



CONSENT CALENDAR

BOARD OF PAROLE HEARINGS

Executive Board Meeting

April 15 & 16, 2019

Meeting Called to Order at: 1:03 p.m.

Roll Call: Commissioners Anderson, Cassady, Castro, Chappell, Dobbs, Grounds, Labahn, Long, Minor, Roberts, Ruff, Schneider, Sharrieff and Taira present.
Commissioner Barton absent.

Commissioner ANDERSON stated that a majority of currently-appointed commissioners are present.

CONSENT CALENDAR

Commissioner ROBERTS moved to approve the consent calendar.
Commissioner DOBBS seconded the motion, which carried unanimously.

REPORTS

Report from Executive Officer, Jennifer Shaffer

SHAFFER stated that she, NEILL, the associate chiefs, and the commissioners attended the Association of Paroling Authorities International Annual Training Conference.

SHAFFER gave an update on pending legislation that will impact the Board. Senate Bill 141 would extend sexually violent predator screening to indeterminately-sentenced inmates. Senate Bill 411 would exclude specified sex offenders from the elderly parole program. Assembly Bill 580 would require the Board to notify victims regarding an application for commutation of a death sentence. Assembly Bill 665 would repeal Senate Bill 394, the law authorizing parole suitability hearings for juvenile offenders sentenced to life without the possibility of parole once they have served 25 years. Assembly Bill 965 would apply credits earned by an inmate to move up the date of an inmate's initial youth offender hearing or elderly parole hearing. Assembly Bill 1641 would exclude inmates from youth offender hearings if they committed a murder when over the age of eighteen.

SHAFFER gave an update on the progress of the structured decision-making framework.

SHAFFER stated that CDCR's Inmate Locator now displays parole eligible dates for indeterminately sentenced nonviolent offenders who are eligible for a parole hearing under Proposition 57. SHAFFER also stated that the Board's Correspondence Management System has removed gender salutations from the Board's outgoing letters so the Board's correspondence is now gender neutral.

Report from Chief Counsel, Jennifer Neill

NEILL stated that briefs in *Re: Gadlin* will be filed in the California Supreme Court in 30 to 60 days.

Report from Chief Deputy, Program Operations, Sandra Maciel

MACIEL stated that the Board will now provide sign language interpreters for inmate counsel to use when meeting with their clients in advance of parole hearings. CDCR no longer provides sign language interpreters for inmate interviews. Effective immediately, inmate attorneys must request interpreters from the Board via e-mail, with a copy to the Americans with Disabilities Act Compliance Unit at Bph.ADAUnit@cdcr.ca.gov. The request must be made at least 10 days before the scheduled interview.

PRESENTATIONS

Transgender 101, presented by Adrien Lawyer, Co-director and Co-founder, Transgender Resource Center of New Mexico.

Lawyer gave a PowerPoint presentation.

OPEN COMMENTS

JAMES BAKER expressed concern that the structured decision-making framework will have an adverse impact on panels' discretion.

SHAFFER stated that panels will retain their full discretion under the proposed framework.

VANESSA NELSON-SLOANE, Life Support Alliance, welcomed structured decision-making. In addition, she expressed concern that many inmates receive inadequate notice of *en banc* referrals.

Meeting recessed at 3:12 p.m.

BOARD OF PAROLE HEARINGS

Consent Calendar

April 16, 2019

Meeting Called to Order at: 10:02 a.m.

Roll Call: Commissioners Anderson, Cassady, Castro, Chappell, Dobbs, Grounds, Labahn, Long, Minor, Roberts, Ruff, Schneider, Sharrieff and Taira present.
Commissioner Barton absent.

Commissioner ANDERSON stated that a majority of currently-appointed commissioners are present.

EN BANC REFERRALS

Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence.

A. CRAMER, LARRY

H94757

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, opposed a recommendation for recall of sentence.

B. GUNN, JOHN

BF0788

No speakers.

Referral by Chief Counsel, pursuant to Penal Code section 3041 (b) and California Code of Regulations, title 15, section 2042, to ensure complete, accurate, consistent and uniform decisions and the furtherance of public safety.

C. HISTON, LARRY

J79124

LILLI PARATORE, inmate's attorney, and KATHLEEN JACKSON, inmate's friend, recommended ordering a re-hearing.

LESLIE HANKE, Los Angeles County District Attorney's Office, and JANET LAWTON, victim's daughter, opposed ordering a re-hearing.

Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044 (b) to request review of a parole decision by the full board.

**D. SMITH, LEONARD
K94497**

JOHNNY SMITH, inmate's brother, supported his release on parole.

DOUGLAS TREISMAN, Fresno County District Attorney's Office, recommended ordering a rescission hearing.

**E. WEBB, BRIAN
AS1371**

JOHN CROSS, San Diego County District Attorney's Office, recommended ordering a rescission hearing.

Referral, pursuant to Penal Code section 3041 to either grant or deny parole when there is a tie vote.

**F. MARTINEZ, STEVEN
D09454**

No comment permitted.

**G. VARGA, JOSE
K61246**

No comment permitted.

OPEN COMMENTS

VANESSA NELSON-SLOANE, Life Support Alliance, welcomed the Transgender 101 presentation. She also expressed concern about inaccuracies in comprehensive risk assessments and recommended that clinician interviews be recorded.

DONNA LEBOWITZ, Los Angeles County District Attorney's Office, stated that Los Angeles County has been experiencing technical difficulties with their video conferencing system. She thanked the Board for its patience as the issue gets resolved.

Meeting adjourned at 10:47 a.m.



Board of Parole Hearings Scheduled and Backlog Hearings Report Penal Code Section 3041(d) May, 2019

