

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Wednesday, January 21, 2009
OPEN SESSION
(All times are approximate and subject to change.)

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

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

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Board of Parole Hearings (BPH) Open Meeting Minutes:
December 9, 2008
- IV. Introductions and Presentations
- V. *Insight Prison Project*, presented by Jaimee Karroll, Associate Director of Insight Prison Project
- VI. Report from Executive Officer
- VII. Chief Legal Counsel
 - Lifer Backlog
 - Proposed 2009 Rulemaking Calendar: adoption
 - Regulatory action: Initial approval of proposed amendments of California Code of Regulations, title 15, section 2253: *Postponements, Continuances, and Stipulations of Unsuitability*
- 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.

[Lunch recess to be determined by the Board.]
- 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 Rodolfo Avila, H-38090; Andre Banks, D-71538; Andre Browne, H-26104; Terry Eugene Bullock, H-35437; Robert Bunn, C-76761; David Castaneda, H-93332; Angela Clark, W-65241; Kevin Ray Devereaux, P-63547; Robert Edge, E-20889; Jerry Elster, C-85977; Mohammed Hussein, P-27572; Arthur Martinez, C-80150; Kermit Dewitt Marshall, C-57826; Charles McCarnes, C-94325; Delores Salkeld, W-15229; Evelio Santos, C-43111; Brian Thomas, C-44208; Carlo Topalian, H-41403; and David Weng, D-62905, 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/Divisions_Boards/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
(Immediately following the Open Meeting)
Wednesday, January 21, 2009
CLOSED SESSION

DISCUSSION ITEMS:

- A. **Overview of Pending Litigation and Writs of Habeas Corpus and Attorney-Client Privileged Communications:**
(Closed Board session for the purpose of conferring with legal counsel on matters as authorized by Government Code section 11126(e)(1)&(2), including but not limited to pending litigation such that discussion in open session would prejudice the state body in the litigation.)

- B. **Compassionate Release – Penal Code section 1170(e)**
Pursuant to Government Code section 11126(c)(4)

BULLOCK, Terry Eugene	H-35437
DEVEREAUX, Kevin Ray	P-63547
MARSHALL, Kermit Dewitt	C-57826

- C. **En Banc Review**
Pursuant to Government Code section 11126(c)(4)

Referred by the Governor

- | | | |
|----|-----------------------------------------|----------------|
| 1. | AVILA, Rodolfo | H-38090 |
| | County of commitment:
Los Angeles | |
| 2. | BANKS, Andre | D-71538 |
| | County of commitment:
Los Angeles | |
| 3. | CLARK, Angela | W-65241 |
| | County of commitment:
Siskiyou | |
| 4. | HUSSEIN, Mohammed | P-27572 |
| | County of commitment:
San Mateo | |
| 5. | MC CARNES, Charles | C-94325 |
| | County of commitment:
Riverside | |
| 6. | SALKELD, Delores | W-15229 |
| | County of commitment:
San Bernardino | |
| 7. | TOPALIAN, Carlo | H-41403 |
| | County of commitment:
Los Angeles | |
| 8. | WENG, David | D-62905 |
| | County of commitment:
San Francisco | |

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Closed Session

January 21, 2009

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Referred by Decision Review

			<u>Reason:</u>
1.	BROWNE, Andre County of commitment: Santa Barbara	H-26104	Parole plans
2.	BUNN, Robert County of commitment: Sacramento	C-76761	Parole plans
3.	CASTANEDA, David County of commitment: Los Angeles	H-93332	Parole plans
4.	EDGE, Robert County of commitment: Los Angeles	E-20889	Parole plans
5.	ELSTER, Jerry County of commitment: Los Angeles	C-85977	Parole plans
6.	MARTINEZ, Arthur County of commitment: Los Angeles	C-80150	Parole plans
7.	SANTOS, Evelio County of commitment: Los Angeles	C-43111	Parole plans
8.	THOMAS, Brian County of commitment: Los Angeles	C-44208	Parole plans

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