

**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting – Open**  
**Tuesday, August 21, 2007**

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

9:00 a.m.

**AGENDA**

- I. Call to Order
- II. Roll Call
- III. Approval of Board of Parole Hearings (BPH) Open Meeting Minutes:  
July 16 and 17, 2007
- IV. Introductions and Presentations
- V. Report from Executive Officer
- VI. Chief Legal Counsel
  - Lifer Backlog
  - Regulatory action: Amendment of California Code of Regulations, title 15, section 2600.1: *Sexually Violent Predator Screening, Holds, and Probable Cause Hearing*
  - Regulatory action: Proposed amendment of California Code of Regulations, title 15, section 2041: *Review of Proposed Decisions*
  - Petition for regulatory action: Requesting amendment of California Code of Regulations, title 15, section 2281(c)(5), *Determination of Suitability*, and section 2402(c)(5), *Determination of Suitability*, submitted by Stephen Menchaca, J-26976
  - Petition for regulatory action: Requesting amendment of California Code of Regulations, title 15, section 2030, *Prosecutor Participation*, section 2252, *Department Representative*, and section 2256, *Attorney*, submitted by the following: Michael Jackson, D-36360; George Rounds, Jr., C-61366; Warren Bailey, B-68278; Ignacio Pena, D-17862; Craig Bowens, D-56199; Clifton Williams, Sr., D-34287; Michael Hughley, D-90689; B. Louis Booker, C-20649; Kevin O'Neil Howard, E-60941; and Lynnard Smith, D-89280
- VII. Open Comment – Comments are limited to 5 minutes. 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.
- VIII. Comments regarding en banc cases – Members of the audience may speak to the Board for a period not to exceed five (5) minutes.
- IX. Commissioners adjourn for Closed Session

The decisions regarding David Barker, B-84005; Danny Boyd, D-03168; Clayborn Hinkles, C-05011; Thuan Huynh, H-20043; Julian Lamb, E-36708; Fernando Londono, K-01783; Rodolfo Martinez, H-90041; Charles Rice, P-89636; Rafael Vargas, E-98807; and Hsiuh-Chien Yu, D-33983, will be posted on the door of the 5th Floor Executive Board Meeting Room and also on the BPH internet page at the following address:  
[www.cdcr.ca.gov/DivisionsBoards/BOPH/enbanc.html](http://www.cdcr.ca.gov/DivisionsBoards/BOPH/enbanc.html). (See next page for Closed Session information.)

**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 – Closed**  
**(Immediately following the Open Meeting)**  
**Tuesday, August 21, 2007**

**DISCUSSION ITEMS:**

I. Executive Officer – John Monday

Approval of the Board of Parole Hearings **Closed Meeting** Minutes:  
July 17, 2007

A. **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.)*

B. **Compassionate Release – Penal Code section 1170(e)**

Pursuant to Government Code section 11126(c)(4)

**RICE, Charles**

**P-89636**

C. **En Banc Review**

Pursuant to Government Code section 11126(c)(4)

- |   |                |                          |
|---|----------------|--------------------------|
| 1. <b>BARKER, David</b><br>County of commitment:<br>Alameda         | <b>B-84005</b> | <b>Split decision</b>    |
| 2. <b>BOYD, Danny</b><br>County of commitment:<br>Los Angeles       | <b>D-03168</b> | <b>Split decision</b>    |
| 3. <b>HINKLES, Clayborn</b><br>County of commitment:<br>Los Angeles | <b>C-05011</b> | <b>Split decision</b>    |
| 4. <b>HUYNH, Thuan</b><br>County of commitment:<br>San Diego        | <b>H-20043</b> | <b>Governor referred</b> |

*Continued*

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**Executive Board Meeting – Closed**

**August 21, 2007**

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|---|----------------|--------------------------|
| 5. <b>LAMB, Julian</b><br>County of commitment:<br>Los Angeles      | <b>E-36708</b> | <b>Governor referred</b> |
| 6. <b>LONDONO, Fernando</b><br>County of commitment:<br>Los Angeles | <b>K-01783</b> | <b>Governor referred</b> |
| 7. <b>MARTINEZ, Rodolfo</b><br>County of commitment:<br>Los Angeles | <b>H-90041</b> | <b>Governor referred</b> |
| 8. <b>VARGAS, Rafael</b><br>County of commitment:<br>Los Angeles    | <b>E-98807</b> | <b>Governor referred</b> |
| 9. <b>YU, Hsiuh-Chien</b><br>County of commitment:<br>Los Angeles   | <b>D-33983</b> | <b>Governor referred</b> |

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