



AGENDA

BOARD OF PAROLE HEARINGS

Executive Board Meeting

MONDAY, APRIL 10, 2023

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

NOTICE OF EXECUTIVE BOARD MEETING

Pursuant to Senate Bill 189, which became effective on June 30, 2022, the Board of Parole Hearings has arranged for interested parties and members of the public to participate virtually or by telephone, in the April 10 and 11, 2023 Executive Board Meeting. Commissioners and board staff will appear virtually for this meeting. There is no option to attend this month's meeting in person.

To ensure successful participation, members of the public participating by video or phone 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 Troubleshooting" and "How to Join a MS Teams Executive Board Meeting."

To join the meeting by video, use a computer or cellphone to access this link: <https://tinyurl.com/BPHExecutiveBoardMeeting>. The board uses 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 phone, call (916) 701-9994 and enter this conference ID code when prompted: 520 739 063#

Those wishing to speak are encouraged to submit a speaker card before the meeting to BPH.SpeakerCards@cdcr.ca.gov. The speaker card is on the board's website at <https://www.cdcr.ca.gov/bph/meeting-agenda/>. You may also call (916) 322-4752 to submit your information. If the phone number goes to voicemail, please leave your information on the recording so the moderator may call on you when it is your time to speak. You may submit the speaker card any time after this agenda is posted.

To allow time for everyone to make comments, public comment is limited to two minutes per speaker. We understand you have important information to convey; thus, we strongly encourage you to submit a written statement before the meeting to BPHEXE.BRDMEETING@cdcr.ca.gov. The board must receive written comments for the consent calendar by 5:00 p.m. the day before the meeting. The board must receive written statements for cases on the April 10, 2023 agenda, by 12 p.m. (noon) on April 10, 2023, to ensure consideration by a majority of appointed commissioners.

Please note the board considers any written statements submitted as public comment. So long as written statements are submitted by 12 p.m. (noon) the day of the meeting, they will be considered before the commissioners vote. If you submit a written statement, there is no need to repeat this statement orally at our meeting. Commissioners review written statements before deliberating and voting on all matters pending before the board.

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (279) 300-5755 or by email at BPH.ADAUnit@cdcr.ca.gov, at least two (2) working days prior to the scheduled meeting.

OPEN SESSION

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

START TIME: 11:00 a.m.

Video: <https://tinyurl.com/BPHExecutiveBoardMeeting>

Call in number: (916) 701-9994

Phone Conference ID Code: 520 739 063#

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the March 20 and 21, 2023 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for April 2023.
4. Approval of Motion for Hearings with Procedural Errors – No motions to consider.
5. Public Comment on Consent Calendar – Comments are limited to a maximum of two (2) minutes.

REPORTS

6. Executive Officer
 - National Crime Victims' Rights Week
 - Senate Confirmation of Commissioners
7. Chief Counsel
 - Legislative Update
8. Chief Deputy of Program Operations
 - Overview of Parole Justice Works Report
 - Panel Attorney Update
9. Chief Deputy of Offender Investigations and Screening Division
 - Staff Update
10. Office of Victim and Survivor Rights and Services
 - Update on National Crime Victims' Rights Week
 - Overview of New Notice Service

PRESENTATIONS

11. 2022 Significant Events Report, presented by Jennifer Shaffer, Executive Officer, Board of Parole Hearings

OPEN COMMENTS

12. Board Commissioners – Agenda Items for Future Meetings
13. Public Comment – Comments are limited to two (2) minutes. No comments are allowed for items already subject to public comment and decided by the board.

The board will not consider comments about future parole hearings. Please send those comments to the institution where the incarcerated person is housed so the hearing panel can consider these comments.

PANEL FOR APRIL 10, 2023 CASES

The following commissioners are scheduled to participate in public comment, deliberations, and voting on items 14 through 23.

- Commissioner Dobbs
- Commissioner Barton
- Commissioner Chappell
- Commissioner Long
- Commissioner Muniz

- Commissioner Ndudim
- Commissioner Nwajei
- Commissioner O'Meara
- Commissioner Ruff
- Commissioner Sharrieff
- Commissioner Taira
- Commissioner Thornton

EN BANC REFERRALS

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).

14. MERCADO, ARMANDO (C87143)

Sentencing Court: Riverside

15. MONTANEZ, JR., RICHARD (H40361)

Sentencing Court: Fresno

Referral by the Chief Counsel pursuant to Penal Code section 3041, subdivision (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 two (2) minutes.

16. BENNETT, DAVID (E39886)

Sentencing Court: Santa Clara

The board to consider new confidential information dated March 1, 2023.

17. GUERRERO, GARY (T25609)

Sentencing Court: Santa Clara

The board to consider new confidential information dated February 5, 2023 and March 30, 2023.

18. JOSEPH, LLOYD (P56783)

Sentencing Court: Los Angeles

The board to consider new confidential information dated March 24, 2023

19. RILEY, AMBER (WA3123)

Sentencing Court: San Bernardino

The board to consider new confidential information dated March 6, 2023.

20. SHERMAN, MELVIN (P20763)

Sentencing Court: Los Angeles

The board to consider new confidential information dated February 9, 2023.

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 a majority of appointed commissioners. Members of the public may address the board for a period not to exceed two (2) minutes.

21. DEANDA, VICTOR (G06685)

Sentencing Court: Stanislaus

22. MUNOZ, RYAN (BD4554)

Sentencing Court: Los Angeles

23. VELASQUEZ, ALAN (T08355)

Sentencing Court: San Bernardino

MEETING RECESSED



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

MONDAY, APRIL 10, 2023

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, 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 or consideration is expressly prohibited by statute.")



AGENDA

BOARD OF PAROLE HEARINGS

Executive Board Meeting

TUESDAY, APRIL 11, 2023

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

NOTICE OF EXECUTIVE BOARD MEETING

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To allow time for everyone to make comments, public comment is limited to two minutes per speaker. We understand you have important information to convey; thus, we strongly encourage you to submit a written statement before the meeting by emailing your statement to BPHEXE.BRDMEETING@cdcr.ca.gov. The board must receive written statements for cases on the April 11, 2023 agenda, by 10 a.m. on April 11, 2023, to ensure consideration by a majority of appointed commissioners.

Please note the board considers any written statements submitted as public comment. So long as written statements are submitted by 10 a.m. the day of the meeting, they will be considered before the commissioners vote. If you submit a written statement, there is no need to repeat this statement orally at our meeting. Commissioners review written statements before deliberating and voting on all matters pending before the board.

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START TIME: 9:00 a.m.

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Call in number: (916) 701-9994

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MEETING CALLED TO ORDER

24. Roll Call

PANEL FOR APRIL 11, 2023 CASES

The following commissioners are scheduled to participate in public comment, deliberations, and voting on items 25 through 34.

- Commissioner Cassady
- Commissioner Garcia
- Commissioner Kozel
- Commissioner Minor
- Commissioner Ndudim
- Commissioner Nwajei
- Commissioner O'Meara
- Commissioner Purcell

- Commissioner Schneider
- Commissioner Sullivan
- Commissioner Taira
- Commissioner Weiss

EN BANC REFERRALS

Referral by the Chief Counsel to consider ordering a rescission hearing pursuant to California Code of Regulations, title 15, section 2450 et seq. Additionally, this case is a 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 a majority of appointed commissioners. Members of the public may address the board for a period not to exceed two (2) minutes.

25. ZAMARO, SAMUEL (P31914)

Sentencing Court: San Diego

The board to consider new disciplinary information dated February 13, 2023 and March 7, 2023.

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 a majority of appointed commissioners. Members of the public may address the board for a period not to exceed two (2) minutes.

26. BELTRANCHUC, TARE (G47484)

Sentencing Court: San Francisco

27. COOPER, RAYMOND (T67344)

Sentencing Court: Butte

28. FRAHER, CECILIA (W98663)

Sentencing Court: San Bernardino

29. LARSHIN, ANDREY (F03229)

Sentencing Courts: Sacramento, Kern

30. MCMILLAN, WYATT (D54072)

Sentencing Court: Los Angeles

31. OEURN, SAUN (AY7268)

Sentencing Court: Alameda

32. PAGE, JAMES (AS4549)

Sentencing Court: San Diego

33. SIMENTAL, CARLOS (BF7024)

Sentencing Court: Orange

34. VASQUEZ, EDGAR (AZ8922)

Sentencing Court: Alameda

OPEN COMMENTS

35. Board Commissioners – Agenda Items for Future Meetings

36. Public Comment – Comments are limited to two (2) minutes. No comments are allowed for items already subject to public comment and decided by the board.

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ADJOURNMENT

Open session called to adjourn the April 10-11, 2023 Board of Parole Hearings Executive Board Meeting.