



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

MONDAY, MAY 15, 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 May 15 and 16, 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, the Board prepared documents that are available on the Board's webpage at <https://www.cdcr.ca.gov/bph/meeting-agenda/>: titled "Public Comment Videoconference Tips for Success and Troubleshooting" and "How to Join a MS Teams Executive Board Meeting." If after troubleshooting you continue to have issues joining the meeting, contact Steven Mehler at (916) 956-2433 or Steven.Mehler@cdcr.ca.gov. If the phone line is busy, leave a message and a staff member will contact you.

To join 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. Refer to the "How to Join a MS Teams Executive Board Meeting" document on the Board's agenda webpage for instructions. **TO MINIMIZE DISRUPTION, PLEASE LOG INTO THE MEETING AT LEAST FIVE (5) MINUTES EARLY.**

To join 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. The moderator will 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 comment, public comment is limited to two minutes per speaker. We understand you have important information to convey; thus, we encourage you to submit a written comment 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 comments for cases on the May 15, 2023 agenda, by 10 a.m. on May 15, 2023, to ensure consideration by a majority of appointed commissioners.

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

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

OPEN SESSION

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

START TIME: 9:00 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 April 10-11, 2023 Board of Parole Hearings Executive Board Meeting.
3. Approval of the Parole Suitability Hearings and Backlog Report for May 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. Report from Executive Officer
 - Association of Paroling Authorities International (APAI)
 - Commissioner Confirmations
 - Budget Update
 - Staffing Update
7. Report from Chief Counsel
 - Website Update for Parole Discharge
8. Report from Chief Deputy of Program Operations
 - Parole Justice Works Website Update
9. Report from Chief Deputy of Field Operations
 - Staffing Update

DISCUSSION ITEM

10. SMITH, HARUN (D05564)

Sentencing Court: Los Angeles

- a) Whether there exists a need to take immediate action under Government Code section 11125.3, subdivision (a)(2)
- b) Board Questions and Comments
- c) Public Comments
- d) Motion and Votes

OPEN COMMENTS

11. Board Commissioners – Agenda Items for Future Meetings

12. 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 MAY 15, 2023 CASES

The following commissioners are scheduled to participate in public comment, deliberations, and voting on items 13 through 26.

- Commissioner Chappell
- Commissioner Garcia
- Commissioner Garland

- Commissioner Kozel
- Commissioner Muniz
- Commissioner Ndudim
- Commissioner Purcell
- Commissioner Schneider
- Commissioner Sharrieff
- Commissioner Sullivan
- 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).

13. ORTIZ, FRANCISCO (F06109)

Sentencing Court: San Francisco

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.

14. ALVAREZ, GUILLERMO (AN2949)

Sentencing Court: Kern

The Board to consider new confidential information dated April 17, 2023.

15. BELLACK, JOSEPH (H66807)

Sentencing Court: San Diego

The Board to consider new confidential information dated April 14, 2023.

16. HURT, GERALD (D39177)

Sentencing Court: Los Angeles

The Board to consider new confidential information dated April 26, 2023.

17. RIKARD, KEVIN (V44696)

Sentencing Courts: Butte, Plumas

The Board to consider new confidential information dated May 3, 2023.

18. TOLIVER, TYRONE (H93393)

Sentencing Court: Los Angeles

The Board to consider new confidential information dated April 28, 2023.

19. **SMITH, HARUN (D05564)** *(To be considered if discussion item is approved)*

Sentencing Court: Los Angeles

The Board to consider new confidential information dated May 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.

20. **BAPTISTE, KENNETH (T36354)**

Sentencing Court: Los Angeles

21. **CORLEY, JEFFREY (V53724)**

Sentencing Court: Los Angeles

22. **KING, ALTON (T83180)**

Sentencing Court: Santa Clara

23. **REITZ, STEPHEN (V47730)**

Sentencing Court: Los Angeles

24. **RENDALL, JEFFREY (D70983)**

Sentencing Court: Contra Costa

25. **RODRIGUEZ, JORGE (D60761)**

Sentencing Court: Los Angeles

26. **SCONCE, DAVID (AP3966)**

Sentencing Court: Los Angeles

MEETING RECESSED



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

MONDAY, MAY 15, 2023

CLOSED SESSION

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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, MAY 16, 2023

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

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MEETING CALLED TO ORDER

27. Roll Call

PANEL FOR MAY 16, 2023 CASES

The following commissioners are scheduled to participate in public comment, deliberations, and voting on items 28 through 42.

- Commissioner Barton
- Commissioner Cassady
- Commissioner Dobbs
- Commissioner Garcia
- Commissioner Minor
- Commissioner Ndudim
- Commissioner Nwajei

- Commissioner Purcell
- Commissioner Ruff
- Commissioner Sharrieff
- Commissioner Sullivan
- Commissioner Weiss

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).

28. ZAMORA, RAYMOND (C23043)

Sentencing Court: Madera

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29. BOUSLAUGH, MATTHEW (K62311)

Sentencing Court: Santa Barbara

30. CLARK, JON (K71193)

Sentencing Court: San Mateo

31. GAINES, RALPH (E39804)

Sentencing Court: Alameda

32. HAMLIN, STEVEN (K96746)

Sentencing Court: Kern

33. KIRCHNER, KRISTOPHER (J31375)

Sentencing Courts: Sacramento, San Diego

34. MADRID, MOISES (AR4737)

Sentencing Court: Los Angeles

35. MCEACHERN, KEVAN (D29470)

Sentencing Court: San Diego

36. MCKINNEY, DEBRA (WF6156)

Sentencing Court: San Diego

37. OCAMPO, BRYAN (BD1719)

Sentencing Court: Orange

38. PENA, JUAN (AS7368)

Sentencing Court: Orange

39. RABADUEX, JEAN (T62002)

Sentencing Court: San Joaquin

40. THOMPSON, TYLER (BA3918)

Sentencing Court: Los Angeles

41. TORRES, FELIX (V90502)

Sentencing Court: Fresno

42. ZESATI, DAMEON (AP2054)

Sentencing Court: Contra Costa

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ADJOURNMENT

Open session called to adjourn the May 15-16, 2023 Board of Parole Hearings Executive Board Meeting.