

**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, May 18, 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, May 18, 2010
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:
April 20, 2010
- IV. Introductions and Presentations
- V. Report from Executive Officer
- VI. Chief Legal Counsel
 - Lifer Backlog
- VII. Agenda Items for Future Meetings
- 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 Harold Barnes, C-91631; Guy Calderon, C-64286; Elder Garcia, H-16230; Basil Hennen, J-26216; Joy Pense, W-34965; Eugene Reams, C-90508; Eric Russell, J-37753; and Billy Joe Weatherly, D-28183, 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)
Tuesday, May 18, 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)
- BARNES, Harold** **C-91631**
County of commitment:
Madera
- C. **En Banc Review**
Pursuant to Government Code section 11126(c)(4)
- | | | | |
|----|---|----------------|---|
| 1. | CALDERON, Guy
County of commitment:
San Mateo | C-64286 | Governor-referred |
| 2. | GARCIA, Elder
County of commitment:
Los Angeles | H-16230 | Governor-referred |
| 3. | HENNEN, Basil
County of commitment:
Los Angeles | J-26216 | Decision review
<i>(Parole plans)</i> |
| 4. | PENSE, Joy
County of commitment:
Sacramento | W-34965 | Split decision |
| 5. | REAMS, Eugene
County of commitment:
San Diego | C-90508 | Governor-referred |
| 6. | RUSSELL, Eric
County of commitment:
Los Angeles | J-37753 | Governor-referred |
| 7. | WEATHERLY, Billy Joe
County of Commitment:
Riverside | D-28183 | Governor-referred |

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 (BPH)
Commissioner Training Sessions
May 2010

1515 K Street
 Executive Board Room
 Suite 550
 Sacramento, CA 95814

Please note: Public comments will be limited to five minutes

* **CLOSED SESSION:** 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.

Wednesday, May 19, 2010

8:30 a.m. – 9:00 a.m.	OPEN SESSION Public Comment	
9:00 a.m. – 10:00 a.m.	*CLOSED SESSION Administrative Services	BPH Headquarters
10:30 a.m. – 4:30 p.m.	OPEN SESSION Inmate Programs Observation	California State Prison-Solano <i>Public participation information is provided below</i>

Thursday, May 20, 2010

8:30 a.m. – 9:00 a.m.	OPEN SESSION Public Comment	
9:00 a.m. – 10:30 a.m.	*CLOSED SESSION <i>Pursuant to Govt. Code § 11126(c)(18)</i> Prison Gangs-Debriefing Process/Confidential Information	Keri Berkler, Senior Investigator, BPH
10:30 a.m. – 12:30 a.m.	*CLOSED SESSION Litigation Update	Anna Awiszus, Assistant General Counsel, CDCR Philip Reiser, Staff Counsel, CDCR
1:30 p.m. – 2:30 p.m.	*CLOSED SESSION Hearing Room Legal Protocols	Anna Awiszus, Assistant General Counsel, CDCR
2:30 p.m. – 3:30 p.m.	OPEN SESSION Parole Programs and Services Overview	Program Development Unit, Division of Adult Parole Operations, CDCR
3:30 p.m. – 5:00 p.m.	OPEN SESSION Stakeholder Perspectives on the Hearing Process	The Board will hear public comments relating to the process in which parole suitability hearings are conducted

Continued

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.

Friday, May 21, 2010

8:30 a.m. – 9:00 a.m.	OPEN SESSION Public Comment	
9:00 a.m. – 10:30 a.m.	*CLOSED SESSION Legal Perspective on State Writs of Habeas Corpus	Angelo, Kilday and Kilduff, Attorneys at Law
10:30 a.m. – 12:30 p.m.	OPEN SESSION Psychological Evaluations Update	Craig R. Lareau, J.D., Ph.D., ABPP, Director, Postdoctoral Fellowship Program Patton State Hospital

Public Participation California State Prison-Solano

Members of the public wishing to attend the open session at California State Prison-Solano must contact Lt. Bea Torres at (707) 454-3257 to obtain the necessary clearance for admission into the institution.

Information needed to obtain clearance includes full name, driver's license number, date of birth, and social security number. The tour will be limited in size to accommodate for security escorting. All requests must be received no later than May 13, 2010.

Map and driving directions available at:
<http://www.cdcr.ca.gov/Visitors/Facilities/SOL.html>

CLOTHING

The following clothing will **not** be allowed to be worn on institutional grounds:

- * Blue, Black, or gray denim pants, including stone wash, brush denim, acid wash pants or any other blue material that is similar in appearance (from any distance) to the blue denim pants worn by inmates.
- * Blue chambray shirts or yellow rain gear.
- * Camouflage clothing.
- * Blue, Black or gray denim jackets.
- * Blue or black knit watch cap/beanie.
- * Dark or light blue, or black windbreaker type jackets similar to those issued to inmates.
- * Blue, orange, red or gold jumpsuits.
- * Blue, black, gray, or red sweats.
- * Shoes require a back, or a strap around the heel.
- * Plain white or black T-shirts or thermal top worn as an outer garment.

METAL DETECTOR

You will be required to clear a metal detector, which takes very little metal to set it off (belt buckles, shoe metal, jewelry, etc.).

IDENTIFICATION

All visitors must present proof of identity, which is limited to the following:

- *Valid California drivers license with photograph.
- *Valid out-of-state drivers license with photograph.
- *Armed forces identification card with photograph.
- *Department of Motor Vehicle identification card with photograph.
- *CA Department of Corrections identification card with photograph.
- *State, federal or local government identification card with photograph.

OTHER ITEMS

***No** Cellular telephones, pagers, pocketknives, tobacco or tobacco related products, weapons or explosives are allowed on institutional grounds.

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.