



**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Monday, December 17, 2018**

OPEN SESSION

(All times are approximate and subject to change.)
http://www.cdcr.ca.gov/BOPH/meeting_agenda.html

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 1:00 p.m.

AGENDA

MEETING CALLED TO ORDER

1. Roll Call

CONSENT CALENDAR

2. Approval of the Draft Minutes from the November 19 and 20, 2018 Board of Parole Hearings Executive Board Meeting
3. Approval of the Parole Suitability Hearings and Backlog Report for December 2018
4. Approval of Motions for Hearings with Procedural Errors

A. BREWER, FRANCIS Sentencing Court: Solano	D-81573	Motion: Vacate the panel's October 9, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).
B. DAVIS, REGGIE Sentencing Court: San Diego	B-88416	Motion: Vacate the panel's November 27, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).
C. FORD, LEVI Sentencing Court: Los Angeles	D-31796	Motion: Vacate the panel's October 25, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

D. GARCIA, JOSE Sentencing Court: San Diego	K-55980	Motion: Vacate the panel's November 27, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).
E. JORDAN, CHESTER Sentencing Court: Alameda	D-21891	Motion: Vacate the panel's October 9, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).
F. PIPER, ISADORE Sentencing Court: Monterey	J-51562	Motion: Vacate the panel's November 8, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).
G. PONCE, SERGIO Sentencing Court: Contra Costa	P-13400	Motion: Vacate the panel's November 9, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).
H. RUBIN, TERRANCE Sentencing Court: Los Angeles	H-39324	Motion: Vacate the panel's November 8, 2018 decision and schedule a new hearing in order to comply with the recording requirement in Penal Code section 3041.5, subdivision (a)(4).

5. Public Comment on Consent Calendar – Comments are limited to five minutes. Items on the consent calendar are considered routine and non-controversial. All matters are approved by one motion unless a Board Member requests separate action.

REPORTS

6. Report from Executive Officer
 - Substance Use Disorder External Stakeholder Summit
 - Parole Consideration for Indeterminately-Sentenced Nonviolent Offenders
 - Introduction of New Commissioner
 - Announcement of Commissioner Retirement
7. Report from Chief Deputies of Program Operations and Field Operations
 - Complying with the recording requirement in Penal Code section 3041.5, subdivision (a)(4)
8. Report from Chief Deputy of Field Operations
 - Nonviolent Offender Parole Review Process Statistics
 - Introduction of New Deputy Commissioner

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code Section 171b.

9. Report from Chief Administrator, Offender Investigations and Screening Division
 - Staff Retirements and Staffing Changes

DISCUSSION ITEMS

10. a) Youthful Offender Regulations, presented by Jennifer Neill, Chief Counsel
- b) Board Questions and Comments
- c) Public Comments
- d) Motion and Votes

PRESENTATIONS

11. Intimate Partner Violence Risk Assessment and Management, presented by Randall Kropp, Ph.D., R.Psych, Psychologist, BC Forensic Psychiatric Service Commissioner; Threat Assessment Specialist, Protect International, Inc.; Adjunct Professor, Simon Fraser University
12. Mental Health Services Delivery System, presented by Carrie Brecker, Senior Psychologist Specialist, California Department of Corrections and Rehabilitation

OPEN COMMENTS

13. BPH Commissioners – Agenda Items for Future Meetings
14. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. However, 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 TO TUESDAY, DECEMBER 18, 2018

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code section 171b.



**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, December 18, 2018**

CLOSED SESSION
(All times are approximate and subject to change.)

1515 K Street
Executive Board Conference Room
Sacramento, California 95814

START TIME: 9:00 a.m.

DISCUSSION

Overview of Pending Litigation and Writs of Habeas Corpus

Pursuant to Government Code section 11126(e)(1)

(Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.)

Issues

1. *Coleman/Plata v. Brown* (*Coleman v. Brown*, No. 2:90-cv-0520-KJM DAD (E.D. Cal), and *Plata v. Brown*, No. C01-1351 TEH (N.D. Cal.), Presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel
2. *In re Edwards* (2018) 237 Cal.Rptr.3d 673, Presented by Jennifer Shaffer, Executive Officer, and Jennifer Neill, Chief Counsel

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code section 171b.



**BOARD OF PAROLE HEARINGS
Executive Board Meeting
Tuesday, December 18, 2018**

OPEN SESSION

(All times are approximate and subject to change.)

1515 K Street
Executive Board Meeting Room
Suite 550
Sacramento, California 95814

START TIME: 10:00 a.m.

AGENDA

MEETING RECONVENED (Continued from December 17, 2018)

15. Roll Call

EN BANC REFERRALS

16. 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 five (5) minutes.

A. BURTON, SUSAN W-31416
Sentencing Court:
Los Angeles

17. Referral pursuant to Penal Code section 1170(e) to determine eligibility for recommendation to sentencing court for recall of sentence. Members of the public may address the Board for a period not to exceed five (5) minutes.

B. HIGHTOWER, J-98566
THOMAS
Sentencing Court:
Sacramento

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code section 171b.

18. 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 five (5) minutes.

- | | | |
|---|-----------------------|---|
| <p>C. CLARK, CLYDE
Sentencing Court:
Los Angeles</p> | <p>H-25202</p> | <p>To consider new information regarding alleged institutional misconduct on November 3, 2018 and November 28, 2018.</p> |
| <p>D. MANCEBO, MARK
Sentencing Court:
Merced</p> | <p>K-12604</p> | <p>To consider new information outlined in an investigative report dated November 29, 2018.</p> |
| <p>E. VAN CLEAVE, JAMIE
Sentencing Court:
Lassen</p> | <p>K-04600</p> | <p>To consider whether the proposed decision is consistent with Penal Code sections 3051 and 4801(c).</p> |

OPEN COMMENTS

19. Public Comment – Comments are limited to five minutes. The public may comment on any item related to Board business. The Board, however, 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.

The decisions in the above hearings will be posted as soon as they are finalized in the lobby on the ground floor of 1515 K Street. They will also be posted within 24 hours on the BPH internet page at the following address: www.cdcr.ca.gov/BOPH/enbanc.html.

CLOSED SESSION – 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 nor consideration is expressly prohibited by statute.")

ADJOURNMENT

For disability related accommodations, please contact the BPH Americans with Disabilities Act Coordinators at (916) 445-6631 or (916) 323-7997, at least five (5) working days prior to the scheduled meeting. All persons and property entering into this facility may be subject to search. No unauthorized weapons are allowed pursuant to Penal Code section 171b.