

**BOARD OF PAROLE HEARINGS**

**Executive Board Meeting**

**Tuesday, June 16, 2009**

**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, June 16, 2009**  
**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:  
      May 19, 2009
- IV.    Introductions and Presentations
- V.     Report from Executive Officer
- VI.    Chief Legal Counsel
  - Lifer Backlog
  - Regulatory action: Final adoption of California Code of Regulations, title 15, section 2253, *Voluntary Waivers, Stipulations of Unsuitability, Postponements and Continuances*
  - Petition for regulatory action: Requesting amendment of California Code of Regulations, title 15, section 2402(b), *Determination of Suitability: Information Considered*, and section 2402(d), *Determination of Suitability: Circumstances Tending to Show Suitability*, submitted by George D. Rounds, C-61366
- 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 Ashley Broaster, B-81201; Samuel Carrera, J-01473; Kevin Carter, H-26433; Juan Lopez, E-71823; Connell Ross, T-47247; Roderick Timmons, H-23862; Garabet Tokhmanian, D-12217; and Thomas Welch, E-45772, 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](http://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, June 16, 2009**  
**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)
- ROSS, Connell**                      **T-47247**
- C. **En Banc Review**  
Pursuant to Government Code section 11126(c)(4)
- |    |  |                |                          |
|----|--|----------------|--------------------------|
| 1. | <b>BROASTER, Ashley</b><br>County of commitment:<br>Los Angeles    | <b>B-81201</b> | <b>Governor referred</b> |
| 2. | <b>CARRERA, Samuel</b><br>County of commitment:<br>Orange          | <b>J-01473</b> | <b>Governor referred</b> |
| 3. | <b>CARTER, Kevin</b><br>County of commitment:<br>San Bernardino    | <b>H-36433</b> | <b>Governor referred</b> |
| 4. | <b>LOPEZ, Juan</b><br>County of commitment:<br>San Diego           | <b>E-71823</b> | <b>Governor referred</b> |
| 5. | <b>TIMMONS, Roderick</b><br>County of commitment:<br>Los Angeles   | <b>H-23862</b> | <b>Governor referred</b> |
| 6. | <b>TOKHMANIAN, Garabet</b><br>County of commitment:<br>Los Angeles | <b>D-12217</b> | <b>Split decision</b>    |
| 7. | <b>WELCH, Thomas</b><br>County of commitment:<br>Kern              | <b>E-45772</b> | <b>Governor referred</b> |

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