

BOARD OF PAROLE HEARINGS
Executive Board Meeting
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html
Tuesday, February 18, 2014
OPEN SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

NOTE START TIME: 1:00 p.m.

AGENDA

MEETING CALLED TO ORDER

CONSENT CALENDAR

1. Roll Call
2. Comments and Clarification regarding Board of Parole Hearings (BPH) Meeting Minutes: January 22, 2014
3. Parole Suitability Hearings and Backlog Report
4. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.

REPORTS AND PRESENTATIONS

5. Report from Executive Officer
 - SB 260 Update
 - Work Groups Update
 - 2013 Year in Review
 - Update on Audio and Video Conferencing Equipment and Guidelines
6. Report from Chief Counsel
7. Report from Chief Deputy of Program Operations
 - Update Regarding Recording Equipment
8. Report from Chief Deputy of Field Operations
 - Update Regarding Reorganization of Field Operations Following Realignment
9. Discussion Regarding Tours of Transitional Housing Facilities

OPEN COMMENTS

10. BPH Commissioners – Agenda Items for Future Meetings
11. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

MEETING RECESSED TO WEDNESDAY, FEBRUARY 19, 2014

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, February 18, 2014
CLOSED SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

NOTE START TIME: 2:00 p.m.

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issues

1. *Gilman v. Brown*, Case No. 2:05-CV-00830 LKK (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Howard Moseley, Chief Counsel

2. Cases involving claims of innocence that are likely to result in a court-ordered rehearing, presented by Howard Moseley, Chief Counsel, and Mina Choi, Staff Attorney

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Wednesday, February 19, 2014
CLOSED SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

NOTE START TIME: **9:00 a.m.**

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(A board may meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issues

1. *Coleman/Plata v. Brown*, Case No. 2:90-CV-00520 LKK JFM P (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Howard Moseley, Chief Counsel

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BOARD OF PAROLE HEARINGS
Executive Board Meeting
Wednesday, February 19, 2014
OPEN SESSION
(All times are approximate and subject to change.)

1515 K Street
 Executive Board Conference Room
 Sacramento, California 95814

NOTE START TIME: 10:00 a.m.

AGENDA

MEETING RECONVENED (Continued from February 18, 2014)

EN BANC REFERRALS

12. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. JENNINGS, CHARLES C-01249
 County of Commitment:
 Fresno

B. MAGEE, LYDEL D-20132
 County of Commitment:
 Los Angeles

C. ROBELEN, JAMES J-04601
 County of Commitment:
 Los Angeles

13. Referral by the Chief Counsel pursuant to California Code of Regulations, title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed five (5) minutes.

D. JURADO, GUY B-96199 **To determine whether the panel's consideration of confidential information is consistent with other Board decisions and the furtherance of public safety**
 County of Commitment:
 Merced

E. HUERTA, DANIEL K-80830 **To determine whether the panel's consideration of parole plans is consistent with other Board decisions and the furtherance of public safety**
 County of Commitment:
 Los Angeles

F. MARTINEZ, FRANCISCO K-39583 **To determine whether the panel's consideration of confidential information is consistent with other Board decisions and the furtherance of public safety**
 County of Commitment:
 San Bernardino

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G. OLMOS, JAIME **AF-4802** **To consider the term calculation**
 County of Commitment:
 Ventura

14. Referral to consider for a rescission hearing pursuant to California Code of Regulations, title 15, section 2450 et seq. Members of the public may address the Board for a period not to exceed five (5) minutes.

H. ACEVES, SALVADOR **H-73423** **To consider new information regarding an alleged rules violation on January 22, 2014**
 County of Commitment:
 Orange

15. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044 to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

I. ROGGE, CHAVES **E-37145**
 County of Commitment:
 Los Angeles

J. TALANAY, ANTHONY **E-76885**
 County of Commitment:
 Riverside

16. Referral by the Governor pursuant to Penal Code section 4802 to review a pardon application. Members of the public may address the Board for a period not to exceed five (5) minutes.

K. OLSGARD, MELISSA **N-09479**
 County of Conviction:
 Butte

L. PREVITI, JAMES **H-94215**
 County of Conviction:
 San Bernardino

OPEN COMMENTS

17. BPH Commissioners - Agenda Items for Future Meetings

18. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board will not consider comments about future parole hearings. Those comments should be sent to the prison where the inmate is housed so that they can be considered by the panel assigned to the case.

The decision in the above hearings will be posted no later than 4 p.m. in the lobby on the ground floor of 1515 K Street and also on the BPH internet page at the following address:
www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126(c)(4)
 (“...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.”)

ADJOURNMENT

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinator at (916) 445-4072, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.