



## **AGENDA**

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

**MONDAY, MAY 17, 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 May 17-18, 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 Teams Executive Board Meeting."

To join the meeting by video, use a computer or mobile device to access this link: <https://tinyurl.com/24aue59b>. 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 Teams Executive Board Meeting" document on the Board's agenda webpage for further instructions. **TO MINIMIZE DISRUPTION, PLEASE LOG INTO THE MEETING AT LEAST FIVE (5) MINUTES EARLY.**

To join the meeting by telephone, dial (916) 701-9994 and enter the following phone conference ID code when prompted: 727 359 504#.

Those wishing to speak should complete and submit a speaker card before the meeting to [Sylvia.Paredes@cdcr.ca.gov](mailto: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](mailto:BPHEXE.BRDMEETING@cdcr.ca.gov)**. Written comments must be received by 5:00 p.m. on May 14, 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:** 10:00 a.m.

**Video:** <https://tinyurl.com/24aue59b>

**Call in number:** (916) 701-9994

**Phone Conference ID Code:** 727 359 504#

### **MEETING CALLED TO ORDER**

1. Roll Call

### **CONSENT CALENDAR**

2. Approval of the Draft Minutes from the April 20-23, 2021 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for May 2021.
4. Approval of Motion for Hearings with Procedural Errors.

#### **A. PANUELAS, SAUL**

**K48434**

Sentencing Court: Orange

**Motion:** Vacate the panel's January 21, 2021 decision and schedule a new hearing in order to comply with the victim notification requirement set forth in Penal Code section 3043, subdivision (a)(1).

5. 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.

## **REPORTS**

6. Report from Executive Officer
  - Budget Update
7. Report from Chief Counsel
  - Regulation Update
8. Report from Chief Deputy of Program Operations
  - Electronic Notification Emails to Stakeholders
9. Report from Chief Deputy of Offender Investigations and Screening Division
  - Staffing Update
10. Report from Chief Psychologist, Forensic Assessment Division
  - Staffing Update

## **EN BANC REFERRALS**

11. 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 three (3) minutes.

**B. GIDDINGS, JOSEPH**

**K80932**

Sentencing Court: Los Angeles

12. 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 three (3) minutes.

**C. DOSS, FREDDIE**

**H74204**

Sentencing Court: Los Angeles

**The board to consider new confidential information dated April 26, 2021.**

**D. HOPSON, LORINZO**

**J76517**

Sentencing Court: San Diego

**The board to consider new confidential information dated April 22, 2021.**

**E. MOORE, VALLIENT**

**D59941**

Sentencing Court: Alameda

**The board to consider new confidential information dated April 30, 2021.**

**F. NISBIT, RICHARD**

**K27451**

Sentencing Court: San Diego

**The board to consider whether the proposed decision complies with *In re Shaputis* (2011) 53 Cal.4th 192 and Penal Code section 3041.5, subdivision (b)(3)(C).**

**G. ROLDAN, ALFRED**

**G12162**

Sentencing Court: Riverside

**The board to consider whether there was an error of law in application of the Americans with Disabilities Act and if Alfred Roldan's due process rights were violated.**

**H. YOUNG, DORIS**

**W81730**

Sentencing Court: Los Angeles

**The board to reconsider the February 16, 2021 en banc decision given new confidential information dated April 29, 2021.**

13. 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.

**I. ALMENDARIZ, RICARDO**

**F72127**

Sentencing Court: Los Angeles

**J. ANDERSON, RICHARD**

**C79045**

Sentencing Court: Los Angeles

**OPEN COMMENTS**

14. BPH Commissioners – Agenda Items for Future Meetings

15. 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**

**MONDAY, MAY 17, 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.")*

**MEETING RECESSED TO MAY 18, 2021**



## **AGENDA**

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

**TUESDAY, MAY 18, 2021**

### **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.)*

### **Issues**

Legal Issues Associated with Virtual Parole Hearings, presented by Jennifer Shaffer, Executive Officer, and Jessica Blonien, Chief Counsel





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16. Roll Call

### **EN BANC REFERRALS**

17. 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.

**K. ANDREWS, KURT**

**P46667**

Sentencing Court: Orange

**L. CAREY, KEITH**

**T76768**

Sentencing Court: Stanislaus

**M. CHAPARRO, ALFRED**  
**P05437**  
Sentencing Court: Orange

**N. CUMMINGS, SEAN**  
**C65098**  
Sentencing Court: San Diego

**O. DICK, CARL**  
**P25999**  
Sentencing Court: Sonoma

**P. LEWIS, DAVID**  
**AL2394**  
Sentencing Court: Kern

**Q. MORRIS, LONNIE**  
**B95677**  
Sentencing Court: Contra Costa

**R. NOLAN, DEMPSEY**  
**K84541**  
Sentencing Court: Los Angeles

**S. SERRANO, LORAINE**  
**X06033**  
Sentencing Court: Los Angeles

**OPEN COMMENTS**

18. BPH Commissioners – Agenda Items for Future Meetings

19. 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.

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**START TIME: Upon Completion of Closed Session**

#### **ADJOURNMENT**

Open session called to adjourn the May 18, 2021 Board of Parole Hearings Executive Board Meeting.