AGENDA

BOARD OF PAROLE HEARINGS
Executive Board Meeting

MONDAY, JULY 15, 2019

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 this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

BPH Agenda Webpage: https://www.cdc.gov/bph/meeting-agenda/

OPEN SESSION

(All times and the order of business are approximate and subject to change)

START TIME: 1:00 p.m.
1515 K Street
Suite 550
Executive Board Meeting Room
Sacramento, California 95814

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the June 17 and 18, 2019 Board of Parole Hearings Executive Board Meeting.


4. Approval of Motions for Hearings with Procedural Errors – No motions to consider.

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 a Board Member requests separate action.
REPORTS

6. Report from Executive Officer
   A. Outreach
   B. Website Accessibility
   C. Introduction of New Chief Counsel

7. Report from Chief Counsel
   D. Introduction of New Staff Attorneys

8. Report from Chief Deputy of Field Operations
   E. Introduction of New Associate Chief Deputy Commissioner

9. Report from Chief Deputy, Offender Investigations and Screening Division
   F. Introduction of New Parole Agents

PRESENTATIONS

    Presented by Jennifer Shaffer, Executive Officer.

OPEN COMMENTS

11. BPH Commissioners – Agenda Items for Future Meetings

12. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, 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, JULY 16, 2019
BOARD OF PAROLE HEARINGS
Executive Board Meeting

MONDAY, JULY 15, 2019

CLOSED SESSION

(All times and the order of business are approximate and subject to change)

START TIME: Upon Recess of Public Session
1515 K Street
Executive Board Meeting Room
Sacramento, California 95814

Discussion

Overview of Facts and Circumstances with Significant Exposure to Litigation Pursuant to Government Code section 11126, subdivision (e)(2)(B)(i)
(For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist: A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.)

Issues

1. Current Safety and Security Issues in the Institutions, Presented by Secretary Ralph Diaz, CDCR, Undersecretary Kathleen Allison, CDCR, and Tiffany Shultz, Assistant Chief Counsel, BPH.

TUESDAY, JULY 16, 2019

CLOSED SESSION

(All times and the order of business are approximate and subject to change)

START TIME: 9:00 a.m.
1515 K Street
Executive Board Meeting Room
Sacramento, California 95814

Discussion

Overview of Pending Litigation and Writs of Habeas Corpus
Pursuant to Government Code section 11126, subdivision (e)(1)
(Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a 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

AGENDA

BOARD OF PAROLE HEARINGS
Executive Board Meeting

TUESDAY, JULY 16, 2019

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OPEN SESSION

(All times and the order of business are approximate and subject to change)

START TIME: 10:00 a.m.
1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

MEETING RECONVENED (Continued from July 15, 2019)

13. Roll Call

EN BANC REFERRALS

14. Referral by the Governor pursuant to Penal Code section 4802 to review a pardon application. Members of the public may address the Board for a period not to exceed five (5) minutes.

A. SAM, THEAR
   K92440
   Sentencing Courts: San Luis Obispo and Los Angeles

B. REYNOLDS, CURTIS
   N71987
   Sentencing Courts: Yolo and Sacramento
15. Referral by the Governor pursuant to Penal Code section 4802 to review a commutation application. Members of the public may address the Board for a period not to exceed five (5) minutes.

C. PIERCE, CEDRIC  
J24758  
Sentencing Court: Santa Clara

D. FLORES, ESDVIN  
K36891  
Sentencing Court: Los Angeles

16. Referral pursuant to Penal Code section 1170, subdivision (e), to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

E. DUTY, ROBERT  
K74606  
Sentencing Court: Siskiyou

17. Referral by the Chief Counsel pursuant to Penal Code section 3041, subdivision (b), and California Code of Regulations, title 15, section 2042, to assure complete, accurate, consistent and uniform decisions and the furtherance of public safety. Members of the public may address the Board for a period not to exceed five (5) minutes.

F. DEALBA, DANIEL  
AP6710  
Sentencing Court: Los Angeles  
The Board to consider new information regarding Mr. Dealba’s alleged institutional misconduct on June 25, 2019.

G. EDMUND, ANDRE  
H72419  
Sentencing Court: Los Angeles  
The Board to determine whether the denial length of seven years should be modified to ensure the Board’s decisions are consistent and uniform under California Code of Regulations, title 15, section 2042, and to consider whether the proposed decision is consistent with Penal Code sections 3051 and 4801, subdivision (c).
H. RICHARDS, MICHELLE
W63146
Sentencing Court: San Diego
The Board to consider new confidential information dated June 14, 2019.

I. VIDAL, RANDY
C64227
Sentencing Court: Santa Clara
The Board to consider new information regarding Mr. Vidal’s alleged institutional misconduct on June 26, 2019.

18. Referral by the Governor pursuant to Penal Code section 3041.1 and California Code of Regulations, title 15, section 2044, subdivision (b), 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.

J. FARARJI, SHADI
P50386
Sentencing Court: Orange

K. GRAVELY, REGINALD
BB8330
Sentencing Court: Riverside

L. HENDRIX, NATHAN
BA2652
Sentencing Court: Butte

M. RICHARDS, MICHELLE
W63146
Sentencing Court: San Diego

N. SALCEDO, ALBERTO
K56293
Sentencing Court: Los Angeles

O. SAVAGE, JUSTIN
V28475
Sentencing Court: San Diego
19. Referral pursuant to Penal Code section 3041 when there is a tie vote. Public comment is prohibited pursuant to Penal Code section 3041, subdivision (e).

OPEN COMMENTS

17. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, 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 decisions for the above cases will be posted as soon as they are finalized in the lobby on the ground floor of 1515 K Street. They will also be posted within 24 hours on the BPH Website at the following address: https://www.cdcr.ca.gov/bph/enbanc/.

CLOSED SESSION – EN BANC REFERRALS

Pursuant to Government Code section 11126, subdivision (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