



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

MONDAY, OCTOBER 19, 2020

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 virtually participate in the October 19, 2020 Executive Board Meeting by entering the following link into your online browser:

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. Enter a name. The name will be visible online and will be used to notify you that it is your turn to speak if you participate in open comment.
- c. When the Chairperson calls for open comment on which you wish to speak, click on "raise hand."
- d. When called, please limit your remarks to the time limit allotted – three (3) minutes.

Members of the public may also join the meeting to listen telephonically by dialing the following telephone number: (916) 701-9994, and entering the following code: 166 079 309 #.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov.

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)

MEETING CALLED TO ORDER

1. Roll Call

PRESENTATIONS

2. Impact of Trauma, presented by Dr. John Briere, Professor of Psychiatry and Behavioral Sciences, Keck School of Medicine, University of Southern California
3. Division of Rehabilitation Programs – Cognitive Behavior Interventions, presented by Shannon Vellone, Staff Services Manager, Division of Rehabilitative Programs, and Lillian Marquez, Regional Administrative Director, Amity Foundation

OPEN COMMENTS

4. BPH Commissioners – Agenda Items for Future Meetings
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.

MEETING RECESSED TO TUESDAY, OCTOBER 20, 2019



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

TUESDAY, OCTOBER 20, 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 October 20, 2020 Executive Board Meeting by telephone.

Public comment, including comments on en banc cases, may be made telephonically at 1-877-601-3547, participant code 6281453. 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 October 19, 2020, 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.

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)

MEETING RECONVENED (continued from October 19, 2020)

6. Roll Call

CONSENT CALENDAR

7. Approval of the Draft Minutes from the September 15, 2020 Board of Parole Hearings Executive Board Meeting.
8. Approval of the Parole Suitability Hearings and Backlog Report for October 2020.
9. Approval of Motions for Hearings with Procedural Errors – No motions to consider.
10. Public Comment on Consent Calendar – Comments are limited to three (3) 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

11. Report from Executive Officer
 - Legislation Update

EN BANC REFERRALS

12. 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).

A. MCNEAL, RODNEY

P80613

Sentencing Court: San Bernardino

13. Referral by the Chief Counsel pursuant to California Code of Regulations, title 15, section 2450 et seq. to consider referral for a rescission hearing. Members of the public may address the Board for a period not to exceed three (3) minutes.

B. KELLEY, MICHAEL

E21167

Sentencing Court: Kern

The Board to consider new information dated September 15, 2020.

14. 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 (3) minutes.

15.

C. ARCINIEGA, SAMUEL

F95060

Sentencing Court: Sacramento

D. BOUNPRASEUTH, BOUPHA

K31935

Sentencing Court: Los Angeles

E. DONALDSON, ERIC

J72042

Sentencing Court: Los Angeles

F. JENNINGS, ADAM

AG4634

Sentencing Court: San Bernardino

G. MCKINLEY, TERRY

C94117

Sentencing Court: Los Angeles

H. MITLEIDER, FLOYD

K32161

Sentencing Court: San Diego

I. PARK, JOHN

P41696

Sentencing Courts: Orange and Los Angeles

J. PARRICK, RONALD

H74528

Sentencing Court: Fresno

K. RUNION, JAMES

K01607

Sentencing Court: San Diego

L. WESLEY, GARY

C23599

Sentencing Court: San Francisco

OPEN COMMENTS

16. Public Comment – Comments are limited to three (3) 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 en banc cases will be posted within 24 hours in the lobby at 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

TUESDAY, OCTOBER 20, 2020

CLOSED SESSION

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

START TIME: Upon Recess of Public Session

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.")

MEETING RECESSED TO WEDNESDAY, OCTOBER 21, 2020



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, OCTOBER 21, 2020

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 virtually participate in the October 21, 2020 Executive Board Meeting by entering the following link into your online browser:

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. Enter a name. The name will be visible online and will be used to notify you that it is your turn to speak if you participate in open comment.
- c. When the Chairperson calls for open comment on which you wish to speak, click on "raise hand."
- d. When called, please limit your remarks to the time limit allotted – three (3) minutes.

Members of the public may also join the meeting to listen telephonically by dialing the following telephone number: (916) 701-9994, and entering the following code: 968 536 081 #.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov.

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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)

MEETING RECONVENED (continued from October 20, 2020)

17. Roll Call

PRESENTATIONS

18. Analysis of Comprehensive Risk Assessments Administered in 2019, presented by Dr. Cliff Kusaj, Chief Psychologist, Board of Parole Hearings

19. Panel Attorney Program Update, presented by Heidi Rummel, President and Founder, and Anna Feingold, Interim Executive Director, Parole Justice Works

20. Microsoft Teams Overview, presented by Steven Mehler and Travis Stratton, Staff Service Managers, Lifer Scheduling Unit, Board of Parole Hearings

OPEN COMMENTS

21. BPH Commissioners – Agenda Items for Future Meetings

22. 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



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, OCTOBER 21, 2020

CLOSED SESSION

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

START TIME: 1:30 p.m.

Discussion

Overview of Pending Litigation 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.)

Issue

23. *Ashker v. Governor of the State of California* (N.D. Cal., Apr. 18, 2013, No. C 09-5796 CW), presented by Bryan Bishop, Special Agent, Criminal Intelligence Analysis Unit, Office of Correctional Safety, and Jessica Blonien, Chief Counsel, Board of Parole Hearings

MEETING RECESSED TO THURSDAY, OCTOBER 22, 2020



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

THURSDAY, OCTOBER 22, 2020

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 virtually participate in the October 22, 2020 Executive Board Meeting by entering the following link into your online browser:

- a. Use a current, up-to-date browser: Chrome 30+, Firefox 27+, Microsoft Edge 12+, Safari 7+. Certain functionality may be disabled in older browsers including Internet Explorer. Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- b. Enter a name. The name will be visible online and will be used to notify you that it is your turn to speak if you participate in open comment.
- c. When the Chairperson calls for open comment on which you wish to speak, click on "raise hand."
- d. When called, please limit your remarks to the time limit allotted – three (3) minutes.

Members of the public may also join the meeting to listen telephonically by dialing the following telephone number: (916) 701-9994, and entering the following code: 466 627 208 #.

Public comment may also be submitted in writing and should be emailed to BPHEXE.BRDMEETING@cdcr.ca.gov.

OPEN SESSION

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

MEETING RECONVENED (continued from October 21, 2020)

24. Roll Call

PRESENTATIONS

25. Introduction to LightHouse for the Blind, presented by Scott Blanks, Director, and Sheri Albers, Community Outreach Coordinator, LightHouse for the Blind – San Francisco

26. Introduction to the Peer Re-Entry Navigation Network, presented by Martin Figueroa, Parole Agent III, Division of Adult Parole Operations

27. Overview of the Mental Health Services Delivery System, presented by Marilyn Immoos, Senior Psychologist, Marina Rangel, Statewide Pre-Release Coordinator, and Amber Carda, Senior Psychologist, Division of Health Care Services, California Department of Corrections and Rehabilitation

28. Transitional Housing Overview, presented by Jessica Fernandez, Division of Rehabilitative Programs, and Ryan Youtsey, Division of Adult Parole Operations

OPEN COMMENTS

29. BPH Commissioners – Agenda Items for Future Meetings

30. 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



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

THURSDAY, OCTOBER 22, 2020

CLOSED SESSION

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

START TIME: 3:00 p.m.

Discussion

Overview of Facts and Circumstances with Significant Exposure to Litigation Pursuant to Government Code Section 11126, subdivision (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.)

31. Current Safety and Programming Issues, presented by Secretary Kathleen Allison, and Undersecretary Jeffrey Macomber, Operations, California Department of Corrections and Rehabilitation, and Jessica Blonien, Chief Counsel, Board of Parole Hearings

MEETING RECESSED TO FRIDAY, OCTOBER 23, 2020



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

FRIDAY, OCTOBER 23, 2020

CLOSED SESSION

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

START TIME: 9:00 a.m.

MEETING RECONVENED (continued from October 22, 2020)

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.)

Issue

32. Update on Pending Litigation, presented by Phillip Lindsay, Senior Assistant Attorney General, Attorney General's Office

33. *In re Flores* (C089974, app. pending), *In re Mohammad*, review granted January 6, 2020, S259999, and *In re Gadlin*, review granted March 11, 2019, S254599, presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel, Board of Parole Hearings

34. *In re Reay* (Super. Ct. Sacramento County, 2020, No. 20HC00171), presented by Michelle Shimada, Senior Staff Attorney, and Christopher Hoefft, Staff Attorney, Board of Parole Hearings

Overview of Facts and Circumstances with Significant Exposure to Litigation Pursuant to Government Code Section 11126, subdivision (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

35. Special Conditions of Parole, presented by Jim Logsdon, Staff Attorney, and Sara Puricelli, Staff Attorney, Board of Parole Hearings

36. Expanded Medical Parole Hearings, presented by Veronica Mendoza, Senior Staff Attorney, Board of Parole Hearings

37. Current Institutional Operations and Safety, presented by Connie Gipson, Director, Division of Adult Institutions, California Department of Corrections and Rehabilitation, and Jessica Blonien, Chief Counsel, Board of Parole Hearings

ADJOURNMENT