



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

TUESDAY, MAY 19, 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. Analyzing when an inmate poses an unreasonable risk of current danger to society, *In re Lawrence* (2008) 44 Cal.4th 1181 presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel
2. *In re Palmer*; California Supreme Court No. S252145, presented by Jessica Blonien, Chief Counsel
3. Implementing Governor's Executive Order N-36-20, presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel



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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 May 19, 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 April 21, 2020 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for May 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 4802 to review a pardon application. Members of the public may address the Board for a period not to exceed five (5) minutes.

**A. ARNOLD, EUGENE
E47126**

Sentencing Courts: Los Angeles, Kings

7. 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.

**B. ROYBAL, JAMES
P17731**

Sentencing Court: Kern

**C. FRANKLIN, JONATHAN
AD7473**

Sentencing Court: Yuba

8. Referral by the Chief Counsel pursuant to Penal Code section 3041(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.

D. MANIZ, ROBERT

G07232

Sentencing Court: Contra Costa

The Board to consider new information regarding Mr. Maniz's alleged institutional misconduct between July 31, 2019 and February 28, 2020.

E. VERNON, KENNETH

K46975

Sentencing Court: San Joaquin

The Board to consider whether the proposed decision complies with In re Lawrence (2008) 44 Cal. 4th 1181.

9. 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.

F. BUNDERSON, BOBBY

E27807

Sentencing Court: Kern

G. CHUBBUCK, DAVID

K96589

Sentencing Court: Monterey

H. GLOVER, RONALD

H32746

Sentencing Court: Stanislaus

I. INGRAM, MICHAEL

T99697

Sentencing Court: Kern

J. PAMILTON, LESTER

D85879

Sentencing Court: Los Angeles

K. POE, HENRY

K06466

Sentencing Court: Los Angeles

L. RED, STEVEN

AL8505

Sentencing Court: Riverside

M. WHITE, NAILAH

WE7881

Sentencing Court: Los Angeles

REPORTS

10. Report from Executive Officer

- Update on video conference hearings

11. Report from Chief Counsel

- Update on *In re Palmer*; California Supreme Court No. S252145

12. Report from Chief Deputy of Program Operations

- Panel attorney process

13. Report from Chief Deputy of Field Operations

- Staffing update

14. Report from Chief Deputy of Offender Investigations and Screening Division

- Staffing update

OPEN COMMENTS

15. BPH Commissioners – Agenda Items for Future Meetings

16. 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