



AGENDA

BOARD OF PAROLE HEARINGS

Executive Board Meeting

TUESDAY, JANUARY 19, 2021

BPH Agenda Webpage: <https://www.cdcr.ca.gov/bph/meeting-agenda/>

NOTICE OF VIRTUAL 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 virtually in the January 19, 2021 Executive Board Meeting.

To ensure successful participation in the meeting, members of the public are encouraged to go to the Board's webpage at <https://www.cdcr.ca.gov/bph/meeting-agenda/> and review the documents titled "Public Comment Videoconference Tips for Success" and "How to Join a MS Team Executive Board Meeting."

To join the meeting by video, use a computer or mobile device to access this link: <https://tinyurl.com/y69pcyfw>. The Board utilizes Microsoft Teams for virtual participation, which may require the user to download the application. Participants should refer to the "How to Join a MS Team Executive Board Meeting" document on the Board's agenda webpage for further instructions.

To join the meeting by telephone, dial (916) 701-9994 and enter the following phone conference ID code when prompted: 831 613 546#.

Those wishing to speak should complete and submit a speaker card before the meeting to Sylvia.Paredes@cdcr.ca.gov. The speaker card is available on the Board's website at <https://www.cdcr.ca.gov/bph/meeting-agenda/>. You may also call (916) 322-4752 to register your speaker information. If the telephone number goes to voicemail, please leave the information on the recording so the moderator may appropriately identify you when it is your time to speak. You may submit the speaker card any time after this agenda is posted.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov. Written comments must be received by 5:00 p.m. on January 18, 2021, to ensure consideration by the full Board.

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.

OPEN SESSION

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

START TIME: 1:00 p.m.

Online: <https://tinyurl.com/y69pcyfw>

Call in number: (916) 701-9994

Phone Conference ID Code: 831 613 546#

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the December 22, 2020 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for January 2021.
4. Approval of Motion for Hearings with Procedural Errors – No motions to consider.
5. Public Comment – Comments are limited to three 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.

REPORTS

6. Report from Executive Officer
 - Legislation Update on Senate Bill 118 and Assembly Bill 3234
7. Report from Chief Counsel
 - *In re Gadlin* (Dec. 28, 2020, S254599) ___ Cal.4th ___ [2020 WL 7690154]

DISCUSSION ITEM

8.
 - a) Comprehensive Risk Assessment Regulations, presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel
 - b) Board Questions and Comments
 - c) Public Comments
 - d) Motion and Vote

OPEN COMMENTS

9. BPH Commissioners – Agenda Items for Future Meetings
10. Public Comment – Comments are limited to three 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.

MEETING RECESSED

BOARD OF PAROLE HEARINGS
Executive Board Meeting

TUESDAY, JANUARY 19, 2021

CLOSED SESSION

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

START TIME: Upon Recess of Open Session

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.)

Issues

1. *Coleman/Plata v. Brown* (*Coleman v. Brown*, No. 2:90-cv-0520-KJM DAD (E.D. Cal), and *Plata v. Brown*, No. C01-1351 TEH (N.D. Cal.), presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel
2. *In re Gadlin* (Dec. 28, 2020, S254599) ___ Cal.4th ___ [2020 WL 7690154], presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel

MEETING RECESSED TO JANUARY 20, 2021



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, JANUARY 20, 2021

BPH Agenda Webpage: <https://www.cdcr.ca.gov/bph/meeting-agenda/>

NOTICE OF VIRTUAL 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 virtually in the January 20, 2021 Executive Board Meeting.

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To join the meeting by video, use a computer or mobile device to access this link: <https://tinyurl.com/y2c7o0eh>. The Board utilizes Microsoft Teams for virtual participation, which may require the user to download the application. Participants should refer to the "How to Join a MS Team Executive Board Meeting" document on the Board's agenda webpage for further instructions.

To join the meeting by telephone, dial (916) 701-9994 and enter the following phone conference ID code when prompted: 418 242 20#.

Those wishing to speak should complete and submit a speaker card before the meeting to Sylvia.Paredes@cdcr.ca.gov. The speaker card is available on the Board's website at <https://www.cdcr.ca.gov/bph/meeting-agenda/>. You may also call (916) 322-4752 to register your speaker information. If the telephone number goes to voicemail, please leave the information on the recording so the moderator may appropriately identify you when it is your time to speak. You may submit the speaker card any time after this agenda is posted.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov. Written comments must be received by 5:00 p.m. on January 19, 2021, to ensure consideration by the full Board.

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.

OPEN SESSION

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

START TIME: 9:00 a.m.

Online: <https://tinyurl.com/y2c7ooeh>

Call in number: (916) 701-9994

Phone Conference ID Code: 418 242 20#

MEETING CALLED TO ORDER

11. Roll Call

EN BANC REFERRALS

12. 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 three minutes.

A. ALVAREZ, ROBERT

T41681

Sentencing Court: San Joaquin

B. AVILA, JORGE

K38601

Sentencing Court: Los Angeles

C. BARCLAY, DAVID

V25071

Sentencing Court: Los Angeles

D. BARTON, JOHN

E78459

Sentencing Court: Sutter

E. INGRAM, JASON

T02525

Sentencing Court: Los Angeles

F. LAMBERT, DREW

P27014

Sentencing Court: Orange

G. MILLAN, FRANCISCO

K92533

Sentencing Court: San Bernardino

H. SERRANO, ERNESTO

H43694

Sentencing Court: San Bernardino

I. WOODS, STEVEN

P50223

Sentencing Court: Fresno

OPEN COMMENTS

13. BPH Commissioners – Agenda Items for Future Meetings

14. Public Comment – Comments are limited to three 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.

The decisions for the above cases will be posted within 24 hours in the lobby on the ground floor of 1515 K Street and on the BPH website at the following address:

<https://www.cdcr.ca.gov/bph/enbanc/>.

MEETING RECESSED



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, JANUARY 20, 2021

CLOSED SESSION

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

START TIME: Upon Recess of Open Session

Discussion

En Banc Referrals

Pursuant to Government Code section 11126(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 or consideration is expressly prohibited by statute.")

ADJOURNMENT