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District Attorney Recommendation - FUSL000055 (2021-09-01)

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DARCEL D. CLARK
DISTRICT ATTORNEY

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September 1, 2021

NYS Department of Corrections and Community Supervision
Woodbourne Correctional Facility
99 Prison Road
Woodbourne, NY

Re: [REDACTED]
NYSID: [REDACTED]
DIN: [REDACTED]
IND: [REDACTED]

Via Email: carysma.smith@doccs.ny.gov; angelica.morales@doccs.ny.gov

To the Parole Board:

I am the Chief of the Conviction Integrity Bureau at the Bronx County District Attorney's Office. I am writing to recommend that the Parole Board consider releasing [REDACTED] to parole supervision. He is scheduled to appear before the September 7, 2021 Parole Board.

On July 31, 2008, thirteen years ago, Mr. [REDACTED] used an imitation pistol to rob the victim of his chain and his money. At that time, Mr. [REDACTED] was addicted to cocaine, and placed his interests above those of all others.

Mr. [REDACTED] entered a plea of guilty in Bronx County to Attempted Robbery in the Second Degree on August 21, 2008. He was sentenced as a mandatory persistent violent felony offender on July 1, 2010, to a term of from 12-life. At the time of the offense, Mr. [REDACTED] had been on lifetime parole, having been convicted of Attempted Robbery in the First Degree in New York County on February 1996, and sentenced to a term of from 8-life.

During his thirteen years of incarceration, Mr. [REDACTED] has taken advantage of therapeutic programs, participating in ASAT (Alcohol and Substance Abuse Treatment) as well as engaged in one-on-one therapy with a clinical psychologist at Sing Sing for four years. He is currently taking college courses through the Bard College Prison Initiative. The Bard Prison Initiative is a selective program through which people incarcerated in New York State enroll in the same liberal arts courses that they would on Bard's main campus, and upon graduation receive a Bard College degree. Mr. [REDACTED] is five

courses away from receiving his Associate's degree. Upon release, he will be able to continue his education through Bard and earn a \$500.00/ week stipend through Bard College.

I met with Mr. [REDACTED] at Woodbourne Correctional Facility on August 12, 2021 for approximately an hour and a half. I reviewed COMPAS report, his disciplinary history, and a psychological assessment prepared at the behest of his attorneys. At that meeting, Mr. [REDACTED] described his journey from self-centered drug addict who came to terms with his past sexual abuse and triggers for substance abuse through group and individual therapy. He described a supportive relationship with his current wife, as well as a positive relationship with his 12-year-old son and the child's mother. He is close with his adult children and his own mother. He was forthright in the interview, and took responsibility for his past bad behavior, admitting that he made bad choices, not that he simply made a mistake. He appeared to have real insight into the triggers for his substance abuse addiction, and acknowledged that battling addiction would be a life-long struggle.

I also spoke with the victim of the crime on July 28, 2021. I explained that Mr. [REDACTED] would be appearing before the Parole Board for release consideration, and asked him if he had an objection to the defendant's release. The victim told me that he believed 12 years was a long time to spend in prison, and that he would leave the decision of whether Mr. [REDACTED] should be released to the Parole Board.

Should the Parole Board find that Mr. [REDACTED]'s accomplishments in prison, and his demonstration of rehabilitation are genuine, the Bronx District Attorney's Office has no objection to the Parole Board granting him release to parole supervision.

Sincerely,

A handwritten signature in black ink, appearing to read "Risa B. Gerson", with a stylized flourish at the end.

Risa B. Gerson
Chief, Conviction Integrity Bureau