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September 2021

### Parole Interview Transcript/Decision - FUSL000084 (2017-09-27)

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NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION  
\*\*\*\*\*

Parole Board Interview

In the Matter

-of-

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

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TYPE OF INTERVIEW: Reappearance

LOCATION: Otisville Correctional Facility  
Videoconferenced to NYS DOCCS  
20 Manchester Road  
Poughkeesie, New York

DATE: September 27, 2017  
DECISION DATE: September 27, 2017

BEFORE: COMMISSIONER E. ALEXANDER  
COMMISSIONER O. CRUSE  
COMMISSIONER C. SHAPIRO

ALSO PRESENT: ORC Goldsmith & ORC Hyatt

AT FACILITY: APA Stevens

REPORTER: Lori Ciofalo, Hearing Reporter

██████████ ██████████ DIN #89A1381 NYSID # ██████████

1                   COMM. SHAPIRO: Good morning, sir. How  
2 are you today?

3                   THE INMATE: Okay, thank you.

4                   COMM. SHAPIRO: Great. Could you state  
5 your name for the record, please?

6                   THE INMATE: ██████████ ██████████

7                   COMM. SHAPIRO: Thank you. My name is  
8 Commissioner Carol Shapiro, and with me is  
9 Commissioner Alexander, and Commissioner Cruse is at  
10 the far end.

11                   COMM. CRUSE: How are you, sir?

12                   COMM. ALEXANDER: Hello, sir.

13                   THE INMATE: Good morning.

14 INTERVIEW BY COMMISSIONER SHAPIRO:

15       Q. Sir, correct me if I'm wrong, but this is your  
16 seventh appearance before the Parole Board.

17       A. Yes, ma'am.

18       Q. Okay. So I have here the instant offense,  
19 which I'm sure you've talked about, over the years,  
20 since you have been incarcerated.

21                   For the record, in December, ██████████ ██████████,  
22 1987, in your home, you strangled your wife to death  
23 following a dispute. You wrapped her body, then, in  
24 garbage bags and dumped her in a field. You reported  
25 her missing. You participated in a community-wide

██████████ DIN # ██████████ NYSID # ██████████

1 search. There was tremendous media attention, and  
2 then you were arrested. Is that correct, sir?

3 A. Yes, ma'am.

4 Q. You continue, which is to your credit, to admit  
5 guilt and accept full responsibility for your  
6 actions; is that correct, sir?

7 A. Yes, ma'am.

8 Q. Could you say a little bit more about that in  
9 terms of accepting responsibility? What does that  
10 mean to you?

11 A. Years ago --

12 Q. Could you speak up just a little bit, please?

13 A. Yes, ma'am.

14 ██████████ and I had a volatile relationship, and at  
15 the time I didn't understand how bad things could be.

16 Following ██████████ death, I couldn't deal very  
17 well with what I had done. At the time I was  
18 drinking a lot, and my family felt it would be a good  
19 idea for me to get away for a while.

20 I had gone to stay with my brother in ██████████,  
21 for about a week, and then I realized that was not  
22 helping, so I came back to ██████████.

23 Q. Excuse me. Sorry to interrupt you, sir. Just  
24 to be clear, you went to ██████████ before or after the  
25 murder?

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 A. After, prior to my arrest.

2 Q. Thank you for the clarity.

3 A. I told my brother that I had to come home. I  
4 wasn't dealing with things out there, any better than  
5 I was dealing with them here, so I came home. The  
6 following day I got arrested, and I explained what  
7 had happened.

8 A while later I started seeking counseling, in  
9 the county jail, prior to any of the legal things.  
10 Again, I wasn't dealing with it well. I didn't know  
11 how to deal with what I had done.

12 I've always taken full responsibility. I've  
13 always expressed how sorry I was for everything I've  
14 done, but a couple of years later I realized that  
15 that was not enough.

16 Just saying I'm sorry wasn't enough, and I had  
17 to live what I felt. I had to realize what was wrong  
18 with me, that could bring me to that point, so I  
19 started seeking programs, and more counseling, and  
20 things that would help me to identify what was wrong  
21 with me.

22 Over the years, I continued to do that. I  
23 think that taking responsibility -- which is really  
24 what you asked. I think that taking responsibility  
25 is more than just saying I know what I did.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 Over the years, it's been an attempt to give  
2 back. Not that I can take back what I've done, I  
3 don't mean it like that, but to live a life of  
4 remorse, to live a life of service to others, and to  
5 change those things within myself.

6 I had to realize that I was possessive of ██████████  
7 I was jealous of other people. It took a long time  
8 for me to realize that it was not anybody else's  
9 fault, it was mine. I was the one that was insecure  
10 and didn't know how to deal with my own issues.

11 Q. Thank you for that. Did you have those issues  
12 of control and jealousy prior to your marriage to

13 ██████████

14 A. Yes, I did.

15 Q. How was your relationship with your family?  
16 Did you live with family violence, domestic violence?

17 A. Growing up, I had a brother and sister. When I  
18 was very young my brother went to Vietnam, and my  
19 sister moved out of the house. When her husband came  
20 home from Vietnam, they got married.

21 So, I lived with my parents. My dad was  
22 violent. He drank a lot. He took care of the  
23 family, but he was angry all the time. He took those  
24 things out on my mom and me, my brother, my sister.  
25 I never liked that part. I always said he loved me,

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 he loved all of us in his own way, but he was mean.  
2 I guess I ended up doing some of the same stuff he  
3 did.

4 Q. Thank you for sharing that insight. I think  
5 that's really significant.

6 I did read something you wrote, that you  
7 understood what it felt like to be a victim, having  
8 lived with domestic violence, and making some  
9 connections, connecting the dots with your own  
10 behavior. I just wanted to understand that for  
11 myself and for the panel. Thank you.

12 I also note that you wrote a very moving letter  
13 of apology to ██████████ and ██████████ which are ██████████  
14 parents. Have you had any contact with the victim's  
15 family?

16 A. Not personally. And just for clarity, ██████████ is  
17 ██████████ mom, and ██████████ is her uncle.

18 Q. Her Uncle ██████████ yes.

19 A. We're not allowed to have personal contact, so,  
20 no, I have not had personal contact with them.

21 The only opportunity I ever had was in court,  
22 to say I'm sorry to ██████████ mom ██████████

23 We had a good relationship. ██████████ and I had a  
24 good relationship, and I know this destroyed her.

25 Q. It left a hole in her life, yes.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 A. I'm sure nothing I could ever say would make up  
2 for it, it will never minimize it.

3 I'm sorry for the pain. I know that she's  
4 suffering all the way until today, and I'm sure all  
5 of them are.

6 Q. Thank you. I know it must be very painful,  
7 because you are, yourself, now, a father; am I  
8 correct?

9 A. Yes.

10 Q. How long have you been married?

11 A. Actually, I'm divorced right now. I separated.  
12 My daughter's name is ██████████. She's  
13 nineteen-years old. My relationship with her is  
14 good. She lives with my mother right now. It's been  
15 difficult for her.

16 Q. Does she visit? Is she able to visit?

17 A. She does visit. Right now she's having a  
18 little trouble dealing with this, so she has not  
19 visited I think since May.

20 I used to talk to her every day, every other  
21 day, but since June I get messages from her through  
22 my mom. She will yell into the phone, herself, as  
23 she is passing through.

24 I haven't really spoken to her in a couple of  
25 months, now, but I did have a conversation with her

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 on Monday.

2 Q. Thank you for sharing that. It's also noted in  
3 your file that you've had very candid discussions  
4 with your daughter, about your past behavior, your  
5 anger issues, family violence, and your crime; is  
6 that correct?

7 A. Yes, ma'am.

8 Q. Okay, thank you. I'm sure the separation is  
9 creating a bit of anxiety for her. Is that what you  
10 are referring to?

11 A. I believe so, and she is nineteen, and she has  
12 been through previous parole appearances, and she  
13 always looks forward to it, and that's another thing  
14 that's stressful.

15 Q. Okay, that's certainly understandable. Thank  
16 you.

17 Thank you very much for taking the time and  
18 putting together this Parole Board packet, it's very  
19 useful. As you probably know you have an extensive  
20 amount of support from family, and from friends. You  
21 have an assurance of employment upon your release.

22 We always reach out to the district attorney  
23 and the judges in these cases for additional  
24 comments.

25 There are no new comments, except from the

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 victim's family. So as much as you have this wealth  
2 of support, there are also people who have been very  
3 affected by your crime.

4 We use, as you probably know, a COMPAS, a risk  
5 and needs tool. You've seen it, I assume.

6 A. Yes.

7 Q. You score very low. This is your first time in  
8 prison, the first time you have ever been convicted  
9 of anything.

10 When was the last time you used alcohol?

11 A. Just prior to my arrest, so it has been thirty  
12 years.

13 I know that I can never go back to that. I  
14 know sobriety must be a part of my life forever. I  
15 am not blaming anything or anybody but myself, but I  
16 do know that the use of alcohol can definitely turn a  
17 bad situation worse.

18 I have been sober for thirty years, and I have  
19 no intention of ever going back.

20 Q. I also want to note that the Panel has looked  
21 through your programs and note that you've completed  
22 many programs, making use of your time in prison, so  
23 that's a good job. Thank you.

24 Where will you live, if you are granted parole?

25 A. I've been offered residence at my mom's house.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 She is away from the community that I come from.

2 It's actually upstate in a little town called ██████████,

3 up towards ██████████. My mom owns a small

4 four-bedroom cape up there, and she has opened her

5 doors for me.

6 Q. Because your mother currently lives with your  
7 daughter, is that arrangement satisfactory with your  
8 daughter, as well?

9 A. Yes, ma'am. Everybody would love nothing more  
10 than to put the family back together, if possible.

11 Q. And your employment is right there, as well.  
12 Your assurance of employment is in the same  
13 neighborhood, I believe.

14 A. Yes. I've been told it's about a five-minute  
15 walk down the road.

16 Q. I also noted in your record that you have some  
17 health issues, recently, an ulcer and bleeding. Are  
18 you feeling okay now?

19 A. Yes. I take medication for it. It was  
20 actually an undetected ulcer, that caused my stomach  
21 to rupture.

22 They saved my life in this facility. They got  
23 me to the hospital. I spent thirty-nine days in the  
24 hospital to repair it. Other than that I have  
25 degenerative hip joint disease. That's the extent of

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 it.

2 Q. Out of your almost thirty years in prison, what  
3 would you say is the greatest lesson you take away  
4 from this time?

5 A. I have to say, I think the respect for others  
6 and respect for others' opinions.

7 Other people's right to say what they will is  
8 not necessarily a reflection on me, and I can't  
9 personalize these things.

10 It's more important to serve others, to have a  
11 life devoted to service, and to selflessness, as  
12 opposed to selfishness.

13 I recognize that prior to this I was probably  
14 more selfish than selfless, and there is no success  
15 in that, because others suffer, I suffer, and I don't  
16 want to make anybody suffer today.

17 Q. Okay, well, thank you for that comment.

18 You did note your history, long ago, of alcohol  
19 abuse. So what's your plan, if you are released, to  
20 insure you maintain that sobriety, your specific  
21 plan?

22 A. My specific plan, my family helped me to  
23 compile a meeting list for AA and NA. It's in my  
24 parole packet.

25 Q. Yes, I saw that.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 A. I contacted AA World Services and NA World  
2 Services, and they've offered to have someone meet  
3 me, you know, to accompany me to meetings.

4 Q. That's great.

5 A. I also intend, when it comes to that, to seek  
6 counseling outside of just the fellowship of the  
7 rooms.

8 I find that that fellowship helps me to  
9 maintain not just sobriety, but to maintain myself.  
10 My personal growth is encouraged by the fellowships.

11 I also want to seek counseling, besides that,  
12 just for reintegration purposes. I think that will  
13 also have a direct affect on my sobriety.

14 COMM. SHAPIRO: Thank you for that. I'm  
15 going to turn it over to my colleagues, here.

16 Any questions?

17 COMM. ALEXANDER: Yes.

18 BY COMMISSIONER ALEXANDER:

19 Q. Good afternoon, Mr. ██████████

20 A. Good afternoon.

21 Q. I have listened carefully. We have heard a lot  
22 about your release plans, and your growth in prison,  
23 but I'm concern with a couple of things I did not  
24 hear about.

25 Why did you participate in the search for your

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 wife, when you knew she was dead?

2 A. After I did what I did, I panicked. I didn't  
3 know what to do.

4 I contacted my father, and I told him that ██████████  
5 had gone out. My father started making phone calls,  
6 trying to figure this out.

7 Q. Wait a second, wait a second. You panicked and  
8 you lied to your father?

9 A. Yes, ma'am.

10 Q. Okay, continue.

11 A. Not knowing how my father was going to react,  
12 yes, I lied. My father was angry and volatile, and I  
13 didn't know what to do. I was afraid, and that was  
14 my dad, and I didn't know who else to call, so I  
15 called him.

16 Once he started the ball rolling, getting  
17 people to get involved, I was afraid to say anything.  
18 Now, I didn't know how to come forward. I didn't  
19 know how to stop it.

20 Most of my time, during that search, was spent  
21 in the house, was spent just doing busy things. I  
22 wasn't participating, like, in the way of going out  
23 and looking.

24 I just didn't stop it. I didn't turn it  
25 around. I didn't tell anybody, and it just

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

1 continued.

2 Q. You know, Mr. [REDACTED] I've looked at some of  
3 the old transcripts, I have not looked at all of  
4 them. I thought I read somewhere, and maybe I'm  
5 wrong, so please correct me if I'm wrong, but there  
6 were some days you were actually leading the search.

7 A. I didn't lead. There were days I did go out,  
8 but not in any leadership way. Other people may have  
9 said that, but that was not something that I did.

10 I'm not saying I didn't go out just to fake  
11 what I had done, but I was just afraid to say  
12 anything.

13 Q. And I might have missed this from earlier, and  
14 I have read some stuff from the medical examiner, but  
15 did you strangle your wife?

16 A. Yes. My arms around her neck, yes.

17 Q. Was she fully clothed when you strangled her?

18 A. No, she was not. She had gotten undressed.  
19 She was changing her clothes, and we had this  
20 argument, so, no, she was not fully dressed.

21 Q. Because I thought I saw something where you  
22 undressed her and bathed her after she died; is that  
23 wrong? I'm wrong about that, right?

24 A. That's not correct. That's not correct.

25 Q. So did you know she was dead?

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 A. Yes.

2 Q. So the first thing you did was call your  
3 father?

4 A. No.

5 Q. What's the first thing you did?

6 A. I sat and thought about what I was going to do.  
7 I thought to myself how nobody was going to believe  
8 me, and I just panicked. So the first thing I did,  
9 was I figured out how to cover it up.

10 Q. Now, you talked about things that you have  
11 learned in prison, and now you've learned about  
12 respect for others, correct?

13 A. Yes.

14 Q. And you have done a lot of programming, as  
15 Commissioner Shapiro has had you point out, right?

16 A. Yes, ma'am.

17 Q. So now, after thirty years, what do you think  
18 about the ██████████ ██████████ who would strangle his  
19 wife, cover it up, pretend he was looking for her?  
20 What do you think that says about respect?

21 A. ██████████ ██████████ thirty years ago, I don't  
22 think had any respect. I don't respect who I was,  
23 then.

24 I would say that it took a long time for me to  
25 get to where I am today. I don't like who I was. I

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 don't like what I did. I hate what I did. I hate  
2 that I hurt people, and I hate what I did to people's  
3 trust.

4 To this day, thirty years later, I still have  
5 trouble, sometimes, forgiving myself. I don't  
6 forgive myself.

7 So, no, ██████████ didn't respect people, but  
8 today I do. Today, I recognize what I need to do.

9 COMM. ALEXANDER: Thank you. Commissioner  
10 Cruse?

11 BY COMMISSIONER CRUSE:

12 Q. Sir, as I was preparing my question for you,  
13 Commissioner Alexander sort of began questioning in  
14 the area that I was looking.

15 You said you did not lead the search. I guess  
16 it's safe to say that you initiated the search,  
17 right?

18 A. By calling my father, yes.

19 Q. We can keep going back and forth with that.

20 By committing the instant offense you initiated  
21 the search, and then you were photographed, in the  
22 newspapers, holding posters and asking for assistance  
23 and information regarding the instant offense; is  
24 that correct?

25 A. Yes.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 Q. And that would give you public appeal and put  
2 your face all in the community and really attach you  
3 to this incident as a victim, as well, in this  
4 offense; is that correct?

5 A. Yes, sir.

6 Q. Throughout all of these appeals that you were  
7 making for others to be of assistance, you never told  
8 anybody that you were, in fact, guilty or involved in  
9 the crime in any way.

10 How long did that appeal go on for, before you  
11 were apprehended?

12 A. ██████████ was found five days later, so that went on  
13 for five days.

14 I went to ██████████, a couple of days after that,  
15 on the 3rd of January. I came back on the 10th of  
16 January, and I was arrested on the 11th. So it was  
17 for five days.

18 Q. So you went to ██████████ and came back five days,  
19 after her being missing?

20 A. No. From the time that I did this, ██████████ was  
21 found five days later. A few days after that, after  
22 her funeral, I went to ██████████.

23 Q. How long did you stay?

24 A. I stayed seven days in ██████████

25 Q. And as soon as you came back, were you

██████████ ██████████ DIN ██████████ NYSID # ██████████

1 arrested?

2 A. The following morning, yes.

3 COMM. CRUSE: You must have had ample  
4 opportunity to share your guilt with people. I'm  
5 sure you were asked numerous questions within those  
6 few days, starting with dad.

7 I've heard your response to Commissioner  
8 Alexander's question as to did you lead the search,  
9 and why you didn't personally just report it, so I  
10 have no further questions. Thank you.

11 CONTINUED BY COMMISSIONER SHAPIRO:

12 Q. Okay, Mr. ██████████ we have covered a lot, a lot  
13 of ground today. Is there anything else we might  
14 have left out, that you would like us to know, as we  
15 deliberate?

16 A. Just a couple of things, Commissioner.

17 Number 1, I want you to know, I want ██████████  
18 family to know, and my family to know, how sorry I  
19 am. Thirty years later, I am still sorry.

20 The Commissioner asked me about me, thirty  
21 years ago. I'm ashamed of who I was. I'm ashamed  
22 that I have to sit here in front of you, today. I'm  
23 sorry for that.

24 You talked about that I have a lot of support  
25 and, yes, I do have a lot of support. And you're

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 absolutely right, I have hurt a lot of people along  
2 the way. People are suffering, today, because of me.  
3 All these years later, there are people suffering.

4 Commissioner Cruse said that I played the  
5 victim and, yes, I did, but I'm not a victim. I  
6 caused this and, again, I'm sorry for that.

7 The only thing that I want to add, besides  
8 that, is you talked about opposition. The people  
9 that are still suffering are outspoken, and I wish  
10 there was something I could do to ease their pain.

11 I know there is nothing I can do, and I'm sorry  
12 for that. I'm sorry that I can't take ██████████ place,  
13 and that I can't bring her back.

14 What I can say to those people that are hurt is  
15 I'm sorry, and I want to give back in some tangible  
16 way. I can't give back to them, I don't have that  
17 opportunity. I can't give back to ██████████ family, I  
18 don't have that opportunity, but I am sorry.

19 When I read through my paperwork from years  
20 ago, I read it with a different heart today. A few  
21 months back I read through my Sentencing Minutes. I  
22 was going through my paperwork, and I found the words  
23 that ██████████ spoke, ██████████ uncle. I found myself  
24 weeping because of the pain that I caused him, ██████████  
25 cousins, her mom's sister.

██████████ ██████████ DIN # ██████████ NYSID # ██████████

1 I'd like to say, not to override that, but I  
2 wish they could know who I am today. There is  
3 nothing I could ever do to make up for what I've  
4 done, but I wish they could know that I have changed.

5 COMM. SHAPIRO: Thank you very much for  
6 that seemingly, very heartfelt remark.

7 We are going to deliberate, and we will  
8 have something back to you in writing in a few days.  
9 Okay?

10 THE INMATE: Yes, ma'am.

11 COMM. SHAPIRO: Good luck to you.

12 THE INMATE: Thank you, ma'am.

13 (Interview concluded.)

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██████████ ██████████ DIN ██████████ NYSID # ██████████

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(After due deliberation by the Parole Board Panel,  
the following Decision was rendered:)

DECISION

██████████ ██████████ parole denied. Hold 18 months.  
Next appearance, 3/19.

Parole is denied at this time. You continue to  
serve an eighteen-to-life sentence as a result of Murder  
in the Second Degree.

The Instant Offense involved strangling your wife  
to death following a dispute. You then wrapped her body  
in garbage bags and dumped her into a field.

Instead of notifying anyone of your actions, you  
deceived your wife's family and the community by  
reporting her missing. This led to a community-wide  
search and media attention.

Your actions, while over thirty years ago,  
demonstrates a complete disregard and disrespect for the  
law and sanctity of human life. The devastation caused  
by your actions on Christmas Eve, in 1987, continues to  
this day.

This Panel recognizes, Mr. ██████████ all you have  
accomplished during your incarceration and are to be

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

1 commended for that.

2 During your interview you were able to outline your  
3 insights into your violent, deceptive and callous  
4 behavior regarding your wife's death. Questions asked  
5 during your interview need further reflection by you.

6 Consideration has been given to all statutory  
7 factors that govern this Panel; including your COMPAS  
8 Risk Assessment and Case Plan, numerous achievements  
9 through the years, numerous letters of support from  
10 family, friends, re-entry programs, facility staff and  
11 volunteers, parole packet and plans, as well as  
12 significant opposition to your release.

13 Discretionary release on parole shall not be  
14 granted as a reward for good conduct or efficient  
15 performance of duties while confined, but after  
16 consideration of several factors.

17 Weighing all required factors it is the opinion of  
18 this Panel, that your release would so deprecate the  
19 nature of the Instant Offense as to undermine respect  
20 for the law.

21 (Commissioner Shapiro and Commissioner Cruse concur.)

22 (Commissioner Alexander dissents as to the length of the  
23 hold.)

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CERTIFICATION

I, Lori Ciofalo, Court Reporter and Notary Public in and for the State of New York, do hereby certify that I attended the foregoing proceedings, took stenographic notes of the same, and that the foregoing, consisting of 23 pages, is a true and correct copy of same and the whole thereof.

Lori Ciofalo

Lori Ciofalo, Court Reporter

Dated: September 27, 2017