

BOARD OF PAROLE HEARINGS
Executive Board Meeting
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html
Monday, May 19, 2014
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: 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: April 14-17, 2014
3. Correction to the April Executive Board Meeting Agenda
4. Parole Suitability Hearings and Backlog Report
5. 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

6. Report from Executive Officer
 - Association of Paroling Authorities International Conference
7. Report from Chief Counsel
 - *In re Butler* Proposed Regulation Changes
8. Report from Chief Deputy of Program Operations
 - Upgrades to Recording Equipment for Parole Hearings
 - LSTS Upgrades, presented by Christine Buffleben, Parole Agent II

DISCUSSION ITEMS

9.
 - a) Administrative Directive 2014-01 Audio and Video Conferencing at Parole Hearings, presented by Howard Moseley, Chief Counsel
 - b) Board Questions and Comments
 - c) Public Comments
 - d) Motion and Votes

OPEN COMMENTS

10. BPH Commissioners – Agenda Items for Future Meetings

11. 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, MAY 20, 2014

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, 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
Monday, May 19, 2014
CLOSED SESSION**

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

NOTE START TIME: 1:30 p.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.)

Issues

1. *Coleman/Plata v. Brown*, Case No. 2:90-CV-00520 LKK, JFM P, presented by Howard Moseley, Chief Counsel, and Dr. Ricki Barnett, Chief Medical Officer
2. The “good cause” standard and its potential to result in a court-ordered hearing, presented by Katie Riley, Senior Staff Attorney, and Dan Moeller, Associate Chief Deputy Commissioner

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**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, May 20, 2014
CLOSED SESSION**

(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
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.)

Issue

1. *In re Butler*, Case No A139411 (Cal.1st App. Dist.), presented by Howard Moseley, Chief Counsel

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H. JEFFERSON, ANTHONY County of Commitment: Los Angeles	J-58635	To comply with Penal Code section 3041.5(a)(4)
I. LIANG, HUO County of Commitment: Los Angeles	T-25268	To consider the term calculation
J. LY, LUO County of Commitment: Los Angeles	T-25079	To consider the term calculation
K. SANCHEZ, RONALD County of Commitment: Riverside	H-38648	To comply with Penal Code section 3041.5(a)(4)
L. SPATZ, JAMES County of Commitment: San Diego	D-19137	To consider an error of fact regarding institutional behavior

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.

M. CHIAMULON, RICHARD County of Commitment: Los Angeles	V-48226
N. GALLEGOS, RAMON County of Commitment: San Diego	C-82553
O. LOSE, PHILLIP County of Commitment: Los Angeles	E-52617

15. Referral by a hearing panel member pursuant to Penal Code section 3041(a) 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.

P. GLASPER, ABRAHAM County of Commitment: San Mateo	E-04111
Q. OLIVAREZ, RAYMOND County of Commitment: San Bernardino	H-15412

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16. Referral pursuant to Penal Code section 3041 to either grant or deny parole when there is a tie vote. Public comment is prohibited pursuant to Penal Code section 3041(e).

R. HUNTER, EDDIE **E-40056**

County of Commitment:
Los Angeles

S. MCINTOSH, CLARA **W-26630**

County of Commitment:
Kern

OPEN COMMENTS

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

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