

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, July 15, 2013
OPEN SESSION
(All times are approximate and subject to change.)
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html

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

NOTE START TIME: 1:00 p.m.

AGENDA

MEETING CALLED TO ORDER

CONSENT CALENDAR

1. Roll Call
2. Comments and Clarification Regarding Board of Parole Hearings (BPH) Meeting Minutes: June 18, 2013
3. Parole Suitability Hearings and Backlog Report
4. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless pulled by a Board Member for discussion or separate action.

REPORTS AND PRESENTATIONS

5. Report from Executive Officer
 - Access to Board Regulations and Administrative Directives
6. Report from Chief Counsel
 - Update Regarding Transcript Analysis Program
7. Office of Offender Services, presented by Colleen Curtin, Chief, Community and Reentry Services, and Chenita Bradley, Parole Agent II

OPEN COMMENTS

8. BPH Commissioners - Agenda Items for Future Meetings
9. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. 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.

MEETING RECESSED TO TUESDAY, JULY 16, 2013

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, July 16, 2013
CLOSED 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.

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.)

Discussion

10. *In re Stevenson*, H037850 (Santa Clara County Super.Ct. No. 203910), presented by Howard Moseley, Chief Counsel
11. *Gilman v. Brown*, Case No. 2:05-CV-00830 LKK, (E.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Howard Moseley, Chief Counsel

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 16, 2013
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: 10:00 a.m.

AGENDA

MEETING RECONVENED FROM MONDAY JULY 15, 2013

EN BANC REFERRALS

12. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. STUART, DAVID AF-5942

County of Commitment:
 San Bernardino

B. LAMBIE, WILLIAM P-83073

County of Commitment:
 San Bernardino

13. Referral by the Chief Counsel pursuant to California Code of Regulations, Title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed five (5) minutes.

C. DENHAM, JOE C-80297

County of Commitment:
 Alameda

To consider whether the proposed decision is consistent with the Dec. 12, 2012 order of the First District Court of Appeal.

D. LANG, DAVID E-93555

County of Commitment:
 Los Angeles

To consider whether the proposed decision is consistent with *In re Lawrence* (2008) 44 Cal. 4th 1181.

E. CHHUON, JAMES V-44036

County of Commitment:
 San Diego

To consider the term calculation

14. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, Title 15, section 2044 to request review of a parole decision by the full board. Members of the public may address the Board for a period not to exceed five (5) minutes.

F. ELIZALDE, ALFRED B-58928

County of Commitment:
 San Joaquin

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G. JUNG, DALE **K-64445**
County of Commitment:
Los Angeles

DISCUSSION ITEMS

15. a) Administrative Directive 2013-05, Pre-Hearing Review of Requests for Waivers, Stipulations, and Postponements, presented by Katie Riley, Senior Staff Attorney
- b) Board Questions and Comments
- c) Public Comments
- d) Motion and Votes

OPEN COMMENTS

16. BPH Commissioners - Agenda Items for Future Meetings
17. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. 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.

The decision in the above hearings will be posted no later than 4 p.m. in the lobby on the ground floor of 1515 K Street and also on the BPH internet page at the following address:
www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126(c)(4)
(“...[N]or shall anything in this article be construed to prevent a state body from holding a closed session when considering and acting upon the determination of a term, parole, or release of any individual or other disposition of an individual case, or if public disclosure of the subjects under discussion nor consideration is expressly prohibited by statute.”)

ADJOURNMENT

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.