

BOARD OF PAROLE HEARINGS

Executive Board Meeting

Wednesday, January 19, 2011

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
Wednesday, January 19, 2011
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Suite 550
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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 14, 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 Salvador Aceves, H-73423; Gary Balaoing, K-83671; Eric Borchert, H-90155; Larry Dun, B-81995; Roscoe Frederick, H-50387; Edward McGee, H-19393; Edward Ortiz, G-13870; Randolph Seale; Brian Tomasello, J-67752; Luis Villanueva, J-06142; and Manuel Wagan, E-30055, 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)
Wednesday, January 19, 2011
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)
1. **MC GEE, Edward Henry** **H-19393**
County of commitment:
Los Angeles
 2. **ORTIZ, Edward** **G-13870**
County of commitment:
Sonoma
- C. **Traditional Pardon – Penal Code section 4812**
Pursuant to Government Code section 11126(c)(4)
- SEALE, Randolph McLean**
County of commitment:
Los Angeles
- D. **En Banc Review**
Pursuant to Government Code section 11126(c)(4)
1. **ACEVES, Salvador** **H-73423** **Decision review**
County of commitment: *(Term calculation)*
Orange
 2. **BALAOING, Gary** **K-83671** **Governor-referred**
County of commitment:
San Diego
 3. **BORCHERT, Eric** **H-90155** **Governor-referred**
County of commitment:
Sacramento
 4. **DUN, Larry** **B-81995** **Decision review**
County of commitment: *(Parole plans)*
San Joaquin
 5. **FREDERICK, Roscoe** **H-50387** **Governor-referred**
County of commitment:
Los Angeles

Continued

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| 6. | TOMASELLO, Brian
County of commitment:
Contra Costa | J-67752 | Governor-referred |
| 7. | VILLANUEVA, Luis
County of commitment:
Los Angeles | J-06142 | Governor-referred |
| 8. | WAGAN, Manuel
County of commitment:
San Mateo | E-30055 | Governor-referred |