

**BOARD OF PAROLE HEARINGS**  
**EXECUTIVE OFFICE**P.O. Box 942883  
Sacramento, CA 94283-0001

October 14, 2005

The Honorable Mathew L. Cate  
Inspector General, State of California  
Office of the Inspector General  
P.O. Box 348780  
Sacramento, CA 95834-8780**RECEIVED**

OCT 14 2005

OFFICE OF THE  
INSPECTOR GENERAL

Dear Mr. Cate:

Reference is made to your letter of 28 June 2005, to the attention of then Chairwoman, Margarita E. Perez enclosing a draft report of the Office of the Inspector General's (OIG) Accountability Audit of the Board of Prison Terms.

Based, in part, on the on-going litigation that directly deals with the issues presented in the audit, and the change of leadership as a result of the reorganization, the Board of Parole Hearings (formerly the Board of Prison Terms) requested and received additional time, until 14 October 2005, to respond to the July 2005, OIG Accountability Report.

With one exception, the Board concurs with the OIG findings and recommendations and acknowledges that significant work needs to be done particularly in the area of lifer parole consideration hearings.

The exception is the finding that the Board should change its meeting day to Monday. After considerable review, this does not appear to be practical and the requirements for scheduling remedies would make this issue moot.

Currently, the Board of Parole Hearings is a defendant in the pending class action lawsuit In re Rutherford, regarding lifer parole suitability hearings. As such, we anticipated we would have reached an agreement on a remedial plan by 14 October 2005; however agreement on the remedial plan was not reached on 14 October, and further settlement negotiations have been put over until 20 October 2005. We will provide further detail once the plan has been finalized as part of the settlement.

Thank you for your courtesy and cooperation in this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis M. Kenneally". The signature is stylized with a large loop and a horizontal stroke.

DENNIS M. KENNEALLY  
Executive Officer