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NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

Parole Board Interview

In the Matter

-of-

██████████ ██████████
DIN # ██████████
NYSID # ██████████

TYPE OF INTERVIEW: Reappearance

LOCATION: Otisville Correctional Facility
Video-conferenced to NYS DOCCS
20 Manchester Road
Poughkeepsie, New York

DATE: November 29, 2017
DECISION DATE: November 29, 2017

BEFORE: COMMISSIONER O. CRUSE
COMMISSIONER c. SHAPIRO

ALSO PRESENT: SORC D. Glebocki
ORC J. Kadanthod

AT FACILITY: ORC T. Hyatt

REPORTER: Lori Ciofalo, Hearing Reporter

██████████ DIN # ██████████ NYSID # ██████████

1 COMM. SHAPIRO: Good afternoon, sir.

2 THE INMATE: How are you?

3 COMM. SHAPIRO: I'm good. How are you
4 today? Mr. ██████████ ██████████, right?

5 THE INMATE: Yes, yes.

6 COMM. SHAPIRO: My name is Commissioner
7 Carol Shapiro. Can you hear me okay?

8 THE INMATE: Yes.

9 COMM. SHAPIRO: I am joined here today by
10 Commissioner Cruse.

11 COMM. CRUSE: Hello. How are you?

12 THE INMATE: I'm fine.

13 INTERVIEW BY COMMISSIONER SHAPIRO:

14 Q. Sir, this is your tenth appearance; is that
15 right?

16 A. Yes.

17 Q. So you have been through this a lot of times.
18 This is a new Board, a new Panel, and a new day.
19 Okay?

20 A. Yes.

21 Q. We will try not to reiterate the same things,
22 but please be patient with us. Okay?

23 A. I will.

24 Q. What we are going to do is go through what
25 you've accomplished since you've been incarcerated,

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██████████ DIN # ██████████ NYSID # ██████████

1 we'll talk a lot about your release plans, what you
2 would do upon release, and, of course, the present
3 offense; and while it won't be gone into in detail,
4 because I've read the prior reports, and it has been
5 gone through, it will be touched upon. Okay?

6 A. Yes.

7 Q. So you pled guilty to Murder in the Second, two
8 counts; Robbery in the First, four counts; Burglary
9 in the Second; and Grand Larceny in the Third.

10 You received an aggregate term of twenty-five
11 years to life; is that correct, sir?

12 A. Yes, correct.

13 Q. How old were you at the time?

14 A. I was twenty-four.

15 Q. And how old are you today, sir?

16 A. I'm sixty-six-years old.

17 Q. It's a long time ago, right?

18 A. Yes, you're right about that.

19 Q. I'm sure you remember the date, ██████████ ██████████,
20 1977, pretty well, too.

21 Did you know the families, the women you
22 killed, or the children, of the house you went into?

23 A. No, I didn't.

24 Q. So what made you go there? I know you have two
25 co-defendants.

[REDACTED] [REDACTED] DIN # [REDACTED] NYSID # [REDACTED]

1 A. I was with both of them, during the course of a
2 burglary. I was a passenger in the van, more or
3 less, and we decided to do a burglary.

4 Q. Who had the gun? Your co-defendant had the
5 gun?

6 A. Yes, ma'am.

7 Q. Did you have a gun?

8 A. No, I did not.

9 Q. This is your first time in prison, too, right?
10 You had no other prison time, prior to being
11 twenty-four?

12 A. No. As a juvenile --

13 Q. No, no, as an adult. We're looking at adult,
14 only. I saw your juvenile record.

15 So was the van your friend's or was that
16 stolen, too?

17 A. Yes, the van was my friend's.

18 Q. Tell me your role in this particularly heinous
19 offense, if you can think about it, back then.

20 A. I was a participant in the burglary. The best
21 of my knowledge is that we were going there to
22 retrieve stolen property.

23 Q. You were in the house, were you not, when the
24 two women were killed?

25 A. I was not.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 Q. You were not in the house?

2 A. No.

3 Q. Were you aware that there were children in the
4 house?

5 A. No, not during the beginning of the entry, the
6 beginning of the crime, the committing of the crime.
7 I found out there were children in the house, later
8 on.

9 Q. Okay, but you kept on going. You loaded stolen
10 goods from the house.

11 At the time you were loading goods, did you
12 understand that the two women and children were in
13 jeopardy?

14 A. Yes, I did.

15 Q. Were you a part of the rape?

16 A. No, ma'am.

17 Q. Again, I just want to reiterate how heinous
18 this was.

19 Even through you were not the shooter, ██████████
20 ██████████ was shot nine times in the head, after she
21 had been raped, and ██████████ ██████████ had been shot
22 three times in the head, after she had been raped.

23 Did both of the other co-defendants rape both
24 of these women or just one of them?

25 A. To my understanding, I believe both of them

██████ Walls DIN # ████████ NYSID # ████████

1 did.

2 Q. But you did not, and you were not accused of
3 that.

4 When you think back, and I'm sure you've had a
5 lot of years, forty-one years to think about this,
6 what do you think about your actions that day?

7 A. Well, in the beginning, I thought I was going
8 to get away with it. During all of these years of
9 really focusing in on my participation, it was a
10 reckless act, a senseless act, a cowardly act. It
11 was degrading.

12 I had many nights, many days, thinking about
13 this situation I'm in, and what happened back then,
14 and it was a very ruthless and senseless act.

15 Q. What do you think about the children, who did
16 survive?

17 The kids were not injured, although one of the
18 kids had a gun, by your co-defendant, held up to her
19 nose and almost broke her nose.

20 What do you think they live with, day in and
21 day out?

22 A. I know they're hurt and suffering, still,
23 because their mother's life was taken.

24 For them to have witnessed a scene in that way,
25 from what I saw, I'm sure it's something that rings

██████████ DIN # ██████████ NYSID # ██████████

1 in their minds until this day. It has to, because
2 it rings in my mind until this day. It was a very
3 ruthless act.

4 Q. Well, you can imagine if you're a kid and you
5 witness something like that, the fear you would live
6 in for your whole life, right?

7 A. Yes, you're right.

8 Q. Are you aware of the victim bank?

9 A. No.

10 Q. You should talk to your counselor about it.
11 It's a place where you can write a letter to your
12 victims and their families. I don't know the
13 details, but you might want to ask your counselor.
14 Okay?

15 A. Okay.

16 Q. I'm going to skip, as long as we're talking
17 about the more traumatic side, to your Sentencing
18 Minutes, which we have here.

19 Do you think you expressed remorse, when you
20 were in court, at the time of sentencing?

21 A. I thought I expressed enough, so that they'd
22 understand my sincerity towards my role of
23 understanding what went down, and what I prevented
24 during the course of the crime.

25 Q. And what exactly did you prevent?

[REDACTED] [REDACTED] DIN # [REDACTED] NYSID # [REDACTED]

1 A. Excuse me?

2 Q. What was it that you prevented?

3 A. After I realized what really was going on in
4 the house, after I entered, and I realized there was
5 a large amount of children there, and me being the
6 type of person I am towards children, I sheltered
7 the children from any possibility of harm, after I
8 realized what had taken place in the house.

9 Q. How did you do that, sir?

10 A. I gathered them all together, and then I took
11 them into the kitchen area of the house, and I sat
12 them down, and I talked to them.

13 I calmed them down, and I told them that I was
14 going to protect them, and I wasn't going to let
15 anyone hurt them.

16 Q. How did your co-defendants leave without
17 hurting the children? How did that go down?

18 A. Well, I know they came running down from the
19 upstairs of the house, laughing, and acting radical,
20 and ranting.

21 As they came down, running passed the children,
22 talking about they were going to pop one of the kids
23 in the head, I stood in front of one of them, and I
24 told them that I couldn't allow that to happen.

25 They just kept laughing at me and the kids, and

██████████ DIN # ██████████ NYSID # ██████████

1 I just stayed in front of the gun. I said, "If
2 you're going to hurt those kids, you're going to
3 shoot me first."

4 From then on, one of them ran by me. I told
5 the kids to be calm, nobody will hurt you, and then
6 I ran out of the house, and I got into the van.

7 Q. But you didn't think to turn in your friends.

8 A. Excuse me?

9 Q. Did you think to turn in your friends, report
10 them to the police, or were you running?

11 A. My intentions were to try to get back to my
12 fiancée and tell her about the incident that I was
13 involved in, so that I could turn myself in, first.

14 COMM. SHAPIRO: One second, one second,
15 sir.

16 COMM. CRUSE: We have a window, here.

17 CONTINUED BY COMMISSIONER SHAPIRO:

18 Q. I'm sorry, sir. Can you repeat that?

19 A. I wanted to get in contact with my fiancée,
20 before I turned myself in, and explain the crime
21 that I was involved with, and what transpired in
22 that home on ██████████, 1977, and then I was going to
23 turn myself in and explain to the authorities what
24 took place in the home.

25 Q. But you didn't have time to do that; is that

[REDACTED] [REDACTED] DIN # [REDACTED] NYSID # [REDACTED]

1 right?

2 A. Well, yes, I had time, but I wanted to contact
3 my fiancée first.

4 I was in a state of shock. I didn't know where
5 I was at, at the time of this incident, because that
6 was the first time I had ever been in that area.

7 Q. Are you still involved with your fiancée?

8 A. No, I'm not.

9 Q. Well, let's change course a little bit. Let's
10 look at what you've been doing in these
11 forty-some-odd years. Okay?

12 A. Yes.

13 Q. First off, what are you proudest of that you've
14 accomplished?

15 A. I'm proud of being a participant, and a
16 facilitator, in the Parenting Course that I've
17 taken, and the different AVP courses that I've
18 taken, and the jobs that I've had, being pretty much
19 an older person involved with the new and improved
20 generation of today.

21 I'm a person that they look up to, because of
22 my experience and my time being incarcerated. I've
23 learned a large amount of communication levels, and
24 how to maintain bases, and how to curb a lot of
25 attitudes and help the radicals out and calm them

[REDACTED] [REDACTED] DIN # [REDACTED] NYSID # [REDACTED]

1 down.

2 Q. Okay, well, those are good things.

3 What is your skill for employment, that you are
4 going to take home with you?

5 A. I've been pretty much a mechanic all my life,
6 ever since the '50s, because I used to work on cars
7 with my father.

8 At this time, if I'm granted parole, I wish to
9 go into one of the organizations that I have contact
10 with, in order to get upgraded with today's
11 technology, because I don't understand, right now,
12 the computer aspects of the automotive field.

13 I'm a technician, and I went to a training
14 school, but that was back in the early '70s, and
15 right now --

16 Q. -- you need a booster shot.

17 A. Yes, I do.

18 Q. All right. I have here your COMPAS, which is a
19 tool we use. In every single scale you score low,
20 low risk, low everything.

21 It seems like you have family support; is that
22 right?

23 A. Yes, I do.

24 Q. Who is in your family?

25 A. I have two sisters. Right now I have two

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██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 sisters, and my mother.

2 Q. Who visits you? Does anyone visit you?

3 A. Yes, my sister ██████████, and my sister ██████████
4 and I have some nieces and nephews that come.

5 Q. We are going to get to your letters of support,
6 which I have read, also.

7 I see your sister, one of them, is offering you
8 a residence; is that right?

9 A. Yes, ma'am.

10 Q. I have here, also, your Case Plan. If you had
11 to pick a program that made the most difference in
12 your life, what would that be?

13 A. AVP.

14 Q. What's the skill that you are going to take
15 home with you?

16 A. The skill that I'm going to take home with me
17 is focusing on fatherhood and forum, taking care and
18 guiding children, being a counselor, keeping
19 teenagers out of the streets, and trying to show
20 them the right path to go on in life, so they don't
21 live the lifestyle like I've had.

22 Q. It sounds like a good plan. It says here,
23 speaking of your plan, you realize that you would be
24 paroled to New York and you have an alternative to
25 live with your sister in ██████████

[REDACTED] [REDACTED] DIN # [REDACTED] NYSID [REDACTED]

1 You would have to probably start your parole
2 supervision, if you are released, in New York. Do
3 you understand that?

4 A. Yes, I do.

5 Q. And then you apply for Interstate Compact.

6 A. Yes, exactly.

7 Q. I just wanted to be clear.

8 A. Yes.

9 Q. I want to thank you for your parole packet,
10 it's very helpful.

11 A. Thank you.

12 Q. You have personally reached out to a lot of
13 programs. You have letters of assurance from
14 Fortune Society, Osborne, and Exodus. You also have
15 Ready, Willing & Able, and Strive. Which one do you
16 prefer?

17 A. I prefer the Osborne organization.

18 Q. All right. Why?

19 A. Because they're willing to assist me in my
20 interacting in society and doing the right thing.

21 Q. You know, they have a very strong program to
22 support older people coming out of prison. I don't
23 want to suggest that you are an elderly person, I
24 did not say that.

25 A. Yes.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 Q. I just want to be clear on that.

2 A. I understand that.

3 Q. I also have your personal statement here, which
4 expresses tremendous remorse for the Watson and
5 Minter families, for their children.

6 We have talked about what you've done for all
7 this time in prison.

8 I have a letter from your sister, ██████████
9 ██████████ again, very eloquent, and also from your
10 mother ██████████

11 How old is your mother?

12 A. My mother is eighty-five.

13 Q. It's time to make her proud, right?

14 A. Right.

15 Q. Well, she recognizes the growth you've had. I
16 am sorry to see about your father's passing. She
17 is, again, very articulate.

18 You have a number of certificates, things
19 you've accomplished while you have been in custody.
20 You have completed Phase 1, Phase 2. Is there any
21 program you haven't completed?

22 Also, I want to say for the record that you
23 have had a very clean disciplinary record since
24 2015, right?

25 A. Right.

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██████████ DIN # ██████████ NYSID # ██████████

1 Q. What were some of your Tier II infractions for?

2 A. One was for a hat, and I believe the other one
3 was for out of place.

4 Q. All right, I just wanted to know. Nothing
5 suggests that you have a violent history, because
6 you didn't have a weapon.

7 Do you think you could live safely, without
8 harming anyone in the community, at this point in
9 your life, sir?

10 A. Yes, I can. Yes, I can.

11 Q. You have very expressive eyes. I can see
12 you're an eye man.

13 A. Believe me, I have turned myself around, you
14 know, during this incarceration period.

15 I can assure you that I can live very, very
16 safely and peaceful out in society, if you give me a
17 chance to be granted parole.

18 COMM. SHAPIRO: I am going to ask my
19 colleague, if he has any further questions?

20 COMM. CRUSE: I have listened carefully,
21 and I have no questions at this time. Thank you.

22 CONTINUED BY COMMISSIONER SHAPIRO:

23 Q. The last word is yours, Mr. ██████████. Is there
24 anything we haven't touched on, that you think we
25 should know about?

██████████ DIN # ██████████ NYSID # ██████████

1 Oh, I should mention, we did reach out, as we
2 do in every case, to the Judge, the DA and the
3 defense attorney, involved in this matter, to see if
4 they have any comments, and we've received no
5 comments, so, therefore, we will not have the
6 benefit of their input.

7 As I was about to say, you have the last word,
8 sir.

9 A. Yes, I do. I would like to read my personal
10 statement.

11 Q. Well, we have your personal statement. If you
12 would like to say anything, we would like it to be
13 from your heart.

14 A. Okay. If I could turn back the hands of time,
15 I would never conceive such a thought of committing
16 this crime that happened on ██████████ 1977.

17 Two women's lives were taken, foolishly,
18 cowardly, and I know those children are still
19 hurting and suffering, as well as myself.

20 I regret every second of what transpired that
21 day. I am so very, very sorry that it happened. I
22 can't turn back the hands of time, but I am so sorry
23 it happened, and I'm glad those children didn't get
24 hurt.

25 COMM. SHAPIRO: Well, thank you for that,

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[REDACTED] DIN [REDACTED] NYSID [REDACTED]

1 sir. We will take our conversation, we've heard
2 you, we have listened to you, and we are going to
3 deliberate. It will take us a few days to get our
4 decision to you. Okay, sir?

5 THE INMATE: Thank you.

6 COMM. SHAPIRO: We wish you well.

7 THE INMATE: Thank you very much.

8 COMM. SHAPIRO: And you look very dapper,
9 by the way, very dapper.

10 THE INMATE: It's my day. You know, it's
11 my day. Thank you.

12 COMM. SHAPIRO: Good luck, sir.

13 (Interview concluded.)

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[REDACTED] [REDACTED] DIN # [REDACTED] NYSID [REDACTED]

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

3

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DECISION

5

6 [REDACTED] [REDACTED], parole denied. Hold 12 months.

7 Next appearance 11/2018.

8

9 After a careful review of the record, your
10 appearance before the Parole Board and deliberation, the
11 Board has determined release on parole is not
12 appropriate at this time given the gravity of the
13 Instant Offense.

14 The Panel notes you were not the shooter, nor did
15 you rape the two victims, and notes your role in trying
16 to protect the children.

17 The Panel also notes your efforts towards
18 rehabilitation and participation and completion of all
19 recommended programs, as well as your clean disciplinary
20 record since 2015.

21 The Panel also notes your release plans, low COMPAS
22 scores and Case Plan. Sentencing Minutes were also
23 considered.

24 Use this time to shore up release plans and seek
25 out the auto mechanic work you desire.

(All Commissioners concur.)

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CERTIFICATION

I, Lori Ciofalo, 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, and that the foregoing, consisting of
pages, is a true and correct copy of the same and whole
thereof.

Lori Ciofalo

Lori Ciofalo, Court Reporter

Dated: November 29, 2017