



## **AGENDA**

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

**TUESDAY, DECEMBER 17, 2024**

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

### **NOTICE OF EXECUTIVE BOARD MEETING**

The December 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. The Board considers written statements equally as oral comments from this meeting. Written statements can be submitted to [BPHEXE.BRDMEETING@cdcr.ca.gov](mailto:BPHEXE.BRDMEETING@cdcr.ca.gov). See 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](mailto: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](mailto: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 10:00 a.m. on Tuesday, December 17, 2024.
- **Statements on Tuesday's Cases:** Written statements for cases on Tuesday's agenda must be received by 12:00 p.m. on Tuesday, December 17, 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](mailto: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](mailto: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:** 11:00 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 November 25-26, 2024 Board of Parole Hearings' Executive Board Meeting
3. Approval of the Parole Consideration Hearings and Backlog Report for December 2024
4. Approval of Motions for Hearings with Procedural Errors.

### **RAMIREZ, MONIQUE (W64267)**

Sentencing Court: Los Angeles

**Motion:** Vacate the panel's September 4, 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
  - Introduction of New Executive Officer
7. Report from the Chief Counsel
  - Staffing Update
  - Litigation Update

## **OPEN COMMENTS**

8. Board Commissioners – Agenda Items for Future Meetings.
9. 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 emailed to the Board at [BPH.CorrespondenceUnit@cdcr.ca.gov](mailto:BPH.CorrespondenceUnit@cdcr.ca.gov) or mailed 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 DECEMBER 17, 2024 CASES**

**The following commissioners are scheduled to participate in public comment, deliberations, and voting on items 10 through 29.**

- Commissioner Barton
- Commissioner Cassady
- Commissioner Chappell
- Commissioner Dobbs
- Commissioner Garland
- Commissioner Kozel
- Commissioner Long
- Commissioner Minor
- Commissioner Muniz
- Commissioner Ndudim
- Commissioner Nwajei
- Commissioner O'Meara
- Commissioner Purcell
- Commissioner Ruff
- Commissioner Schneider
- Commissioner Sharrieff
- Commissioner Sheffield
- Commissioner Taira
- Commissioner Thornton

## **EN BANC REFERRALS**

Referral by the Governor under Penal Code section 4802 to review a pardon application. Members of the public may speak for two (2) minutes.

**10. PENRY, RICHARD (10-23-00682)**

Sentencing Court: Sonoma

Referral by a hearing panel member under Penal Code section 3041(a)(5) and California Code of Regulations, title 15, section 2044(a) to request review of a parole decision by a majority of appointed commissioners. Members of the public may speak for two (2) minutes.

**11. LEWIS, JOHN (T65118)**

Sentencing Court: San Diego

**12. STEVENS, LOUIS (J98437)**

Sentencing Court: Sacramento

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.

**13. BOWDEN, LADON (AC9719)**

Sentencing Court: Sacramento

The Board to consider new confidential information dated December 2, 2024.

**14. COLE, DARREL (P97529)**

Sentencing Court: Merced

The Board to consider new confidential information dated November 26, 2024.

**15. HILL, JOE (K44211)**

Sentencing Court: San Diego

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

**16. JOHNSON, ADRIAN (P68103)**

Sentencing Court: Fresno

The Board to consider new confidential information dated December 4, 2024.

**17. RAMSEY, RONALD (H39461)**

Sentencing Court: Los Angeles

The Board to consider new confidential information dated December 5, 2024, and whether an error of law exists under Penal Code section 3041, subdivision (b).

**18. VANDERVALL, KARL (D82274)**

Sentencing Court: Los Angeles

The Board to consider new confidential information dated November 27, 2024.

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

**19. JOHNSON, JOE (V46926)**

Sentencing Court: Monterey

The Board to consider new information from November 18, 2024 and the Governor referral letter dated November 16, 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.

**20. BISHOP, NICKIE (C94764)**

Sentencing Court: Fresno

**21. COLLIN, JAMES (AW4447)**

Sentencing Court: Contra Costa

**22. COOPER, DONALD (T79901)**

Sentencing Court: San Diego

**23. HAYWARD, DALE (T90848)**

Sentencing Court: San Diego

**24. HERNANDEZ, FRANCISCO (H58147)**

Sentencing Court: Los Angeles

**25. HERNANDEZ, MARK (AA4869)**

Sentencing Court: Sacramento

**26. JENSON, MARTIN (F21091)**  
Sentencing Court: Santa Clara

**27. LEE, DUEWA (WE7573)**  
Sentencing Court: Sacramento

**28. MOSLEY, MICHAEL (F00246)**  
Sentencing Court: Sutter

**29. NEGRETE, SALVADOR (P49458)**  
Sentencing Court: Los Angeles

**OPEN SESSION RECESSED**



## **AGENDA**

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

**TUESDAY, DECEMBER 17, 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 lobby at 1515 K Street, Sacramento, CA 95814.



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## **ADJOURNMENT**

Open session to adjourn the December 17, 2024 Board of Parole Hearings' Executive Board Meeting.