

**BOARD OF PAROLE HEARINGS  
Executive Board Meeting  
Wednesday, February 20, 2008  
CLOSED SESSION**

1515 K Street  
Suite 550  
Sacramento, California 95814

**9:00 a.m**

**DISCUSSION**

**Pending litigation: *In re Rutherford***

**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 20, 2008**  
**OPEN SESSION**

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

**10:00 a.m.**

**AGENDA**

- I. Call to Order
- II. Roll Call
- III. Approval of Board of Parole Hearings (BPH) Open Meeting Minutes: January 15, 2008
- IV. Introductions and Presentations
- V. Report from Executive Officer
- VI. Chief Legal Counsel
  - Lifer Backlog
  - Regulatory action: Permanent adoption of amendment of California Code of Regulations, title 15, section 2041, *Review of Proposed Decisions*
  - Commissioner request: Summary of *Garrison S. Johnson v. California*, 125 S.Ct. 1141
- VII. Consideration of formation of commissioner sub-committees to consider miscellaneous Board issues
- VIII. 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.
- IX. Comments regarding en banc cases – Members of the audience may speak to the Board for a period not to exceed five (5) minutes.
- X. Commissioners adjourn for Closed Session

The decisions regarding Justino Alarcon, J-60121; James William Allison; Frederick Caspersen, D-45881; Jerold Daniels, B-94097; Chris Fowler, C-96996; Benjamin Gallegos, E-27963; Tresia Henry, W-28321; Nathaniel Milton, D-01346; Dennis Pratt, C-23010; Catherine Royal, W-20622; and Minda Wilcox, W-25820, 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.)

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**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting**  
**(Immediately following the Open Meeting)**  
**Wednesday, February 20, 2008**  
**CLOSED SESSION**

**DISCUSSION ITEMS:**

**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)

- |    |                             |                |
|----|-----------------------------|----------------|
| 1. | <b>CASPERSEN, Frederick</b> | <b>D-45881</b> |
| 2. | <b>DANIELS, Jerold</b>      | <b>B-94097</b> |
| 3. | <b>GALLEGOS, Benjamin</b>   | <b>E-27963</b> |
| 4. | <b>MILTON, Nathaniel</b>    | <b>D-01346</b> |
| 5. | <b>ROYAL, Catherine</b>     | <b>W-20622</b> |

**C. Traditional Pardon – Penal Code section 4812**

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

**ALLISON, James William**

**D. En Banc Review**

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

- |    |  |                |  |
|----|--|----------------|--|
| 1. | <b>ALARCON, Justino</b><br>County of commitment:<br>San Diego                                    | <b>J-60121</b> | <b>Decision review</b>   |
| 2. | <b>FOWLER, Chris</b><br>County of commitment:<br>Yolo  | <b>C-96996</b> | <b>Split decision</b>  |
| 3. | <b>HENRY, Tresia</b><br>County of commitment:<br>Los Angeles<br><i>Continued from last month</i> | <b>W-28321</b> | <b>Split decision</b><br><i>(1 or 2 year denial<br/>of parole consideration)</i> |
| 4. | <b>PRATT, Dennis</b><br>County of commitment:<br>Sonoma  | <b>C-23010</b> | <b>Review of decision<br/>due to stay grant by court</b>                         |
| 5. | <b>WILCOX, Minda</b><br>County of commitment:<br>Riverside                                       | <b>W-25820</b> | <b>Split decision</b>  |

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