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NYS DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION
BOARD OF PAROLE

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Parole Board Interview
In the Matter

-of-

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

TYPE OF INTERVIEW: Reappear

HELD AT: Franklin CF
(Video-conferenced to 97 Central Avenue)

HELD ON: May 1, 2013

BEFORE: COMMISSIONER SMITH
COMMISSIONER CRANGLE
COMMISSIONER ROSS

VERBATIM REPORTER: Christina M. Wolcott

- DIN # [REDACTED] NYSID # [REDACTED] 2

1 BY COMMISSIONER ROSS:

2 Q. Good afternoon. Could you state your name for the
3 record.

4 A. [REDACTED]

5 Q. Hi. I'm Commissioner Ross, with me today is
6 Commissioner Smith and also Commissioner Crangle.

7 ~~COMMISSIONER SMITH: Hello, sir.~~

8 COMMISSIONER CRANGLE: Good afternoon.

9 THE INMATE: Good afternoon.

10 Q. You're serving a sentence of 25 years to life on a
11 Murder in the 2nd Degree --

12 A. Yes.

13 Q. -- and also hindering prosecution, a two- to
14 four-year sentence.

15 A. Yes, ma'am.

16 Q. And was -- the Murder 2nd, was that by verdict after
17 trial?

18 A. Yes, it was, Commissioner Ross.

19 Q. And also the hindering prosecution?

20 A. I pled guilty to that.

21 Q. Okay. That was the plea?

22 A. Yes.

23 Q. And before you went to trial, were you ever offered a
24 plea on the murder?

25 A. No, I was not.

- DIN # [REDACTED]

NYSID # [REDACTED]

3

1 Q. Okay. Now, the information that we have from the PSI
2 report is that basically you and a co-defendant caused
3 the death of a 16-year-old girl by striking her in the
4 ~~head with a rock-like object and then stabbing her with~~
5 a knife, is that accurate?

6 A. Well, yes, that was what the trial was all about.

7 ~~Yes, commissioner Ross.~~

8 Q. And what was your role in that?

9 A. That's where the difficulty comes into play. You
10 know, another individual said that they committed these
11 acts, as well as others that you didn't mention, that
12 either dismissed against me or the jury found me not
13 guilty of, so I'm just -- I'm not sure how to respond to
14 what you're asking me, commissioner.

15 Q. Well, I'm not really asking you what the jury found.
16 I was asking you what part in this murder do you take
17 responsibility for?

18 A. Well, I take responsibility for all aspects of the
19 murder because I acted and carried myself as a
20 law-abiding citizen and led the authorities to what the
21 situation was at the time, the end result would've very
22 well been different, and at all my -- like my previous
23 parole appearances, I've always tried to do my best to
24 express to the parole commissioners that I am, in fact,
25 responsible and that I am, in fact, remorseful. I

1 understand, you know, how the family feels. I
2 understand the pain that they're going through and how
3 heartbroken they are. I mean I really do get it, you
4 know? It was a result of, you know, the actions that I
5 took, you know, and actions that I didn't take, things I
6 should've done that I failed to do.

~~7 Q. Okay. Now, at some point after this, did you go to a~~
8 police station?

9 A. I was the one that reported the crime to the officer
10 in town. When I saw the young lady laying on the
11 ground, I got -- it scared the crap out of me. I turned
12 around and ran like hell. I immediately ran down into
13 town, and there was a police substation right -- a block
14 and a half, two blocks down the street. I went to the
15 door, I pounded on the door, I grabbed the police
16 officer, he understood that something was wrong. He
17 said that I was having trouble mouthing my words, and I
18 was very upset. I advised him that there had been a
19 fight between a male and a female and brought him to the
20 immediate area where the fight had taken place, not to
21 where Miss [REDACTED] -- [REDACTED] was lying on the
22 ground. I didn't bring him there. I was on parole at
23 the time. I really didn't want to get involved, but I
24 was overwhelmed and I didn't know exactly how to help,
25 but not wind up in the situation where I was going to

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

5

1 get a parole violation, even though that was stupid, and
2 I realized that at the time, because what the heck is a
3 parole violation when you're talking about a loss of
4 life that could be prevented. I just -- I wasn't

5 thinking clearly at the time. You know, I was drunk, I
6 wasn't even supposed to be drinking; I'm in a bar, I'm
7 ~~not supposed to be in a bar; I'm in direct violation of~~

8 my parole conditions and I clearly was not thinking
9 clearly.

10 Q. Now, had you been out drinking with the co-defendant,

11 [REDACTED]?

12 A. Well, we were in the same bar, but I didn't know
13 [REDACTED] previously. I did not know this
14 individual.

15 Q. All right. Now, this occurred while you were on
16 parole for a drug case?

17 A. Yes, it is -- or, yes, it was. Excuse me.

18 Q. You had received a sentence of one year to life on
19 that?

20 A. Well, the -- originally, I was, in fact, like you
21 say, Commissioner Ross, given one to life. The
22 Rockefeller Drug Laws had subsequently been changed, and
23 I wound up -- they took away the life, they made it max
24 three times the original minimum and, subsequently, I
25 wound up with a one- to three-year sentence, and I was

DIN # [REDACTED]

NYSID # [REDACTED]

6

1 very shortly after completion of the minimum.

2 Q. And, prior to that, you had gotten into some trouble,
3 even as a young a teenager?

4 A. Yes, I did. I mean I wasn't -- I was the kind of --

5 I really didn't have, you know, too much in the way of
6 focus when I was a kid, when I was growing up, and I did

~~7 a lot of stupid, juvenile, idiotic things that really~~

8 weren't making a heck of a lot of sense but, with that
9 said, you know, I never did anything violent. You know,
10 it was stupid, like stealing tape players, disorderly
11 conduct, stealing tires, you know, stupid -- I mean not
12 to downplay it, they were absolutely wrong and --
13 against, you know, things that I shouldn't have been
14 doing that were positive in society. It's not to
15 downplay --

16 Q. I understand what you're saying. Okay. Now, you're
17 working as a dorm porter now?

18 A. Yes.

19 Q. Okay.

20 A. I work in the dorm where I'm housed. Prior to that,
21 I had worked in the dorm previously shortly after
22 arriving in the facility, then I went to -- I was moved
23 to another -- Dorm K-1 in the back of the facility, the
24 annex part of the facility, to take the ASAT program.
25 After I finished the ASAT program, they allowed me to go

- DIN # [REDACTED]

NYSID # [REDACTED]

7

1 back to the dorm where I previously was, and that's
2 where I house presently.

3 Q. Since your last Board -- actually, since 2010, you
4 haven't had any disciplinary tickets?

5 A. No. I haven't had none, no.

6 Q. Okay. If you were to be released, where would you be
7 going?

8 A. Well, that was the problem when I had saw the
9 facility parole officer, as far as re-entry. I didn't
10 -- I don't have no family in [REDACTED], but what I was
11 able to connect with was a gentleman by the name of Mr.
12 [REDACTED], who is with an organization called Justice
13 Strategies, and also [REDACTED] [REDACTED], who has a program
14 called Heaven Help End Violence Now. They're both in
15 [REDACTED], [REDACTED], and they are prepared to provide
16 me with housing, employment, support services and any,
17 you know, help and programs that I would need in order
18 to be a productive member of society, which I can be,
19 and -- excuse me. And I hope that the Board will
20 provide me with the opportunity. Originally, I had
21 asked -- I had written to the division of parole, Miss
22 [REDACTED] [REDACTED], for a postponement because they didn't
23 have time to get the package together to provide to the
24 Board so that they were able to actually review it in
25 front of them, but -- I don't think that they provided

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 8

1 it to the division of parole, you know, in Albany. I
2 don't believe that you have that in front of you.

3 Q. I don't have the letter asking for the postponement,
4 ~~but you certainly could have done that in the beginning~~
5 of the interview, to ask.

6 A. Oh, well -- excuse me. I don't mean to cut you off.

7 ~~I did write to [REDACTED] [REDACTED], perhaps, somewhere in the~~
8 vicinity of, I think, ten days ago, because that's where
9 I found out from Mr. [REDACTED] and [REDACTED] [REDACTED] that the
10 packet for re-entry is showing the, you know, employment
11 and housing that -- you know, the last time that I spoke
12 to them. I knew that it wasn't finished at that time.
13 Since then, I don't know if they have finished preparing
14 it and submitted it to Albany for your review or, you
15 know --

16 Q. Well, at this point, we've almost done a complete
17 interview. Do you want the postponement?

18 A. Well, frankly -- frankly --

19 Q. I mean I have no reason to doubt that these people
20 are putting together a packet and that they have a
21 program in [REDACTED] [REDACTED] and that you would be accepted
22 and that you have spoken to them. I don't have any
23 reason to doubt that.

24 A. See, the reason I did it because I have no family in
25 [REDACTED] and it's not in my best interest to return to

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 9

1 [REDACTED] County, the county of conviction. I have no
2 connections there, I have no friends there, I have no
3 support or anything like that; whereas, with Mr. [REDACTED] and
4 [REDACTED] [REDACTED], they're willing to give me all the help I
5 need to make a positive adjustment back into society,
6 and --

7 Q. Okay.

8 A. -- do things I should have done many years before,
9 being productive.

10 Q. Okay. We do have your risk and needs assessment. We
11 will take that into consideration. We also have your
12 sentencing minutes, and we will also take those into
13 consideration, as well as the other statutory factors we
14 must consider. I don't have any further questions.

15 COMMISSIONER ROSS: Commissioner?

16 COMMISSIONER SMITH: I have nothing
17 else. Thank you.

18 COMMISSIONER CRANGLE: No, thanks.

19 Q. Anything else you'd like to say?

20 A. Well, I'm well aware through Mr. [REDACTED], from Justice
21 Strategies, of information that I never knew before, a
22 legislator that's a personal friend of the victim's
23 family, and -- I understand that he's been submitting
24 resolutions to the division of parole prior to every one
25 of my parole hearings, 2005, 2007, 2009 and 2011, so,

- DIN # [REDACTED]

NYSID # [REDACTED]

10

1 subsequently, if they're -- from what I understand,
2 there's one that's been submitted to the division of
3 parole yet again. Again, I understand the painfulness
4 of the situation to the [REDACTED] family due to the loss

5 of their daughter, [REDACTED], and I understand how
6 heartbroken the family is, but, with that said, what Mr.

7 ~~[REDACTED] is putting in these resolutions, I mean, the~~

8 situation simply is misleading. He talks that [REDACTED]

9 [REDACTED] was raped. I'm sure --

10 Q. All right, sir. We're not going to go there. I
11 don't have that copy in front of me and, you know, we're
12 not going to doubt what he says as compared to what you
13 said at this point.

14 A. Well, I mean, from what I understand, these documents
15 are before the Board, and I mean -- that they're
16 utilized or being utilized in determining whether, you
17 know, I would be successful with being released or not.
18 It's not like I'm trying to be argumentative. Please,
19 that's no way, you know, my intention. I'm -- I just --
20 I was very concerned about, you know, the resolutions
21 and the impact they were going to have in making a
22 determination of parole, because, again, I feel terrible
23 for the family. I mean I really -- honest to God, I get
24 it. You know, I understand --

25 Q. You're repeating yourself now. You said that a

DIN # [REDACTED]

NYSID # [REDACTED]

11

1 couple of times now. I understand that, but we have to
2 look at everything that we receive, anything that you
3 submit and anything that comes in and, if there's
4 ~~opposition to your release, we have to take that into~~
5 consideration, and that's all I can say in regard to
6 that.

7 ~~A. Right.~~

8 Q. Okay. So we'll get back to you in a couple of days.

9 A. Okay. All right. Thank you very much, Commissioner
10 Ross; thank you, commissioners.

11 COMMISSIONER SMITH: You're welcome.

12 (The inmate was excused.)

13 (After due deliberation by the Parole
14 Board panel, the following decision
15 was rendered:)

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[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

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DECISION

Parole is denied. Hold 24 months.

Next appearance 5-2015.

~~Parole is denied. After a careful~~

review of your record, your personal interview and
due deliberation, it is the determination of this

~~panel that, if released at this time, there is a~~

reasonable probability that you would not live at
liberty without violating the law, your release at
this time is incompatible with the welfare and
safety of the community, and will so deprecate the
seriousness of this crime as to undermine respect
for the law.

This decision is based upon the
following factors: You stand convicted of the
serious offenses of Murder in the 2nd Degree and
Hindering Prosecution, in which you, acting in
concert with [REDACTED], after spending the day
drinking, brutally raped and murdered 16-year-old

[REDACTED].
Your criminal behavior began in 1970
and 1971. You were adjudicated a youthful offender
for having a prior conviction for drugs and were on
parole for that offense when you committed the
instant offense.

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 13

1 Your senseless, horrendous acts have
2 caused probably life-long grief to the family and
3 friends of [REDACTED]. There is public opposition to
4 your release.

5 Consideration has been given to all
6 required statutory factors, including your efforts
7 ~~at rehabilitation, your risk to the community and~~
8 your needs for successful reintegration in the
9 community. However, your release at this time is
10 denied.

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12 (All commissioners concur.)
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