

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, April 20, 2015**

OPEN SESSION

(All times are approximate and subject to change.)
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html

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

START TIME: 1:00 p.m.

AGENDA

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the March 16 and 17, 2015 Board of Parole Hearings Executive Board Meeting
3. Approval of the Parole Suitability Hearings and Backlog Report for April 2015
4. Approval of Motions for Hearings with Procedural Errors – No motions to consider
5. 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 a Board Member requests separate action.

REPORTS

6. Report from Executive Officer
 - National Crime Victims' Rights Week
 - *Coleman/Plata* Monthly Status Update
 - Legislative Update
 - Outreach Update
7. Report from Chief Counsel
 - Consultation Bench Guide, presented by Tiffany Shultz, Assistant Chief Counsel
8. Report from Chief Deputy of Program Operations
 - Board's Information Technology System (BITS; formerly "Lifer Scheduling and Tracking System" or "LSTS") Update
 - WatchDox Update
 - Gate Clearances for District Attorneys and Private Attorneys

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, 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.

9. Report from Chief Deputy of Field Operations
 - Electronic Parole Discharge Review Process
 - Update to the Board's Mentally Disordered Offender Processes
10. Report from Chief Administrator Offender Investigations and Screening Division
 - New Investigator Training
 - Post-Hearing Investigative Processes

DISCUSSION ITEMS

11. a) Administrative Directive 2015-01A Required Documents For A Parole Suitability Hearing and Administrative Directive 2015-01B Determining If Good Cause Exists To Grant A Postponement Of A Parole Suitability Hearing Due To An Inmate's Inability To Obtain Essential Documents, presented by Tracy Young, Staff Attorney
- b) Board Questions and Comments
- c) Public Comments
- d) Motion and Votes

PRESENTATIONS

12. Demystifying How the Board of Parole Hearings Schedules Hearings, presented by Sandra Maciel, Chief Deputy of Program Operations, Kevin Stripling, Scheduling Analyst, and Steven Mehler, Scheduling Analyst
13. Office of Victims and Survivors Rights and Services (OVSRS) Update, presented by Cynthia Florez-DeLyon, Chief of OVSRS, Katie James, Assistant Chief, and Mike Young, Manager

OPEN COMMENTS

14. BPH Commissioners – Agenda Items for Future Meetings
15. 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 TUESDAY, APRIL 21, 2015

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, April 21, 2015**

OPEN SESSION

(All times are approximate and subject to change.)

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

START TIME: 10:00 a.m.

AGENDA

MEETING RECONVENED (Continued from April 20, 2015)

16. Roll Call

EN BANC REFERRALS

17. 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. MORENO, DAVID	K-50835
Sentencing Court(s): Los Angeles	

18. 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.

B. ARNOLD, KENNETH	E-60645	To consider increasing the base term and the adjusted base term (Cal. Code of Regs., tit. 15, § 2041(h).)
Sentencing Court(s): Contra Costa		
C. EASTMAN, KELLY	K-97242	To reconsider the term calculation (Cal. Code of Regs., tit. 15, § 2041(h).)
Sentencing Court(s): Los Angeles		
D. FERGUSON, KENNETH	K-11229	To reconsider the November 18, 2014 en banc decision
Sentencing Court(s): San Diego		
E. HOWARD, JAMIL	T-43569	To consider increasing the base term and the adjusted base term (Cal. Code of Regs., tit. 15, § 2041(h).)
Sentencing Court(s): San Joaquin		

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19. 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.

F. RENFROW, KEITH	C-34360	To consider alleged fraudulent documents
Sentencing Court(s): Los Angeles		

20. 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.

G. COLE, LEONARD	H-00643
Sentencing Court(s): Lassen	

H. JEFF, ROBERT	T-63556
Sentencing Court(s): Kings	

I. MARTINEZ, LEONARD	G-55545
Sentencing Court(s): Tulare	

OPEN COMMENTS

21. 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 decisions in the above hearings will be posted as soon as they are finalized in the lobby on the ground floor of 1515 K Street. They will also be posted within 24 hours 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

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, April 21, 2015**

OPEN SESSION

(All times are approximate and subject to change.)

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

START TIME: **1:30 p.m.**

AGENDA

1. Effects of Alcohol and Drugs on Human Behavior
 Michael Shopshire, Ph.D., LEAD Program Training Coordinator & Regulatory Affairs Coordinator
 for Western States Node, NIDA Clinical Trials Network
2. Drug Programming
 Amber Barnett, Chief of Community and Reentry Services, Division of Rehabilitative Programs
3. Overview of California Department of Corrections and Rehabilitation's Office of the Ombudsman
 Sara Malone, Chief Ombudsman
4. Public Comment

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Wednesday, April 22, 2015**

OPEN SESSION

(All times are approximate and subject to change.)

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

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

AGENDA

1. Vicarious Trauma
Dr. Carol Rivero
2. Parole Reconsideration Hearings (PC 3000.1)
Heather McCray, Senior Staff Attorney
3. Public Comment

LUNCH BREAK

START TIME: **1:30 p.m.**

4. Overview of Mental Health Services Delivery System
Robert Canning, Senior Psychologist
5. Survey Of US Parole Systems
Christopher Aarons, Graduate Legal Assistant
6. Long Term Offender Program (LTOP)
Millicent Tidwell, Director of the Division of Rehabilitative Programs
7. Interviewing Techniques
Howard Moseley, Chief Counsel
8. Public Comment

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Thursday, April 23, 2015**

CLOSED SESSION

(All times are approximate and subject to change.)

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

START TIME: 10:00 a.m.

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

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

(Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a 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.)

Issue

1. *Johnson v. Shaffer* (E.D. Cal., Case No. 2:12-CV-01059 GGH P)(pending), presented by Tiffany Shultz, Assistant Chief Counsel, and Dr. Cliff Kusaj, Chief Psychologist

LUNCH BREAK

START TIME: 1:30 p.m.

Overview of Facts and Circumstances with Significant Exposure to Litigation

Pursuant to Government Code section 11126(e)(2)(B)(i)

(For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist: A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.)

Issues

1. Handling Objections at a Parole Consideration Hearing, presented by Jerome Hessick, Senior Staff Attorney, Howard Moseley, Chief Counsel, and Dr. Cliff Kusaj, Chief Psychologist
2. Parole Reconsideration Hearings (PC 3000.1), presented by Heather McCray, Senior Staff Attorney
3. Roles of BPH Hearing Officers, presented by Jennifer Shaffer, Executive Officer, Howard Moseley, Chief Counsel, and Rhonda Skipper-Dota, Chief Deputy of Field Operations

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Friday, April 24, 2015**

CLOSED SESSION

(All times are approximate and subject to change.)

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

START TIME: 9:00 a.m.

DISCUSSION

Consideration of Matters Posing a Threat or Potential Threat of Criminal Activity

Pursuant to Government Code section 11126(c)(18)

(A Board may meet in closed session to consider matters posing a threat or potential threat of criminal activity where disclosure of these considerations could compromise or impede safety or security.)

Issue

1. BPH Investigations, presented by Elizabeth Allen, Chief Administrator Offender Investigations and Screening Division, and Sigifredo Rizo, Parole Agent III

Overview of Facts and Circumstances with Significant Exposure to Litigation

Pursuant to Government Code section 11126(e)(2)(B)(i)

(For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist: A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.)

Issues

1. Imposing Conditions of Parole, presented by Jerome Hessick, Senior Staff Attorney, Howard Moseley, Chief Counsel, and Elizabeth Allen, Chief Administrator Offender Investigations and Screening Division
2. Weighing the Suitability Factors, presented by Heather McCray, Senior Staff Attorney, and Howard Moseley, Chief Counsel
3. Overview of Case Law Defining Unreasonable Risk to Public Safety, presented by George Bakerjian, Staff Attorney, and Howard Moseley, Chief Counsel

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BPH Training Conference

April, 2015 Calendar

4/20 - MONDAY	4/21 - TUESDAY	4/22 - WEDNESDAY	4/23 - THURSDAY	4/24 - FRIDAY
TRAVEL	ADMINISTRATIVE BUSINESS 8:00-10:00 am OPEN SESSION 10:00 am - Board Meeting CLOSED SESSION 12:00 pm - Deliberations	OPEN SESSION 9:00 am – Vicarious Trauma 11:00 am – Parole Reconsideration Hearings (PC 3000.1)	ADMINISTRATIVE BUSINESS 8:00-10:00 am CLOSED SESSION 10:00 am	CLOSED SESSION 9:00 am
	LUNCH	LUNCH	LUNCH	LUNCH
OPEN SESSION 1:00 pm – Board Meeting 2:00 pm – Demystifying BPH’s Scheduling of Hearings 3:00 pm – Office of Victims & Survivor Rights & Services	OPEN SESSION 1:30 pm – Effects of Alcohol & Drugs on Human Behavior 3:00 pm – Drug Programming 3:45 pm – Office of the Ombudsman	OPEN SESSION 1:30 pm – Overview of Mental Health Services Delivery System 2:30 pm – Survey of U.S. Parole Systems 3:30 pm – Long Term Offender Program 4:00 pm – Interviewing Techniques	CLOSED SESSION 1:30 am	TRAVEL/ADMINISTRATIVE BUSINESS