

BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, May 20, 2008
CLOSED SESSION
(All times are proximate and subject to change.)

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

9:00 a.m.

DISCUSSION

**9:00 a.m. Matt Cate, Secretary,
California Department of Corrections and Rehabilitation**

Topic:

Litigation Comment
(Pursuant to Government Code section 11126(e)(1))

9:30 a.m. Legal Update

Topic:

Litigation Trends
(Pursuant to Government Code section 11126(e)(1))

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 20, 2008

OPEN SESSION

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

10:30 a.m.

AGENDA

- I. Call to Order
- II. Roll Call
- III. Approval of Board of Parole Hearings (BPH) Open Meeting Minutes:
April 15, 2008
- IV. Introductions and Presentations
- V. Report from Executive Officer
- VI. Chief Legal Counsel
 - Lifer Backlog
 - Regulation status: California Code of Regulations, title 15, section 2536.1, *Review of Parole Discharge Recommendation After 180 Days of Parole Supervision*
 - Petitions for regulatory action: Requesting amendment of California Code of Regulations, title 15, section 2281(d), *Determination of Suitability: Circumstances Tending to Show Suitability*, and section 2402(d), *Determination of Suitability: Circumstances Tending to Show Suitability*, submitted by Tai Truong, K-13333, and Lam Nguyen, K-23584
- VII. 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.
- VIII. Comments regarding en banc cases – Members of the audience may speak to the Board for a period not to exceed five (5) minutes.
- IX. Commissioners adjourn for Closed Session

The decisions regarding Jose Aguayo, V-56836; Garry Lee Bruner; Clinton Calley, E-18628; Richard Thomas Foley; James Haverstock, D-60488; and Alejandro Valenzuela, J-87682, 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, May 20, 2008
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)(4)
1. **AGUAYO, Jose** **V-56836**
 2. **HAVERSTOCK, James** **D-60488**
- C. **Traditional Pardon – Penal Code section 4812**
Pursuant to Government Code section 11126(c)(4)
1. **BRUNER, Garry Lee**
 2. **FOLEY, Richard Thomas**
- D. **En Banc Review**
Pursuant to Government Code section 11126(c)(4)
1. **CALLEY, Clinton** **E-18628** **Governor referred**
County of commitment:
Los Angeles
 2. **VALENZUELA, Alejandro** **J-87682** **Governor referred**
County of commitment:
San Diego

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BOARD OF PAROLE HEARINGS
Commissioner Training
May 21 – 23, 2008
1515 K Street, 5th Floor
Sacramento, California
REVISED



PLEASE NOTE REVISIONS TO WEDNESDAY & THURSDAY SCHEDULES

ITEMS IN RED ARE CLOSED TO THE PUBLIC

W E D N E S D A Y , M A Y 2 1 , 2 0 0 8

8:30 am **Public Comment re: Items on Agenda**
(Immediately Following Public Comment)

Clark v. California
Michael Johnson, Correctional Counselor II
Office of Court Compliance

11:30 am **LUNCH**

4:00 pm ~~**Overview of Mental Health Services Delivery System**~~
~~**Recognizing the Signs and Symptoms of Mental Illness**~~
Dr. Allison Stanley, Ph.D., Senior Psychologist
Health Care Services Division

**SESSION TO BE DEFERRED TO A
LATER DATE TO BE ANNOUNCED**

1:00 pm **Forensic Issues - In re Lugo Per Government Code Section 11126(e)(1)**
Office of Legal Affairs / John Iniguez, Chief, Forensic Assessment Division
Jasmine Tehrani, Ph.D., Sr. Psychologist / Steven Walker, Ph.D., Sr. Psychologist

5:00 pm **Conclusion**

T H U R S D A Y , M A Y 2 2 , 2 0 0 8

8:30 am **Public Comment re: Items on Agenda**
(Immediately Following Public Comment)

Hearing Overview
BPH staff and Office of Legal Affairs

11:30 am **LUNCH**

1:00 pm **Lifer Scheduling Tracking System (LSTS)**
LSTS Team

Hands Free Device
Randall Holtz, Correctional Counselor I

5:00 pm **Conclusion**

F R I D A Y , M A Y 2 3 , 2 0 0 8

8:30 am **Public Comment re: Items on Agenda**
(Closed Session Immediately Following Public Comment)

9:00 am **Pending Writs: Hearing Decisions Per Government Code Section 11126(e)(1)**
Office of Legal Affairs

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Discussion: Litigation Exposure - Per Government Code Section 11126(e)(1)

Office of Legal Affairs

12:00 pm

Conclusion

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