

**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Monday, April 18, 2016**

**OPEN SESSION**

*(All times are approximate and subject to change.)*  
[http://www.cdcr.ca.gov/BOPH/meeting\\_agenda.html](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 14 and 15, 2016, Board of Parole Hearings Executive Board Meeting
3. Approval of the Parole Suitability Hearings and Backlog Report for April 2016
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
  - Three-Judge Court Monthly Status Report
  - Stakeholder Conference Call on April 29, 2016 from 10:00 a.m. to 12:00 p.m.
  - Legislative Update
7. Report from Chief Deputy of Program Operations
  - Inmate Panel Attorney Orientation – September 12, 2016 (Sacramento)  
September 26, 2016 (Diamond Bar)
  - BPH Website Update, presented by Stephen Loder, BPH Executive Operations
8. Report from Chief Deputy of Field Operations
  - Introduction of Deputy Commissioner
9. Report from Chief Psychologist, Forensic Assessment Division
  - Risk Assessment Workload Update

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10. Report from Chief Administrator, Offender Investigations and Screening Division

- Active Shooter Training, presented by Ron Frantz, BPH Parole Agent

**PRESENTATIONS**

11. Long-Term Offender Pilot Program (LOPP), presented by Cynthia Florez-DeLyon, Deputy Director, Division of Rehabilitative Programs, CDCR

**OPEN COMMENTS**

12. BPH Commissioners – Agenda Items for Future Meetings

13. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, 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 19, 2016**

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Monday, April 18, 2016**

**CLOSED SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Conference Room  
Sacramento, California 95814

**START TIME: 2:30 p.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.)*

**Issues**

1. Update on Pending Litigation, presented by Supervising Deputy Attorneys General Jessica Blonien and Julie Malone
2. *Gilman v. Brown* (9th Cir. Feb. 22, 2016, Nos. 14-15613, 14-15680) \_\_\_ F.3d \_\_\_ [2016 U.S. App. LEXIS 3035]), presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel
3. *Johnson v. Shaffer* (E.D. Cal., Case No. 2:12-CV-01059 GGH P)(pending), presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel
4. *Armstrong v. Brown* (N.D. Cal., Case No. C-94-2307-CW)(pending), presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Tuesday, April 19, 2016**

**CLOSED SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Conference Room  
Sacramento, California 95814

**START TIME: 9:00 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. *Coleman/Plata v. Brown* (E.D. Cal., Case No. 2:90-CV-0520 LKK JFRM P and N.D. Cal., Case No. C01-1351 THE)(pending), presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel

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**E. MCCLELLAND, BOBBY H-29611**  
Sentencing Court(s):  
Los Angeles

**To consider whether the proposed decision is consistent with *In re Lawrence (2008) 44 Cal.4th 1181* and Penal Code sections 3051 and 4801(c)**

18. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044(b) 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.

**F. WASHINGTON, TRAVIS J-25894**  
Sentencing Court(s):  
Los Angeles

### **OPEN COMMENTS**

19. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, 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](http://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 19, 2016**

**CLOSED SESSION**

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1515 K Street  
Executive Board Conference Room  
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**START TIME: 1:00 p.m.**

**DISCUSSION**

**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. Applying the Legal Standard at Rescission Hearings  
Jennifer Neill, Chief Counsel, BPH
2. Case Law Regarding Expanded Medical Parole Hearings  
George Bakerjian, Staff Attorney, BPH
3. Parole Conditions  
BPH Legal Division

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Wednesday, April 20, 2016**

**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. Parole Plan Verification Process Update on Transitional Housing  
Douglas Eckenrod, Parole Administrator I, and Dan Warstler, Parole Agent III, Division of Adult Parole Operations, CDCR
2. Adolescent Brain Development  
Heather Bowlds, Senior Psychologist Supervisor, Division of Juvenile Justice, CDCR
3. Public Comment

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Wednesday, April 20, 2016**

**CLOSED SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Conference Room  
Sacramento, California 95814

**START TIME: 1:00 p.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 against the personnel, property, buildings, facilities, or equipment, including electronic data, where disclosure of these considerations could compromise or impede safety or security.)*

**Issue**

1. Accessing Rules Violation Reports in the Strategic Offender Management System (SOMS) and the Electronic Records Management System (ERMS)  
Tammy Fenton, Correctional Case Records Manager, and Guy Foss, Correctional Lieutenant, Enterprise Information Services, CDCR

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Wednesday, April 20, 2016**

**OPEN SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Meeting Room  
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Sacramento, California 95814

**START TIME: 2:00 p.m.**

**AGENDA**

NOTE: The following online trainings require the use of a personal laptop or computer and, therefore, will not accommodate public participation or comment period.

1. State-Mandated and On-the-Job Online Training Modules  
Topics include Equal Employment Opportunity and Sexual Harassment Prevention Training, California State Ethics Training, Information Security Awareness Training Program, Injury and Illness Prevention Program, etc.

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Thursday, April 21, 2016**

**OPEN SESSION**

***(All times are approximate and subject to change.)***

1515 K Street  
Executive Board Conference Room  
Sacramento, California 95814

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

**AGENDA**

1. Division of Adult Institutions Credit Earning Laws  
Karen Elliott and Janine Smalley, Correctional Case Records Administrators, DAI, CDCR
2. This is Your Brain . . . On Trauma  
Dr. Robert Ross, California Endowment
3. Contributing Factors to Sexual Offending  
Elissa Klein, LCSW, Assistant Director for Training – Bay Area, Sharper Future
4. Public Comment

**LUNCH BREAK**

**START TIME: 2:00 p.m.**

5. Lifer Responsivity  
Dr. Elizabeth Kita, Division of Adult Parole Operations, CDCR
6. Significant Events of 2015  
Jennifer Shaffer, Executive Officer, BPH
7. Public Comment

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**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Friday, April 22, 2016**

**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**

1. Update from Office of Victim and Survivor Rights & Services  
CDCR OVSRS Staff
2. The Actors' Gang  
Sabra Williams, Actors' Gang
3. Public Comment

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