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1 NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
2 BOARD OF PAROLE

3 *****

4 PAROLE BOARD INTERVIEW

5 In the Matter of

6 [REDACTED]

7 DIN NO. [REDACTED]

8 NYSID NO. [REDACTED]

9 *****

10 TYPE OF INTERVIEW: Reappearance

11 LOCATION: Collins Correctional Facility

12 Video-conferenced to
13 Buffalo Area Office
14 460 Main Street
Buffalo, New York 14202

15 DATE: Wednesday, December 14th, 2016

16

17 BEFORE: COMMISSIONER JOSEPH P. CRANGLE
18 COMMISSIONER MARC COPPOLA
19 COMMISSIONER EDWARD M. SHARKEY

20 ALSO PRESENT: A. MULLER, SORC
21 T. ROGERS, ORCA
B. STEFF, APA,

22 AT FACILITY: J. JOHNSTON, ORC
23 R. KOEHLER, ORC
T. GALLAGHER, SORC

24

25 HEARING REPORTER: Brittany M. Whelan

1 EXAMINATION BY COMMISSIONER SHARKEY:

2 Q Sir, would you state your name for the record, please?

3 A Yes. My name is [REDACTED] [REDACTED]

4 Q Mr. [REDACTED] I'm Commissioner Sharkey, here today
5 together with Commissioners Crangle and Coppola.

6 COMMISSIONER CRANGLE: Hello.

7 COMMISSIONER COPPOLA: Hello.

8 THE INMATE: Good evening to you guys.

9 Q This is a reappearance for you; is that right?

10 A Yes, that's correct.

11 Q I know Commissioner Coppola and I have seen you in the
12 past. Commissioner Crangle has not. It's a new day and
13 new opportunity for you. Your case gets a fresh look
14 and we're not bound by the prior decision. You're
15 serving a conviction by verdict in Suffolk County to
16 murder in the second degree with an aggregate term of 25
17 to life; is that right?

18 A Yes, sir.

19 Q Because it's my verdict, I want to caution you that
20 anything we discuss is being recorded. There's a
21 reporter on this end of the camera that's taking down
22 everything we say. When it's completed, it gets put
23 into a bound volume and becomes a public document and it
24 can be used in proceedings down the road, including
25 appellate proceedings; do you understand that?

- 1 A Yes.
- 2 Q Are you appealing this conviction?
- 3 A No, I'm not.
- 4 Q Have you exhausted your appeals?
- 5 A Yes, I have.
- 6 Q Were you offered a plea?
- 7 A No, I was not.
- 8 Q All right. The records indicate that your conviction is
9 a result of you causing the death of [REDACTED] [REDACTED] by
10 stabbing her repeatedly with a knife; is that correct?
- 11 A Yes, it is, sir.
- 12 Q Okay. Now, as I understand it, this was a result of Ms.
13 [REDACTED] and you becoming romantically involved some time
14 in about the mid-1980s, that's when you first got
15 together?
- 16 A Yes, it is. We lived together since then, the
17 mid-1980s.
- 18 Q And approximately 1988 your child [REDACTED] was born to
19 you and Ms. [REDACTED]
- 20 A That's true, yes.
- 21 Q About a year later she started attending classes at SUNY
22 Stony Brook and moved into an apartment over there with
23 three of her children; is that right?
- 24 A Yes, sir.
- 25 Q And then some time in the 1990s, it appears that there

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

1 was a period of, I'll call it abuse, that occurred
2 between you and her where she suffered some injuries,
3 campus police were called, there was an order of
4 protection issued. This went on up until the time of
5 the crime; is that fair?

6 A There was a temporary order of protection issued. Her
7 and I had went to family court. I recently obtained a
8 copy of the sentencing minutes. On page 44, the
9 assistant district attorney stated that that order of
10 protection was vacated. At the time of the crime, there
11 was no order of protection.

12 Q Did you ever injure or hurt Ms. [REDACTED]

13 A I did grab her one time and later on she reported she
14 had a strain in her shoulder from a previous incident,
15 but the answer is yes, I would imagine that I did hurt
16 her in that altercation that we had.

17 Q You also had at her residence campus police arrived many
18 times to respond to problems between you and her at that
19 location and that you were escorted off campus and in
20 fact prohibited from going to the residence; is that
21 right?

22 A After about eight times being there, yes.

23 Q Now, were you developing feelings of anger because she
24 was rejecting you during that period of time?

25 A If I did, it was so repressed that I wasn't aware of it

1 at the time. I suppressed the anger that obviously I
2 did have. I've learned through the years that yes,
3 there was a great deal of repressed anger there but I
4 wasn't aware of it at the time. I think it's what they
5 would call bottled up.

6 Q Did she ever suffer a torn rotator cuff?

7 A As I previously stated, she had indicated she had
8 previous injury and I had aggravated that in the way
9 that I was pushing up on her arms.

10 Q Okay. On the date of the -- of her death and in the
11 evening prior, you went to see her, didn't you?

12 A The evening prior?

13 Q [REDACTED]

14 A I tried to see her. I don't believe that --

15 Q She wouldn't let you in?

16 A She wouldn't let me in and I -- primarily I was trying
17 to get her on the telephone but the telephone wasn't
18 functioning.

19 Q Okay. But then you returned with the knife; is that
20 right?

21 A The following day, yes.

22 Q Okay.

23 A Could I pause you for a moment?

24 Q Sure.

25 A I sense my nervousness is increasing obviously because

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

1 of the gravity of this crime. This is a terrible
2 tragedy I'm pretty sure to everybody involved. To me,
3 it's a personal tragedy because I realize that I did an
4 awful thing, took the life of [REDACTED] and took the
5 children away from their mother. So at times I'm not
6 going to be able to speak as fluently as I would like
7 to. The shame and the guilt behind all of this, it's
8 difficult for me.

9 Q I understand that. So, you went back there and you went
10 into the laundry room of her apartment complex with a
11 knife?

12 A I did not want to approach the door. I did wait in the
13 laundry room for her to come out and go to class and
14 bring [REDACTED] to the apartment.

15 Q Now, your daughter was with her, wasn't she?

16 A Yes, she was.

17 Q And what happened when you -- what caused you to wind up
18 stabbing her? Was there an argument?

19 A Well, as you would indicate, I was with you and Mr.
20 Sharkey on previous occasions -- I meant Coppola.
21 Sorry.

22 Q We got you.

23 A What was the question again?

24 Q You waited for her to come out. She came out with your
25 daughter and my question was what precipitated the

1 attack with the knife after she came out? Did you have
2 an argument, did you confront her, what happened?

3 A I went through this with Mr. Coppola on several
4 occasions that I was hoping that if she would see how
5 distraught I was over [inaudible response] removed
6 because I had no finances coming in and a vocational
7 rehabilitation was going to allow for funding if I would
8 go to the same university and also be able to see my
9 daughter at the campus there. You know, I feel like I'm
10 getting into excuses.

11 Q Do you understand that there were multiple stab wounds?
12 This is -- I mean, you know that.

13 A If I had to go back to the younger self and look over
14 the decades that I've been thinking about this every day
15 and that I have to face what I did so terrible every day
16 and how it hurts me, I would have to say what you were
17 talking about before. There was an emotional discharge
18 because all of that aggression you stated that I had.
19 That wasn't right, but that's obviously what had
20 happened. The brutality of this killing is because I
21 didn't address what I was feeling in a proper manner and
22 I stuffed it. At that particular location after this
23 confrontation, it all poured out.

24 Q As I recall at sentencing, or at least the judge
25 commented on it, you attempted to portray your actions

1 as extreme emotional disturbances. The judge said to
2 you starting at page 83, sir, I didn't decide that you
3 were found guilty of intentional murder. A jury of 12
4 people decided that you were guilty of intentional
5 murder. I have to now sentence you in accordance with
6 what a jury found. I have to say, sir, as I watch you
7 here, I have to say that I see a person who not only
8 suffers from a narcissistic personality disorder, but a
9 person who has within him a great deal of anger. A
10 great deal of real anger as I see in front of me and I
11 hope for your sake maybe it's projecting it
12 inaccurately. I see especially in front of me someone
13 with the kind of anger inside of him who cannot admit
14 the acts for which he was found guilty of. I have to
15 tell you, sir, as I watch you and I watch this case, I
16 didn't buy the defense in this case and if I have to say
17 that I'm not the 13th member of that jury because I
18 agreed with that jury that you did not act as a result
19 as a result of an extreme emotional disturbance as they
20 define it in the law. That's what the judge said.

21 Now, let me -- my question to you is: If you
22 recognize that you were having increasing anger issues,
23 why didn't you deal with that? Why didn't you go seek a
24 counselor or a pastor or someone that you could confide
25 in and try to resolve those issues?

1 A At that time I did not recognize this stuffed anger. I
2 looked at it more as just generalized stress due to
3 again the financial hardships that I was under at the
4 time. I want to finish answering your question because
5 I know I'm getting off of the point. But I did address
6 what I felt was unmanageable stress, not necessarily
7 anger, by going to the ██████████ County Mental Health
8 Clinical, but I was unemployed at the time and had no
9 insurance and they could not see me at the time. I also
10 called the suicide hotline numbers and sought help from
11 the minister of the church that I was at. Those were
12 the three avenues that I did seek some prior
13 intervention.

14 I thought if there was an act of violence it would
15 be against myself. In my wildest imagination, I didn't
16 think that violence would manifest towards anyone else,
17 clearly the people that I love the most.

18 Q When you stabbed her, you stabbed her -- she had the
19 child in her arms, didn't see?

20 A No, she did not. The child was on the ground walking
21 around. She was not in her arms.

22 Q But was in view of what happened?

23 A The 15 month old child was within the immediate vicinity
24 on the ground.

25 Q After you stabbed her you didn't render any aid, did

1 you?

2 A You had referred to before the extreme emotional
3 disturbance. I recall the one stab, not the other four.
4 At this point I didn't really have a clear indication of
5 what was taking place.

6 Q Yet you fled with the child, got into and stole a state
7 police vehicle and drove away?

8 A That's true.

9 Q So you had the presence of mind to avail yourself of an
10 escaped vehicle. You didn't leave the child. You took
11 the child. In fact, the officer fired shots at you,
12 didn't he?

13 A He did.

14 Q That could have really done some real damage to either
15 you or the child?

16 A It could have, yes. But again, I was not clearly
17 thinking. I don't have clear recollection of these
18 things. You've heard of people in tense situations like
19 this, in war, that go through a series and do things and
20 then they don't have precise recollection of how they
21 did it and how it came about. That was the case here.
22 I'm not here to offer any excuses, explanations or to be
23 dishonest with you in any kind of way. This is a rough
24 thing to talk about because again it's a personal
25 tragedy to me. I know that the majority of this

1 interview may absolutely consist of the instant offense
2 and I'm fine with that. But I really don't have
3 detailed answers for you. I stand in a great deal of
4 judgment which is appropriate. This is something that I
5 will live with for the rest of my life and I know that
6 whatever judgement for the rest of my life is probably
7 warranted.

8 I had a hard time forgiving myself for this. I
9 didn't look at myself as this person prior to the 36
10 years that this happened as having this type of
11 capacity. Since then, in the decades of my
12 incarceration, I've tried to think and live differently.
13 But yes, for that day, during this period of time that
14 we're meticulously going through, I don't have any
15 explanations as to how you could go from being law
16 abiding to being the individual that could do all of
17 these horrifically terrible criminal things that you're
18 discussing today. I'm aware of that.

19 Q Let me just follow-up. You say you were in an emotional
20 state yet we talked about the state police vehicle.
21 After you took the vehicle, you abandon the vehicle,
22 went to a phone booth, called the minister and explained
23 what happened and he took you to your house and
24 ultimately surrendered. So this thought process is both
25 before and after. This one that you took the knife to

1 the apartment, you waited in the laundry room, waited
2 until she had come out and then afterwards you engaged
3 in conscious behavior that seemed -- I mean, could be
4 viewed as being appropriate in protecting the child,
5 protecting yourself by leaving and then contacting
6 someone that you trusted to reveal what had happened.
7 There's a lot of before that's conscious and a lot of
8 after that's conscious?

9 A I agree with that totally, yes.

10 Q Okay.

11 A That makes me culpable. No matter what kind of
12 explanations I can give, I'm fully responsible and a
13 great deal of this was a conscious decision to do these
14 horrific things. Yes, I agree with that.

15 Q Okay. We have your sentencing minutes from [REDACTED]
16 County, Judge [REDACTED] You were represented by [REDACTED]
17 [REDACTED] is that right?

18 A Yes.

19 Q This is your only crime of conviction, isn't it?

20 A Yes, it is.

21 Q Okay. We have your risk assessment. It shows all of
22 your risk are low. We do have your case plan which is
23 your list of goals that you hope to achieve while
24 incarcerated: Develop coping skills, prepare your
25 parole packet which by the way I have your parole

1 packet.

2 A Good. I appreciate that.

3 Q Maintain abstinence, reduce interaction with anti-social
4 peers. Now, do you have any substance abuse issues or
5 did you at the time?

6 A Two years prior to the crime I had broken my hip and yes
7 I got involved in opioids and marijuana.

8 Q Were you using those over that two year period and up
9 through and including the time of the incident?

10 A No, I was not.

11 Q Okay. Now, if you are released, where do you propose to
12 reside, the [REDACTED]?

13 A Did you receive this --

14 Q Yes, I did.

15 A I have three proposed residences. The [REDACTED] says
16 that if I were to be released, I don't know if there's
17 exceptions. He wants me to get in touch with him to see
18 if there is an exception, but you'll be released to your
19 county of conviction or county of your last known
20 address. Both of those would mandate me to return to
21 [REDACTED] [REDACTED] I have -- I spoke with a gentleman
22 before about the [REDACTED] County Reentry Task Force.

23 Q Yes. That's also listed.

24 A This is nothing that -- again, if I were to walk out the
25 door today, I know that this is something that I must

1 monitor. It's something that I must always be aware of
2 and it's something that I always must seek some type of
3 help and understanding. What I like about the three
4 places that I mentioned is that there's still
5 supervision. What I also like about it is that for many
6 years incarcerated, I've functioned in this
7 rehabilitative environment to rehabilitate myself and
8 help towards the rehabilitation of others.

9 Q Yeah. I'm going to get to that. I know that you've
10 completed your vocational ASAT, ART, transitional
11 services, all 1, 2, and 3. You participated in the
12 youth assistance program. You're an inmate program
13 assistant within the education department. You're an
14 ILC president at the facility. You volunteer your time
15 as a math tutor. You provide presentations for the ASAT
16 participants on the neurological aspects of addiction
17 and HIV. So you've done a lot.

18 A There is another letter in there. I don't know if it's
19 reached you. One of my problems, as you have stated,
20 was not adhering to the rules and regulations of the
21 university. One of the things that I've learned through
22 the years is to comply with rules and regulations no
23 matter how insignificant or not pertinent to me they may
24 be. There was a recent -- not recent, but there was an
25 assault on staff in my --

1 Q I saw it. I saw your letter to the deputy
2 superintendent.

3 A I bring that up just to instill that again in
4 retrospect, this is a terrible person doing all of the
5 things that you had said. But within that time, there
6 is somebody that's extremely different before you today.
7 Doing the things that I wrote to the superintendent
8 creates problems for me but that's okay. I'm all about
9 doing the right things towards everybody. These
10 gentlemen that come here to work are just doing that,
11 earning a living. They're not to be looked upon in an
12 evil way. It's not them versus us. If somebody is
13 going to be reticuled because they're trying to instill
14 on others that we'll be considered the enemy and do
15 something to harm them is right, then I don't think
16 that's right.

17 Just the other day I stepped out of my dorm. I came
18 back to water all over my bed because I'm too much not
19 looking at staff the way I should look at it. I say all
20 that to say --

21 Q All right. We have your offender statement which you
22 wrote?

23 A All right. I'm sorry for getting into these tirades.
24 I'm nervous like I said before. I'm sorry.

25 Q It's all right. We also have a letter from the union

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

1 gospel mission?

2 A Yes, sir.

3 Q Pastor [REDACTED] [phonetic].

4 A Yes.

5 Q We have your personal profile. It's your letter to the
6 Commissioners which we will consider with the
7 attachment, your work evaluations, program?

8 A Excuse me, sir. Did you see the letter in there that
9 [REDACTED] [REDACTED] had wrote to me back in 2008 when I was
10 incarcerated in Attica?

11 Q There's a lot of letters in here?

12 A Heading on it that says [REDACTED] [REDACTED] I believe it's
13 [REDACTED] [REDACTED] [REDACTED]

14 Q Yes. It's handwritten?

15 A Yes. It's handwritten. Approximately 17 years after I
16 was incarcerated, she had -- I'll give you time to read
17 it if you would like.

18 Q Go ahead. I'm reading?

19 A I was comforted by that letter and her stating that
20 there was some forgiveness to what I did to her as one
21 of the most direct victims to my actions. Also, I was
22 comforted that she had stated that in the household that
23 she recalls us going to church and sitting around the
24 table and reading versus from the bible and because of
25 that, she now believes in God.

1 Q Okay. We will consider that.

2 A I'm not saying I was the best guy in the world in a
3 relationship, but that's an indication of how I was
4 somewhat living within the relationship. Throughout the
5 eight years, it's the tail end that became problems.

6 Q We have your tickets. You haven't had a ticket since
7 2001 which is to your credit. We talked about your
8 program. Is there anything else they want you to take?
9 It looks like you've taken pretty much everything. What
10 are you doing for work while you're in there?

11 A I'm still functioning as the group leader assistant on
12 my dorm and I'm still a teacher's aide in the high
13 school equivalency program you had mentioned earlier.

14 Q Commissioners, any questions?

15

16 EXAMINATION BY COMMISSIONER COPPOLA:

17 Q Sir, how long have you been in now?

18 A 27 years in May.

19 Q So I think that you've expressed, you know, clearly
20 enough that you understand what a heinous crime this was
21 and the harm that you've caused. You know, your
22 sentence is 25 years to life. That could mean 25 years,
23 that could mean the rest of your life in prison. You
24 took a life. You've altered lives. Do you think that
25 you deserve to go home? Do you think that you deserve

1 to, you know, get out now?

2 A As it's read in some of the decisions that I've had, the
3 seriousness of this crime will never be satisfied to
4 where one deprecate the seriousness of the crime.
5 There's nothing that will ever that I could do, say that
6 would make it right. The finality of homicide is as
7 such. You rob somebody, maybe you can pay the money
8 back. You take a life, you can never give that back.
9 I'm aware of that.

10 Q So this -- this isn't part of the decision, I'm just
11 wondering because you do show obviously intelligence and
12 that you thought deeply about this. Can you accept if
13 you wound up spending the rest of your life in prison or
14 do you think that would be unfair?

15 A To me, it's not a level of punishment to me. If I could
16 die in prison, if I could give my life that [REDACTED] could
17 have back her life, if I could do twenty times the
18 amount of time that I've been in. What annoys me so
19 much is again the finality of what I did. My daughter
20 can never have her mother again. That [REDACTED] brother
21 and sister and loved ones can't have her presence any
22 longer.

23 Q I know. That's what I'm saying. Do you understand the
24 gravity?

25 A To me it's not really all about the punitive aspect. I

1 deserve whatever punitive aspect that God or you guys
2 feel that I deserve. I know that from my perspective
3 that I've done the best I can from a rehabilitative
4 aspect and I want to give that back on the street or in
5 prison to people that think as foolishly as I used to
6 think and feel that they're going to do something stupid
7 and criminal that I did. That's the only type of
8 atonement I feel that I could make this right. If I do
9 that in prison for the rest of my life, so be it. If I
10 do that in some type of community program after taking
11 an adult career program to further my schooling so I can
12 approach youths, so I can approach other people with
13 anger management problem, other people with substance
14 abuse problems or other people with domestic violence
15 problems, then that would be great. I would feel that's
16 the way to pay ██████████ ██████████ back for some type of
17 atonement for something that could never be paid back
18 otherwise.

19 Q Okay. You answered my question. Thanks you for
20 expressing that.

21
22 BY COMMISSIONER SHARKEY:

23 Q Have you ever expressed to anyone that you should have
24 killed her prior to this act?

25 A There is ██████████ ██████████ that reported that and I don't

1 recall ever saying that. If I did, it was matter of
2 fact maybe out of frustration. This was an emotional
3 crime of where people classically people just lose the
4 perspective of their emotions and all of those emotions
5 flow out. I would not have intentionally -- it was not
6 my intention to hurt myself or her that day. It
7 happened as a result of me not having full control of my
8 emotional stability.

9 Q Let me ask you this: Why did you bring a knife and wait
10 in the laundry room? Why did you bring a knife? That's
11 one concern I have.

12 A That's a concern that Commissioner Coppola had also. I
13 don't have a good answer for that except that I was
14 trying to express to her that I had all of these
15 feelings of suicide which I addressed. I figured if she
16 knew that I was trying to harm myself that she would --
17 should I continue?

18 Q Yes.

19 A If she knew that I was going to harm myself, she would
20 then say okay. I'll see about you taking that social
21 work program or whatever. The reason for the persona
22 grata is because we've been having problems or whatever.
23 There's no reason for you not to be on campus at least
24 to be able to go back to school to get your finances
25 back in order. I only had one more check from the

1 insurance company and that was it. I was dead beat out
2 of money. I was hoping that if discussing with her
3 would you help me remove the ban and her seeing I was
4 going to harm myself, that would evoke some compassion
5 from her and say no, don't do that. That's crazy,
6 that's crazy thinking and it doesn't make sense to
7 anybody that's reasonable such as yourself and it
8 doesn't make sense to me now. It's a terrible excuse,
9 but that shows you the immature -- the emotionally
10 immature individual that existed on [REDACTED] 1990. It
11 wasn't just pressures in a relationship. It was real
12 financial pressures. I had an automobile accident that
13 I lost everything. There was no money coming in.
14 Financial hardships makes people think stupid things and
15 sometimes it makes them jump out of windows when they
16 lost all of their money and all foolishness that a
17 rationale individual such as yourself will never be able
18 to comprehend and I don't even comprehend it now. I'm
19 guilty for what I did and none of these things that I
20 offered are excusable. It was because you had somebody
21 that had character flaws. I didn't know that I had
22 these character flaws because I was never under that
23 degree of pressure before. You might have a wall that
24 structurally can hold up in particular ways, but if you
25 put a weight on that heavy enough and long enough, the

1 specifications that aren't quite up to par will show the
2 defect and that wall will collapse. I didn't know that
3 for years and years and years I had these flaws. I'm
4 wrong in this. I'm fully, absolutely responsible for
5 this.

6
7 EXAMINATION BY COMMISSIONER CRANGLE:

8 Q Was there ever an allegation with child protective
9 services that you had any sexual contact with the
10 victim's daughter?

11 A That's unknown to me if it was. No one approached me
12 with that.

13 Q You never heard of that before?

14 A That's unknown to me. No one ever approached me with
15 that.

16 Q She had two daughters, three?

17 A No. There was [REDACTED] the letter that I referred over
18 to Commissioner Sharkey about, and my daughter [REDACTED]
19 that was 15 months at the time.

20 Q I'm not talking about your daughter. I know you weren't
21 convicted of anything like that but I didn't know if at
22 any time there was any -- did CPS ever get involved when
23 you were living there?

24 A No one has brought this to my attention except for you
25 right now.

1 Q But there was orders of protection?

2 A As I had indicated also to Commissioner Sharkey, there
3 was a temporary order of protection over the hostilities
4 between [REDACTED] and I which was vacated and was not in
5 affect at the time of the homicide. The only thing that
6 I think you might possibly be alluding to is I was home
7 totally disabled for two years. [REDACTED] was a caregiver
8 for me. I had a hospital gown on. I never approached
9 her. She never approached me. Again, this is the first
10 I ever heard of this.

11 COMMISSIONER CRANGLE: Okay.

12 COMMISSIONER SHARKEY: All right. We appreciate
13 you coming in. We've had a ling discussion. We will
14 consider everything, advise you in writing within a
15 couple of days and we wish you well.

16 THE INMATE: Well, thank you. I wish all of you
17 a Merry Christmas and thank you again for your time.

18 COMMISSIONER CRANGLE: Okay. You did good.

19

20 INTERVIEW CONCLUDED

21

22

23

24

25

[REDACTED] [REDACTED] [REDACTED]

1 (After due deliberation by the Parole Board Panel, the
2 following Decision was rendered:)

3 D E C I S I O N

4
5 Denied. Hold 24 months. Next appearance December
6 of 2018.

7 After a review of the record and interview, the
8 panel has determined that if released at this time, there is a
9 reasonable probability that you would not live and remain at
10 liberty without again violating the law and your release would
11 be incompatible with the welfare of society (and would so
12 deprecate the serious nature of the crime as to undermine
13 respect for the law.) The panel has considered your
14 institutional adjustment including discipline and program
15 participation. Required statutory factors have been
16 considered, including your risk to society, rehabilitation
17 efforts, and your needs for successful reentry into the
18 community. Your release plans have also been considered, as
19 well as your COMPAS Risk and Needs Assessment, case plan and
20 Sentencing Minutes which are in the file.

21 You're serving time for the serious offense of
22 murder second in which you stabbed the mother of your child
23 multiple times causing her death and did so in the presence of
24 your child. The records reflect that you fled the scene of
25 the stabbing with the child in a state trooper's vehicle and

1 made no attempt to render aid to the victim.

2 The instant offense followed a history of violence
3 towards the victim, an order of protection obtained by her for
4 you to stay away from her and multiple interventions by campus
5 authorities and eventually resulted in you being barred from
6 the location of the crime.

7 Positive factors include your assistance to other
8 inmates, community support, programming in the Merle Cooper
9 Program and program completions. There is official opposition
10 to your release. Your violent actions in taking the life of
11 the mother of your child reflects a callous indifference to
12 human life, needlessly and senselessly depriving your child of
13 her mother.

14 Accordingly, discretionary release at this time is
15 not warranted. Parole is denied.

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17 (All Commissioners concur.)

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CERTIFICATION

I, Brittany M. Whelan, Court Reporter and Notary Public, in and for the State of New York, do hereby certify that I attended the foregoing proceedings, took stenographic notes of the same, that the foregoing, consisting of 26 pages, is a true and correct copy of same and the whole thereof.

Dated: Wednesday, December 28th, 2016

Brittany M Whelan

Brittany M. Whelan, Court Reporter