



BROOKE JENKINS  
District Attorney

February 28, 2024

Governor Gavin Newsom  
1303-10th Street, Suite 1173  
Sacramento, California 95814

Re: Request to Rescind Parole Suitability Finding  
Royce Miller, CDCR No. G13661  
Date of Birth: April 11, 1983

Dear Governor Newsom:

On October 12, 2023, the Board granted parole for Inmate Miller after the assistant district attorney handling Inmate Royce Miller's parole hearing stated that Inmate Miller would *not* pose an unreasonable risk of danger to the community if he were released from prison. But a careful review of the case shows that Inmate Miller would, in fact, pose an unreasonable risk upon any release. I therefore strongly urge you to reverse the improvident grant of parole to Inmate Miller.

At the request of the victim's next of kin, we conducted another assessment of Miller's case and reviewed the transcript of Inmate Miller's parole hearing. Inmate Miller's parole hearing was not handled how we expect such matters to be handled. The District Attorney's Office strives to ensure that each case up for parole review is thoroughly reviewed to ensure that the requestor has been rehabilitated and the victim or their surviving family members are consulted before taking any position. That did not happen in this case.

Inmate Miller strangled to death 17-year-old Maxina Danner sometime over the night of Sunday, September 26, 2004. There was also evidence of blunt force trauma to the victim's mouth, as though she had been struck by an object. Inmate Miller left Danner's lifeless body in his garage and went to work for nearly 8 hours. Upon his return home, Inmate Miller enlisted the help of two friends to dump Danner's body in McLaren Park. A motorist discovered her body clad in pajamas and covered by a quilt. At trial, Inmate Miller's defense squarely blamed his friend Maurice Powell for Danner's murder.

A review of Inmate Miller's 2023 BPH Comprehensive Risk Assessment establishes that Inmate Miller currently poses an unreasonable risk of danger to society if released from prison—contrary to the representation made at the October 2023 hearing. When analyzing Inmate Miller's lifetime historic risk factors and their current relevance, Dr. Montgomery found Inmate Miller currently presents *six* predictive factors for violent recidivism to a moderate or high degree of relevance: (1) Relationships [high], (2) Other Antisocial Behavior [moderate], (3)

Governor Gavin Newsom

February 28, 2024

Re: Royce Miller, CDCR No. G13661

Page: 2

Substance Use [moderate], (4) Personality Disorder [moderate], (5) Traumatic Experiences [moderate], and (6) Treatment or Supervision Response [moderate].

While each of these risk factors demonstrate that Inmate Miller poses an unreasonable risk of danger, Dr. Montgomery added “the caveat that a too-soon engagement in an intimate relationship would significantly elevate his risk for future violence[,]” when assessing Inmate Miller’s relationships risk factor.

Dr. Montgomery also noted that Inmate Miller’s “understanding of the underlying personality traits that made him more vulnerable to engaging in violence, and how these factors may impact his future decision-making and behavior” remains limited when assessing his self-awareness clinical predictive risk factor. Additionally, Dr. Montgomery could not conclude “with any certainty that Inmate Miller will be fully responsive to management efforts and parole conditions in the future.”

The testimony of the victim’s next of kin during Inmate Miller’s 2023 parole hearing further describe the long-lasting effects of Maxina’s murder. These statements shall be considered by the Commissioners when determining suitability. (See Cal. Const., art. I, § 28, subds. (b)(8), (b)(15), & (b)(16); Pen. Code, §§ 679.02, subd. (a)(5) and 3043.)

Andrea Weltman, Maxina’s older sister, waited 15 years for the truth about her sister’s murder but doubted the sincerity of Inmate Miller’s belated remorse or that it will endure. In fact, Jeremy Weltman (Andrea’s husband, who witnessed the entire trial) noted that Inmate Miller still has not addressed the “grab marks” on Danner’s leg and wrist or the “tase marks” on her body, which shows a lack of insight. And critically, Mr. Weltman pointed out that Inmate Miller’s **moderate** risk assessment had been downplayed during the hearing.

Because Inmate Miller’s lack of sufficient insight is rationally indicative of his risk of engaging in future violence and he currently presents **six** predictive factors for violent recidivism to a moderate or high degree of relevance, we respectfully urge the rescission of the order releasing Inmate Miller into our community.

Sincerely,



Brooke Jenkins  
District Attorney