



# **AGENDA**

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

**TUESDAY, APRIL 21, 2020**

### **CLOSED SESSION**

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

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

### **Discussion**

#### **Overview of Facts and Circumstances with Significant Exposure to Litigation Pursuant to Government Code section 11126(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.)*

#### **Issue**

1. Implementing Governor's Executive Order N-36-20, presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel



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**TUESDAY, APRIL 21, 2020**

### **NOTICE OF TELEPHONIC MEETING**

In compliance with Executive Order N-29-20 and to minimize the spread and mitigate the effects of COVID-19, the Board of Parole Hearings has arranged for Board commissioners, interested parties, and members of the public to participate in the April 21, 2020 Executive Board Meeting by telephone. Please note that Executive Order N-29-20 supersedes prior Executive Order N-25-20 and allows the Board to hold meetings entirely via remote-meeting technology. Therefore, the Board is no longer required to provide a physical location in connection with the meeting. Accordingly, public comment, including comments on en banc cases, may be made telephonically at 1-877-601-3547, participant code 6281453.

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-4490 or (916) 319-9674, at least five (5) working days prior to the scheduled meeting.

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: 10:00 a.m.**

Call in number: 1-877-601-3547

Participant Code: 6281453

### **MEETING CALLED TO ORDER**

1. Roll Call

## **CONSENT CALENDAR**

2. Approval of the draft minutes from the March 17, 2020 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for April 2020.
4. Approval of Motions for Hearings with Procedural Error – 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.

## **EN BANC REFERRALS**

6. 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.

**A. BELL, MARVIN**

**C99865**

Sentencing Court: Alameda

**B. DESANTO, JAMES**

**G51190**

Sentencing Court: San Diego

**C. GONZALEZ, ALEJANDRO**

**C47744**

Sentencing Court: Los Angeles

**D. HARMON, TYSHON**

**K08935**

Sentencing Court: San Diego

**E. NORMAN, WELDON**

**J57944**

Sentencing Court: Los Angeles

**F. NUNEZ, RICARDO**

**F51949**

Sentencing Court: Contra Costa

**G. PHILLIP, DARIN**  
**P57320**  
Sentencing Court: San Bernardino

**H. RUCKER, DAVID**  
**P29892**  
Sentencing Court: Sacramento

**I. THAMES, SEAN**  
**P12095**  
Sentencing Court: Los Angeles

**J. TRUTTMAN, PAUL**  
**D96356**  
Sentencing Court: San Diego

**K. WHITSETT, ROY**  
**H32718**  
Sentencing Court: Sacramento

**L. WILSON, GEORGE**  
**G08255**  
Sentencing Court: Sacramento

7. 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).

**M. MEZA, JUAN**  
**K72250**  
Sentencing Court: Merced

**REPORTS**

8. Report from Executive Officer
- COVID-19 Update
9. Report from Chief Counsel
- Approval of the Nonviolent Offender Parole Review Regulations for Determinately Sentenced Inmates
10. Report from Chief Deputy of Program Operations
- Update on Scheduling of Parole Hearings

11. Report from Chief Psychologist, Forensic Assessment Division

- Status of Comprehensive Risk Assessments

**PRESENTATION**

12. Implementation of Executive Order N-36-20 and Conducting Hearings by Video Conference, presented by Jennifer Shaffer, Executive Officer, and Sandra Maciel, Chief Deputy of Program Operations

**OPEN COMMENTS**

13. BPH Commissioners – Agenda Items for Future Meetings

14. Public Comment – Comments are limited to five minutes. Comments will not be allowed for items already subject to public comment and decided by the Board. 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.

**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.”)*

The decisions for the en banc cases will be posted within 24 hours on the BPH Website at the following address: <https://www.cdcr.ca.gov/bph/enbanc/>.

**ADJOURNMENT**