

BOARD OF PAROLE HEARINGS

Executive Board Meeting

Tuesday, July 20, 2010

CLOSED SESSION

(All times are approximate and subject to change.)

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

8:00 a.m.

DISCUSSION

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.)

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
Tuesday, July 20, 2010
OPEN SESSION
(All times are approximate and subject to change.)

1515 K Street
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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:
 June 15, 2010
- IV. Introductions and Presentations
- V. Report from Executive Officer
- VI. Regulatory action: Amendment of California Code of Regulations, title 15, sections 2510,
 2511, 2512, and 2513, *Length and Conditions of Parole*
- VII. Chief Legal Counsel
 - Lifer Backlog
- VIII. Agenda Items for Future Meetings
- IX. 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.
- X. Comments regarding en banc cases – Members of the audience may speak to the Board for a
 period not to exceed five (5) minutes.
- XI. Commissioners adjourn for Closed Session

The decisions regarding John Richard Browning, V-99006; Frank S. Cheung, H-51575; Gina Contreras, W-59500; Daniel Gonzales, J-67167; Johnny Guevara, K-96657; Jose Murrales, P-20025; Jerry Lee O'Brien, A-40675; Meatusi Pele, H-55598; and Darryl Schlappi, E-84521, 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.)

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BOARD OF PAROLE HEARINGS
Executive Board Meeting
(Immediately following the Open Meeting)
Tuesday, July 20, 2010
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)
- | | | |
|--------------------------------------|----------------|--|
| BROWNING, John Richard | V-99006 | |
| County of commitment:
San Diego | | |
| O'BRIEN, Jerry Lee | A-40675 | |
| County of commitment:
Los Angeles | | |
- C. **En Banc Review**
Pursuant to Government Code section 11126(c)(4)
- | | | | |
|----|---|----------------|--|
| 1. | CHEUNG, Frank S.
County of commitment:
Los Angeles | H-51575 | Decision review
<i>(Term calculation)</i> |
| 2. | CONTRERAS, Gina
County of commitment:
San Joaquin | W-59500 | Governor-referred |
| 3. | GONZALES, Daniel
County of commitment:
San Diego | J-67167 | Decision review
<i>(Error of fact)</i> |
| 4. | GUEVARA, Johnny
County of commitment:
Los Angeles | K-96657 | Split decision
<i>(Length of denial
of parole consideration)</i> |
| 5. | MURRALES, Jose
County of commitment:
Los Angeles | P-20025 | Governor-referred |
| 6. | PELE, Meatusi
County of commitment:
Los Angeles | H-55598 | Governor-referred |
| 7. | SCHLAPPI, Darryl
County of Commitment:
San Diego | E-84521 | Governor-referred |

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