



AGENDA (amended August 9, 2024)

**BOARD OF PAROLE HEARINGS
Executive Board Meeting**

TUESDAY, AUGUST 20, 2024

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

NOTICE OF EXECUTIVE BOARD MEETING

The August Board meeting will be held in person, by video, and by telephone.

How to Join by Video: To join by video, use a computer or cellphone and go to this link: <https://tinyurl.com/BPHExecutiveBoardMeeting>. You may be required to download the Microsoft Teams application. **PLEASE LOG INTO THE MEETING AT LEAST FIVE (5) MINUTES EARLY.**

Documents on the Board's website 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" may help if you are having problems joining the meeting. You can also call (916) 445-4072 and leave a message if you need additional help.

Content Advisory: Explicit crime details may be discussed during this meeting. This could trigger strong reactions or be difficult to hear. Further, the content is not appropriate for children to hear. The Board considers written statements equally as oral comments from this meeting. Written statements can be submitted to BPHEXE.BRDMEETING@cdcr.ca.gov. Please refer to the "How to Submit a Written Statement" section below for deadlines to submit written statements.

Legal Standard for Parole Hearing Decisions: The Board is required to base its decisions upon whether the incarcerated person poses a current, unreasonable risk of danger to the public. In making this decision, the Board considers the incarcerated person's rehabilitative programming, behavior during their incarceration, criminal history, and other evidence-based risk factors relevant to determining whether the person can live in society without committing more antisocial acts. The Board may not base its decision solely on the commitment offense. (See *In re Vicks* (2013) 56 Cal.4th 274; *In re Lawrence* (2008) 44 Cal.4th 1181.)

How to Join by Phone: To join by phone, call (916) 701-9994 and enter this conference ID code when asked: 520 739 063#.

How to Attend In Person: To attend the meeting in person, go to 1515 K Street, Suite 550, Sacramento, California 95814. Anyone entering the meeting may be searched. No weapons are allowed.

How to Make a Public Comment at Meeting: If you want to speak at the meeting, please 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) 267-0857 and leave a message with your information. You may submit a speaker card any time before the meeting. At the meeting, the moderator will call on you when it is your turn to speak.

Each speaker is limited to two minutes. If you submit a written statement, you do not need to repeat this statement at the meeting. The commissioners review written statements before considering and voting on agenda items.

How to Submit a Written Statement: If you want to submit a written statement, please email your statement before the meeting to BPHEXE.BRDMEETING@cdcr.ca.gov. Please identify the case you are writing about in your statement. All written statements received by the below times and dates will be considered by the commissioners voting on the case.

- **Statements on Tuesday's Consent Calendar:** Written statements for the consent calendar must be received by 9:00 a.m. on Tuesday, August 20, 2024.
- **Statements on Tuesday's Cases:** Written statements for the cases on Tuesday's agenda must be received by 10:00 a.m. on Tuesday, August 20, 2024.
- **Statements on Wednesday's Cases:** Written statements for cases on Wednesday's agenda must be received by 10:00 a.m. on Wednesday, August 21, 2024.

Board Contact Information:

- **Disability Accommodations:** For disability accommodations, please contact the Board's disability coordinators at (279) 300-5755. Their email is BPH.ADAUnit@cdcr.ca.gov. Please contact them at least two working days before the board meeting.
- **General Questions and Technical Support:** For more information about the meeting, please contact the Board at (916) 445-4072 or write to PO Box 4036, Sacramento, CA 95812-4036.
- **Speaker Card Submissions:** Speaker cards may be emailed to BPH.SpeakerCards@cdcr.ca.gov or you may call (916) 267-0857 to submit your information.

OPEN SESSION

(All times and the order of business are approximate and subject to change. The Board may take breaks during the meeting.)

START TIME: 9:00 a.m.

Physical Location: 1515 K Street, Suite 550, Sacramento, California 95814

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 July 15-16, 2024, Board of Parole Hearings' Executive Board Meeting.
3. Approval of the Parole Consideration Hearings and Backlog Report for August 2024.
4. Approval of Motions for Hearings with Procedural Errors.

RAINEY, CLYDE (P50923)

Sentencing Court: Contra Costa

Motion: Vacate the panel's July 10, 2024 decision and schedule a new hearing in order to comply with the recording requirement set forth Penal Code section 3042, subdivision (b).

5. Public Comment on Consent Calendar – Comments are limited to two (2) minutes.

REPORTS

6. Report from the Executive Officer
 - Impact of CJLF vs. CDCR et al. Litigation
 - Commissioner Appointments
7. Report from the Chief Counsel
 - Outreach Update
8. Report from the Chief Psychologist of the Forensic Assessment Division
 - Outreach Update
9. Report from the Office of Victim and Survivor Rights and Services
 - General Update

OPEN COMMENTS

10. Board Commissioners – Agenda Items for Future Meetings.

11. Public Comment – Comments are limited to two (2) 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 Board by email to BPH.CorrespondenceUnit@cdcr.ca.gov or by mail to the Board of Parole Hearings, P.O. Box 4036, Sacramento, CA 95812, so they can be considered by the panel assigned to the case.

PANEL FOR AUGUST 20, 2024 CASES

The following commissioners are scheduled to participate in public comment, deliberations, and voting on items 12 through 26.

- Commissioner Barton
- Commissioner Cassady
- Commissioner Garland
- Commissioner Infante
- Commissioner Long
- Commissioner Minor
- Commissioner Muñiz
- Commissioner O'Meara
- Commissioner Sharrieff
- Commissioner Taira
- Commissioner Thornton
- Commissioner Weiss

EN BANC REFERRALS

Referral by the Chief Counsel to consider for a rescission hearing pursuant to California Code of Regulations, title 15, section 2450 et seq. Members of the public may speak for two (2) minutes.

12. SIMMONS, EDWARD (K85143)

Sentencing Court: Alameda

The Board to consider new information regarding institutional misconduct that occurred on July 1, 2024.

Referral by the Governor under 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 speak for two (2) minutes.

13. CHIA, MICHAEL (F03496)

Sentencing Court: Los Angeles

14. FRANK, KYLE (AH1177)

Sentencing Courts: Sacramento, Imperial

15. GREEN, JEROME (V73855)

Sentencing Court: Los Angeles

16. KIDWELL, SEQUOYAH (T67322)

Sentencing Court: Riverside

17. MEJIA, CARLOS (P70705)

Sentencing Court: Los Angeles

18. OLIVER, PAUL (V84319)

Sentencing Court: Santa Clara

19. RAMIREZ, ROSA (WF6998)

Sentencing Court: Kings

20. ROSE, MICHAEL (BW4693)

Sentencing Court: San Bernardino

21. SERRANO, ERIKA (X30316)

Sentencing Court: Riverside

22. SMITH, ROBERT (D55330)

Sentencing Court: Los Angeles

23. VILLA, LUIS (BE1408)

Sentencing Court: San Mateo

24. WHITE, RUSSELL (H44662)

Sentencing Court: Los Angeles

25. WILLIS, TRAVON (F90477)

Sentencing Court: Los Angeles

26. **WOLLETT, PATRICK (AD6046)**

Sentencing Court: San Luis Obispo

MEETING RECESSED TO WEDNESDAY, AUGUST 21, 2024



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

TUESDAY, AUGUST 20, 2024

CLOSED SESSION

START TIME: Upon recess of open session

Discussion

En Banc Referrals

Under Government Code section 11126, subdivision (c)(4), the Board may hold a closed session when considering a term, parole, or release of any person or other disposition of an individual case, or if public disclosure of the subject considered is expressly prohibited by statute.

The Board will post the decisions to the Board's website within 24 hours of the meeting. The decisions are also posted in the first-floor lobby at 1515 K Street, Sacramento, CA 95814.



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, AUGUST 21, 2024

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

NOTICE OF EXECUTIVE BOARD MEETING

The August Executive Board meeting will be held in-person, by video, and telephone.

How to Join by Video: To join by video, use a computer or cellphone and go to this link: <https://tinyurl.com/BPHExecutiveBoardMeeting>. You may be required to download the Microsoft Teams application. **PLEASE LOG INTO THE MEETING AT LEAST FIVE (5) MINUTES EARLY.**

Documents on the Board's website 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" may help if you are having problems joining the meeting. You can also call (916) 445-4072 and leave a message if you need additional help.

Content Advisory: Explicit crime details may be discussed during this meeting. This could trigger strong reactions or be difficult to hear. Further, the content is not appropriate for children to hear. The Board considers written statements equally as oral comments from this meeting. Written statements can be submitted to BPHEXE.BRDMEETING@cdcr.ca.gov. Please refer to the "How to Submit a Written Statement" section below for deadlines to submit written statements.

Legal Standard for Parole Hearing Decisions: The Board is required to base its decisions upon whether the incarcerated person poses a current, unreasonable risk of danger to the public. In making this decision, the Board considers the incarcerated person's rehabilitative programming, behavior during their incarceration, criminal history, and other evidence-based risk factors relevant to determining whether the person can live in society without committing more antisocial acts. The Board may not base its decision solely on the commitment offense. (See *In re Vicks* (2013) 56 Cal.4th 274; *In re Lawrence* (2008) 44 Cal.4th 1181.)

How to Join by Phone: To join by phone, call (916) 701-9994 and enter this conference ID code when asked: 520 739 063#

How to Attend In Person: To attend the meeting in person, go to 1515 K Street, Suite 550, Sacramento, California 95814. Anyone entering the meeting may be searched. No weapons are allowed.

How to Make a Public Comment at Meeting: If you want to speak at the meeting, please 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) 267-0857 and leave a message with your information. You may submit a speaker card any time before the meeting. At the meeting, the moderator will call on you when it is your turn to speak.

Each speaker is limited to two minutes. If you submit a written statement, you do not need to repeat this statement at the meeting. The commissioners review written statements before considering and voting on agenda items.

How to Submit a Written Statement: If you want to submit a written statement, please email your statement before the meeting to BPHEXE.BRDMEETING@cdcr.ca.gov. Please identify the case you are writing about in your statement. All written statements received by the below times and dates will be considered by the commissioners voting on the case.

- **Statements on Wednesday's Cases:** Written statements for cases on Wednesday's agenda must be received by 10:00 a.m. on Wednesday, August 21, 2024.

Board Contact Information:

- **Disability Accommodations:** For disability accommodations, please contact the Board's disability coordinators at (279) 300-5755. Their email is BPH.ADAUnit@cdcr.ca.gov. Please contact them at least two working days before the board meeting.
- **General Questions and Technical Support:** For more information about the meeting, please contact the Board at (916) 445-4072 or write to PO Box 4036, Sacramento, CA 95812-4036.
- **Speaker Card Submissions:** Speaker cards may be emailed to BPH.SpeakerCards@cdcr.ca.gov or you may call (916) 267-0857 to submit your information.

OPEN SESSION

(All times and the order of business are approximate and subject to change. The Board may take breaks during the meeting when necessary.)

START TIME: 9:00 a.m.

Physical Location: 1515 K Street, Suite 550, Sacramento, California 95814

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

Call in number: (916) 701-9994

Phone Conference ID Code: 520 739 063#

MEETING CALLED TO ORDER

27. Roll Call

PANEL FOR AUGUST 21, 2024 CASES

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

- Commissioner Barton
- Commissioner Chappell
- Commissioner Dobbs
- Commissioner Kozel
- Commissioner Ndudim
- Commissioner Nwajei
- Commissioner Purcell
- Commissioner Ruff
- Commissioner Schneider
- Commissioner Sharrieff
- Commissioner Sheffield
- Commissioner Weiss

EN BANC REFERRALS

Referral by the Chief Counsel under Penal Code section 3041, subdivision (b) and California Code of Regulations, title 15, section 2042 to assure complete, accurate, consistent, and uniform decisions, and continued public safety. Members of the public may speak for two (2) minutes.

28. ROSELL, MICHAEL (D56974)

Sentencing Court: Los Angeles

The Board to consider new confidential information dated July 29, 2024.

29. THAING, YA (F26942)

Sentencing Court: Santa Clara

The Board to consider new confidential information dated August 6, 2024.

Referral by the Governor under 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 speak for two (2) minutes.

30. ACOSTA, JOSE (P90441)

Sentencing Court: Los Angeles

31. BARRIOS, MANUEL (BE7194)

Sentencing Court: San Bernardino

32. BURCHAM, JOSHUA (AH6840)

Sentencing Court: San Diego

33. DANIEL, DOMINIC (AX7304)

Sentencing Court: Alameda

34. GONZALEZ, MODESTO (AG2376)

Sentencing Court: Los Angeles

35. HODGINS, ANDREW (P82664)

Sentencing Court: Orange

36. JOLLY, WESLEY (AF0387)

Sentencing Courts: Los Angeles, San Bernardino

37. MCNEIL, MICHAEL (P59685)

Sentencing Court: Riverside

38. MORALES, ARI (AN6018)

Sentencing Court: Contra Costa

39. ROSSIGNOL, RODERICK (V81390)

Sentencing Court: Riverside

40. SANCHEZ, MANUEL (K15621)

Sentencing Court: Los Angeles

41. SOLANO, ERASMO (T90308)

Sentencing Court: Los Angeles

42. VALLADARES, JOSE (V76245)

Sentencing Court: Kings

OPEN COMMENTS

43. Board Commissioners – Agenda Items for Future Meetings

44. 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. Those comments should be sent to the Board by email to BPH.CorrespondenceUnit@cdcr.ca.gov or by mail to the Board of Parole Hearings, P.O. Box 4036, Sacramento, CA 95812, so they can be considered by the panel assigned to the case.

OPEN SESSION RECESSED



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, AUGUST 21, 2024

CLOSED SESSION

START TIME: Upon recess of open session

Discussion

En Banc Referrals

Under Government Code section 11126, subdivision (c)(4), the Board may hold a closed session when considering a term, parole, or release of any person or other disposition of an individual case, or if public disclosure of the subject considered is expressly prohibited by statute.

The Board will post the decisions to the Board's website within 24 hours of the meeting. The decisions are also posted in the first-floor lobby at 1515 K Street, Sacramento, CA 95814.



AGENDA

BOARD OF PAROLE HEARINGS Executive Board Meeting

WEDNESDAY, AUGUST 21, 2024

OPEN SESSION

START TIME: Upon recess of closed session

Physical Location: 1515 K Street, Suite 550, Sacramento, California 95814

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

Call in number: (916) 701-9994

Phone Conference ID Code: 520 739 063#

ADJOURNMENT

Open session to adjourn the August 20-21, 2024 Board of Parole Hearings' Executive Board Meeting.