BOARD OF PAROLE HEARINGS

ADMINISTRATIVE DIRECTIVE NO: 2012-03

SUBJECT: PROCEDURES TO FOLLOW WHEN A PAROLE SUITABILITY HEARING IS CONTINUED

INTRODUCTION

This Administrative Directive clarifies the procedures to follow when a parole suitability hearing is continued.

LEGAL AUTHORITY

California Code of Regulations, Title 15, section 2253(e)(2), provides that "[I]f a life parole consideration hearing is continued, the board shall attempt to impanel the same panel members when the hearing is reconvened. However, the board may, in its discretion, reconvene a new panel and commence a new hearing."

DIRECTIVE

In the event a hearing panel orders that a parole suitability hearing be continued, the scheduling unit shall normally schedule the same panel members to hear the matter. However, if the scheduling unit is unable to impanel the same members due to any circumstance, then the new panel shall commence a new hearing when they convene. In other words, if the commissioner(s) or the deputy commissioner appointed to hear the continuation of the original hearing is different than the commissioner(s) or deputy commissioner who heard the original hearing, then the continuation of the original hearing will be conducted as a new or de novo hearing.

This Administrative Directive shall take effect immediately. If you have any questions concerning the contents of this Administrative Directive please contact the legal office at (916) 324-7604.

APPROVED BY: _____ **DATE:** 12/13/12

JENNIFER P. SHAFFER
Executive Officer, BPH