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April 25, 2025

The Honorable Gavin Newsom
Governor, State of California
1303 10th Street, Suite 1173
Sacramento, California 95814

Re: Allie Hazel Brown (formerly Herbert David Brown, III), CDCR# AY2227

Dear Governor Newsom:

I am writing with an urgently time sensitive matter. You must act within 30 days of the Board of Parole Hearings *en banc* decision made on April 22, 2025.

I respectfully urge you to immediately exercise your authority pursuant to Article V, Section 8(b) of the California Constitution and Penal Code sections 3041.1 and 3041.2 to review the grant of parole to inmate Allie Hazel Brown (CDCR# AY2227) and to reverse the grant of parole that has now been affirmed by the Board of Parole Hearings *en banc*.

We have reviewed the record and have concluded that Inmate Brown remains a dangerous threat to public safety. Inmate Brown was granted parole on October 30, 2024 having previously pled guilty to second degree murder, accepting a term of 15 years to life. Inmate Brown entered prison in November 2015. You referred this case for an *en banc* hearing which occurred on April 22, 2025. There, the board of parole affirmed their previous grant of parole.

Brown murdered Brown's own daughter, Lily Brown, when Lily was not yet 2 years old and still in diapers. Inmate Brown, then a male (formerly Herbert David Brown), had a relationship with Lily's mother, Dawn. On February 18, 2013, Lily was with Brown when police were called after Lily became nonresponsive. Inmate Brown told police that the baby's bruises, seen on her legs and head, were from playing and the dog pulled on a leash that she held, slamming Lily into a door jamb.

Lily was in critical condition and taken to a children's hospital at Stanford Medical Center. The doctor there found numerous bruises which he opined were 2 to 3 days old. Subsequently, a CAT scan revealed that Lily had suffered a fractured skull and hemorrhaging in her brain. The doctor's diagnosis was that the baby was violently shaken and her head was slammed against something hard at least once.

Due to the extent of baby Lily's injuries, at the age of only 22 months, she was taken off life support. Then Lily was pronounced dead. Please see the enclosed photos. My office has concluded that the parole board panel disregarded and gave inadequate weight to the following:

1. the gravity of the crime Inmate Brown committed;
2. the inmate's disingenuous and conflicting statements regarding killing baby Lily and the causative factors for doing so;
3. the forensic psychologist's Comprehensive Risk Assessment;
4. the inmate's history of rules violations while incarcerated;
5. Inmate Brown's neurodevelopmental disorders which require ongoing treatment and medications; and
6. inadequate relapse prevention plans for domestic violence and mental health.

Brown's Inconsistent Statements regarding the Life Crime and Substance Abuse

At the outset of the October 30, 2024 parole hearing, Commissioner Long referenced the previous parole suitability hearing that occurred just 18 months prior on April 27, 2023 which resulted in a denial of parole. He addressed Inmate Brown stating, "[S]ome of the reasons were for the denial -- for the denial were that you were minimizing your acceptance and responsibility for the life crime and also your disciplinary history. So much of today's hearing is going to be dedicated to the timeframe since the last hearing, and the extent to which you followed the recommendations of the prior Panel." (*October 30, 2024 Parole Hearing Transcript*, p. 15, ll. 1-7)

Immediately following the commissioner's words, Inmate Brown launched into an exaggerated emotional explanation of how Brown abused the baby for days and eventually took Lily's life. **Brown also testified that Brown's sober date was December 12, 2012.** (*October 30, 2024 Parole Hearing Transcript*, p. 52, ll. 3-7) However, in explaining the life crime, which occurred on February 18, 2023 (over 2 months later), Brown said that one of the causative factors was that Brown was withdrawing from methamphetamine and hadn't slept in days. (*October 30, 2024 Parole Hearing Transcript*, p. 19, ll. 4-25 and p. 65 line 21- p. 66, line 20) Inmate Brown testified that at the time of committing the life crime and hitting Lily, **"I was looking at a meth pipe and burning it on the stove to get rid of the evidence."** (*October 30, 2025 Parole Hearing Transcript*, p. 25, ll. 12 - 21) Commissioner Long noted this inconsistency during the hearing then disregarded it. (*October 30, 2024 Parole Hearing Transcript*, p. 65, line 21- p. 66, line 20)

In a January 2023 interview with the CRA doctor, the inmate admitted hitting Lily, but also blamed the dog. Brown said that Lily slipped in the shower, and said "I wasn't doing well, I wasn't eating, I had been up for four days" (2023 CRA, p. 8.)

Brown's differing accounts regarding how and why the life crime occurred reveal a lack

of honesty and accountability for the callous and deplorable murder of baby Lily. They also reveal that the alleged “sober date” is not as Inmate Brown claims.

Comprehensive Risk Assessment

The most recent Comprehensive Risk Assessment (CRA) was authored by Dr. Anna Myers, a forensic psychologist for the Board of Parole Hearings Forensic Assessment Division who met with Brown in January 2023. The doctor assessed Brown and rendered a professional opinion that Inmate Brown presents “a **Moderate (Higher Moderate)** risk for violence.” (2023 CRA, p. 11)

Brown has a long history of substance abuse in the community including alcohol, cannabis, opioids, and methamphetamine. Inmate Brown has been treated in the Correctional Clinical Case Management System (CCCMS) since incarceration and has been diagnosed over the years [REDACTED]

[REDACTED] . (2023 CRA, pp. 5-6)

In determining Brown’s ongoing risk for violence, Dr. Myers noted:

“Ms. Brown’s documented history of violence includes a 2008 arrest for obstruct/resist a peace officer, the murder of her daughter in 2013, and a 2014 incident in jail that resulted in a write-up for resisting staff. When interviewed, she further reported several fights as a youth, one of which led to her expulsion from school for inciting a riot, as well as domestic violence during her relationship with Dawn [baby Lily’s mother]. She also has a history of other antisocial behavior, including motor vehicle infractions and conflict with staff in prison that resulted in counseling write-ups. From this history, it can be inferred that Ms. Brown has become violent and engaged in antisocial behavior largely in the context of emotional distress and interpersonal conflict. Stated differently, she has a history of *relationship problems* due to pronounced emotional reactivity and social skills deficits. These personality traits are partly of neurodevelopmental origin, partly the result of *traumatic experiences*, and partly symptomatic of a [REDACTED] disorder. Regardless, these traits have become entrenched in the form of a [REDACTED] disorder characterized by impulsivity, emotional dysregulation, and difficulty relating to others.” (2023 CRA, p. 7)

This office has concluded that the parole board panel disregarded and gave inadequate weight to the CRA doctor’s assessment and the factors that led her to render that conclusion.

Recent Institutional Misbehavior

Brown received two counseling write ups for disobeying an order in June 2022 and unlawful influence/participating in conduct conducive to violence in August 2022.

Dr. Myers opined:

“She most recently engaged in documented violence in 2014, when she resisted custodial staff in jail while again [REDACTED]. Although she has not perpetrated any documented violence since, the two counseling write-ups she incurred in 2022 reflect ongoing emotional instability and interpersonal conflict, even within the highly-structured setting of prison. Upon release to a less structured setting and in the context of increased stress, these issues can be expected to intensify. She will be at particular risk for violence when she encounters problems in a new intimate relationship.” (2023 CRA, p. 10)

During the October 2024 parole suitability hearing, Commissioner Long asked Inmate Brown about an incident documented in a confidential memorandum dated July 6, 2022 where Inmate Brown is said to have participated in conduct conducive to violence. (*The District Attorney’s office does not have access to the confidential section of the inmate’s prison file.*) Inmate Brown minimized and explained this away as Inmate Brown did the previous violations at the April 27, 2023 hearing. (*October 30, 2024 Parole Hearing Transcript*, p. 31, line 16 - p. 32, line 25) The board accepted this and disregarded the inmate’s poor performance while incarcerated. (*October 30 2024 Parole Hearing Transcript*, p. 84, line 21-p. 85, line 3)

Inadequate Relapse Prevention Plans

The board further failed to take into account that Inmate Brown did not put together comprehensive relapse prevention plans for domestic violence or mental health management. (*October 30, 2024 Parole Hearing Transcript*, p. 43, ll. 4-13 and p. 44, ll. 21-24) This is **alarming** because both the life crime and the background of abuse against Lily’s mother involve domestic violence and apparent mental instability. These areas were also of particular concern to the CRA doctor. (See above)

Conclusion

Inmate Brown committed brutal violence and murdered Brown’s own vulnerable baby girl Lily. Brown has done self-help programming but didn’t express responsibility for Lily’s death until Inmate Brown was told that the failure to do so was a bar to being paroled. Even then, Inmate Brown’s account lacked credibility.

Brown has a long history of substance abuse, which contributed to the murder. Inmate

Brown has significant mental health issues that appear to require ongoing monitoring and treatment. Inmate Brown's relapse prevention plans are inadequate and superficial.

Based on all of the above, I respectfully and earnestly implore you to grant review and use your authority under the California Constitution to stop this improvident grant of parole before Inmate Brown is released.

Very sincerely,

A handwritten signature in blue ink, appearing to read "Dan Dow", with a stylized flourish at the end.

Dan Dow District Attorney
County of San Luis Obispo, State of California

Enclosures

- (1) Autopsy Photos of Lily Brown (6)
- (2) Transcript of Parole Hearing, October 30, 2024
- (3) Comprehensive Risk Assessment, January 2023
- (4) En Banc Decisions – Tuesday, April 22, 2025