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NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

BOARD OF PAROLE

Parole Board Interview

In the Matter

-of-

[REDACTED]

DIN # [REDACTED]
NYSID # [REDACTED]

HELD AT: Great Meadow C.F.
(Video-conferenced to Albany, NY)

HELD ON: July 22, 2015

BEFORE: Commissioner W. Smith
Commissioner Hernandez
Commissioner Elovich

STAFF PRESENT
IN ALBANY: Cheryl Goodman, SORC
Kathy Everts, APA

IN FACILITY: Gabriela Vega, ORC
Nicole Raymond, ORC

REAPPEARANCE

REPORTER: Anthony R. D'Ambrosio
Certified Shorthand Reporter.

1 BY COMMISSIONER ELOVICH:

2 Q. Hi. Are you [REDACTED] [REDACTED]

3 A. Yes.

4 Q. Hello, Mr. [REDACTED]

5 A. Good morning.

6 Q. Hi. I'm Commissioner Elovich, and with me today is
7 Commissioner Smith and Commissioner Hernandez.

8 COMMISSIONER W. SMITH: Hello.

9 COMMISSIONER HERNANDEZ: Hello.

10 INMATE: How are you doing?

11 Q. I'm fine. Thank you for asking. All right, sir.

12 You are here today for a reappearance before the Board of
13 Parole; is that correct?

14 A. Yes.

15 Q. You're serving an aggregated term of 22 to life for
16 murder in the second degree and promoting prison
17 contraband first degree.

18 A. Yes.

19 Q. According to the record, your instant offense
20 involved you stabbing a female victim who was a neighbor
21 over 40 times resulting in her death, and then while you
22 were incarcerated at Sing Sing you possessed a toothbrush
23 with a sharpened screw melted into the handle and that's
24 how you got your prison contraband conviction.

25 A. Yes.

1 Q. Okay. Is there anything you would like to say
2 regarding the instant offense before we move onto your
3 efforts toward rehabilitation?

4 A. Yes. It happened when I was young and I want to say
5 I'm sorry to the family of the victim and her mother, and
6 sorry to friends and my family and everybody that I hurt
7 by this experience.

8 Q. Okay. Thank you for the expression of remorse. What
9 do you think caused that type of severe rage where you
10 would stab someone over 40 times?

11 A. I mean, like when I was living in [REDACTED], there
12 was a lot of crack cocaine, a lot of neglect, AIDS going
13 around, and nobody really cared for each other, and
14 basically I was poor, I had a learning disability, and I
15 couldn't really make it in school and I was working for
16 [REDACTED] at the time and I was only making \$149 a
17 week, and it just seemed like it was hopeless and it just
18 kept building up, building up from the abuse and stuff
19 like that, and there was nobody to really turn to.

20 Q. So, why did you take that out on this particular
21 victim?

22 A. It wasn't intentionally, like something that I
23 planned. I never planned it. It's just something that
24 built up, built up in me and I just bursted out at that
25 time.

1 Q. Snapped?

2 A. Yes.

3 Q. Now, how is your mental health, sir, I see you have
4 had some mental health issues, you have been involved in
5 ICP here and they have designated you as a 1-S, which
6 means that is pretty much the most serious type of mental
7 health issues. You have been diagnosed with a delusional
8 disorder, do you have that under control, are you on
9 medication?

10 A. Basically, yes, it's under control. I also got
11 diabetes and I didn't know I had diabetes and I have like
12 a brain defect, a brain injury, and when my sugar is out
13 of control, like when my sugar gets real real high, it
14 causes my brain injury to hurt and stuff like that, and I
15 thought somebody was playing with my head. I didn't know
16 I had an injury on the right side of my head, and I
17 thought somebody was putting microchips in my head and I
18 didn't know what was going on with me, but it was really
19 my high sugar.

20 Q. So, you know what's going on with yourself now?

21 A. Yes.

22 Q. Okay. Good. Tell us about your plans for release,
23 where would you live and are you able to work or would
24 you be collecting disability because of your mental
25 health status?

1 A. Well, my plan is to work and if I could be granted
2 disability, I would accept it.

3 Q. I do see you have a job offer in here.

4 A. Yes.

5 Q. From [REDACTED], [REDACTED] wrote you a
6 letter saying that he would hire you as a junior
7 apprentice?

8 A. Yes.

9 Q. Okay. I also see you have some letters of support
10 from people, family and friends that care about you and
11 want to see you come home.

12 A. Yes.

13 Q. Okay. We will take that into consideration. Now,
14 since your last board appearance, you have one Tier III
15 ticket from Elmira ICP involving harassment, you got
16 90 days S.H.U. for that, that was an incident that
17 occurred on July 26th of 2014. Anything you want to say
18 regarding that ticket?

19 A. Yes. I think that was like -- I think that ticket
20 occurred because of my own stupidity, that I wasn't
21 really doing what I was supposed to be doing at that
22 time. I was doing good, but there were other things that
23 I should have been doing that I wasn't at that time, and
24 I got punished 90 days for it basically.

25 Q. Okay. What about programming, I see that you have

1 been a participant in the therapeutic ICP unit and you
2 successfully completed ASAT since your last board
3 appearance, congratulations on that.

4 A. Thank you.

5 Q. We have your COMPAS re-entry risk assessment form in
6 the file, it outlines you as a low overall risk. In
7 terms of your needs in the community, it has re-entry
8 substance abuse, it has prison misconduct as high, so
9 A.R.T. would probably be and other conditions along the
10 misconduct line would be your conditions out in the
11 community. In terms of family support, I saw a letter
12 from your cousin in there. Do you have family that keeps
13 in touch with you?

14 A. Yes, they don't keep in touch as much as they used
15 to, but every now and then they write me a letter, they
16 let my mother know to write me, and my mom, she writes
17 me. She's up there in age now, so she can't really do
18 some of the things for me that she did before.

19 Q. Okay. So, your aunt wrote a nice letter for you.

20 A. Yes.

21 Q. Your sentencing minutes are in the file and we will
22 consider those as well. Commissioners, any questions?

23 COMMISSIONER W. SMITH: I have nothing
24 else. Thank you.

25 COMMISSIONER HERNANDEZ: Sir, did you

1 know the victim?

2 INMATE: Yes. She was a neighbor, she
3 lived like on the tenth floor of my building and I
4 lived on the eighth floor.

5 COMMISSIONER HERNANDEZ: And how old
6 was she?

7 INMATE: She was 27 at the time.

8 COMMISSIONER HERNANDEZ: And how old
9 were you?

10 INMATE: I was 18 years old.

11 COMMISSIONER HERNANDEZ: Why her?

12 INMATE: I mean, basically because she
13 kind of like -- because I had a job, I was working,
14 and she was addicted to crack cocaine, so it like
15 drew her to me, like as far as trying to get money
16 and sell things and stuff like that, and it wasn't
17 my choice that I chose to actually do it, it was
18 just that I snapped. I was watching my life go down
19 and it was like a spiral that I got involved with.
20 Some things snatch you in, like drugs, I wasn't
21 doing drugs, but like drugs and just being --

22 COMMISSIONER HERNANDEZ: Why were you
23 carrying a knife?

24 INMATE: That wasn't my knife. It was
25 the victim's knife. The victim had produced a knife

1 inside the apartment, but I had just came home from
2 work that night and she had called my mother, she
3 was looking for me, but, you know, I take full
4 responsibility for what I have done because I know
5 it was something terrible and I tried to, you know,
6 over the years, address the situation, asking myself
7 why did this happen to me and why did I let this
8 happen to me, and, you know, I have better insight
9 now.

10 COMMISSIONER HERNANDEZ: Okay. Thank
11 you. Thank you, Commissioner.

12 COMMISSIONER ELOVICH: Okay.
13 Commissioner Smith?

14 COMMISSIONER W. SMITH: I have nothing
15 else. Thank you.

16
17 BY COMMISSIONER ELOVICH:

18 Q. All right, sir. I see some letters from Transitional
19 Services in here as well, Fortune Society, Fifth Avenue
20 Committee, College Initiative letter, and your progress
21 reports are in here as well. So, we will review
22 everything and we will get back to you shortly, and we
23 wish you well. Thank you.

24 A. Can I add one more thing about my medicaid?

25 Q. Sure.

1 A. I got medicaid, I signed up for like medicaid for my
2 medical, and I know there are a lot of bad people, but I
3 know it's my choice as far as getting involved with
4 certain things, because nobody is perfect, but I know
5 it's my choice of the things that I get involved with and
6 I have to stay away from certain things and certain
7 people and notice certain things and seek help. I know
8 how to seek help, things that I now know that I didn't
9 know then. Even if it's food pantry, shelter, you know,
10 things that can help me to get ahead and take care of
11 myself.

12 Q. Okay.

13 A. That's it. Thanks.

14 Q. Okay. Thank you, sir.

15 A. All right. You're welcome.

16 Q. Take care.

17 A. All right.

18 (After due deliberation by the Parole Board
19 Panel, the following decision has been rendered:)

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22
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DECISION

3

4 Denied 24 months. Next appearance 7/2017. After a
5 review of the record and interview, the panel has
6 determined that if released at this time your release
7 would be incompatible with the welfare of society and
8 would so deprecate the serious nature of the crime as to
9 undermine respect for the law. The Board has considered
10 your institutional adjustment including discipline and
11 program participation. Required statutory factors have
12 been considered, including your risk to society,
13 rehabilitation efforts, and your needs for successful
14 re-entry into the community. Your release plans have
15 also been considered. More compelling, however, is the
16 extreme violence you exhibited in the instant offense and
17 your poor institutional behavior since your last Board
18 appearance. Your instant offense involved you stabbing a
19 female victim numerous times causing her death. While
20 incarcerated, you possessed a weapon. Since your last
21 Board appearance you incurred a Tier III infraction for
22 harassment. The Board has also considered community
23 opposition to your release. The Board notes your
24 participation in ICP, completion of ASAT, work in food
25 service, letters of support, and employment letter. All

1 factors considered, your release at this time is not
2 appropriate.

3 (All Commissioners concur.)

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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause and that this is a correct transcript of the same to the best of my ability.

Anthony Dambrosio

Anthony D'Ambrosio, CSR