



# **AGENDA**

**(Amended August 16, 2019)**

## **BOARD OF PAROLE HEARINGS**

### **Executive Board Meeting**

**MONDAY, AUGUST 19, 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.cdcr.ca.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.**

CDCR Headquarters\*  
1515 S Street, First Floor  
Kern Training Room  
Sacramento, California 95814

**\*Due to construction, the meeting has moved from 1515 K Street to 1515 S Street.**

### **MEETING CALLED TO ORDER**

1. Roll Call

### **CONSENT CALENDAR**

2. Approval of the Draft Minutes from the July 15 and 16, 2019 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for August 2019.
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) Implementing *McGhee* Decision for Nonviolent Offenders
  
7. Report from Chief Counsel
  - a) *In re Gadlin*, review granted May 15, 2019, S254599
  - b) *In re Palmer*, review granted July 31, 2019, S256149 (Palmer III)
  - c) *In re Palmer*, review granted January 17, 2019, S252145 (Palmer II)
  
8. Report from Chief Deputy of Program Operations
  - a) Renovation of the Board Meeting Room
  - b) September Board Meeting Location
  - c) Panel Attorney Appointment Program Update
  
9. Report from Chief Deputy of Field Operations
  - a) Introduction of New Associate Chief Deputy Commissioner

## **DISCUSSION ITEM**

10. Regulations Regarding Youth Offenders and Application of Youth Offender Factors
  - a) Board Questions and Comments
  - b) Public Comments
  - c) Motion and Vote

## **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, AUGUST 20, 2019**

**BOARD OF PAROLE HEARINGS**  
**Executive Board Meeting**

**MONDAY, AUGUST 19, 2019**

**CLOSED SESSION**

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

**START TIME: Upon Recess of Public Session**

CDCR Headquarters  
1515 S Street  
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)**

*(Litigation shall be considered pending when 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.)*

**Issue**

1. Articulating a Decision Under the Structured Decision Making Framework, Presented by Jessica Blonien, Chief Counsel, and Jennifer Shaffer, Executive Officer.

**BOARD OF PAROLE HEARINGS  
Executive Board Meeting**

**TUESDAY, AUGUST 20, 2019**

**CLOSED SESSION**

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

**START TIME: 9:00 a.m.**

CDCR Headquarters  
1515 S Street  
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)**

*(Litigation shall be considered pending when 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.)*

**Issue**

1. Applying the Legal Standards Under California Code of Regulations, Title 15, Section 2253, Presented by Jessica Blonien, Chief Counsel, and Jennifer Shaffer, Executive Officer



# **AGENDA**

## **BOARD OF PAROLE HEARINGS Executive Board Meeting**

**TUESDAY, AUGUST 20, 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.

### **OPEN SESSION**

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

#### **START TIME: 10:00 a.m.**

CDCR Headquarters\*  
1515 S Street, First Floor  
Kern Training Room  
Sacramento, California 95814

**\*Due to construction, the meeting has moved from 1515 K Street to 1515 S Street.**

### **MEETING RECONVENED (Continued from August 19, 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. GARCIA, GABRIEL**

**D91235**

Sentencing Court: Los Angeles

**B. IBANEZ, BRENDA**

**X18698**

Sentencing Court: Los Angeles

**C. STEFFEN, RICHARD**

**J01529**

Sentencing Court: San Diego

**D. THOMAS-BLAND, SHANNON**

**W47697**

Sentencing Court: Los Angeles

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.

**E. BLEHM, KRISTOPHER**

**AB9529**

Sentencing Court: Santa Barbara

**F. FIGGERS, FANON**

**H32262**

Sentencing Court: San Bernardino

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.

**G. LEE, JIMMY**

**P22551**

Sentencing Court: Mendocino

**~~H. ORTIZ, VINCENT (Inmate deceased)~~**

**~~F48588~~**

~~Sentencing Court: Solano~~

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.

**I. ANDERSON, CARL**

**K13503**

Sentencing Court: Mendocino

**The Board to consider new information regarding Mr. Anderson's alleged institutional misconduct on July 12, 2019.**

**J. NAGGLES, MARCUS**

**V45781**

Sentencing Court: Los Angeles

**The Board to consider new information regarding Mr. Naggles's alleged institutional misconduct on July 25, 2019.**

18. Referral to consider for a rescission hearing pursuant to California Code of Regulations, title 15, section 2450 et seq. Members of the public may address the Board for a period not to exceed five (5) minutes

**K. GONZALES, ANTHONY**

**V97347**

Sentencing Court: Santa Clara

**The Board to consider new information regarding Mr. Gonzales's alleged institutional misconduct around July 18, 2019.**

19. 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.

**L. FULLER, KIMBERLY**

**K65331**

Sentencing Court: Kern

**M. SLAYTER, DANIEL**

**J27536**

Sentencing Court: Stanislaus

**N. VASQUEZ, JESUS**

**V68147**

Sentencing Court: Riverside

## **OPEN COMMENTS**

20. 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**