, college courses. Do you know how many college units
20 you have total at this point?

21 **INMATE ENRIQUEZ:** Oh, I think I have, uh, I have
22 some from different universities. I have some from La
23 Salle, Cal State Northridge, uh, Hadley, uh, uh, CDU in
24 Virginia and I have, I think, I think like six courses
25 here so that's like 18 here and maybe 15 in the other, uh,

1 the other, uh, colleges and, and universities-

2 **DEPUTY COMMISSIONER DENVIR:** And then-

3 **INMATE ENRIQUEZ:** But the problem, the, - Oh, I'm
4 sorry.

5 **DEPUTY COMMISSIONER DENVIR:** No, I, I was just,
6 there was also Rahima Correspondence Bible School noted on
7 the CRA.

8 **INMATE ENRIQUEZ:** Oh, yes, yes, yes I did, uh, uh,
9 I did that as well and, uh, and a number of other courses
10 that were, uh, were not accredited. I did those. But the
11 problem with seeking out or matriculating is that if, if,
12 if I get the degree, I, my name changes as soon as I'm
13 released and it's not applicable anymore.

14 **DEPUTY COMMISSIONER DENVIR:** Okay.

15 **INMATE ENRIQUEZ:** So, that, it's going up there, my
16 name is going to change, my identity is going to change
17 and that degree is going to be worthless. So, if, if I
18 just need 15 or 20 more credits, why not just wait till I
19 get out there and then a new name and just, just, just get
20 my degree when I do that.

21 **DEPUTY COMMISSIONER DENVIR:** Okay. Um, since your
22 last hearing, you've, uh, worked as a clerk at porter and
23 in recycling and we saw the laudatory chrono on the, on
24 your recycling work that was 10 satisfactory, um, grades
25 on your last two work reports, December 11th of 2019 and

1 April 1st of 2020. Um, you know, limited timeframe since
2 the last hearing that I saw since the last hearing, you've
3 participated in continued self-help that includes inside
4 out writers that you completed in June, on June 25th,
5 2019. You completed another session of AA 8/19 of '19.
6 You've been continuously in CGA since October 28th of '17.
7 You were in the healing dialog and action program from
8 11/29 of '18 through 2/26 of '19. You twice completed as
9 best I could understand the chronos, the prep victim
10 impact programs completed at September 10th of 2019 and
11 December 10th of '20. Took another prep program a May 9th
12 of '19 through May, uh, 14th of '19. Uh, you participated
13 in ARC, 9/14 of '19 to the present and then had previously
14 been in it 8/13 of '19 through 9/13 of '19. And then have
15 recently, uh, been in father to child place for grace 1/24
16 of '20. And also, been involved in the youth offender
17 program helping the youth offenders. Anything else that
18 you wanted to mention on the record that's gone on in
19 terms of yourself help since the last hearing?

20 **INMATE ENRIQUEZ:** Well, a number of book reports I
21 wrote on, on-

22 **DEPUTY COMMISSIONER DENVIR:** Right.

23 **INMATE ENRIQUEZ:** Understanding antisocial
24 personality disorder, victim impact, uh, journaling, uh,
25 participation in, uh, mental health, uh, uh, uh, uh, uh,

1 mental health services delivery system here at Ironwood
2 State Prison. I, I, I terminated, they terminated the, the
3 process, uh, in January, that was my last session, uh,
4 because it's no longer available for, unfortunately, for
5 the past three years, I've been going in there and doing
6 CTP, uh, Changing Thought Processes and addressing sexual
7 deviancy and, and antisocial behavior, uh, participating
8 in empathy-building exercises. One of the exercises that,
9 uh, uh, Dr. Pam, uh, Crawford, uh, had me participate in
10 was interview people who previously would not talk to me,
11 which is very revealing. There were certain guys that just
12 wouldn't talk to me, that would just stare at me and give
13 me ugly looks. And then one day they just started talking
14 to me and I was, I was to interview them like, why, why
15 wouldn't you talk to me? Well, you're a rat, you testified
16 in cases and this and that. I thought you were a-hole and
17 you know, we've heard all this stuff about you, but then
18 when I got to know you, we revealed, it revealed this
19 about you, you know. So, it, it, it allowed me to identify
20 with what other people thought about me and how they
21 perceive me and then, and then understand, cause she asked
22 me, how did you feel about these guys not talking to you
23 and staring at? Well, kind of off-putting, and I didn't
24 like it, you know, so it allowed me to understand the
25 other side's feelings as well. I think healing dialogue

1 and action was really a huge thing for me. A woman came in
2 and told us how her sister was murdered and the impact
3 that had on her entire family. Um, another one was a, a-

4 **VICTIM'S COUSIN RODRIGUEZ:** Gentlemen, my name's
5 Amanda Rodriguez. I'm currently undergoing chemotherapy
6 and I need a little break.

7 **ATTORNEY SHEPPARD:** Commissioner Long, you're muted.

8 **DEPUTY COMMISSIONER DENVIR:** You're muted,
9 Commissioner.

10 **PRESIDING COMMISSIONER LONG:** Sorry. Thank you. So,
11 how about how much time would you like five, 10 minutes?
12 Is that sufficient or--?

13 **VICTIM'S COUSIN RODRIGUEZ:** Yes, that's fine.

14 **PRESIDING COMMISSIONER LONG:** Okay. Well, we'll, uh,
15 we'll go off the record at 09:53 and we'll come back in
16 about 10:03.

17 **VICTIM'S COUSIN RODRIGUEZ:** Thank you. I appreciate
18 it.

19 **DEPUTY COMMISSIONER DENVIR:** We're off the record.

20

21

[RECESS]

22

23

24

25

1 **DEPUTY COMMISSIONER DENVIR:** We are back on the
2 record.

3 **PRESIDING COMMISSIONER LONG:** Okay. The time is
4 approximately, approximately 10:05 hours. Everybody that
5 was here prior to our recess has returned and we did
6 confirm before going on the record that everybody can see
7 and hear each other. And so, I will turn it back over to
8 Commissioner Denvir.

9 **DEPUTY COMMISSIONER DENVIR:** Okay. Uh, Mr. Enriquez,
10 I think we were, uh, finishing up and you were talking
11 about the work you've done since the last hearing. Um, we
12 talked about the self-help and, um, the book reports and I
13 think you also discuss the same topic with the
14 Commissioner, the work you did on empathy and remorse and
15 sexual deviancy, cognitive distortions and your belief
16 system, uh, the three years of therapy. Is there anything
17 else, sir, that you want to mention in terms of the work
18 that you've done since the last hearing?

19 **INMATE ENRIQUEZ:** Uh, just that it's been a great
20 added, uh, supplement to my, my tool, my toolkit that I
21 use for coping and dealing with stressors every day and
22 dealing with relapse prevention and, and circumventing,
23 participating in any type of dysfunctional behaviors at
24 all. I mean, it's just enlightening. Once I, I got past,
25 uh, uh, well, I'm going to do this to get out, I'm going

1 to do this to, and I got to the point where I'm saying, I
2 just want to be a better person. I want to be a better
3 human being. Then it just, it's like all started over the
4 past couple of years, just started sinking in like, you
5 know, this was necessary. So, the reversals, they,
6 although they, they, they shook me, you know, they also
7 shaped me. You know, those, those, the words that, uh, the
8 Governor used made me delve deep, you know, and, and, and
9 all this process of these, uh, parole reversals, they're,
10 they were guiding me on a path of a therapeutic approach,
11 uh, and rehabilitative approach that I followed. I mean,
12 I, I really wanted to be a better, and I really am now a
13 better person than I was when I first started this
14 process.

15 **DEPUTY COMMISSIONER DENVIR:** You admitted in the
16 past you had used drugs and alcohol as a coping mechanism.
17 Did you ever turn back to drugs and alcohol when you were
18 dealing with the four, uh, reversals?

19 **INMATE ENRIQUEZ:** No, not even tempted. Not even. I
20 remember in the first, uh, uh, periods of my sobriety, I
21 would have dreams about it. I would even taste it in
22 certain occasions, right? Uh, but now it's like, no, I've,
23 I'm so far removed from drugs and, and, and alcohol and
24 that I have no desire. I think my, my, uh, biggest vice is
25 eating now. I, I like to eat good and I like this to be at

1 peace like that. I like to sleep well, you know, I like
2 keeping canteen in my house and not giving it to other
3 people to pay for drugs, you know, so...

4 **DEPUTY COMMISSIONER DENVIR:** Okay. Do you get any,
5 uh, happiness out of the work you do with the youth
6 offenders?

7 **INMATE ENRIQUEZ:** Oh my gosh, it's so rewarding. I
8 mean, particularly when you touch somebody, there's some
9 people that they're not beyond reach. They're just stuck
10 in the throes of their addiction. And it's, uh, it's,
11 it's, it's kind of risky because by dealing with these
12 people, you often get categorized. You know, we have to
13 have, uh, a phrase in Spanish. It's called, *dime con quién*
14 *te ju-con quién te juntas, y yo te digo quién eres*, tell
15 me who you hang with and I'll tell you who you are. So, if
16 you got a kid who was a druggie and you're sitting with
17 them, you're eating dinner with them, or you're, you're,
18 you're, you're making lunch with them, they often
19 associate you with that. But there's a greater, there's a
20 greater mission here is to try to reach him because I was
21 one of the biggest addicts that there were, you know, and
22 I've dealt with all these behaviors and I saw that I could
23 change. I know that I could change and I have changed. And
24 I, and I use that as an example. So, and some people it
25 reaches them and some, it just doesn't. So, for the people

1 that you reach are the, are the guy who doesn't know how
2 to write or express himself or, or you help him discover
3 what his core issues were and he opens up, he opens up the
4 flood gates, he cracks open his chest. This is what
5 happened to me. My dad did this to me, or my neighbor did
6 this to me, or, or this is what I did to this person and
7 nobody knows about it. And you get them to reach that
8 point so you know, you're on the path. Because there's
9 still-- there's no change unless there's truth-to-self
10 that's transparent. You know, like, uh, you make as you're
11 hoping, uh, searching, uh, searching your fearless moral
12 inventory. You have to, you have to admit to God, yourself
13 and another person the exact nature of your wrongs and
14 that's part of that process. There's meaning in that, you
15 know, so when they do that with me, it's kind of like
16 rewarding and I'm like, oh, you're getting it, dude.
17 You're getting it. You understand that. And that's part of
18 the process of rebuilding yourself. Cause you really, and
19 what I've learned is that you have to unlearn everything
20 that you've learned so you can learn how to be correct,
21 how to be a good man.

22 **DEPUTY COMMISSIONER DENVIR:** Right.

23 **INMATE ENRIQUEZ:** So, when I see that there's, it's
24 very rewarding, you know, it's very rewarding. And it's
25 not just for the accolades that I do. It's just in the,

1 like, you can help somebody and, and this is like a true
2 altruism. This is real Christian charity. It's not even
3 giving money or canteen items or contributing to the kitty
4 box that we have for Christians that are, that are, uh,
5 uh, indigent. But it's in giving of self. Selfless serving
6 from the background so nobody knows. Cause there's guys
7 here that, you know, they're in the middle of the yard
8 every day, uh, evangelizing and they want everybody to see
9 'em. But the Bible said those guys have already received a
10 reward.

11 **DEPUTY COMMISSIONER DENVIR:** Right.

12 **INMATE ENRIQUEZ:** You know, cause they're doing it
13 out in public to be seen, you know, and, and, and those
14 guys that I helped know that I've helped them and that's
15 good enough for me.

16 **DEPUTY COMMISSIONER DENVIR:** Okay. Well, there's a
17 number of laudatory chronos, but I thought I would at
18 least read part of the one that um, CC1 Covarrubias wrote
19 on March 30th of 2020 uh, a CC1 that's seen you over a
20 number of years and I'm not gonna read the whole thing
21 sir, but I'm going to, it's in the record. I will just
22 read part here. This, uh, chrono is in support of inmate
23 Enriquez who I have known since his arrival at Ironwood
24 State Prison. While he was assigned as a captain's clerk
25 for the Bravo Facility Program Office, I and other CC1's

1 assigned to Bravo Facility interacted with him daily. He
2 always showed staff and his inmate peers respect and
3 courtesy. There was never an occasion he did not show
4 exemplary conduct and character. After numerous
5 conversations with him, I became familiar with his case
6 factors. On one occasion, after his third parole reversal,
7 he came to my office and expressed a desire to help others
8 and look beyond just getting out of prison. In his words,
9 he, quote, wanted to become a better man, end quote. True
10 to his word, he's become a youth offender mentor for the
11 youth offender program, and he has become a key member of
12 the rehabilitative and spiritual committees that ISP. He
13 even created an independent study workshop titled Victim
14 Impact Education Workshop, which is the acronym VIEW. Not
15 only did I personally oversee the workshop on curriculum,
16 but I also reviewed the written work of each participant.
17 I found their written submissions to be extremely
18 authentic and filled with insight. Throughout the years,
19 I've also sent many inmates to Enriquez for assistance in
20 writing their documents in preparation for the BPH. He has
21 assisted these men without hesitation or without
22 expectation of gain. He's also worked diligently to take
23 advantage of the many self-help programs offered at ISP,
24 including three years of supporting, supportive counseling
25 with the mental health department. I've noted he has shown

1 significant improvement in addressing his character
2 defects. Also express deep remorse for his commitment
3 offenses and the many other crimes which he was never
4 arrested for or convicted of. Notably, he recently was
5 evaluated for an approved for STG-I termination status.
6 This process is only considered for inmates who were once
7 validated prison gang members and only for those inmates
8 with extended periods of disciplinary free behavior. And
9 the incident case, Enriquez's file was reviewed by the
10 ISP, institutional gang investigator, and the Office of
11 Correctional Safety before it was determined that he met
12 all criteria and was in fact approved for termination. I
13 have no doubt that he will not pose a threat to public, to
14 the public once released and he will become a productive
15 member of the community. Enriquez has proven that anyone
16 can possibly change their lives and I commend him. I did
17 wind up reading the whole thing, but that's the only one
18 I'm going to read. So, the rest are in the record. Um, I
19 think with that, Commissioner, I'm, uh, we're ready to
20 move on to parole plans unless there's anything else you
21 wanted to cover at this point.

22 **PRESIDING COMMISSIONER LONG:** No, I think, I think
23 we're ready for that. So, what we'll do is, uh, we will,
24 uh, ask, uh, Mr. Montenegro, um, and the folks at the
25 Figueroa family house and, um, the DA to disconnect. It's,

1 uh, 10:14. Why don't we reconnect back at 10:30. If you
2 guys can just click back into the links, I think that'll,
3 uh, should work perfectly. Does anybody have any questions
4 before we do that?

5 **DEPUTY DISTRICT ATTORNEY SOWDERS:** No, I will call
6 you back on the conference line at 10:30. This is Sowders.

7 **DEPUTY COMMISSIONER DENVIR:** Thank you.

8 **PRESIDING COMMISSIONER LONG:** Perfect. Okay. Sounds
9 good. Uh, we'll see everybody then in about 16, uh,
10 minutes.

11 **DEPUTY COMMISSIONER DENVIR:** We're going to-

12 **DEPUTY DISTRICT ATTORNEY SOWDERS:** All right. All
13 right.

14 **DEPUTY COMMISSIONER DENVIR:** End this track of the
15 hearing for the confidential recording.

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[RECESS]

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1 **DEPUTY COMMISSIONER DENVIR:** We're back on the
2 record.

3 **PRESIDING COMMISSIONER LONG:** Okay. The time is
4 10:36, uh, hours and everybody that was here prior to the
5 recess has returned. And so, um, Mr. Enriquez, you talked
6 earlier a little bit about the, the new risk assessment
7 conducted by, by Dr. Chen, uh, on March 19th, 2020. Um,
8 and so, can you tell us, uh, what if anything you learned
9 from that assessment?

10 **INMATE ENRIQUEZ:** Um, that I had addressed a number
11 of issues that were raised in the, uh, last CRA that, uh,
12 she felt that had adequately addressed the antisocial
13 personality aspects of, of, of my past diagnosis and that,
14 uh, I learned a number of things that I had made
15 improvement, that I had made certain gains. Um, and I was,
16 I was pretty satisfied with the overall report.

17 **PRESIDING COMMISSIONER LONG:** Okay. So, pretty
18 satisfied suggest there were some things you weren't
19 satisfied with. Can you tell us what those were?

20 **INMATE ENRIQUEZ:** Oh, there were just a couple of
21 errors, like a number of murders that she said that I was
22 convicted of and, and I would, I would prefer to leave
23 that to my Attorney because, um, it doesn't diminish the
24 fact that, uh, the victims are still, there were still,
25 there were victims of a murder and I still committed these

1 crimes. I don't want to detract from that. I mean, the
2 overall, uh, CRA was, was, was, uh, I noted the
3 improvement. I noted that it was a low and, uh, I, I'd
4 rather leave the, uh, the, uh, the rebuttal to my
5 Attorney, if any, if she has any rebuttal.

6 **PRESIDING COMMISSIONER LONG:** Fair enough. So, um...

7 **ATTORNEY SHEPPARD:** Commissioner, I filed a rebuttal
8 of a few, just a few pages. It should be in the 10-day
9 file.

10 **PRESIDING COMMISSIONER LONG:** I believe I saw that.
11 Yes. And, um, so I wanted to... They, they did, uh, an
12 elderly parole analysis, you're not quite eligible. You're
13 a couple of about two and a half years out, I think before
14 you're eligible for it. Um, and it's, you know, it talks
15 about, um, let me just read a paragraph. In terms of his
16 physical condition, Mr. Enriquez has suffered from
17 Hepatitis C, back and shoulder pain, GERD, and
18 hypertension. Records indicate he is currently using
19 listening, listening assisted devices for hearing loss,
20 which he also required for the current evaluation. Despite
21 these issues, Mr. Enriquez reports, reported he feels
22 healthy. He's able to actively participate in work
23 assignments and programs and he does not appear to be
24 significantly impaired due to health-related issues. At
25 this time, his physical limitations do not appear to

1 significantly impact his, his risk management needs for
2 community placement. Would you say that's accurate?

3 **INMATE ENRIQUEZ:** Yes.

4 **PRESIDING COMMISSIONER LONG:** And of course, on, uh,
5 page 19, Dr. Chen does a Static-99 analysis. Um, and says
6 Mr. Enriquez's score on Static-99 are based on specific
7 risk factors cited on this instrument, places him in the
8 above average risk category relative to other sex
9 offenders. He scored higher than approximately 88% of sex
10 offenders in the Static-99R standardization sample. His
11 score on this instrument was elevated by the following
12 factors, the prior sex offense charge led to this criminal
13 record and victim characteristics. It's important to note
14 that this is a purely actuarial instrument based on the
15 lifetime history of the individual. It is also notable
16 that his score may not fairly represent his risk as his
17 age at the time of release for the index offense was 21.
18 He's currently 57 years old and there is no information to
19 suggest that he has sexually offended since 1986. As such,
20 his score is likely slightly inflated. So, um, is that
21 all, do you think that's all fairly accurate?

22 **INMATE ENRIQUEZ:** I think it's, I think it's
23 accurate, uh, but again, I'd let my Attorney make the
24 rebuttal on that. I, I think that the scores, uh, slightly
25 inflated. Uh, I think that, uh, uh, yeah, I'll just leave

1 it to my Attorney to, to make that argument.

2 **ATTORNEY SHEPPARD:** And Commissioner, I did include
3 in my rebuttal a couple of concerns about, uh, the
4 applicability of this score. Dr. Chen did note, you know,
5 the age is a significant recidivism factor and the Static-
6 99 only captures what his risk level would have been at
7 age 21, not his current risk level. Uh, and then,
8 unfortunately, she didn't list which factors she elevated
9 for, um, specifically so I wasn't able to kind of rerun
10 the test but should be fairly simple to run. Um, but
11 because she doesn't give all the information to, to
12 support her, um, ultimate diagnosis that there's, we can't
13 confirm the accuracy of it.

14 **PRESIDING COMMISSIONER LONG:** Okay. So, noted. So,
15 uh, overall though the Doctor did, uh, determine that you
16 represent a low risk for violence as we, as we stated
17 earlier. Um, Commissioner Denvir, do you have any further
18 before we go to clarifying questions?

19 **DEPUTY COMMISSIONER DENVIR:** I do not. Thank you.

20 **PRESIDING COMMISSIONER LONG:** Deputy DA Sowders, do
21 you have any, uh, clarifying questions that you would like
22 us to ask Mr. Enriquez on your behalf?

23 **DEPUTY DISTRICT ATTORNEY SOWDERS:** I do not. I have
24 no clarifying questions. Thank you.

25 **PRESIDING COMMISSIONER LONG:** Very good. Counsel, any

1 clarifying questions for your client today?

2 **ATTORNEY SHEPPARD:** Yeah, just a small number. Um,
3 and these are sort of mainly to address the Governor's
4 concerns. Um, Governor said in his last rebuttal or his
5 last reversal, excuse me, that you blame gang culture for
6 your violent conduct. Can you tell me where you place the
7 blame for your violence?

8 **INMATE ENRIQUEZ:** Solely on myself. And, and that's
9 why I always, when I'm explaining to make the caveat that
10 it always has minimized my behavior, my responsibility, I
11 accept complete responsibility for my actions. Um, and,
12 and I may have presented it in past hearings where it
13 sounded as if I was blaming gangs, but in no way do I feel
14 that way, do I think that way or do I believe that. I am
15 solely responsible for my actions and, and, and I admit
16 that today and I admit, I admitted that during the last
17 hearings, but it may have been presented wrong and I
18 apologize for that.

19 **ATTORNEY SHEPPARD:** If they said that the, the mafia
20 helped cultivate, um, violence in you, um, how is that
21 different from blaming them for what you've done?

22 **INMATE ENRIQUEZ:** Oh, uh, I don't mean that to say
23 like it cultivated, but it, it, the whole existence of
24 mafia was about violence, right? So, that violence, the,
25 the propensity for violence was within me already and it

1 would have emerged if not with this person, with another
2 person. That rage would have emerged with another victim
3 somewhere down the line. So, in no way am I saying that
4 this is a, the mafia cultivated it in somehow as the
5 etiology [sic] for all this violence and I, I don't say
6 that at all. Um, other than the fact that the, the, the
7 mentality and the flawed belief systems and the rules and
8 the subcultural influences, they, uh, uh, that's what I,
9 that's what I meant to say, that they, they in a sense,
10 influence your behavior but I am solely responsible and I
11 was solely responsible for the decisions I made at the
12 time and, and, and the decision, and the crimes that I
13 committed in the incident offense.

14 **ATTORNEY SHEPPARD:** Thank you. Um, the Governor has
15 at times, uh, questioned whether you're, um, very abusive
16 childhood, um, and that need for acceptance and that, that
17 traumatic childhood is enough to explain the high number
18 of crimes and the high ranking gang membership that you
19 attained. Um, can you try to show us your insight into
20 why, um, you sort of rose to a higher level than many
21 folks do, um, when they're raised in that sort of abusive
22 environment?

23 **INMATE ENRIQUEZ:** I think because of the dynamic of
24 that narcissism because it became as if I receive praise,
25 it bumped it up just a little higher and the more power

1 and control that I gained in this process, the more secure
2 and better I felt about myself. So, it always raised the
3 bar with each event, it raised the bar, it raised the bar,
4 it raised the bar and then hence my violence, propensity,
5 involvement and, and, and flawed thinking also elevated.
6 So, that was like the driving factor behind it. The
7 narcissism was the underlying factor that, that propelled
8 me on this path towards seeking power and control because
9 quite frankly, I was secure. It ensured my safety, it
10 ensured my power, it ensured my ability to exert my will
11 over others. It was merely that self-preservation and, and
12 that self-interest, that self-promotion, that self-
13 aggrandizing, that's, that's what propelled this
14 elevation. It was simply that the narcissism, but I don't,
15 I don't mean it to say that that's an excuse or that's
16 somehow mitigates my responsibility cause it doesn't, I
17 mean, I was conscious in everything that I did and I
18 accept responsibility for everything that I did. I just
19 finally found out and discovered the real core issues that
20 drove my behavior, the psychological processes that, uh,
21 that, that drove my decision-making process.

22 **ATTORNEY SHEPPARD:** Thank you. Uh, and the last thing
23 I'd ask you about is, um, concerning this narcissism, you
24 know, you, you've admitted that there were times that even
25 your prosocial behavior was driven by that desire to have

1 some status or, um, be special as you put it. Um, so, what
2 about now, if you are released, if or when you're a free
3 citizen, um, do you intend to pursue anything high
4 profile? Would you be okay if you're, you know, living
5 under a new name and working at a carwash? How do you feel
6 about that need to be special now?

7 **INMATE ENRIQUEZ:** No, I, I, you know, that's,
8 that's so far behind me. You know, I went through this
9 process of gang validation, uh, termination status cause
10 it, they said I've been gone and, and not participating in
11 this behavior long enough than I'm already considered
12 this, right? And, and I look at this as part of my past
13 life. That's the man I used to be. I don't need the
14 accolades and I, I seek out-- if I do seek out acceptance
15 from prosocial individuals doing prosocial things, you
16 know, like normal people do. I don't seek out these
17 accolades from and, and, and pats on the back for
18 criminals and druggies and gang members. Um, but I, but I
19 wanted to dispel the concept that, that somehow need to
20 be, uh, promoted. I don't need that. I don't want it. What
21 I do now is simply because I can give back to the
22 community. It's the only way I can do so on a larger scale
23 for all the things I've done. It's often cited that, uh,
24 because there's so many victims, that's why I do so much.
25 I can never stop giving back. You know, as long as the

1 Prosecutor asks me, I'll continue to do it, doing it. But
2 if it's determined that this is somehow a risk factor or,
3 or contribute somehow to, to negative behavior, I'll
4 simply walk away from it. I don't need any of this. I
5 would much rather be Jose Gonzalez, uh, at a, at a fruit
6 vending stand in Northern California, living a normal
7 life, uh, just with, in that complete anonymity. Um, so,
8 and that my wife really wants, as my kids really wants, I
9 really want this, you know, my entire life I chased
10 limelight, I chased notoriety. And then when I finally got
11 it, I didn't want it. You know, it's a horrible
12 realization that you devoted your whole life to nothing,
13 to waste and hurt and harm and I no longer need that, I no
14 longer want it, you know, I don't. I don't identify with
15 that anymore. I've done what I've done and I did my best
16 to correct the things that I could and make amends for the
17 things that I could never fix. And, and I, and that's why
18 I testified, but I don't need, I don't need to be a
19 special person. I'm Rene Enriquez. I'm a grandfather, a
20 father, a son, a husband and I'm, I'm okay with that
21 finally.

22 **ATTORNEY SHEPPARD:** All right. Thank you. No further
23 questions.

24 **PRESIDING COMMISSIONER LONG:** Okay. Let's move on to
25 closing statements and, uh, I would ask both Attorneys to

1 please keep your statements to 10 minutes or less and
2 we'll start with, uh, Deputy DA Sowders.

3 **DEPUTY DISTRICT ATTORNEY SOWDERS:** Thank you,
4 Commissioner. The District Attorney's Office position
5 today is Mr. Enriquez still poses an uncertain risk of,
6 uh, violence, and therefore this translates to being an
7 unreasonable risk at this time. We based our decision
8 primarily on the Governor's concerns dated as-- based on
9 his letter of April 2019 and Dr. Chen's comments and
10 current risk assessment. To point out, the District
11 Attorney's position on parole is, is left to the
12 responsibility to Parole Division. However, I have
13 consulted with trial lawyers who worked with Mr. Enriquez
14 and they are supportive of Mr. Enriquez and his, and his
15 ongoing assistance both to them, other prosecutors, and
16 law enforcement agencies. However, our division is, uh,
17 has records available that they don't, but I wanted to
18 point that out that they are supportive of him. Um, as I
19 said, our position is based primarily on Governor's
20 concerns, uh, in 2019, December 20- I'm sorry. April 2019
21 and Dr. Chen's comments in her report. Um, we agree with
22 Governor's concerns as stated in his April 12, 2019
23 reversal letter. We do believe that only 13 months has
24 passed and that is not sufficient time to resolve the
25 issues the Governor has raised, which we consider

1 legitimate. We also had given great weight to the input of
2 the victim's families, primarily Ms. Galvadan's family,
3 Galvadan's family, both as to the impact on their lives,
4 the murder of their daughter, cousin, and parent has
5 caused them in anguish and also this <inaudible> parole
6 suitability, this is consistent with California Parole
7 law. We gave great consideration to Dr. Chen's 2020 risk
8 assessment, but we believe that Mr. Enriquez still remains
9 an uncertain risk. Dr. Chen's opinion is based on a
10 comparison with other life prisoners and uses the, uh,
11 the, uh, the risk assessment of high, moderate, low and
12 <inaudible> are low. We're not sure that one size fits all
13 for this category and Mr. Enriquez case is somewhere in a
14 different category. His case is unique. Um, we note that
15 Dr. Chen questions his motives. Says that his motives, uh,
16 for prosocial actions may not be altruistic. Uh, I think
17 that was a, an appropriate comment and observation by the
18 Doctor. Uh, we're greatly concerned by his current Static-
19 99 score. The psychologist issued that stat-- administered
20 that Static-99 score. It's not an idiolect. They're not
21 measuring what he was like at age 21. It's a measure for
22 him now that would help the Board of Parole terms-Prison
23 Hearings decide whether he has a elevated risk as for, to
24 sexually re-offend. Dr. Chen finds him the 12, top 12% of
25 sex offenders and says that's only, that may only be

1 slightly inflated. He is above average. Um, we are
2 concerned that his, uh, Dr. Chen is concerned that Mr.
3 Enriquez's insight is not what it should be as far as sex
4 crimes. Mr. Enriquez consistently attributes his sexual
5 crimes, the fact that he was a victim and he somehow ended
6 up identifying with the aggressors. Dr. Chen points out
7 that, uh, identifying with the aggressors, uh, is
8 improbable for, uh, for sex offenders. And then there's
9 not, there's not, let me say, accurate insight. He needs
10 to develop more insight cause it's not probable that his
11 crime could cause because he identified with the
12 aggressors and he's, um, when he was sexually assaulted.
13 His antisocial personality disorder with narcissistic
14 features is of great concern to us and it continues. All
15 these things that I've just mentioned contribute to
16 current uncertainty risk. I agree with the Governor that
17 Mr. Enriquez's extremely violent past remains relevant to
18 the issue of current risks and hopefully, you'll take some
19 time to look at the police reports in this matter if you
20 haven't done so already from LAPD. His comments concerning
21 the crimes from, you get some witness statements are
22 shocking, and the level of violence he displayed is
23 shocking. Um, because of the and- because the extent of
24 his change, we believe is indiscernible at this point and
25 remains uncertain. We oppose parole today. Thank you.

1 **PRESIDING COMMISSIONER LONG:** Thank you. Counsel.

2 **ATTORNEY SHEPPARD:** Thank you. First, I want to speak
3 to age. Um, there's Mr. Enriquez's age at the current
4 time, 57, which we know is an age that reduces recidivism.
5 There's also the age at which he suffered complex trauma.
6 This is a factor that has to be given great weight in
7 youth offender cases, but a factor that in all cases, um,
8 should be taken seriously in terms of understanding why a
9 person, um, goes down the road of criminality and also
10 what it takes to come back from that. Um, complex trauma
11 such as sexual abuse, um, physical abuse, just all those,
12 those forms of childhood, uh, abuse including being jumped
13 into a gang at age 12 and being surrounded by violence at
14 a very young age. Uh, those things don't change until the
15 person who suffered them makes a conscious decision to
16 seek out change and to seek out healing. And, um, though
17 that complex trauma helps us understand Mr. Enriquez and
18 why he became capable of the levels of violence, um, that
19 he did. And again, that doesn't take away from his
20 personal responsibility for it, but it helps us understand
21 both how it happened and how it can be undone, how he can
22 change himself. And we see over the last 15 years a great
23 deal of dedication and effort on Mr. Enriquez's part to
24 get the healing that he needs through group self-help,
25 through self-study, through therapy in the mental health

1 program, especially over the last three years addressing,
2 um, that sexual abuse, that it took him a long time to be
3 ready to disclose. Uh, you know, the panel and the
4 Governor's concerns three years ago where this is a new
5 disclosure, have you really addressed it? Well, now we
6 have years of effort where he has addressed it. So, I
7 would disagree with the District Attorney that there's
8 been imperceptible improvement. I would say there's a
9 significant improvement there. Um, another kind of
10 youthful factor that does need to be looked into, um, I
11 want to quote from one of the FAD psychologists, um, by
12 the name of Dr. Donna Robinson. I'm sure the panel's
13 familiar with her. She has written that developmental
14 arrest often accompanies severe drug abuse. It's not
15 surprising that an inmate's conduct does not substantially
16 improve until he's been clean and sober for an extended
17 period of time. Uh, and in Mr. Enriquez's case, that's a
18 very clear indicator of why, um, he pursued and, and
19 continued in his criminal, uh, behavior and mentality for
20 as many years as he did. Uh, it wasn't until he got clean
21 and sober that he was able to get that healing from his
22 complex trauma and grow into the man that he's always been
23 capable of being. Um, but we do have the most recent 15
24 years, which is not an insignificant period of time, um,
25 that he's been so dedicated in able to gain that growth.

1 Um, some other factors that favor suitability, uh, and are
2 certainly part of the board's calculus are his signs of
3 remorse, which have been longstanding and sincere. They've
4 been shown in his affect today, in the many apology
5 letters he's written over the years and most importantly
6 in his behavior, both his changes that he's made to
7 himself and his efforts to make amends, um, in really
8 extraordinary, um, and, um, significant ways that have
9 endangered him. Uh, those are efforts to try to, as he
10 said, balance the scales a little bit. Not that it will
11 ever make things right for the victim's families, but that
12 because of his remorse for hurting those families, he's
13 trying to do what he can to bring closure to other
14 families and to stop other crimes from happening, uh, to
15 prevent that cycle. Uh, acceptance of responsibility. He's
16 accepted full responsibility for a very long time and as I
17 asked him to address in as blunt a term as I could, he
18 does not blame anyone else. Um, whether it be the gang or
19 his abusive brother or the father, he doesn't blame anyone
20 for his choices. Um, those descriptions help us understand
21 why he became capable of making those choices because many
22 of us are simply not capable, but capability is not the
23 same thing as action and Mr. Enriquez admits he took those
24 actions. Um, one specific point I want to make with
25 regards to insight is, um, Dr. Chen's statement that she,

1 um, doesn't buy his, his insight about sexual abuse. And I
2 wrote this in my rebuttal that I, uh, submitted to the
3 board, but I just don't understand where she's coming from
4 because I've done a great deal of research into what makes
5 a person into a pedophile or a sexual abuser or sexual
6 offender and the victim to perpetrator cycle is a very,
7 very common, um, understanding of why that happens. And,
8 and you know, nobody knows for sure, but there've been
9 multiple studies that have been done that prove that there
10 is a higher incidence of childhood sexual victimization
11 among perpetrators. So-

12 **PRESIDING COMMISSIONER LONG:** Ms. Sheppard, Ms.
13 Sheppard, I apologize, we lost, uh, the Figueroa family.

14 **ATTORNEY SHEPPARD:** I can pause.

15 **PRESIDING COMMISSIONER LONG:** Let's just pause for a
16 moment.

17 **ATTORNEY SHEPPARD:** Sure.

18 **DEPUTY COMMISSIONER DENVIR:** Do you want to go-

19 **PRESIDING COMMISSIONER LONG:** The time limit.

20 **ATTORNEY SHEPPARD:** This happened in my last hearing
21 as well. We lost the Commissioner in the middle of my
22 closing.

23 **DEPUTY COMMISSIONER DENVIR:** You want to go off the
24 record, Commissioner?

25 **PRESIDING COMMISSIONER LONG:** Um, let's see if they

1 come right back in.

2 **VICTIM'S SON MONTENEGRO:** I'll shoot 'em a text. See
3 what's going on.

4 **PRESIDING COMMISSIONER LONG:** Thank you. Thank you. I
5 just didn't want to continue without them being on. The
6 joys of social distancing. Deputy DA Sowders, do you want
7 to try calling them or--?

8 **DEPUTY DISTRICT ATTORNEY SOWDERS:** I'm sorry, I don't
9 have their number.

10 **PRESIDING COMMISSIONER LONG:** Okay. I know Mr.
11 Montenegro has tried to text them, but...

12 **VICTIM'S SON MONTENEGRO:** Okay. So, they're telling me
13 they lost the connection and they're having trouble
14 signing back in.

15 **PRESIDING COMMISSIONER LONG:** Okay. Well, we'll just
16 give them, uh, they're going to keep trying, I take it.

17 **VICTIM'S SON MONTENEGRO:** Yes.

18 **DEPUTY COMMISSIONER DENVIR:** Shall we go ahead and
19 go off the record?

20 **PRESIDING COMMISSIONER LONG:** I guess so.

21 **DEPUTY COMMISSIONER DENVIR:** Okay.

22 **PRESIDING COMMISSIONER LONG:** It's 11:01.

23 **DEPUTY COMMISSIONER DENVIR:** We're off the record.

24

25

[RECESS]

1 **DEPUTY COMMISSIONER DENVIR:** We're back on the
2 record.

3 **PRESIDING COMMISSIONER LONG:** Okay. It is 11:16
4 hours. We have everybody back on that was here previously
5 and the Figueroa family has now connected via audio as the
6 Skype connection was not working for the video, uh, but we
7 have everybody present and so we'll proceed with, uh, the
8 closing statement by Ms. Sheppard.

9 **ATTORNEY SHEPPARD:** Thank you. All right. So, as I
10 was saying, uh, the victim to perpetrator cycle of sexual
11 abuse is not only well known, um, but, uh, documented in
12 scientific studies and I did submit to, uh, the board some
13 abstracts, some of those to just back up what I'm seeing
14 there. Um, and then the other insight issue that I wanted
15 to address was the issue of narcissism because District
16 Attorney Sowders mentioned that and, uh, we talked about
17 it at length here today, Commissioner-- uh, Mr. Enriquez,
18 um, talked about everything he's learned. I think he
19 demonstrated himself to be a humble and respectful person
20 here today. And then I just want to point to what Dr. Chen
21 wrote on page 18 of evaluation. That, quote, in some ways,
22 his narcissistic traits serve him well in this area as the
23 current group he seeks status from tend to be law-abiding
24 and even law-enforcing individuals. Thus, he's more likely
25 to try to gain status and seek approval by engaging in

1 prosocial behavior at this time in his life. So, even if
2 any of that narcissism remains in Mr. Enriquez's character
3 makeup, it's the expert opinion of a forensic psychologist
4 that that trait is now actually going to serve him well
5 and lead him towards prosocial behavior. Uh, next
6 suitability factors, his disciplinary record, it's been
7 well discussed. He's been completely sober and
8 disciplinary free for 15 years. Uh, and I just want to
9 highlight that termination of his SDG status, which as we
10 know is extremely rare. Um, I'm assuming Commissioner Long
11 as a former warden that you're well aware of how rare that
12 is. Um, and in Mr. Enriquez's file, you see continual
13 confidential information coming up, all of it relating to
14 his past gang activity. And yet it's been so well
15 established that that activity is completely rejected and
16 of the past that they were able to terminate his status.
17 Um, institutional activity designed to enhance his ability
18 to function in society. That's a suitability factor under
19 the code. It's been well covered in terms of his self-help
20 both in um, prison programs and self-study and mental
21 health therapy, uh, and all of this, the disciplinary
22 record, the, um, uh, ways that he makes amends, the
23 institutional activity. Those are all part of a category
24 that we now call inmate change. And it's simply undeniable
25 that his change has been dramatic and truly 180 degrees

1 from where he once was. That brings me to plans for
2 parole. They-- discussed confidentially, I think that the
3 panel should be satisfied and hopefully the Governor as
4 well that those plans are realistic and safe. Um, Dr. Chen
5 agreed. She wrote that he, quote, appropriately intends to
6 utilize professional services in the community. He has
7 more than adequate personal support and even
8 <unintelligible> plans to address his potential for
9 relapse and he has adequate coping resources. Um, Mr.
10 Enriquez has also well demonstrated how he's going to stay
11 safe from whatever threat the Mexican Mafia may pose to
12 him on his release. Um, and I just want point one thing
13 out with regard to kind of opposition in the community and
14 with all due respect to the victim's next of kin, the
15 petition that they submitted, so many signatures on, it
16 says, quote, he will have served only 16 years when he is
17 up for parole. So, all of those signatures were, were
18 given under false pretenses because as the panel note, Mr.
19 Enriquez has served almost 30 years, um, 27 of those in
20 State Prison and a couple of years before that in County
21 jail. Um, so, that, that petition is simply not accurate.
22 Uh, and I want to point out that we also submitted a
23 petition. So, there are a large number of community
24 members who are, um, supportive of Mr. Enriquez's release,
25 um, dramatic change and his efforts to make amends by

1 helping law enforcement. Lastly, the risk assessment. I've
2 covered all the suitability factors, but the risk
3 assessment is another important piece of evidence and as
4 you, uh, well covered that Dr. Chen concluded he's a low
5 risk, um, for violence. And I just want to highlight this
6 quote where she says, quote, his age and stable behavior
7 for many years now serve as indicators that he is unlikely
8 to struggle with antisocial peer influences, seek status
9 through negative behaviors or use violence or sexual
10 violence to earn status. So, if that doesn't cover the
11 exact things that once made him a danger to the public, I
12 don't know what does and Dr. Chen's opinion may just be
13 one opinion, but it's a very valuable one. It's one that
14 the board typically gives a great deal of weight to, um,
15 and it can be added as well to the opinions of, uh, at
16 least eight of your colleagues, four other parole boards.
17 Um, those again are just opinions, but they're ones that
18 should be given great weight, a great deal of people. And,
19 and I'll lastly point to the myriad of law enforcement
20 officials who may have never given a, a support letter,
21 um, asking for the parole of a lifer in their careers. And
22 yet for Mr. Enriquez, they're willing to do so. Um, I
23 point to the expert report, um, that was submitted, it's
24 in the 10-day file by Brian Perry, who's a former, uh,
25 retired FBI, retired, um, CDCR and, um, he offers his,

1 his, um, expert witness testimony essentially from decades
2 of knowing Mr. Enriquez and seeing that transformation in
3 him, uh, to say that he believes that it, it, uh, Mr.
4 Enriquez no longer poses, uh, an unreasonable danger or
5 really any danger to the public. So, all of these are just
6 opinions, but they're certainly myriad, they're certainly
7 based on, um, education experience, uh, both
8 professionally and directly with Mr. Enriquez. Uh, and
9 then lastly about the CRM. Sorry, I forgot. I'm going to
10 come back to this. The Static-99, uh, District Attorney
11 Sowders, with all due respect to him, he's mistaken. Um,
12 this is a static test. It measures, um, how those static
13 factors speak to his dangerousness at a certain point in
14 time. And that point in time when he was released on the
15 index offense, which in this case happened in 1986, he was
16 released at age 21. Um, if that test could be administered
17 with his current age as the number on the test, he would
18 be receiving minus three points instead of a positive one
19 point and as the panel may know, if you've ever looked at
20 the test, it comes down a very small numbers. Um, he may
21 have a total score of say six on the Static-99 as it was
22 completed by Dr. Chen. If it could be done with his
23 current age, it might be a score three or two, right?
24 Depending on how she scored other factors. Um, and I've,
25 I've pointed to some factors that she might not have

1 gotten correct on that either. Um, but either way, we note
2 that the recidivism rates for sex offenders, um, after the
3 fifth decade of life and after, uh, receiving sex offender
4 treatment are known to be below 1%. The same as the rate
5 for lifers who've been released by this board and this
6 Governor. Um, so, those factors speak in favor of
7 releasing Mr. Enriquez. So, I think that covers
8 everything. Um, he's, he's been in prison for nearly 30
9 years and no amount of time can make up for Cynthia's life
10 or Dave Gallegos' life or the damage done to Mr.
11 Buenrostros, or to be honest, the many other victims of
12 the Mexican Mafia that Mr. Enriquez may have had a hand
13 in. Um, but Mr. Enriquez has done more than almost any
14 other offender I've ever heard of to try to make amends
15 and to try to balance the scales for the harm that he's
16 done. And most importantly, he's changed himself and he's
17 no longer an unreasonable risk of danger to the public.
18 Thank you.

19 **PRESIDING COMMISSIONER LONG:** Thank you. So, Mr.
20 Enriquez, this is your opportunity to make a closing
21 statement if you wish.

22 **INMATE ENRIQUEZ:** Thank you. Um, most importantly,
23 I'd like to apologize to the victims. To the families, the
24 surviving family members of Cynthia, uh, Galvadan, and
25 David Gallegos. Nothing that I say today or nothing that

1 I've done in the past, no amount of self-help, no amount
2 of apology letters or remorse letters can take away the
3 pain that I've caused you. I know this. This is a
4 difficult process for you and I apologize for you having
5 to go through it. Everything that I do today is in honor
6 of your daughter, of your cousin, of your mother, and I
7 apologize to you. I'm ashamed of what I'd done to you. I'm
8 ashamed of what I'd done to Cynthia and David. I can't
9 undo that, but I live my life today in honor of them.
10 Everything that I do is in honor of them. My testimony in
11 court is to stop the Mexican Mafia. My helping others is
12 to prevent them from committing the cycle of violence that
13 I committed. Everything that I did, I did to change in my
14 own personal life. I get that you don't, sometimes, you
15 sometimes don't believe what I'm saying. I get that you
16 resentful, for law enforcement writing me support letters.
17 I get that you questioned my motive and my sincerity. I
18 even get that you questioned my devotion to Christianity,
19 but what I, I truly hope today is, is that you understand
20 that I am ashamed of what I had done to you. I'm sorry for
21 what I've done to you and no words can ever undo that. I
22 understand that. The man that I used to be didn't deserve
23 to sit in front of you today and ask for parole. Didn't
24 deserve that consideration. I understand that. However,
25 I'm no longer than individual. Today, I'm a changed man

1 and I can finally say that I'm a decent man. I've changed
2 my life. I've embraced nonviolence, prosocial activity,
3 sobriety and recovery. I've accepted Christ as my savior
4 and I will no longer ever, ever commit an act that would
5 violate the rights of anybody. I'm cognizant of the fact
6 that I did a lot of wrong in my past. I can't change the
7 past. Those are static factors. I can't change my history,
8 but I can do is create my future though, and I do that
9 every day. I work it out myself and working to help other
10 people. I ask today for your mercy. That's all I ask for.
11 I ask that you find me suitable. Thank you.

12 **PRESIDING COMMISSIONER LONG:** Thank you. So, now
13 it's, uh, victim's next of kin who would like to make a
14 statement. Who would like to go first?

15 **VICTIM'S COUSIN RODRIGUEZ:** Yes, um, Amanda
16 Rodriguez will go first. Following me is Cynthia, Richard,
17 Robert and then Ray. So, I'll go first.

18 **PRESIDING COMMISSIONER LONG:** Okay. Very good.

19 **VICTIM'S COUSIN RODRIGUEZ:** Good morning and thank
20 you for allowing me to speak at this parole hearing. I
21 would like to first thank various organizations that
22 helped the Figueroa family, including parents of murdered
23 children, justice for murdered children, crime stoppers,
24 justice for homicide victims, family and friends of
25 homicide victims and so many others. Without their

1 support, we would have really fallen apart and I thank
2 them. My name is Amanda Rodriguez. I am the victim,
3 Cynthia's cousin. If you have never had a murder in your
4 family, I'm here to tell you it is a living nightmare. One
5 that we have been forced to live with. Thanks to this
6 inmate sitting in front of us. No one knows what it's like
7 to, no one knows what it does to a family. I walk in those
8 shoes every day of my life. I see my cousin, Raymond
9 Figueroa, go through this nightmare each day and it breaks
10 my heart. He will always have rage, anger, sadness, a
11 broken heart, hate and unanswered questions. But as I
12 said, it is a nightmare given to him and his
13 grandchildren, not by his choice but by the one sitting in
14 front of you. No father wants to bury a child, let alone
15 one that has been executed. Cynthia was a very sweet and
16 loving person. Her children have missed out on a lot. Most
17 of all, not having a mother's love. After all, there is no
18 love as a mother's. I think about things her children have
19 missed out on. When I've worked at Disneyland, I would see
20 mothers waiting in line for a front row seat for their
21 children to see the parade and see Mickey and Minnie. I
22 would see mothers running to catch up to a character so
23 her children could take a picture. Cynthia was never able
24 to do those little things. As a foster mother, I am a team
25 [PH] mother and cheer for the little girl I have. There is

1 nothing like seeing a child hit the ball and run to the
2 base. When they get there, they look for a mom in the, in
3 the stand. Her children miss out on that and along with so
4 much more. Life is a gift given to all of us by our maker.
5 This inmate has no regard for life. Why he wanted to make
6 an example of my cousin Cynthia, I will never know, nor do
7 I want to. Saying he was going to give her a ride to hell,
8 how horrible and doing all of this while on parole. He has
9 no regard for life, laws or rules given to him. When I
10 look at him, I say to myself, so is this what the devil
11 looks like? If released, I will live in fear. Why? It's no
12 secret that the Mexican Mafia wants him dead. What's to
13 say I'm in line at the grocery store and this inmate is
14 behind me. They know he is there. They shoot to kill. They
15 don't take aim and how many innocent people will get the
16 hit. I'm asking that you please do not grant his parole. I
17 don't trust him and wonder what horrible thing he would
18 do. Anything good he may have done does not make up for
19 all the bad, horrible and hateful things he has done. As a
20 Christian woman, I know I have to forgive him for the
21 murder of Cynthia. I have not been able to do that. The
22 hate I have for him has been replaced with other, other
23 feelings. I do know and believe that his real judgment day
24 will be when he dies and he stands in front of God as his
25 name is being looked for in the Lamb's book of life. I

1 wonder if this inmate thinks his name will be there. Thank
2 you and God bless all of you.

3 **PRESIDING COMMISSIONER LONG:** Okay. Thank you.

4 **VICTIM'S COUSIN RODRIGUEZ:** Okay. I'm going to hand
5 it over to my cousin, Cynthia.

6 **PRESIDING COMMISSIONER LONG:** Very good.

7 **VICTIM'S COUSIN LUA:** I am in awe as to why we
8 stand here today. How was it after all the heinous crime
9 this inmate has committed, he gets the opportunity of
10 possible parole. I believe people should have a second
11 chance in life, but this inmate has his parole granted
12 before and in only five days of parole, he ordered
13 Cynthia's execution. His psychopathic criminal instincts
14 will always be within. This inmate must be kept off the
15 streets so he can't hurt another. The thought of this
16 inmate's release is a living nightmare for our family and
17 the many people who have acknowledged this action by
18 signing the petition against the possibility of his parole
19 being overlooked and granted. It's like reliving the day
20 of Christmas Eve, 1989, over and over every time that's
21 brought up to the board for review. It's just not right.
22 The life of Cynthia is remembered every day, the manner in
23 which she was tortured and the life she should have lived.
24 Her murder has left a void in our lives that remains today
25 as it did on the date of her death. I still don't

1 understand why you had to execute my cousin, Cynthia. It
2 just goes to show what a cold-blooded calculated murder
3 you really are. Cynthia didn't deserve to die the way she
4 did. She died a very lonely and violent death. No one
5 should have to die that way. It seems to me taking a life
6 comes way too easy for this inmate. Mr. Enriquez, how many
7 more lives have you taken with no remorse? There is no
8 healing on what you imposed on our family and the
9 countless people hurt by the dreadful crimes you committed
10 over the year. Our family will never be the same. Nothing
11 can change the past. There is no protocol here. Just react
12 now. Learn to be a man with all your new pure motive. It
13 is time for your reign of terror to come to an end. Mr.
14 Enriquez, elite warrior, mastermind criminal that you are,
15 I hope you rot in prison and even that is too good for
16 you. Life in prison is exactly where you deserve to be
17 for, for the admitted premeditated crimes you so vividly
18 recall about with glorification in your book and YouTube
19 presentations. This inmate remains a serious - Hello?
20 This inmate remains a serious threat.

21 **PRESIDING COMMISSIONER LONG:** We, we can hear you.

22 **VICTIM'S COUSIN LUA:** Okay. This inmate remains a
23 serious threat to society. Any thought of granting this
24 parole will be an immense danger to the public safety.
25 Therefore, I implore mercy for humanity by keeping inmate

1 Enriquez exactly where he is to serve the remainder of his
2 life sentence to the fullest extent of the law. We can't
3 change the past. We can choose to collaborate to keep
4 individuals such as Mr. Enriquez away from our families
5 and neighborhoods. The question here is, do you want such
6 a person to live in your neighborhoods? Better yet, would
7 you like it if this inmate took your daughter or loved one
8 for a ride? Mr. Enriquez, you should be ashamed of
9 yourself blaming your, your parents for, uh, for the abuse
10 after the, after they're gone. Shame on you, Mr. Enriquez.
11 Take, be a man and take, take responsibility for your
12 actions. It's time.

13 **VICTIM'S COUSIN RODRIGUEZ:** Okay. She's done. So,
14 I'll move the phone over to, to Richard. One moment.

15 **PRESIDING COMMISSIONER LONG:** Thank you.

16 **ATTORNEY SHEPPARD:** Commissioners, would you remind
17 the VNOK's that they need to direct to their comments to
18 the panel and not to my client?

19 **PRESIDING COMMISSIONER LONG:** Yes, please, please
20 direct your comments to us on the impact of the crime.

21 **VICTIM'S COUSIN RODRIGUEZ:** I understand that. We
22 apologize. Thank you.

23 **PRESIDING COMMISSIONER LONG:** Thank you.

24 **VICTIM'S COUSIN RODRIGUEZ:** You're talking to the
25 board, not him.

1 **VICTIM'S COUSIN FIGUEROA:** I don't know why I
2 can't rejoin. Hello?

3 **PRESIDING COMMISSIONER LONG:** Hello. We can hear you.
4 Is this Richard?

5 **VICTIM'S COUSIN FIGUEROA:** Okay. Um, okay. Okay.
6 Um, um... I'm sorry.

7 **PRESIDING COMMISSIONER LONG:** There's a, there's an
8 echo going on. I think we, we got a second. We have a
9 second login.

10 **VICTIM'S COUSIN FIGUEROA:** Okay. Can you hear me?
11 Excuse me, on, uh, Skype?

12 **PRESIDING COMMISSIONER LONG:** Uh, say that again.
13 Hello?

14 **DEPUTY COMMISSIONER DENVIR:** You--

15 **PRESIDING COMMISSIONER LONG:** Deputy DA Sowders, you
16 still there?

17 **DEPUTY DISTRICT ATTORNEY SOWDERS:** Yes, I'm still
18 here.

19 **PRESIDING COMMISSIONER LONG:** Okay. Mr. Montenegro,
20 you're still here as well?

21 **VICTIM'S SON MONTENEGRO:** Yes, I am.

22 **PRESIDING COMMISSIONER LONG:** So, what happened is
23 they logged in twice, so they had a weird echo. Um, and
24 then we lost them. So, I don't know if we can, they can
25 only log in once.

1 **VICTIM'S SON MONTENEGRO:** I'm letting them know that.

2 **PRESIDING COMMISSIONER LONG:** Thank you so much.

3 **DEPUTY COMMISSIONER DENVIR:** Should we go off the
4 record, Commissioner Long?

5 **PRESIDING COMMISSIONER LONG:** Uh, let's give them a
6 minute.

7 **DEPUTY COMMISSIONER DENVIR:** Okay. Here they come.

8 **VICTIM'S COUSIN FIGUEROA:** Uh, gentlemen, can you
9 hear me?

10 **PRESIDING COMMISSIONER LONG:** We can hear you. Is
11 this Richard?

12 **VICTIM'S COUSIN FIGUEROA:** Okay. Yeah, sorry about
13 that. Technology.

14 **PRESIDING COMMISSIONER LONG:** Okay. We can hear you
15 do, uh, want to go ahead and proceed with your, uh, with
16 your statement?

17 **VICTIM'S COUSIN FIGUEROA:** Yeah.

18 **PRESIDING COMMISSIONER LONG:** Okay.

19 **VICTIM'S COUSIN FIGUEROA:** Um, so, first, I would
20 just like to say that, uh, please forgive me if I seem all
21 over the place. I didn't write out, um, a statement. Um,
22 so, I just wrote down some notes, uh, um, as this, uh,
23 hearing was going on. So, uh, but secondly, um, I'd like
24 to thank the DA for his words. Um, the family here totally
25 agrees 100% with what the DA, um, has said. Um, as far as

1 the petition, as far as the petition, Ms., um, Sheppard,
2 am I saying that correctly? Hello?

3 **PRESIDING COMMISSIONER LONG:** Yeah. Yeah, you are.
4 Um, I'd, I'd ask you to, to keep your, uh, your comments,
5 uh, really to the impact of the crime not directed to...

6 **VICTIM'S COUSIN FIGUEROA:** Right. I would just, I
7 just wanted to make sure I was getting the name correct.
8 Um, as Ms. Sheppard, um, said that, um, the petition was
9 misleading because it says, it stated that he only served
10 16 years. That's not totally 100% accurate. If, if, um,
11 one was to read at the beginning of the petition that says
12 on December 24th of '89, um, that the inmate has been
13 arrested and convicted of these and have been and have
14 been incarcerated since then. So, if you did the math, you
15 would know it was over 16 years. Um, I'm not sure, but it
16 does say that, uh, he will have served only 16 years when
17 he is up for parole. It does say that, uh, for, for this
18 crime. Um, I'm not sure why that is in there, but, but
19 then again, I'm not sure, um, what year the inmate has
20 first went up for parole. So, I'm assuming that it, that's
21 where the 16 years come from. That from the conviction to
22 the time he first went up to parole that that established
23 the 16 years, but, um, nevertheless, like I said at the
24 top of the petition that says that since '89, his
25 conviction, and if you did and he's been incarcerated

1 since then, if one did the math, they would figure out
2 that it was more than just 16 years. So, um, I just wanted
3 to, uh, clarify on that. Um, I don't have in front of me
4 the transcripts of last year's, uh, oh, yeah, that reminds
5 me. When I first told, after the 20, 2018? 2018 parole
6 hearing, I told my uncle that I wasn't gonna waste my time
7 going to another parole hearing because of the simple fact
8 that what we experienced at that parole hearing, the
9 humiliation where this inmate, uh, said the word freaking
10 and how the board members, how his Attorney were all in,
11 how the inmate was laughing at that and how my family sat
12 there at all, wasn't laughing, even a CO or, and the, um,
13 the lady who was given to us by the state, the, uh, the
14 victim supporter, I think her name was Maria. She wasn't
15 laughing at all either. So, we did not find it at all
16 amusing just because this inmate said the word freaking.
17 It was not, it was not amusing to us. We're talking about
18 murder here, not just one. A few murders and a rape, not
19 just one rape, two rapes. He was disgusting to us. It was
20 disrespect. We found it disrespectful to us. So, that's
21 why two of my uncle I was gonna, because to me, it seemed
22 that the parole board already had their minds made up and
23 that they were on this inmate's side to begin with. But
24 then I saw the hurt and, uh, I saw in his eyes the hurt of
25 what I was saying cause I told them I was going to, uh,

1 attend no more. I was just going to go straight to the
2 Governor's Office and send letters or drop off letters and
3 try to plead to him. But after I saw what the reaction of
4 my uncle, I told him that I would attend these parole
5 hearings. And I actually gave him my word that even after
6 my uncle passes away, I will continue to be there for the
7 family, to try to do everything within my power with a,
8 with a blessing of the most high God to keep this
9 individual behind bars. Um, also, um, no, I don't, I don't
10 know, I don't know miss, I don't know the brother Enriquez
11 personally, I don't walk and talk with him. So, I really
12 don't know, you know, if he has been a changed man. Yes,
13 he is, uh, has his, uh, all I know is what has been out
14 there on YouTube, reading transgress, uh, transcripts, and
15 so on and so forth. Um, but what I do know is from that
16 2018 hearing, that his spirit ratted him out, his words
17 ratted, ratted them out to me, spoke loudly to me, and
18 told me that he was being phony and fake. Just like right
19 now, he's crying, not genuine. I was like, I don't have
20 any hate towards, towards the, towards the brother, I
21 really don't. But what I do hate is the fake and
22 phoniness. That's what I despise. And the lack of
23 repentance, that's what I despise. Yes, you took my cousin
24 from me. Yes, I was very young and I didn't really grasp
25 the, the concept of it, but just seeing how it affects my

1 uncle and other family members, yes, it does. I do get
2 emotional over it, but it doesn't really bring hate into
3 my heart, mind and soul. What I reject is the fake and
4 phoniness and the lack of repentance in that gentleman.
5 Um, you know, he sat here and talked about, um... That's,
6 that's from that point of the hearing, he said that his
7 mom was a victim. This parole hearing, he's talking about
8 his mom taught him how, how those evil traits that he has.
9 I don't know. It sounds like the cat can't get the story
10 straight. Still. So, that still reminds, tells me that
11 fake and phoniness. Um, and I think that your quote on,
12 well, let me rephrase that. I think the inmate's quote,
13 unquote apology to us is, is, I hate to say this one and,
14 and I hope that it, I'm not trying to dog the inmate out.
15 I'm just speaking truth be told that apology, phony. The
16 crime, phony. And I don't say that out of anger or hatred.
17 I say that out of truth be told. Uh, the inmate wants to
18 talk about, uh, talk about the apostle, Paul. But then
19 again, even the devil quoted from scriptures. So, let that
20 one sink in. Um, my, my uncle told me I went out and I got
21 some, um, signatures for the petitions too, also, um, and
22 I got some negative feedback about, you know, uh, past
23 board members granting him parole and the only reason why,
24 uh, he's still locked up is because of the heavenly Father
25 and, uh, the Governor. But my uncle also, he tells me and

1 I, uh, to be honest, I only grabbed four signatures. You
2 know, that my, that's my bad, but whatever, but my uncle
3 and everybody else gathered many more signatures than I
4 did. So, but from what my uncle tells me is the response
5 of the public. Yes, the inmate has a lot of, uh, uh,
6 letters and applause from the board members and his
7 lawyers and pleasing this institution and that
8 institution, so on and so forth. But from the public, the
9 people who are going to, who would be out here, and you
10 have stayed there, you know, those institutions, they're,
11 they're considered the public too, yes. But from the
12 everyday cat hunting the work to support their families
13 and, and make ends meet, they were appalled from what my
14 uncle tells me from their reaction that they want the, the
15 board has granted this cat, uh, parole many times before.
16 So, um, there's the flip, there's, there's, uh, two sides
17 to every story. There's two sides to every coin. It could
18 mean like, even now, perfect example, even now, what's
19 going on in the world. They released inmates early, cats
20 who-- sex offenders. And what did they do? You guys know
21 the answer. They reoffended. Short, short time after
22 they're released. Even, even this inmate, even, he even
23 offended a short time after his-- he was still on parole.
24 So, who's to say that he won't? Nobody, nobody truly knows
25 except for God and Enriquez. I mean, I mean Rene. They're

1 the only ones that truly know. We can just assume and hope
2 to God that he doesn't. Um, please be patient. I'm trying
3 to move here quickly. I know you guys want to get out of
4 here. Uh, the inmate also stated, uh, uh, that he helped,
5 um, in the name of goodness and to do the right thing but
6 then, in his statement, he said that now, today at this
7 hearing, that he said now, that he's doing it for good.
8 Well, why were you, why was he doing it before? We all
9 know the reason. Cause you wanted to get out. That's the
10 only reason why he was doing it. I remember from, uh, the
11 last parole hearing that one of the prisons, I'm not going
12 to, well, let me see. How can I word this? I was told by
13 an employee at the, at the prison, well, actually, all of
14 us were told, um, that this inmate used to go away for his
15 parole hearings with a suit and tie, looking sharp, trying
16 to represent. Now, the following year, he walks in with a
17 safety vest, with a cane, portraying that he's disabled.
18 What's going on here? I understand that, you know, things,
19 situations happens, things changes, but you know what?
20 Fake and phoniness. A lack of repentance. True remorse.
21 That's what's going on here. And I would like to, I'm
22 going to close this up right now. I like this, I want to
23 read, re-comment about, to let the inmate know and I know
24 my family is probably going to get pissed at me right now
25 for saying this, but there's no hatred, no anger coming

1 at, at that inmate because he took away my cousin. It is
2 the phoniness, the lies, the deception, the lack of
3 repentance, the remorse, the lack of remorse that got me
4 riled up. Yes, I miss my cousin. Yes, I wish I would, uh,
5 she would be in here so I would have get to known her like
6 all my other cousins. I guess that's all I have to say.
7 Uh...

8 **PRESIDING COMMISSIONER LONG:** Thank you.

9 **VICTIM'S COUSIN FIGUEROA:** Um, I think it's, I
10 think, I think Robert is up next.

11 **PRESIDING COMMISSIONER LONG:** Go ahead, Robert. And I
12 would ask you guys to again, uh, state your full name and
13 your relationship to the victims and spell the last name
14 so the transcriber knows.

15 **VICTIM'S SON MONTENEGRO:** Okay. You can hear me,
16 correct?

17 **PRESIDING COMMISSIONER LONG:** Yes, I can hear you.

18 **VICTIM'S SON MONTENEGRO:** Okay. So, my name is Robert,
19 Robert Montenegro, and I'm the victim's son. So, excuse me
20 if I pause or take my time during this. It's not something
21 that's comfortable for me at all and, um, and, uh, I don't
22 have a prepared statement, so, um...

23 **PRESIDING COMMISSIONER LONG:** Please take your time.

24 **VICTIM'S SON MONTENEGRO:** Thanks. Um, so, I think
25 we're all familiar with the Governors, both Governors, um,

1 letters or statements overturning the decision. Uh, I
2 don't think I could word it any better than everything
3 that they've mentioned in both of those letters. I agree
4 100%. Um, I almost did not take part in this year's
5 hearing because I feel, uh, in some cases similar to what
6 Richard mentioned in my kind of, uh, disappointment with,
7 uh, uh, know, because I do, uh, believe that, um, things
8 are going to turn out the same way in years past and I
9 sometimes feel that these statements and me reliving this
10 situation, time and time again is a waste of time. So,
11 I'll quickly mention a few things of how I feel, uh, uh,
12 based on this year's proceedings. Um, I know that the
13 inmate had mentioned child abuse, sexual abuse, and his
14 childhood for some of the reasons why he is who he is and
15 had made the decisions that he's made. However, uh, his
16 actions and his decisions really gave me a terrible
17 childhood. My, we've dealt with same things he has in some
18 cases, gang members, child, childhood trauma, my sister
19 has dealt with sexual abuse, but we still have to all make
20 decisions. Everybody has a story. Everybody has a past.
21 Everybody has childhood trauma. We still have the decision
22 be a good or a bad person. And that's what me and my
23 sister have to continue to try to do. And it's unfortunate
24 that we keep having as much as we want to put this past
25 us, we have to continue to relive this almost every year.

1 Um, I also heard the inmate mentioned that his goal in
2 doing all these changes and making all these changes that
3 he's mentioned to the board is because that he just wants
4 to be a good person and I don't think anybody can deny
5 that he has made changes with taking classes and helping
6 other inmates. However, um, I mean, I just think I'm, I,
7 who wouldn't, yeah, I'm sure he has plenty of time to do
8 that, to make the changes that he has, that he's made. Um,
9 and if his own goal is to just be a good person and to get
10 right with God, um, it should be sufficient of what he has
11 and how he feels as a man today and I don't think getting
12 out of prison is, um, would be necessary if his only goal
13 is to be a good person. He could be a person right where
14 he's at and, uh, serve out the rest of his sentence. And
15 furthermore, with that being said, I can offer him my
16 forgiveness right now because me and my sister had made
17 that decision. We don't want, do not want to carry that
18 with us anymore. It's been hard enough to deal with this
19 throughout life. And I think that would be the ultimate
20 apology for him or, or, or remorse is just accepting that
21 as enough as being right with God, being right with one of
22 his victim's family members and continuous on his
23 sentence. I don't think that getting out of prison and
24 enjoying his family and his children, his grandchildren,
25 his wife and the freedoms should be the goal or is even

1 right. I think if he is true to what he's saying, the
2 forgiveness and the fact that he's good with God and all
3 of the improvements that he's made within himself should
4 be sufficient in making him whole as a man. Uh, I also
5 met, heard that, heard in his statement I believe that he
6 has issued apologies, apology letters and he's been
7 remorseful. Uh, I've never received an apology or an
8 apology letter, so I don't know who he wrote these apology
9 letters to. So, I don't know if that's true, what he meant
10 by that, but I clearly didn't receive one. I hope that
11 these statements serve some type of impression on the
12 board in their decision-making process. And I hope that
13 the right thing is done here without us having to get the
14 terrible news of another approval and going through the
15 same process of waiting for the Governor to overturn it.
16 That's all I have.

17 **PRESIDING COMMISSIONER LONG:** Thank you very much.
18 Uh, who would like to go next? Would anybody else like to
19 make a victim's impact statement?

20 **VICTIM'S SON MONTENEGRO:** Are they still on?

21 **PRESIDING COMMISSIONER LONG:** They look on, they
22 might be on mute. Looks like there's still on.

23 **VICTIM'S SON MONTENEGRO:** Because I know there's one
24 more person so...

25 **DEPUTY COMMISSIONER DENVIR:** Isn't it Mr. Figueroa?

1 Mr. Raymond Figueroa?

2 **PRESIDING COMMISSIONER LONG:** Yeah.

3 **DEPUTY COMMISSIONER DENVIR:** The father.

4 **PRESIDING COMMISSIONER LONG:** Yeah.

5 **DEPUTY COMMISSIONER DENVIR:** Okay.

6 **VICTIM'S COUSIN FIGUEROA:** Can you hear us?

7 **PRESIDING COMMISSIONER LONG:** We can hear you now.

8 **VICTIM'S COUSIN FIGUEROA:** Okay. Thank you very
9 much.

10 **VICTIM'S FATHER FIGUEROA:** My name is Raymond
11 Figueroa. I am Cynthia's father. I write this letter with
12 the emotions of hate, anger and a void missing in my life.
13 My life was forever changed when I received the phone call
14 that my beautiful Cindy, body was found in a vacant lot.
15 Cindy, shot between the eyes, and chest, her arms crossed
16 on her chest. She was left there as a piece of trash. No
17 father wants to ever view your child in a coffin,
18 especially one that was premeditated execution, and
19 there's a big difference. I want you people that hear
20 this, all of you. There's a big difference in getting
21 killed in a car accident, heart disease, plane crash, but
22 getting executed, they only do that in war, and we weren't
23 in war when this happened. This was my 27-year-old
24 firstborn child. My family has been destroyed by this
25 maggot's actions. I'm so overwhelmed in anger right now. I

1 get, you're going to have to excuse me, but I'd been
2 holding this in for 30 years. Reliving it every day, every
3 minute of every day. All I have is a picture of my
4 daughter on the wall. That's all I have left. Here I am
5 once again. The last hearing was appalling, distasteful
6 and unprofessional. All I heard was concerns for this
7 inmate who is worse than a cockroach. I have to say that.
8 How do you like your glasses, Mr. Enriquez? How is your
9 back feeling? How is your kneecaps doing? My family and I
10 listen, listen to laughing and joking between the parole
11 board and the inmate while we sat there baffled by what we
12 were hearing. I'll tell you what, I'll tell you something
13 else besides that. I'll leave it, I'll leave you with,
14 I'll tell you to when I finish the letter. I ask you today
15 to be respectful to my family. We represent one of the
16 countless victims and I mean a lot of victims this inmate
17 has traumatized. I heard several of this inmate's own
18 remarks. He said my daughter was going to get a ride to
19 hell and he was going to use my Cindy as an example. I
20 want you board members to know that me and him are the
21 same fruit that fell from the same tree. I grew up worse
22 than this inmate. I grew up poor. I grew up in the project
23 with a bunch of cockroaches. This guy grew up in a middle-
24 class family. And also, he don't know it but I was two
25 blocks from his, where he was raised when he was 12 years,

1 10 years old. He's lying about his mother and father
2 because I lived two blocks from him. I didn't know him
3 personally, but the whole neighborhood knew about him.
4 Getting back to this letter. This inmate asks us for
5 mercy, he has a lot of gall asking for mercy. He gets on
6 the Orange County register newspaper and says, he'll work
7 at McDonald's. Please show me some mercy. I would say
8 something worse and a better word for that, but I don't
9 think you'd want to hear it. Still this and blaming his
10 family for his childhood abuse as an excuse for the
11 choices of crime he has made, he better join the human
12 race. We all make choices in our life. You make choices in
13 your life. All of you. I do. I grew up in gangs. I grew up
14 in gangs before this guy was even born. This guy can't
15 telling me about gangs and that lady lawyer of his can't
16 tell me about gangs. She didn't even-- she don't know
17 nothing about gangs. They didn't even jump in members in
18 them days. I'm 28 years older than this inmate. I know.
19 I've lived that life. I know the people he hung around
20 with. I broke bread with Joe Morgan. I broke bread with
21 David. He knows these people. I broke bread with Canote. I
22 broke bread with Bogus Pete, and he knows that person. He
23 better take that back to his cellie and tell his cellie
24 about what I'm talking about. I grew up on the streets
25 when I was in grammar school. This guy must have been

1 looking at too many comic books. It was his ego that made
2 him do what he did. He already admitted on paper killing
3 between five and 10 people. I have all this paperwork in
4 my kitchen. He, he did that rape that he admitted, he
5 admitted to, he did that and then he raped that guy. How
6 would you guys feel being raped in prison by so many guys
7 and having to put his rear end back together again? And
8 the 27-armed robberies that he did. How would you like to
9 be behind the gun and him asking you for the money? You
10 know what? I'm never going to get over this. If he can
11 bring me back my daughter, then you'll be doing something
12 for me. And that stabbing he did in his lawyer's office,
13 him and that other guy, how would you feel if you had 27
14 holes in your body? And, and what about his family? His
15 mother, his father, his, their children, his sisters. And
16 again, and also that other guy in the holding cell when he
17 got out of his handcuffs, they stabbed him 27 times. How
18 would you like to be, had 27 holes in your body? This just
19 doesn't go away. I don't care what he did for the Police
20 Department. That is never, that isn't going to change
21 nothing. You can always take the gang member out of the
22 neighborhood, but you'll never take the gang member out of
23 the neighborhood. The bird always goes back to his nest. I
24 don't care what Doctor he sees, what all these programs
25 he's been to. The only reason he did this is because he

1 got tired of being locked up 23 hours a day and he
2 couldn't finish to, he couldn't finish the finish line.
3 Like his co-partner did, like Manson. He's another, uh,
4 all these other killers. Like, like Simpson. The only good
5 between Simpson and him, that Simpson had money and a good
6 lawyer and that lawyer this guy's got, she don't know
7 nothing but gangs. She was raised in the high rent
8 district. Who does she know? She should have been born
9 where I was born. Poor, living with a bunch of cockroaches
10 in the projects. You people are want, and when I went out,
11 I mean, God, these petitions, 5000 petitions in a month
12 and two weeks. This means something. These people couldn't
13 believe that you board members want to release this
14 inmate. This guy, he is so smooth, he's talking that, this
15 is three tops I'm telling you right now. He's talking out
16 of the side of his neck. That day I've seen him in '80, he
17 looked under the influence because you know why? I grew up
18 with dope fiends. I grew up with people that use dope, any
19 kind of dope, you know, I grew up with them kind of
20 people. I did a lot of wrong in my life, but I
21 straightened my life up. This guy has to pay for what he
22 took from me. My grandkids, I don't even got a
23 relationship with my grandkids because of this guy's
24 decision, because he wanted to make an example out of my
25 daughter. I want to tell you something and you, I want you

1 to hear this. I've been there. I've been there with a gun
2 in my head that my whole life was flashed through me
3 within seconds. Can you imagine? No, I don't think you can
4 imagine what she was thinking about when that gun was
5 stuck in her head. She was probably thinking of me or her
6 mother, her children, when they were six and eight years
7 old that they didn't even get to know. You know what? Um,
8 my daughter should be burying me. This guy has nothing
9 coming because I lived that life, but I did not cross the
10 line. This guy crossed the line. He knew what he wanted to
11 do, his ego and he, and he wanting a reputation and his 15
12 minutes of fame. That's all he wanted and the only reason,
13 and the only reason he's doing this is because he's tired
14 of being locked up. That's plain and simple because I've
15 been there. I lived that life and I know what I'm talking
16 about. You people never lived that kind of life. You
17 people never been around like, like him and me. All that
18 gangsters he knew, I told you already I broke bread with
19 them people. He didn't even know them people. Them people
20 were 30 years older than him. He's glorifying that book
21 that he sold and made all that money and do, and do you,
22 do you think in '18 that he turned around and looked at my
23 family and said, you know what, I'm sorry. All of a
24 sudden, he's saying he's sorry for everything he did in
25 his life, well in '18, he should do a turn around and say

1 I'm sorry. And with all that money that he made on that
2 book, that stupid book of all that tragedy he left behind,
3 do you think he, he turned around and says, you know what?
4 When they asked him about the money, oh, I'm donating it
5 to charity. Well, you know what? He donated it to the
6 wrong people because - what's that law?

7 **VICTIM'S COUSIN RODRIGUEZ:** Marsy's law.

8 **VICTIM'S FATHER FIGUEROA:** Marsy, he's lucky
9 Marsy's law wasn't in effect because from this day forward
10 I'm going to pursue this. I'm going back to the Governor
11 and I'm going to pursue this to the day I died. This guy
12 ain't going nowhere. I don't care what decision you come
13 up with because you, Governor Brown and Newton [sic] are
14 not on the same page. You want to give this guy like he's
15 graduating from high school or something. All the
16 accomplishments he did, he only did that because he wants
17 to be released. Come on, man. Face reality. That's all he
18 wants. He's tired of being locked up. He ain't got no
19 decency for life, for nobody but himself and you think now
20 that his family is dead, that he was raped, abused, he was
21 only two years older than his older brother, think about
22 it. He was a killer, man. He wanted to kill people. At 12
23 years old, he shot at a man and his daughter and he's
24 lucky he didn't kill 'em, and I know one more thing I'm
25 going to say before I finish my letter. I know also

1 through the Grapevine when he was out that he killed two
2 other women in East LA. I cannot prove it, but I want you
3 peep, you board members to know that. Two other women that
4 they didn't catch him on, you talked to him about that.
5 You check up on that before he went back to prison in '93.
6 I have a lot to say, man, that you people do not know. I
7 knew the family, they didn't do that to him. This guy's
8 lying. He's making up all these excuses. He's got an
9 answer for everything. This guy should run for president.
10 I will never forget what he did to my daughter, what she
11 was thinking the last moments of her life because I've
12 been there with a gun in my head. And you want to reward
13 him because he helped, nothing's going to change. You'll
14 always have gangs. It's been like that since the early
15 1900's, especially in New York. He ain't going to change
16 nothing. He hasn't changed nothing. He comes out with
17 these big fancy words that don't mean nothing, that are
18 empty. Uh, but the only person that's speaking right is
19 the DA. He's the one that gives me the right answers, man.
20 Because you know what? I'm gonna take this till the
21 hubcaps fall off. I'm going back to the Governor. If I got
22 a, if I got to protest that whole building, I'm going to
23 do it because this, I lost a daughter at 27 years old and
24 if they can't give me back, you can let them lose. Do you
25 know what? If you love, if your members believe in this

1 guy so much when he's released, you can take him home and
2 introduce him to your family, to your father, to your
3 mother, to your daughter, invite him over for dinner,
4 especially his lawyer. His lawyer, I wonder if she would
5 let him, uh, buy a house next door to her. That ain't
6 going to happen. And I'm going to finish my letter and
7 I'll let you go cause I already know what your decision is
8 going to be, but you know what? I'll finish it with a two
9 more words and that'll be it. Still, this and this still,
10 still this inmate asks me for mercy. Blaming his family, I
11 think I already said that for his childhood abuse.
12 Stabbing a guy 37 times, gang rape, prison rape, murder
13 while being on parole for only five days, 27 armed
14 robberies. There's people in that prison in there that got
15 one murder who got 50 years. This guy ran the gamut. This
16 guy did everything and you think of few programs, I've
17 been through all them programs in my life and this guy got
18 nothing coming, and in 2005, trying to smuggle in drugs in
19 the prison, you forgot about that one and he shot up a
20 family and a six year old baby was killed in that
21 shooting. I didn't come here to look-- to see how this
22 cockroach is feeling. This guy does not deserve to be
23 alive. His ego is bigger than this room. Don't forget the
24 loss infused in all the victims and their families and I'm
25 talking about like I just mentioned, five to 10 murders

1 that he already admit. What's the word you use, that
2 inmate? I'll give you a generic number between five and
3 turn, between five and 10 murders. I have to let this
4 anger out of me. I've held it in for 30 years. You got to
5 try to understand this. I can't live my life. I have no
6 life. I'm dealing with this guy every year and a half and
7 he's putting me through all this because he wanted to be a
8 gangster? He's there, what else? He feels like, super
9 well, I'm going to, they love the things. It feels like.
10 What is this? Uh, Rene, you say? I feel like Superman
11 turning into Clark Kent. Did you tell these board members
12 that? I feel like the devil turning into an angel. What's
13 the other one? I feel when I'm walking down the tier, I'm
14 a cut above the rest. Yeah, you're a cut above the rest,
15 all right. You couldn't do your time like everybody else
16 did and they want to reward you. Well, you know what?
17 Nobody gets rewarded. You want to step over dead bodies
18 and get rewarded and these board members are looking at it
19 that way. Well, I don't look at it that way. I'm missing a
20 daughter here and they'll never go away because, because
21 I'm still thinking the way, I'm still thinking what she
22 was thinking of the last moments of her life. This guy has
23 never displayed remorse or face me for my family, yet on
24 the official name, red, Redcoat Factor, Retro <inaudible>,
25 a general opinion, his opinion was he shouldn't be

1 paroled. Currently, Governor Brown and Newton [sic] said
2 he needed to remain locked up. This should tell you
3 something. Again, do not let this inmate deceive you like
4 he's doing now or the system this time around. One more
5 thing before I end this. How could this guy get any write
6 ups when you had him in protective custody knowing that
7 he's got to go and see the board in another year and a
8 half and I got to go deal with this guy again. He hurt a
9 lot of people and I don't even have a life. I, I retired
10 and I kind of need to be retired or live my life because
11 I'm thinking I got to go through this mess with this, with
12 this inmate. I think get better and that lawyer getting on
13 Facebook saying he was innocent. Most people are innocent.
14 You know what? She should invite him over for dinner to
15 meet her family if he ever, if he ever gets released.
16 That's all I have to say, and I will, I'm going to be a
17 flea, like on a dog. Every time he scratches, he's going
18 to remember me. That's all I have to say, and I'll see
19 you. I'll thank, uh, thank you, board members for hearing
20 me out the way I came up, but you're going to have to try
21 to understand that I'm full of hatred and I am missing a
22 27 year old daughter. She would be 59 today. No birthdays
23 and all I have left is a grave to go to. He has his kids,
24 he's got money and I don't see no money, I don't, I'm
25 going to see about that money bit too. I'm going to pursue

1 this to the end. I'm going to pursue everything that he's
2 done and I'm going, and I got, I'm even lost for words
3 anymore. I'm so angry. Well, thank you very much for
4 listening to me, but you will see with that thing, that
5 person - Oh, one more thing. I heard he said when he got
6 out from being locked up for 23 years, I mean 23 hours a
7 day running his feet through the grass, made him feel like
8 he was reborn, well, he better get used to it. Because you
9 know what? As long as I'm alive, he's going to be keep
10 doing that until he turns into a dinosaur. That's all I
11 have to say you board members and thank you very much for
12 it.

13 **PRESIDING COMMISSIONER LONG:** Thank you.

14 **VICTIM'S FATHER FIGUEROA:** Putting up with what I
15 have to say. Thank you very much.

16 **PRESIDING COMMISSIONER LONG:** Thank you. Would, uh,
17 Cynthia Lua like to make a statement also?

18 **VICTIM'S COUSIN RODRIGUEZ:** I'm sorry?

19 **PRESIDING COMMISSIONER LONG:** Is there anybody else
20 that would like to make a statement?

21 **VICTIM'S COUSIN RODRIGUEZ:** Uh, no, that's it.

22 **PRESIDING COMMISSIONER LONG:** Okay. I want to thank
23 everybody. Uh, we'll recess now for deliberations, the
24 Deputy Commissioner and I will, uh, drop out of the
25 meeting. I'd ask everybody else to please remain on and

1 we'll return, uh, upon conclusion of our deliberations

2 **ATTORNEY SHEPPARD:** So, we stay on, uh, wait a second
3 please.

4 **PRESIDING COMMISSIONER LONG:** Yes, please. Stay on
5 the line and we'll, uh...

6 **VICTIM'S FATHER FIGUEROA:** Excuse me, uh, Mr.
7 board member. I forgot one more thing. The most important
8 thing. I forgot about my wife. My wife when my, when my
9 daughter Cindy was born, our marriage only lasted two
10 years. When he executed my daughter in '89, she has been
11 locked up in her apartment since '89 up to this very day
12 with two cats and a Bible. And she has aged like she's 85
13 and she's only 74. And that's another person that I lost.
14 And she's scared of him getting out and she wouldn't even
15 come out of her apartment. She's been locked up in her
16 apartment. You, I want you board members to please
17 understand what I am going through, man. I had no life.
18 You think he has a life? He's been treated like, uh, like
19 he's been to, he's been, he's been treated like a, a
20 celebrity, like a movie star. But my wife is scared of
21 this guy getting out that's why she won't go to the parole
22 hearings with me or write a letter anymore. So, I'll end
23 with that because I had forgotten about that. She's been
24 locked up. He thinks he's been locked up, Cindy's mom has
25 been locked up all these years since '89 when he executed

1 her, taking her right to hell. And I know where that guy
2 that shot her lives. I know he can hear me say that. San
3 Diego, not that far.

4 **ATTORNEY SHEPPARD:** Hello. That's the end of it. What
5 happens now?

6 **PRESIDING COMMISSIONER LONG:** Okay. So, we're going
7 to, uh, recess for deliberations. The Deputy Commissioner
8 and I will exit the meeting. We'll ask everybody else to
9 remain in the meeting and, uh, once we conclude our
10 deliberations, we will come back on.

11 **ATTORNEY SHEPPARD:** So, um, I'm on a cell phone right
12 now, so should I just leave it on and you're just going to
13 come back?

14 **PRESIDING COMMISSIONER LONG:** Yeah, we'll come back.

15 **ATTORNEY SHEPPARD:** Okay. I'll just leave my phone
16 on. I won't turn it off or anything. Um, thank you.

17 **PRESIDING COMMISSIONER LONG:** Okay. Thank you
18 everybody. The time is 12:30.

19 **DEPUTY COMMISSIONER DENVIR:** We're off the record.
20
21
22

23 **[RECESS]**
24
25

CALIFORNIA BOARD OF PAROLE HEARINGS**DECISION**

1
2
3 **DEPUTY COMMISSIONER DENVIR:** We are back on the
4 record.

5 **PRESIDING COMMISSIONER LONG:** Okay. The date is May
6 6, 2020. The time is approximately 1300 hours. All parties
7 present prior to panel's deliberations have returned. Mr.
8 Enriquez, our legal standard today is we must determine if
9 you continue to pose an unreasonable risk to public
10 safety. And accordingly, a denial of parole must be based
11 on evidence in the record of your current dangerousness.
12 The evidence we consider today where your central master
13 files, Comprehensive Risk Assessment conducted by Dr. Chen
14 on March 19th of 2020, the testimony provided by you
15 today, the statement from all the victim's family members,
16 and also the input of Deputy District Attorney Sowders and
17 inmate Counsel Ms. Shepherd. We did review the significant
18 confidential information in your file, uh, which was
19 primarily historical in nature. We did not rely on that
20 information due the passage of time and lack of current
21 relevance. So, Mr. Enriquez, based on the legal standards
22 and evidence considered, we find that you do not pose an
23 unreasonable risk to public safety and are suitable for
24 parole today. Uh, there were some facts that aggravate

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 1**

1 your risk, your criminal parole history in particular, you
2 had early onset of criminality, started at about age 11
3 and you committed multiple crimes and crimes that
4 escalated in seriousness and you had multiple parole
5 violations. We also found your self-control throughout
6 your criminal history and the life crimes to be an
7 aggravating factor today. You were unable to control your
8 behavior as a result of one or more of the following
9 negative peer pressure. You associated with those who
10 engaged in criminal gang and substance use and behavior.
11 You responded to anger and impulsivity and a desire for
12 power and control in antisocial ways. You perceived others
13 to be a threat and acted preemptively to mitigate that
14 threat. You were impulsive, failed to recognize or think
15 of consequences in committing crimes and demonstrated
16 exceptionally poor decision making. You were callous
17 towards others and had a criminal attitude. However, we
18 find that those factors aggravating your current risks are
19 outweighed significantly today by factors that mitigate
20 your current risk. We note the Comprehensive Risk
21 Assessment determines you pose in low risk of future
22 violence, which means you pose a non-elevated risk
23 relative to other long-term offenders. So, that is a
24 mitigating factor too as well as your programming is

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 2**

1 mitigating. The risk factors identified in the risk
2 assessment have mostly been addressed through active
3 participation and completion of significant self-help
4 programming. The decision, uh, through three years of
5 therapy to help address your issues. You attended college
6 and you've done significant work on your own today to
7 address your character defects as evidenced by the
8 writings, uh, your writings and book reports. Uh, and we
9 do note also the remorse letters. They're not, uh,
10 unfortunately, not permitted to send those to the victims
11 directly. Uh, and so, that's why the victims, uh, um,
12 weren't able to see those remorse letters, but we were
13 able to see and read them and, uh, we also note that, uh,
14 it's very clear that you took the Governor's concerns in
15 the 4/12/19 reversal letter to heart and then you worked
16 diligently in the intervening time to address those
17 issues. So, again, programming as a mitigating factor.
18 Your institutional behavior was found to be mitigating as
19 well today. You've had no misconduct whatsoever in over 15
20 years and no violence in 23 years. Plus, you have
21 demonstrated behaviors that goes above and beyond rule
22 compliance by a meritorious behavior. Working as a youth
23 mentor, providing training to law enforcement and testify
24 in court to help law enforcement dismantle criminal

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 3**

1 enterprises numerous times. We found your offend, offender
2 change category, which is, uh, one of the critically
3 important ones to be mitigating today. You've clearly
4 demonstrated change. And the panel felt that you were
5 open, honest and accepted full responsibility without
6 minimizing in your testimony today. Panel thought you
7 demonstrated deep insight into the causative factors of
8 your crimes and also demonstrated good insight into how
9 your antisocial personality disorder with narcissistic
10 traits contributed to your gang and criminal behavior. You
11 demonstrated humility, uh, in your testimony today, which
12 is difficult for somebody with narcissistic traits and
13 that you also demonstrate an acute awareness of the need
14 to manage those personality traits. We note that you also
15 have created several relapse prevention plans to manage
16 those, uh, personality traits as well as, um, uh,
17 substance abuse and, and gang criminal activity. Better
18 than most, uh, Mr. Enriquez, you understand the danger to
19 yourself and others from the Mexican Mafia and then you
20 elected to help law enforcement through training and
21 through testifying numerous times at great personal risk.
22 Uh, and so, uh, that is reflective of real change. Uh, we
23 also note that your age, at 57 years old and that you have
24 demonstrated stable and prosocial behavior for

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 4**

1 over 15 years, shows that your change is real and
2 enduring, and you've clearly demonstrated that lengthy
3 period of positive rehabilitation, which is the
4 requirement under the law for suitability. We found the
5 release plans to be mitigating today. You have concrete
6 realistic parole plans addressing community stability
7 factors. We note that you have several options for
8 addressing the potential unique security concerns related
9 to release to the community. You have stable housing,
10 prospective employment, prosocial support, and again,
11 those realistic, uh, relapse prevention plans to manage
12 your risk factors. Commissioner Denvir.

13 **DEPUTY COMMISSIONER DENVER:** I'm going to add a
14 couple of things, sir, but, uh, the chair at the, uh,
15 Commissioner as the chair of the panel so he gives our
16 panel decision and speaks for both of us in terms of, uh,
17 our, our, our panel decision. Uh, but, uh, I wanted to add
18 a couple of things. I agree fully with what he said, and I
19 just wanted to add a couple of things, uh, because I was
20 the person charged with looking at your institutional
21 behavior and what you've done and what specifically has
22 been done since the last hearing and, you know, we have a
23 person in yourself that-- this made the decision to step
24 away in 2002 from the Mexican Mafia prison gang that, um,

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 5**

1 I become acquainted with fairly well. Um, I've been with
2 the Board about 15 years and actually was a, a Deputy
3 District Attorney for a, a period before that. So, the
4 work I've done with the Board of the last 15 years has
5 been educational for me. I, I came in questioning if a
6 person could really change fundamentally who they were and
7 change the fabric of their beliefs and all those kinds of
8 things. Uh, you know, I was a bit of a skeptic and, and I
9 have to admit, um, over the course of my work with the
10 Board, I have seen amazing changes with people. I mean,
11 um, not to go on and on with this, but I've seen people
12 who would just soon stick a shank in you as shake your
13 hand and then many years later, they're at a facility, say
14 CMC and they're taking care of dying inmates and, uh, in,
15 disabled inmates and I mean helping them with activities
16 of daily living and they're not doing it to impress the
17 Board. They become different people. They really care
18 deeply about the people that are living with. And, um, in
19 you, there has been, as you yourself testified to from
20 2002 moving forward, it's a process and it took place, you
21 know, you last used substances in '05. Usually the first
22 that happens is, is, is the behavioral control and the
23 behavioral change where you're not getting the 115's and
24 you haven't gotten that since '05 and with you, in
25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 6**

1 addition to that, you know, the Mexican Mafia members that
2 I have seen come before the Board, generally, when they're
3 disassociating and, and debriefing, they do that. They,
4 they know transparency is required and they give that. But
5 after that, they want to go disappear and hide. Um, you
6 know, obviously you've taken a much different path with
7 respect to not only giving everything that you knew that
8 was going on, but going on to putting yourself and your
9 family a great, um, in great jeopardy by all the work
10 you've done and I note the detail in the documents, all
11 the testifying and, and Brian Perry details that over
12 many, many years. Um, but I, I think, you know, we talked
13 about your prior, um, reliance on drugs and alcohol as a
14 coping mechanism. You've obviously had some big
15 disappointments in these last few years and never has drug
16 and alcohol been, uh, something you've fallen back to.
17 You've been on this positive track for a long, long time.
18 And with respect to the last, uh, three years, you talked
19 about the additional work you did on empathy, remorse, in
20 the area of sexual deviancy, the, the three years of
21 therapy that you took, you worked on your belief system.
22 So, you know, we're in a position of following the law.
23 We're assessing, are you on an unreasonable risk of danger
24 to the community at this time? That's the standard that

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 7**

1 the law charges us with. Not answering the question of,
2 you know, did you do some despicable things, which clearly
3 you did back in the day and, and as you know, from
4 listening to your victims and, from listening to victim's
5 family, their pain is real and it's deep and they feel it
6 every day. And I'm happy to hear you say, you know, I can
7 never give enough. And I, I say that to people because
8 I've heard many people say I'll gladly give my life for my
9 victim. But my counter to that is always you can give your
10 life, you look for opportunities for the rest of your life
11 to help other people. And what counts the most is the
12 small ways. Like you said, you know, it fed into your
13 narcissism to be the, the guy up on the, on the witness
14 stand testifying as this expert. It's the small ways where
15 no one's aware of it, but you and that person and you
16 know, just their gratitude and, and their having to humble
17 themselves to ris-- to accept the help you offer
18 sometimes. It's, there's a satisfaction and a happiness
19 that all the drugs and alcohol and fame and fortune could
20 never give to you. So, I really see you as on that path,
21 sir, and I hope that is a path you continue on for the
22 rest of your life, looking for opportunities to better the
23 lives of others because there's a lot of need out there.
24 And you know, and again, it, it's never enough because you
25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 8**

1 can never give enough to the victim's family that, you
2 know, that, that's a pain that will never end. So, um, I,
3 I undoubtedly have gone longer than I intended to, but,
4 uh, I wanted to make that point, um, with respect to your
5 work since the last hearing has been consistent and it's
6 been very positive and continuing to address what you
7 recognize or character defects that you'll have to bear
8 the rest of your life. And, and so, with that I'm going to
9 go ahead and defer back to the chair and wish you the
10 best.

11 **INMATE ENRIQUEZ:** Thank you.

12 **PRESIDING COMMISSIONER LONG:** Thank you. So, Mr.
13 Enriquez, once again, based on these findings, we conclude
14 that you do not pose an unreasonable risk, uh, to public
15 safety at the current time and accordingly, we find you
16 suitable for parole. As you know, our decision is not
17 final, will be reviewed by the board for up to 120 days
18 followed by review by the Governor for up to an additional
19 30 days. You'll be notified in writing if there are any
20 changes to this decision. Mr. Enriquez, when you are
21 released from prison, you'll be subject to all general
22 conditions of parole required by law as well as any
23 special conditions of parole imposed by the Division of
24 Adult Parole Operations. In addition, this panel orders

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 9**

1 the following special conditions of parole. We order that
2 you participate in a transitional housing program. We
3 order you to not possess or consume alcohol, that you
4 submit to random testing for alcohol. Do not enter an
5 establishment where you know, reasonably should know the
6 sale or conception of alcohol is that establishment's
7 primary source of business. That would include bars and
8 liquor stores. We order that you submit to random anti-
9 narcotics testing, including marijuana. Do not possess or
10 consume controlled substances or marijuana or THC in any
11 form. And that you participate in substance abuse and
12 alcohol relapse prevention program. Lastly, we order you
13 to not actively participate in, promote further or assist
14 any prison gang disruptive group or criminal street gang
15 activity. We order you to not associate with any prison
16 gang disruptive group or criminal street gang members
17 without prior written approval from your Parole Agent. And
18 that you do not wear or carry any gang colors or any signs
19 <inaudible> paraphernalia associated with gang activity. I
20 want to thank everybody for their time and their patience
21 today and for bearing with the technical difficulties that
22 we had. And, uh, so, that will conclude the hearing. The
23 hearing is now adjourned. The time is 13:13.

24 **DEPUTY COMMISSIONER DENVIR:** We are off the record.

25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 10**

ADJOURNMENT

1
2 THIS TRANSCRIPT CONTAINS THE PROPOSED DECISION OF THE
3 BOARD OF PAROLE HEARINGS (BOARD) ANNOUNCED AT YOUR RECENT
4 BOARD HEARING AND IS PROVIDED TO YOU IN COMPLIANCE WITH
5 PENAL CODE SECTION 3041.5, SUBDIVISION (A) (4), AND
6 CALIFORNIA CODE OF REGULATIONS, TITLE 15, SECTION 2254.
7 THIS PROPOSED DECISION WILL BECOME FINAL WITHIN 120 DAYS
8 OF THE DATE OF THE HEARING AS REQUIRED BY PENAL CODE
9 SECTION 3041, SUBDIVISION (B), UNLESS THE BOARD NOTIFIES
10 YOU IN WRITING BEFORE THEN THAT THE PROPOSED DECISION HAS
11 BEEN MODIFIED, VACATED OR REFERRED TO THE FULL BOARD,
12 SITTING EN BANC, DUE TO AN ERROR OF LAW, ERROR OF FACT OR
13 NEW INFORMATION PURSUANT TO CALIFORNIA CODE OF
14 REGULATIONS, TITLE 15, SECTION 2042. THEREAFTER, THE
15 GOVERNOR HAS AUTHORITY TO REVIEW THE BOARD'S DECISION AND
16 AFFIRM, MODIFY, OR REVERSE IT PURSUANT TO PENAL CODE
17 SECTIONS 3041.1 AND 3041.2.

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25 **RENE ENRIQUEZ H69471 5-6-2020 DECISION PAGE 11**

CERTIFICATE AND DECLARATION OF TRANSCRIBER

I, Celina Thyra, am a disinterested party, and have no interest in the outcome of the hearing. Further, I certify this transcript is a true, complete, and accurate record, to the best of my ability, of the recorded material provided for transcription of proceeding for:

In the matter of the Parole CDC Number: **H69471**
Consideration Hearing of:

RENE OLMOS ENRIQUEZ

IRONWOOD STATE PRISON

BLYTHE, CALIFORNIA

05/06/2020

8:33 AM

Signed: *Celina Thyra*

Transcribed by: Celina Thyra

Conduit Transcriptions

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Exhibit – 3

INDETERMINATE SENTENCE PAROLE RELEASE REVIEW
(Penal Code Section 3041.2)

RENE ENRIQUEZ, H-69471
Second Degree Murder

AFFIRM: _____

MODIFY: _____

REVERSE: _____ X _____

STATEMENT OF FACTS

In 1985, while serving a prior prison term, Rene Enriquez joined the Mexican Mafia and eventually became a high-ranking member. While on parole in 1989, Mr. Enriquez committed a series of crimes over three days. In the first incident, Mr. Enriquez ordered his crime partner to kill a drug dealer who he suspected was stealing from him. The crime partner took the victim to a remote area and fatally shot her. In the second incident, the Mexican Mafia placed a contract on the victim's life. Mr. Enriquez and his crime partner overdosed the victim with heroin and then drove the victim to a remote area where Mr. Enriquez fatally shot him. In the third incident, Mr. Enriquez, while serving a prison sentence, attempted to carry out another contract murder ordered by the Mexican Mafia. Mr. Enriquez, his crime partner, and the victim were handcuffed in an attorney conference room. Mr. Enriquez and his crime partner freed themselves and stabbed the victim 26 times; he survived his injuries.

DECISION

I acknowledge Mr. Enriquez has made efforts to improve himself in prison. Mr. Enriquez has participated in self-help programming, including Criminals and Gangmembers Anonymous, Victim Awareness, and Criminal and Addictive Thinking and earned his GED. Since debriefing from the Mexican Mafia, Mr. Enriquez has assisted law enforcement with gang training, investigations, and has testified against gang members. Mr. Enriquez has been commended by law enforcement officers and prosecutors for his efforts. I commend Mr. Enriquez for taking these positive steps. However, these factors are outweighed by negative factors that demonstrate he remains unsuitable for parole at this time.

Mr. Enriquez has an extensive history of violent and sexually violent behavior both in and out of custody. He has personally engaged in a range of criminal activities, including but not limited to several armed robberies, gang rape and

sodomy of a young woman, sexual assault against another inmate, and multiple murders and assaults. As a high-ranking member of the Mexican Mafia, Mr. Enriquez also ordered attacks on other gang members, manufactured and distributed weapons, trafficked drugs, and recruited and trained new members. Mr. Enriquez's violent conduct for his personal gain continued until he began assisting law enforcement, which resulted in favorable treatment.

I acknowledge that Mr. Enriquez has not been disciplined for misconduct since debriefing from the Mexican Mafia, however I believe that Mr. Enriquez's extensive history of violent and manipulative behavior elevates his current risk level. The psychologist who evaluated Mr. Enriquez acknowledged that he has made prosocial changes but noted that because of Mr. Enriquez's "ingrained patterns of antisocial and narcissistic thinking and behavior. . . some of the prosocial changes he has made may not have been altruistic." The psychologist also concluded that Mr. Enriquez "tends to present as a 'smooth talker' who is facile with communication. He is bright and has adequate resources to research what he believes is expected of him and address the issues the parole board and the governor have raised in the past." Mr. Enriquez must do more to demonstrate that his desistance from misconduct represents an authentic and enduring transformation in thought and conduct, and not merely an attempt to game the system for his needs.

The psychologist identified several of Mr. Enriquez's current risk factors for violence including "significant personality disorder traits, substance abuse issues, extremely negative/violent attitudes, involvement with antisocial individuals, and limited insight into these issues." Additionally, the psychologist categorized Mr. Enriquez as representing an above-average risk of sexual offense reconviction. Notably, the psychologist concluded that, despite the mitigating factors of Mr. Enriquez's age and the absence of information that Mr. Enriquez has sexually offended for more than 30 years, this categorization only "slightly" overstates his current risk level.

I encourage Mr. Enriquez to continue his efforts in rehabilitation. In light of his current risk factors, he must show additional progress before he can be released without undue risk to public safety.

CONCLUSION

I have considered the evidence in the record that is relevant to whether Mr. Enriquez 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. Enriquez.

Decision Date:
September 18, 2020

A handwritten signature in black ink, appearing to read 'Gavin Newsom', with a long horizontal line extending to the right.

GAVIN NEWSOM
Governor, State of California

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **In re Rene Enriquez**
CsaNo.: **BH013600**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On **July 28, 2021**, I have caused to be mailed the attached

**RETURN TO ORDER TO SHOW CAUSE; MEMORANDUM OF POINTS
AND AUTHORITIES**

a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

Jacob J. Hutt
Prison Law Office
1917 Fifth Street
Berkeley, CA 94710-1916
Attorney for Petitioner Rene Enriquez

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on **July 28, 2021**, at Los Angeles, California.

J. Garcia

Declarant

/s/ J. Garcia

Signature