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NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
BOARD OF PAROLE

Parole Board Interview

In the Matter

-of-

[REDACTED]

DIN # [REDACTED]
NYSID # [REDACTED]

HELD AT: Great Meadow C.F.
(Video-conferenced to Albany, NY)

HELD ON: July 22, 2015

BEFORE: Commissioner W. Smith
Commissioner Hernandez
Commissioner Elovich

STAFF PRESENT
IN ALBANY: Cheryl Goodman, SORC
Kathy Everts, APA

IN FACILITY: Gabriela Vega, ORC
Nicole Raymond, ORC

REAPPEARANCE

REPORTER: Anthony R. D'Ambrosio
Certified Shorthand Reporter

1 BY COMMISSIONER HERNANDEZ:

2 Q. Hi. What is your name, sir?

3 A. [REDACTED]

4 Q. Mr. [REDACTED] I'm Commissioner Hernandez, I'm here
5 with Commissioner Smith and Commissioner Elovich. We are
6 your parole board panel today.

7 COMMISSIONER W. SMITH: Hello.

8 COMMISSIONER ELOVICH: Hello.

9 INMATE: Okay. Hello.

10 Q. Okay. I do note for the record that this is your
11 third appearance before the Board.

12 A. Yes, ma'am.

13 Q. You have been seen by two prior panels. I know that
14 Commissioner Smith was on the 2011, your initial panel in
15 2011. I have not seen you before, and neither has
16 Commissioner Elovich. So, today is a new opportunity for
17 us to talk about what brought you into prison, what
18 happened while you were incarcerated, what your plans are
19 for your future. We are going to ask you some of the
20 same questions, or most of the same questions that you
21 have been asked in the past. I know Commissioner Smith
22 has heard the story twice before, because he has been on
23 both panels, to get an understanding of what happened
24 here, what brought you into prison and what happened
25 while you were here. How old are you today?

1 A. 38.

2 Q. And how long have you been incarcerated?

3 A. 22 years.

4 Q. The record indicates, sir, that you pled guilty in
5 ██████ County, you got a 15 to life sentence for murder in
6 the second degree with a concurrent 8 to 24 years for
7 attempted murder second; is that right?

8 A. Yes, ma'am.

9 Q. And while you were incarcerated, something happened
10 at Attica in 2000, you ended up pleading guilty in
11 ██████ County, you got a 3 to 6 year sentence for
12 manslaughter second; is that right?

13 A. Yes.

14 Q. Now, back in 1993, it says that you and your
15 co-defendant, it looks like you were involved in a couple
16 of different things. The first incident happened in
17 August of 1993 and that involved you with Mr. ██████
18 shooting at some victims. What happened there?

19 A. If you can recall, the reason why I adjourned this
20 hearing, my initial -- my hearing was for last month. I
21 adjourned it to this month because I never was arrested
22 and indicted or convicted of all of this 1993 crime.

23 Q. Okay.

24 A. If you read the inmate status report, excuse me, give
25 me one second.

1 Q. Okay. I do see there was a 9/17/93 crime; right?

2 A. Yes.

3 Q. Where they say Mr. [REDACTED] acted alone. So, what were
4 you convicted of then in 1993, what was your involvement,
5 let's not focus on the dates, that's not really
6 important.

7 A. Okay.

8 Q. Something happened that brought you into prison, and
9 I do see October of 1993 in which one person was killed,
10 all right?

11 A. Yes.

12 Q. And there were injuries to two other males, and then
13 I see this thing involving Mr. [REDACTED] What happened back
14 in 1993, just tell me?

15 A. Well, in 1993, I made a terrible mistake in using a
16 firearm and caused serious physical injury to [REDACTED]

17 [REDACTED]
18 Q. And that was the attempted murder?

19 A. On September 17th, yes, ma'am.

20 Q. Okay. Go ahead.

21 A. And I'm completely regretful for my behavior, and as
22 I look back over my actions, I see I have committed
23 senseless violence and I made a terrible mistake. I wish
24 I could take it back, however, I know I can't take it
25 back and I have done, to the best of my ability, to

1 become a better individual and learn from my mistakes.
2 The same situation in October in 1993, when I caused the
3 death of [REDACTED] and caused physical injury to
4 [REDACTED] and [REDACTED] in an elevator. It
5 was a very horrible act and --

6 Q. Who were the victims again, give us those names
7 again?

8 A. [REDACTED], [REDACTED], and [REDACTED]
9 [REDACTED]. As you can see in the PSR report, you have
10 the other individuals that were shot in the elevator.

11 Q. Okay.

12 A. So, the same thing, that information is on the PSR
13 report, but I would like -- I guess I want to clarify for
14 you that I don't want to make it appear that I'm trying
15 not to accept any culpability for any of my crimes. I
16 want to express to you that I'm also aware that I shot
17 [REDACTED] and [REDACTED], and I have done my
18 best to change my views and my ethics in regard to how to
19 operate in this world. I know I made a lot of bad
20 decisions in my life and I'm totally regretful for it,
21 and I'm very ashamed of the fact that I have made these
22 violent acts, committed all this senseless violence
23 against these human beings that didn't deserve --

24 Q. How old were you at the time?

25 A. 16 years old, ma'am.

1 Q. How old were they?

2 A. Approximately -- sort of around my age, not too much
3 older than me, around my same generation.

4 Q. Okay. So, what was going on in your life back then,
5 sir, that you were walking around with a gun and behaving
6 in this way?

7 A. As I self-reflected and assessed my life throughout
8 the years, it wasn't something that hit me initially, but
9 something that I had to, you know, really reflect on, was
10 that as far as I can recall as a kid, I was physically
11 abused by my father. I suffered physical and emotional
12 trauma from my dad and I was never provided any care
13 whatsoever or any kind of support system from my family,
14 and I believe this led me to behave irrational and --

15 Q. Sir, let's go back to my question, what were you
16 doing walking around with a gun in 1993, what was going
17 on in your life, sir?

18 A. I'm trying to explain to you that.

19 Q. Just answer my question. You're going back in time.
20 What was going on in 1993 when you were 16 years old on
21 these dates that you had a weapon, why did you have a
22 weapon?

23 A. There's no excuse why I had a weapon. I made a bad
24 decision.

25 Q. Sir, you're going around in circles. Answer the

1 question. Listen to what I'm saying, listen to what I'm
2 saying. Why did you have a gun? Just answer the
3 question.

4 A. To make bad decisions. I was making bad decisions.

5 Q. What were you involved with at the time, what was
6 going on in 1993 that you would walk around with a gun,
7 were you involved with drugs, were you involved with a
8 gang, were you robbing stores, did people owe you money,
9 what was going on?

10 A. All right.

11 Q. Just answer the question, okay?

12 A. I will, ma'am.

13 Q. All right.

14 A. I got shot in September, I got shot three times in
15 September of 1993. There was a rivalry going on between
16 me and my victims, however, even though I know that's a
17 fact, I don't want to use that as a justification for my
18 actions.

19 Q. What kind of rivalry was going on?

20 A. It was over my child's mother. I had a child when I
21 was 15 years old and after the birth of my baby, I wasn't
22 able to basically take care of my child, and my child's
23 mother left me and she started communicating or having a
24 relationship with [REDACTED], and due to my jealousy,
25 I tried to interfere with their relationship.

1 Q. Okay.

2 A. So, me and [REDACTED], we had an altercation, we
3 had a fight at a particular moment, and from that, it
4 accumulated into shooting at each other.

5 Q. Okay. Why did you have a gun?

6 A. To do wrong, to break the law.

7 Q. How long had you had the gun?

8 A. Probably like six months, five months.

9 Q. Were you part of a gang at the time, were you
10 involved in any kind of enterprise, illegal enterprise?

11 A. No, ma'am.

12 Q. Were you working at the time?

13 A. No, ma'am.

14 Q. Okay. All right. So, you end up shooting at
15 Mr. [REDACTED] and then you ended up causing his death; is
16 that right?

17 A. Yes.

18 Q. And then he happened to be with two people in an
19 elevator and they ended up getting injured?

20 A. Yes, ma'am.

21 Q. Okay. So then what happens when you come -- what
22 happened with your co-defendant, how did you get involved
23 with that incident?

24 A. It was basically the same kind of situation. It
25 happened over a guy named [REDACTED]. And [REDACTED]

1 [REDACTED] and -- excuse me. Let me collect myself. I'm
2 sorry.

3 Q. That's okay. Take a deep breath.

4 A. [REDACTED] and a guy named [REDACTED] had an
5 altercation, and [REDACTED] got involved. [REDACTED]
6 was my best friend and then once [REDACTED] got
7 involved, I got involved in the situation. At the same
8 time, I accept the fact that I caused injury to [REDACTED]
9 [REDACTED], I fully regret what I've done, I understand it's
10 senseless violence and he didn't have to undergo undue
11 stress and pain.

12 Q. Okay. We have your sentencing minutes from that
13 incident when you appeared before the Honorable [REDACTED]
14 [REDACTED], right, you were represented by a Mr. [REDACTED]
15 [REDACTED]; is that right?

16 A. Yes, ma'am.

17 Q. Now, the Judge, I was a little bit confused, because
18 when the Judge sentenced you for the attempted murder, 8
19 to 24 years, he goes on to then sentence you to the
20 murder, but he says that the defendant was not a main
21 player in that incident. His action was acting in
22 concert. So, he was talking about which one, which
23 incident?

24 A. September, the September.

25 Q. Okay. You had never been in trouble, because it's

1 pointed out in your sentencing that you had never been in
2 trouble with the law before; is that true?

3 A. That's not true. I went to jail before for stealing
4 a bike or something like that.

5 Q. Okay. Well, I don't see that in your record, but
6 there was indication that you had not been in trouble
7 before.

8 A. All right.

9 Q. Okay. So, you're 16 years old, you know, you're not
10 living a good life. You weren't part of a gang at the
11 time?

12 A. No, ma'am.

13 Q. Okay. Were you working?

14 A. No, ma'am. That wasn't a part of the values that I
15 had at that particular time in my life. I was running
16 the streets. As I was trying to explain to you, I would
17 like you to get an understanding of the insight that I
18 gained over the course of my time of incarceration.

19 Q. And we'll get to that. We're not there yet. You're
20 not running the interview, I am, sir. I'm trying to put
21 the pieces together before we get to that, okay?

22 A. Okay. I'm sorry.

23 Q. I know you're anxious, I know you are fighting for
24 your freedom right now, okay, but I'm trying to get an
25 understanding of what led to this whole thing. Now I

1 also want to talk about what happened at Attica, because
2 your lawyer put together a great brief, so I have been
3 able to figure that out. You're at Attica back in 2000,
4 word is that the person that cut you is going around
5 saying that you were spreading rumors that he was a
6 snitch, and according to him, he felt like he had to cut
7 you for, you know, so that he wouldn't get killed, okay.
8 So, I guess there's some indication that he cut you
9 hoping that you were going to get removed from that area,
10 but they put you back in the same area after you got cut;
11 right?

12 A. Yes.

13 Q. Okay. So, that's one day in June. The next day
14 someone ends up getting stabbed and killed, and you
15 killed that person with a shank; right?

16 A. Yes.

17 Q. Okay. What happened there, sir?

18 A. As you said, I was running around spreading rumors
19 about the guy being a snitch and that same night that
20 that took place, the guy cut me. And the day after, you
21 know, I made a very bad decision. When I came out of my
22 cell, I was attacked again and got cut behind my neck and
23 I turned around and I stabbed [REDACTED] and
24 unfortunately he passed away. However, I know that
25 [REDACTED]' life was invaluable and I should have from

1 the very beginning. I made a bad decision and I should
2 have made a better decision so it wouldn't have happened
3 altogether.

4 Q. All right. How do you feel about being responsible
5 for the death of two people?

6 A. I feel very bad, I feel sad. Not only was it a
7 senseless criminal act, but every life is invaluable. I
8 can empathize with someone losing their life, you know,
9 and me being responsible for that is heart wrenching, and
10 this is something that I will have to live with for the
11 remainder of my life. Not only do I have to re-live it
12 here at this parole board, but for the majority of my
13 life it's going to be a story that I have to tell from
14 generation to generation, and I have to be responsible
15 for what I have done.

16 Q. Okay. Let's talk about your rehabilitation, because
17 you have done a lot of programming. Your discipline has
18 actually gotten so much better. You actually, after this
19 whole thing happened in 2000 at Attica, you pretty much
20 stopped getting tickets in 2001. The last ticket you got
21 was in 2009, that was direct order at Clinton. You got
22 some keep lock for that, but that's it for you. Your
23 last Tier III happened in 2000, and then of course this
24 incident, so up until 2000, sir, it looks like you were
25 getting yourself into trouble on and off, fighting, you

1 know, assault on inmates, stuff was going on for you.
2 Were you part of a gang in the system at all, or was this
3 just a way that you were trying to survive?

4 A. Just a way of trying to survive. I was never
5 involved in no gang.

6 Q. Okay. But since 2009, no tickets, that was a Tier II
7 again, last Tier III was in 2001, so it has been a long
8 time since you've been a discipline problem. What turned
9 it around for you, sir, let's talk about your
10 rehabilitation, what turned it around for you?

11 A. All right. After the death of [REDACTED], I was
12 more sensitive to the trauma or the tragedy or the
13 negative impact I caused in other people's lives. Not
14 only the victim, but the victim's families as well as my
15 family and myself, and the reason why I was more
16 sensitive is because I had been out of society for seven
17 years being separated from my family and being in prison
18 gaining a little more education and being in touch with
19 spirituality, and, you know, so once I realized, you
20 know, it was conscientious of how my actions affected
21 other people, I made it a value of myself to never repeat
22 in that behavior. After that, I went on a journey to
23 re-establish who I was as a human being by, you know,
24 questioning my attitudes or my behavior, and knowing that
25 I was living in a particular state of mind, and my ethics

1 is what guided me. So, during studies, I got inspiration
2 from black studies, and from that, I learned how to make
3 my own decisions and got the courage to change, you know.

4 Q. Okay.

5 A. And that's what led me to this day standing before
6 you, 15 years later, with no disciplinary record and
7 completing all the programs that DOCCS has offered me.
8 This has been hard work. I would like you to know that
9 it wasn't easy. I've been in prison for the last
10 22 years, 15 years of that time on an every day basis, I
11 go through stressful situations, or could be a situation
12 where a conflict arises, but I choose to make the best of
13 the situation and don't allow myself to become violent or
14 to become angry, but to live with a peaceful heart and
15 reflect on what I have done in the past and know that
16 that's not something that I ever want to live with again,
17 because at the same time I know how many people were
18 hurt, and that's something that I can't live with.

19 Q. And I see that you got your GED in 2006, so
20 congratulations on that, okay?

21 A. Yes, ma'am.

22 Q. We have a letter from your attorney, and you put
23 together this nice packet, Mr. [REDACTED] has written on your
24 behalf. He talks about that you have been incarcerated
25 your entire adult -- 60 percent of your life, all the

1 programs that you have completed, that it has contributed
2 to your rehabilitation. He talks about that. I guess
3 you serve as a facilitator, transitional Phase III; is
4 that true?

5 A. Yes, ma'am, pre-release program.

6 Q. Okay. How is that going for you?

7 A. Well, it was a very good experience, it allowed me to
8 interact with so many different people, and I learned so
9 much in regards to the challenges one has to go through
10 upon their release, and I take the best of the situation
11 and apply it to my life.

12 Q. I also have a letter from National Lawyers Guild,
13 they have written a letter on your behalf. Your brother
14 has also written a letter, is it [REDACTED]?

15 A. [REDACTED], yes, ma'am.

16 Q. Okay. He wrote a nice letter on your behalf. We
17 also have a letter from [REDACTED]. Who is
18 Ms. [REDACTED]?

19 A. She's an aunt slash friend. She is someone that I
20 grew up with, who raised me throughout my life, and she
21 is like an aunt to me.

22 Q. Your sister also wrote in 2013. Anything that you
23 submitted in the past, we still have, your letters of
24 support. Who is out there for you today, sir?

25 A. I have a whole entire family network. I submitted a

1 brief, I've been working with the National Lawyers Guild,
2 and they submitted a brief to you all.

3 Q. Yes.

4 A. And they have 18 letters of support from the majority
5 of my family members. I have two job opportunities.

6 Q. Okay. Slow down a little bit.

7 A. Yes, ma'am.

8 Q. Okay. You have two proposals of employment where?

9 A. One with a commercial cleaning business and one with
10 a catering business. I've been doing porter work for the
11 last six years, so it would probably be a good fit for
12 me, but of course I understand that's up to the parole
13 officer, the field parole officer to determine which job
14 he would like for me to have, you know.

15 Q. Okay. So, I do see, you know, you completed all of
16 your anger programs, you have your GED, you have numerous
17 letters of support. We have a letter from a Reverend
18 [REDACTED]. How do you know him?

19 A. Through my aunt, through my aunt. My aunt and him
20 work together. My aunt is a pastor.

21 Q. Okay. Where are you going to live, we talked about
22 your job, you know, your proposed employment, where are
23 you going to live?

24 A. I've been married for the last four years, with my
25 wife [REDACTED] in [REDACTED].

1 Q. That's [REDACTED]; right?

2 A. No, [REDACTED] [REDACTED]

3 Q. Okay. [REDACTED] [REDACTED]

4 A. Yes.

5 Q. Okay. I'm sorry, there's another letter from [REDACTED]

6 [REDACTED].

7 A. Yes.

8 Q. Okay. Tell me about your wife?

9 A. My wife is a beautiful person, she has been
10 supporting me for the last six years of my life. For the
11 last three years I've attended FRP program with her. She
12 has stable employment.

13 Q. What is the FRP program, family reunion?

14 A. Yes, family reunion, where I go on conjugal visits.
15 We continue to work on our relationship.

16 Q. We also have a letter from your mom, [REDACTED]?

17 A. Yes.

18 Q. Do you have any children, you did mention one child,
19 do you have any other children?

20 A. I have a daughter that is 22 years old, you know, and
21 due to my bad behavior, I've withheld the love that a
22 parent and child should have. We got disconnected at an
23 early time in her life, and despite my incarceration, I
24 have maintained a good relationship with her and due to
25 my change of ethics, it has been a healthy relationship.

1 I'm able to provide her with good advise and being able
2 to understand certain things that she goes through and we
3 also utilize the things that I have experienced in my
4 past to give her some kind of insight and the things she
5 is going through as a child or as a kid.

6 Q. We do have other letters, we're not going to go into
7 them all, because you have numerous in your file. You
8 know, sir, our decision and this job is very difficult,
9 it's not something that we take lightly. You know, you
10 were very young when all of this went down, even what
11 happened at Attica, and our role here is public safety.
12 We're going to talk about what we are going to do after
13 the interview. We have your COMPAS assessment, that was
14 the questionnaire that you filled out in April. It
15 indicates a low risk for felony violence, arrest, and
16 absconding. Criminal involvement low. History of
17 violence is low. Even though you haven't had a ticket in
18 a while, it says prison misconduct is high because they
19 are looking at your past. Have you ever had any drug or
20 alcohol issues that we need to know about?

21 A. No. I had uncles that were drug addicts and that is
22 something that I stayed away from.

23 Q. How did you feel when you were denied parole twice
24 before?

25 A. It was very disappointing, it was very disappointing

1 and emotional, and of course I have hope that I will be
2 released some day and it's very disappointing. I've been
3 through this situation three times, I have done
4 everything in my power to stay out of trouble.

5 Q. Okay.

6 A. And not to engage in the petty politics in prison,
7 and used my incarceration to better myself despite the
8 fact -- despite the fact that I have done what I have
9 done to get in prison or be in this situation. I
10 understand that I can't take back what I have done.
11 However, there is nothing outside of my situation or my
12 circumference that can't take me out of my mindset of
13 what I want to be in life.

14 Q. Okay.

15 A. I was a kid who did not have any form of proper
16 guidance in my life and this allowed me to be influenced
17 by the negativity in my community. I was raised during
18 one of the worse times in American history, the crack
19 epidemic. This is not something that I witnessed from my
20 window, but something that I was involved with everyday
21 of my life, through family members and friends, people
22 that I slept with, people I had cookouts with. This was
23 something that was part of the community, and I didn't
24 have -- at that particular time in my life, I was
25 impulsive and I made bad decisions. I didn't have any

1 values.

2 Q. Do you believe, sir, that you are a threat to society
3 at this point?

4 A. No, ma'am, and I would like for you to know, ma'am, I
5 say that, because I proved that to you in the last
6 15 years. I came to prison when I was 16 years old. I
7 haven't committed any crime in the last 15 years of my
8 life, I have not done anything to put myself in a
9 position in the negative light.

10 Q. I understand, sir. The thing is, you have a life
11 term, you have no wiggle room, you understand that;
12 right?

13 A. Yes, ma'am.

14 Q. And we did reach out to the Judge, the District
15 Attorney, and your defense attorney to let them know you
16 were coming up for parole, they had the option to let us
17 know how they felt about it, they did not respond to our
18 letter, therefore, we don't have the benefit of their
19 opinion. Commissioners, any questions?

20 COMMISSIONER W. SMITH: You were
21 talking about the incident in Attica, I guess
22 basically you said you were telling some of the
23 other inmates that the person that you eventually
24 killed was a snitch; is that right?

25 INMATE: Yes.

1 COMMISSIONER HERNANDEZ: No, no, the
2 person that cut you was a snitch, not the person
3 that you killed; is that right?

4 INMATE: Yes, that's true.

5 COMMISSIONER W. SMITH: The person
6 that cut you was a snitch?

7 INMATE: Yes.

8 COMMISSIONER W. SMITH: And was he a
9 snitch?

10 INMATE: Sir, with all due respect,
11 that was in my past.

12 COMMISSIONER W. SMITH: Due respect to
13 who? My question is, was he a snitch?

14 INMATE: That's something that
15 happened in the past, with regard to him being a
16 snitch, that's not something that I would like to
17 contribute to. I made a bad decision in regards to
18 people being snitches and not being snitches, that's
19 not my interest, however --

20 COMMISSIONER W. SMITH: It sure was
21 your answer. Quit dancing around. I'm asking you a
22 question, and you do a lot of dancing around when
23 you try to answer a question that's direct, you did
24 that before and you're doing it now. You're the one
25 that said you had gone around telling other inmates

1 that this person was a snitch.

2 INMATE: Right.

3 COMMISSIONER W. SMITH: And I'm asking
4 you a simple question, was he a snitch?

5 INMATE: I'm not going to say he was a
6 snitch, because that's not something that -- I
7 regret, that's a moment that I'm trying to erase
8 from my life.

9 COMMISSIONER W. SMITH: Well, it's not
10 being erased from your record and it's a question
11 that I'm asking and there are reasons for it and
12 then there would be follow-up questions if you
13 answered it. So, I'll give you the last
14 opportunity.

15 INMATE: Okay.

16 COMMISSIONER W. SMITH: Was he indeed
17 a snitch?

18 INMATE: Sir, with all due respect, me
19 calling somebody a snitch in the past has ended up
20 with me causing somebody's death.

21 COMMISSIONER W. SMITH: Okay. You had
22 a long pause, you're stumbling over your answer, I
23 thank you, Commissioner. I've heard all I need to
24 hear. Thank you.

25 COMMISSIONER HERNANDEZ: Commissioner

1 Elovich?

2 COMMISSIONER ELOVICH: Nothing.

3
4 BY COMMISSIONER HERNANDEZ:

5 Q. You know, part of the interview process, Mr. [REDACTED]
6 is being open.

7 A. Yes.

8 Q. And engaging.

9 A. Yes.

10 Q. And the questions that the Commissioners ask is
11 because they want to know how open you are, because part
12 of what happens when you go out on parole, you are going
13 to have a parole officer to answer to.

14 A. Yes, ma'am.

15 Q. And nothing is worth your personal freedom, you know,
16 and it could be uncooperative of you, okay, not to answer
17 a question. Even though you don't see the relevance in
18 it, we're here to talk about everything and everything is
19 on the table, all right. So, you know, we each have
20 questions for you and even though you don't want to go
21 back there, it's necessary to go back there, because
22 we're trying to make an assessment here on whether you
23 are a good candidate for release.

24 A. And the best answer to his question, even though I
25 heard him saying he wanted a direct answer is, I don't

1 engage in petty politics and I don't --

2 Q. But the question was, whether he was a snitch or not,
3 and all you had to say was yes or no, or I was mistaken,
4 but I was going around causing problems. There were
5 other ways to answer the question and you were not able
6 to do that, so, you know, I don't have anymore questions
7 for you, so I think we are going to be done. You have
8 given us a lot to think about. We will let you know our
9 decision in writing, and if there is anything else that
10 we need you to do, we will let you know that as well. No
11 decision has been made, we had a great conversation here
12 today, so that's it.

13 A. Well, can I say something before I leave though, can
14 I read something into the record?

15 Q. No, you don't need to read anything. Anything that
16 needs to be read, should have been submitted to the staff
17 for us to have over here. Why don't you tell us in your
18 own words instead of reading, because sometimes it comes
19 better from the heart than reading a statement.

20 A. All right. I believe it's important for you to know
21 or for the panel to know considering the fact this is my
22 life, as I expressed in the past, as I expressed earlier,
23 that I experienced disappointment and I would like to
24 utilize the best of this situation, which is that
25 throughout my life I've made a lot of bad decisions, and

1 I'm being held responsible for my acts. I don't in any
2 way justify what I have done or try to minimize what I
3 have done in any certain way. I understand the traumatic
4 impact I have had on other people's lives and without
5 trying to minimize or justify my actions, my state of
6 mind at that particular time in my life was based on the
7 trauma, the abuse that I suffered as a child. That is
8 the only way that I can look at me having a mentality as
9 far as emotional health or mental health to utilize a
10 weapon and commit crimes or to have an indifference to
11 human life, is that I was suffering through something in
12 my life. And I have done everything in my power to
13 reflect on what I have -- to reflect on who I was and to
14 question my belief systems. As I became an adult, my
15 vision or attitude of the world changed, and I have done
16 everything in my power to change my ethics.

17 Q. Okay. We've talked about that, we have talked about
18 that.

19 A. Yes, ma'am. You're right. You're right. You're
20 right. You're right. Yes, ma'am. I just wanted to
21 stress that just in case, because this is a very
22 important moment for me.

23 Q. It is absolutely a very important moment and you have
24 done a lot, sir, to turn it around and no one can take
25 that away from you.

1 A. Okay. I appreciate that.

2 Q. You have demonstrated that in your record, you have
3 demonstrated that in your behavior, okay, you have done
4 everything and now we have to make a decision on this
5 end, whether we feel you are still a threat to public
6 safety, and that's what it's about, okay?

7 A. Yes, ma'am.

8 Q. The Judge sentenced you, you've been serving your
9 sentence, you were very young, and we're going to do what
10 we need to do on this end and we will let you know in a
11 few days. I want to thank you for coming in, all right?

12 A. Okay. Thank you, too, ma'am. I appreciate it.

13 Q. Okay. Good luck.

14 A. All right, ma'am. I appreciate it.

15 (After due deliberation by the Parole Board
16 Panel, the following decision has been rendered:)

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DECISION

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4 Denied 24 months. Next appearance June 2017. Parole
5 denied. After a personal interview, record review and
6 deliberation, this panel finds your release is
7 incompatible with the public safety and welfare.
8 Required statutory factors have been considered,
9 including your risk to the community, rehabilitation
10 efforts, and your needs for successful community
11 reintegration. Your document submissions and program
12 accomplishments are noted. Your community support was
13 considered, as well as your comments concerning your
14 instant offenses. You were evasive with some answers and
15 placed blame for past violent conduct on your upbringing.
16 It is disturbing that after committing the instant
17 offenses of attempted murder second and murder second in
18 1993 at age 16, you then committed manslaughter second in
19 Attica Correctional Facility when you were 23 years old.
20 While your prison disciplinary record is significant,
21 your improvement since March 2009 is noted. However,
22 discretionary release on parole shall not be granted
23 merely as a reward for good conduct or efficient
24 performance of duties while confined. After a review of
25 all factors discussed and in your record are considered,

1 parole at this time is denied.

2 (Commissioner Hernandez dissents. Commissioner W.
3 Smith and Commissioner Elovich concur.)
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C E R T I F I C A T I O N

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the above cause and that this is a correct transcript of the same to the best of my ability.

Anthony Dambrosio

Anthony D'Ambrosio, CSR