

**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting**  
**Monday, March 16, 2015**

**Meeting Called to Order at 1:02 p.m.**

**Roll Call:** Commissioners Anderson, Garner, Miner, Montes, Peck, Richardson, Singh, Turner and Zarrinnam present. Commissioners Fritz, Labahn and Roberts absent.

Commissioner ANDERSON confirmed that a majority of the currently-appointed commissioners is present.

**CONSENT CALENDAR**

Commissioner ANDERSON stated that no public comment is permitted in the tie vote regarding DAMEION BROWN [H-66190].

Commissioner ANDERSON stated that this month's consent calendar contains a proposed amendment to the minutes of the executive board meeting, held on November 17 and 18, 2014. He invited Chief Counsel MOSELEY to explain the reason for the proposed amendment.

MOSELEY stated that, at the November, 2014 meeting, Commissioner TURNER moved to approve the consent calendar, including the minutes of the October 20-24, 2014 meeting. She further moved to vacate the panel's decision in the case of TERRY WOOLSEY [H-35026]. Commissioner SINGH seconded the motion, which carried unanimously. The minutes of the November, 2014 meeting did not adequately reflect the board's decision. Accordingly, MOSELEY recommended that the minutes be amended.

Commissioner SINGH moved to approve the consent calendar, including the amendment to the November, 2014 minutes. Commissioner MONTES seconded the motion, which carried unanimously.

**REPORTS AND PRESENTATIONS**

**Report from Executive Officer, Jennifer Shaffer**

SHAFFER stated that she and several board staff members attended and provided training at the CDCR Case Records statewide manager training conference. She and other board staff took part in a Long Term Offender Program presentation at Solano State Prison. SHAFFER also stated that she and Inspector General BARTON attended a Life Support Alliance seminar.

SHAFFER described updates to the Board's Information Tracking System (BITS) and provided a handout. The changes will take effect on March 28, 2015. There is an inmate search function and a feature that shows an inmate's next and last proceeding information. Term calculation only

hearings have a separate designation, displayed throughout the system. Screens that are not required are disabled. There is a character countdown feature. New links enable rapid search of different screens and access to a summary of recent system enhancements. A grid highlights parallel proceedings. It is now possible to access term calculation only hearings from the main menu; the hearings have a separate tab. As a result of consultation with the Division of Adult Parole Operations, the primary county parole placement is no longer required to be entered into BITS. Commissioners and deputy commissioners must now sign in, save, and close consultations in BITS. There have also been improvements to calendars and notices. The non-violent second strike screen has been changed and will only be available to deputy commissioners. The institution codes have been improved and will be synchronized from March 28, 2015.

### **Report from Chief Counsel, Howard Moseley**

MOSELEY stated that the board's training conference is scheduled for April 20<sup>th</sup> to 24<sup>th</sup>, 2015. He provided a handout setting out each day's proceedings. Monday afternoon will be an open session, with Tuesday being the board's regular monthly meeting. The whole of Wednesday will be an open session. Thursday and Friday morning will be closed sessions.

MOSELEY gave an update on the board's regulation process. The parole reconsideration hearing regulations have been submitted to the Office of Administrative Law and approval is anticipated in April, 2015. The term calculation regulations will be filed soon. The board is still accepting input on the Senate Bill 260 regulations. Draft regulations on petitions to advance hearing and administrative review of parole denials have been made available today.

TRACY YOUNG, staff attorney, presented draft administrative directives on required documents (2015-01A) and determining good cause to postpone a hearing because of an inmate's inability to obtain essential documents (2015-01B). Draft directive 2015-01A provides examples of documents that are required 10 days before a hearing and documents that are required at the hearing. If the documents are unavailable, the hearing officer must postpone the hearing, unless the inmate waives his or her right to review them. Draft directive 2015-01B states that the hearing officer shall grant an inmate's request to postpone the hearing if the inmate shows good cause that he or she was unable to obtain essential documents, despite making diligent efforts to obtain them.

Commissioner GARNER asked whether draft directive 2015-01A requires the panel to postpone or continue the hearing.

MOSELEY stated that the panel may either postpone or continue the hearing. He invited feedback from stakeholders regarding both draft directives.

### **Report from Chief Deputy of Program Operations, Sandra Maciel**

MACIEL gave an update on the board's attorney panel appointments and provided a handout. The number of board-appointed attorneys needed for each attorney panel is assessed every six

months and the composition of each panel is listed in the handout. Attorneys have been added to panels 6, 10 12 and 15. Attorneys may only be active on three panels.

### **OPEN COMMENTS**

VANESSA NELSON-SLOANE, Life Support Alliance, thanked SHAFFER for attending its seminar. Life Support Alliance received positive feedback from those who attending.

NELSON-SLOANE also welcomed the attendance of Inspector General BARTON. The next seminar will be held in Yorba Linda. NELSON-SLOANE stated that the board's monthly meeting agenda contains insufficient information about closed sessions. She recommended that the agenda specify the reasons why discussion items fall within the Bagley-Keene exceptions.

JILL KLINGE, Alameda County District Attorney's Office, stated that Draft Administrative Directive 2015-01A appears to conflict with Administrative Directive 2014-04. The 2015 draft states that the victim's impact statement must be submitted 10 days before a hearing. The 2014 directive does not have this requirement. KLINGE welcomed the ability to take a laptop computer into institutions. She stated that there are difficulties with the WatchDox board packet. CDC-115 rules violation reports are only provided from the previous hearing. CDC-128As are not provided. This can give a misleading impression of an inmate's disciplinary record. Petitions to advance hearing and miscellaneous decisions have not been provided. The packet only contains the previous panel's decision and it would be helpful if all hearing decisions were included.

**Meeting recessed at 1:36 p.m.**

**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting**  
**Tuesday, March 17, 2015**

**Meeting called to order at a.m.**

**Roll Call:** Commissioners Anderson, Fritz, Garner, Labahn, Miner, Montes, Peck, Richardson, Singh, Turner and Zarrinam present. Commissioner Roberts absent.

**EN BANC REFERRALS**

**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.**

**A. GUTIERREZ, CESAR H-47627**

No speakers.

**B. HARRIS, DATON H-40985**

No speakers.

**C. PARRA, MELTIOW H-84106**

**Referral by a panel member pursuant to Penal Code section 3041 (a) and California Code of Regulations, title 15 section 2044 (a) to request review of a parole decision by the full board.**

**D. MACIAS, DOLORES W-53032**

ALEXANDER SIMPSON and MICHAEL SEMANCHIK, inmate's attorneys, recommended ordering a rehearing.

DAVID DAHLE, Los Angeles County District Attorney's Office, opposed ordering a rehearing.

**Referral, pursuant to Penal Code section 3041 to either grant or deny parole when there is a tie vote.**

**E. BROWN, DAMEION H-66190**

No comment permitted.

## **PUBLIC COMMENT**

VANESSA NELSON-SLOANE, Life Support Alliance, stated that inmates and their counsel have also experienced difficulties with WatchDox. Many relevant documents are not included in the packet. The scanning of documents into central files has been unsatisfactory and confusing. Inmates are not given sufficient time to review their files and are not allowed to make copies. NELSON-SLOANE recommended that commissioners ask inmates whether they have had an adequate opportunity to review their files.

**Meeting adjourned at 10:37 a.m.**

**Board of Parole Hearings**

**Scheduled and Backlog Hearings Report**

**Penal Code section 3041(d)**

**April, 2015**

