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1 STATE OF NEW YORK

2 EXECUTIVE DEPARTMENT : DIVISION OF PAROLE

3 -----

4 MINUTES OF PAROLE BOARD HEARING

5 REAPPEARANCE

6 [REDACTED] [REDACTED], [REDACTED] [REDACTED] [REDACTED]

7 -----

9 INSTITUTION: COLLINS CORRECTIONAL FACILITY

10

11 DATE; WEDNESDAY, JULY 1, 1992

12

13 BEFORE: COMMISSIONER HENRI C. RAFFALLI
14 COMMISSIOENER SEAN R. MC SHERRY
15 COMMISSIONER DONNA MARIE MILLS

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21 HEARING REPORTER: Mary Ann Youknut

22

23

24

25 may/dw/2

DIVISION OF PAROLE
REC'D
AUG 7 1992
COLLINS CORRECTIONAL FACILITY

1 BY COMMISSIONER MC SHERRY:

2 Q Mr. [REDACTED] my name is McSherry. Come in and sit down.
3 My name is McSherry and to my left is Commissioner
4 Raffalli and Commissioner Raffalli has a statement to
5 make at this point.

6 COMMISSIONER RAFFALLI: Let the record reflect
7 that I was on the panel in June of 1988 where Mr. [REDACTED]
8 appeared for the first time and which held him 24 months
9 at that time. I was also on the second panel before
10 which he appeared in July of 1990 which panel also held
11 him for 24 months.

12 As a result and in order to avoid any semblance of
13 bias or prejudice, I'm going to recuse myself from this
14 hearing and turn the case over to Commissioner McSherry
15 who will handle it from now on.

16 Q Do you understand?

17 A Yes.

18 Q Commissioner Raffalli will not have any input into the
19 proceedings however, just for the record I do not believe
20 that there is any conflict of interest, however just to
21 satisfy your rights to a full and fair hearing, we will
22 agree to do that.

23 Mr. [REDACTED], we were going to enter into an
24 interview with you as your third appearance before the
25 parole board, however, we're going to postpone your case

1 and I'm going to tell you certain information concerning
2 your possible parole program if released, which gives us
3 some concern. Do you understand that?

4 A Okay.

5 Q This is no reflection on your ability at this point to
6 proceed or not proceed. You are entitled to a full and
7 fair hearing, you see and we want to make sure that you
8 are given a fair hearing with regard to all aspects
9 concerning your case. We're going to postpone your case
10 and it's not going to hurt you because basically we'll
11 see you the next available board. This is not meant to
12 prejudice you in any way,

13 A I understand that.

14 Q But there are certain rules and procedures which we
15 are bound by and we do not want to speculate as to
16 certain information. I know you've done a lot of
17 time serving this sentence, nine to life and there
18 is an additional four on top of that but there
19 comes a time when we have to have all the
20 information that we need to make a decision right here
21 and now.

22 A Yes.

23 Q So just sit tight and don't get into any trouble. Thank
24 you very much.

25 A Okay, thank you.

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D E C I S I O N

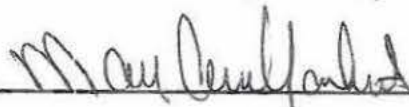
30E, 10/92 board for clarification of records.

(ALL COMMISSIONERS CONCUR)

1 RE: [REDACTED], [REDACTED]
2 AT: COLLINS CORRECTIONAL FACILITY
3 ON: WEDNESDAY, JULY 1, 1992
4
5

6 C E R T I F I C A T I O N
7

8 I, Mary Ann Youknut, Notary Public, in and for the
9 State of New York, do hereby certify that the foregoing
10 is a true and accurate transcription of the proceedings
11 reported stenographically by me in the matter herein at
12 the time and place as set forth in the caption hereof.
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22 MARY ANN YOUKNUT

23 Notary Public, in the State of New York
24 Residing in Erie County at the time of Appointment

25 My commission expires 5/31/94