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COPY

1 STATE OF NEW YORK
2 EXECUTIVE DEPARTMENT
3 DIVISION OF PAROLE

4 In the Matter

DIVISION OF PAROLE
B.C.

5 - of -

FEB 7 2006

6 [REDACTED] [REDACTED]
7 DIN# [REDACTED]

Woodbourne Comm. Fac.

8 NYSID# [REDACTED]

9 -----
10 WOODBOURNE C.F.
11 Woodbourne, New York
12 January 17, 2006

13 BEFORE: COMMISSIONER VANESSA A. CLARKE
14 COMMISSIONER EDWARD R. MEVEC
15 COMMISSIONER JAMES FERGUSON

16
17
18 PRESENT: PATRICIA JOHNSON, Facility Parole Officer II
19 RENEE SOMERS, Agency Program Aide
20 LUIS ALVARADO, Sr. Parole Officer

21
22 INTERPRETER: Orialis Orlandi

23
24 REPORTED BY: BETH NEWTON

25 Leguire Shorthand Reporters

([REDACTED] [REDACTED] - [REDACTED] [REDACTED])

1 BY COMMISSIONER MEVEC:

2 Q [REDACTED] [REDACTED]

3 A Yes.

4 Q Does you speak English?

5 A A little bit.

6 Q Sitting next to you is our interpreter who is going
7 to assist you today. Miss [REDACTED], please give your name for
8 the record.

9 INTERPRETER: [REDACTED].

10 COMMISSIONER MEVEC: Thank you very much for the
11 work you do for us.

12 INTERPRETER: You're welcome.

13 Q Mr. [REDACTED] I am Commissioner Mevec. With me today
14 is Commissioner Clarke and Commissioner Ferguson.

15 COMMISSIONER CLARKE: Good afternoon.

16 COMMISSIONER FERGUSON: Good afternoon.

17 Q This is an initial appearance before the Board. You
18 pled guilty to Arson 1st, sentence is fifteen to life. Is
19 that correct?

20 A BY THE INTERPRETER: Yes.

21 Q On [REDACTED], [REDACTED], at about 2:30 a.m. at an
22 address in [REDACTED] you beat your victim with a led pipe.
23 You then set fire to the room which the victim was in. The
24 record indicates that the victim appeared to be burned
25 severely over much of his body and appeared to have wounds on

([REDACTED] [REDACTED] - [REDACTED] [REDACTED])

1 his head. Police observed that the bedroom floor was burned
2 and damaged, and there was blood on the floor and walls. An
3 autopsy indicated that the victim died as a result of multiple
4 blunt injuries to the head. According to a fire marshal there
5 were four separate and distinct fires at this crime scene. Is
6 this true, sir?

7 A BY THE INTERPRETER: Well, I already pled guilty.

8 Q It is true you pled guilty, but I am asking did you
9 commit this crime?

10 A BY THE INTERPRETER: Well, yes. I was drunk at that
11 time.

12 Q Just because you were drunk doesn't mean you have to
13 go beating a guy over the head, and then you deliberately set
14 a fire in different locations.

15 A BY THE INTERPRETER: Well, can I talk? I mean, we
16 had a fight.

17 Q Go ahead.

18 A BY THE INTERPRETER: We had a fight. As we were
19 drinking we were arguing. We were fighting and he hit me. I
20 hit him. Then cigarettes fell and I don't know if the
21 cigarettes got started, because of the cigarettes or alcohol
22 or because of the heater, or I don't know whether or not it
23 fell there and that lit up, and I left.

24 Q Well, the medical examiner said that your victim had
25 multiple blunt injuries to the head, and the fire department

([REDACTED] [REDACTED] - [REDACTED])

1 found that these fires were set, clothing, paper, seat
2 cushion, plastic shower curtain and paper. Those are the
3 incendiary devices, sir. A little different from what you're
4 saying. This is what we have in the report.

5 A BY THE INTERPRETER: As I stated, that just lit up,
6 and it could have been that when the fire started it ran into
7 different directions.

8 Q All right, if that's your answer. This is your only
9 crime of conviction. You have been here for a long time. You
10 completed a lot of different programs. You have been a
11 porter, maintenance laborer. Here you have been medically
12 unassigned. You have done ART, but you have been otherwise
13 medically unassigned. Why is that?

14 A BY THE INTERPRETER: I have had four surgeries done
15 on my knees and have problems to move the knee or to put any
16 weight on it.

17 Q I see, okay. You had a total of four Tier II
18 tickets. You indicate that you want to live with a friend
19 out in [REDACTED]?

20 A BY THE INTERPRETER: My sister.

21 Q That's your sister?

22 A BY THE INTERPRETER: Yes.

23 Q She's willing to take you?

24 A BY THE INTERPRETER: Yes.

25 Q What would you do for a job?

([REDACTED] [REDACTED] - [REDACTED] [REDACTED])

1 A BY THE INTERPRETER: Right now I would not have any,
2 but I could look for something.

3 Q What would you want to look for?

4 A BY THE INTERPRETER: I don't know. I used to be a
5 machine operator. That's what I used to do.

6 Q I see.

7 COMMISSIONER MEVEC: Commissioners, questions?

8 COMMISSIONER CLARKE: No questions.

9 COMMISSIONER FERGUSON: No questions.

10 Q Anything further, Mr. [REDACTED] you would like to
11 mention?

12 A BY THE INTERPRETER: Well, I understand, and I am
13 taking full responsibility. I know that it was a serious
14 crime because of the bad habit that I had at that time, that I
15 was drinking. I know that it was all my fault that that
16 occurred, that happened, and I'm very sorry. I would like to
17 go back to the past and that that wouldn't happen. I was
18 young at that time, and wasn't thinking the same way I am
19 thinking now, and I am sorry for what happened to the victim.

20 Q How old were you at the time?

21 A Twenty-two.

22 Q Well, noted. Thank you, Mr. [REDACTED] You will
23 receive a decision in a few days.

24 A Okay, thank you.

25 (Inmate left room.)

[REDACTED] - [REDACTED]

DECISION

1
2 Denied, 24 months. 1/2008.

3 Parole denied due to the seriousness of your crime, Arson
4 1st, wherein you beat your victim and then set fire to his
5 apartment leading to his death. This is your only crime of
6 conviction. Program completions are noted and considered,
7 however, to allow otherwise would deprecate the seriousness
8 of this heinous crime as to undermine respect for the law.
9 Guidelines unspecified.

10 (ALL COMMISSIONERS CONCUR.)

11 (Whereupon, the proceedings were concluded.)
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25

([REDACTED] [REDACTED] - [REDACTED])

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

6

7 I, Beth Newton, a Shorthand Reporter and Notary Public of
8 the State of New York, do hereby certify that I recorded
9 stenographically the proceedings herein at the time and
10 place noted in the heading hereof and that the foregoing is
11 an accurate and complete transcript of same to the best of
12 my knowledge and belief.

13

14



15

Beth Newton

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