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STATE OF NEW YORK: EXECUTIVE DEPARTMENT: DIVISION OF PAROLE

MINUTES OF PAROLE BOARD HEARING,

Reappearance,

██████████, ██████████ IIS ██████████.

INSTITUTION: Clinton Correctional Facility

(Merle Cooper)

DATE: July 31, 1990

BEFORE: Commissioner Raffalli

Commissioner Rose

Commissioner Levy

HEARING REPORTER: John Skibinski

██████████ ██████████
BY COMM. LEVY:

Q You are ██████████ ██████████

A Yes.

Q I am Commissioner Levy. With me today are Commissioners Raffalli and Rose. You are here as a reapplicant for parole. You last saw the Board two years ago?

A Yes.

Q At the expiration of your minimum, and you were denied parole and held two years. You are serving a controlling sentence of nine years to life as a result of your conviction by verdict of the crime of murder in the second degree, and you are serving, as well, a concurrent three and a third to ten-year sentence for sodomy in the first degree. At the time of your arrest for those offenses, you were just under 16 years old, and you were convicted as a juvenile offender?

A Yes.

Q The crime occurred in 1979. You initially were sent to a facility in the Division for Youth. When you became 21 years old in October of 1984, you were transferred to the State Corrections Department. For the last two years, you have been in the Merle Cooper Program?

A Yes, 19 months.

Q Nineteen months?

A Yes.

Q You have been in the Merle Cooper Program here at Clinton?

A Yes.

Q In reviewing the record, I notice that prior to getting into Merle Cooper, you earned an Associate's Degree. Have you had any further academic programming since then?

A I have taken a couple of college courses on my own, but I haven't been able to enroll in college, because it is not available in Merle Cooper.

Q And you also had some vocational training?

A Yes.

Q But while you have been in Merle Cooper, that hasn't been available to you, either?

A They have a furniture shop. I worked in the furniture shop for a little while, approximately a year, and then I have been working as a porter in Building Five One.

Q What are your aspirations in terms of yourself in the community once you are released?

A Oh, right now I have two jobs that are confirmed waiting for me. One is working in an insurance agency doing office work, and another as a short order cook. Both my prospective employers tell me when I get out, come see them. I can have the job. I want to go back to school. I want to finish my degree. Eventually I would like to own my own business, retail sales.

Q Let's talk about the crime. I know you talked about it

██████████ ██████████
a lot since you got arrested and in Merle Cooper. The record indicates that you sexually molested an eight-year-old boy, who was your neighbor?

A Yes.

Q And that you subsequently strangled him. The police were looking for him. You led the police to the body, is that correct?

a Yes, sir.

Q What do you say was the motivation for this crime?

A At that time in my life, a lot of things were going on. I had a lot of personal problems. My parents had gotten divorced. My father re-married less than a month after the divorce. Members of my family had died, and members that I cared about, and I wasn't a very loving kid. I wasn't sociable. I didn't care about anybody but myself. One of my major problems, I didn't know how to deal with anything. I didn't know how to accept the death of my grandfather. I didn't know how to accept the divorce of my parents, and I blamed myself. I blamed them. I wasn't getting the attention that I felt that I deserved at that time, and realize now that it was my fault, because I could have handled the situation better. I could have gone to my parents. The relationship now with my parents is exceptional, better than it's ever been. I could have gone to my parents. I could have told them that I

had problems, but I wanted attention. I didn't care how I got it, whether it was negative or positive attention, and I didn't care about anybody but myself, very selfish person.

Q You indicate that you have a positive relationship with your parents now?

A Very good relationship.

Q They are living apart?

A My parents are divorced, and my father has re-married. My father lives in [REDACTED] right now. My mother lives in [REDACTED], which is not too far away from there.

Q You yourself got married a year ago?

A Yes, I did.

Q This was to a woman that you had met while you were at Masten Park?

A Yes, she was a secretary. She was working there, and we became friends.

Q I'm sorry?

A She was a secretary, at the secure center, and we became friends, and when I left Masten Park, she came to visit me. We have been writing and visiting each other. We have known each other for about ten years.

Q She still working at Masten Park?

A Yes, she is.

Q You propose a residence with her?

- ██████████ ██████████
- A Yes.
- Q She has other family living in the home?
- A Yes, the parole officer on the street suggested that it would be better if we didn't live there, and my wife does have an apartment. She moved out of the house. She has her own apartment in the city about two blocks away from the parole office.
- Q In the City of ██████████?
- A Yes, she has notified the parole officer that she does have her own residence now.
- Q Do you understand that given the nature of the crime, we are going to have to take some time in making a decision in your case?
- A Yes, I understand.
- Q This is not an easy case to decide.
- A I realize that.
- Q If you go out on parole at this point, there will be a lot of pressure on you in the community.
- A Yes, sir.
- Q In terms of making an adjustment to a marriage that you really haven't been a full time participant in.
- A Yes, I realize that.
- Q And getting acclimated to the family that you have been separated from. Also, since you came in at a relatively young age, you got no employment experience.

██████████ ██████████
A No.

Q Really got no experience as an adult in the community.

A That's very true.

Q If you don't get paroled at this point, of course, you will have other adjustment problems to deal with, and I would say whichever way this decision goes, people are going to be looking very carefully at what the impact of the decision is, either a positive parole decision or a negative parole decision. You are going to have to deal with those pressures one way or the other. Do you have anything that you want to say to me?

A Yes, I want to say I realize what I did was extremely serious, and I am very sorry for what I did, and I hope you give me the opportunity. I think that I will make a productive citizen in the street. I have changed a lot about myself. I am not the same person I was 11 years ago. I don't even think the same. I don't think like a criminal. I want to be out in the street and be a good person. I got a lot going for me now. I have a loving family, friends, more than I ever had. A lot of people out there supporting me. Either way your decision goes, I know that my family will be there for me, which is something I never believed I could say before. My family is there for me now.

Q Okay, thank you, Mr. Putland.

██████████ ██████████
A Okay, thank you.

DECISION

PAROLE DENIED: HOLD 24 MONTHS: WITH MENTAL STATUS REPORT:
JULY 1992 BOARD.

REASONS:

It has been determined that your release at this time would not be compatible with the welfare of society, and would so deprecate the seriousness of your crime (sodomy and murder of an eight-year-old boy, who was your neighbor), as to undermine respect for law. Your positive participation in the Merle Cooper Program since November 1988 is noted, as well as your prior participation in academic and vocational programs. Continue your participation in such programs in preparation for your return to the community. Commissioner Raffalli concurs, Commissioner Rose concurs.

BAK