

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

Parole Interview Transcripts and Decisions

Parole Information Project

September 2021

Parole Interview Transcript/Decision - FUSL000090 (2006-10-10)

Follow this and additional works at: <https://ir.lawnet.fordham.edu/trans>

Recommended Citation

"Parole Interview Transcript/Decision - FUSL000090 (2006-10-10)" (2021). Parole Information Project
<https://ir.lawnet.fordham.edu/trans/137>

This Parole Document is brought to you for free and open access by the Parole Information Project at FLASH: The Fordham Law Archive of Scholarship and History. It has been accepted for inclusion in Parole Interview Transcripts and Decisions by an authorized administrator of FLASH: The Fordham Law Archive of Scholarship and History. For more information, please contact tmelnick@law.fordham.edu.

Washington C.F.

FUSL000090 10/08 P

STATE OF NEW YORK EXECUTIVE DEPARTMENT

DIVISION OF PAROLE

DIVISION OF PAROLE
RECEIVED

NOV 24 2006

CLINTON CORRECTIONAL FACILITY

MINUTES OF PAROLE BOARD HEARING

REAPPEARANCE

■■■■■ ■■■■ ■■■■ DIN ■■■■ NYSID ■■■■

DIVISION OF PAROLE
RECEIVED

NOV 30 2006

WASHINGTON CORRECTIONAL FACILITY

INSTITUTION:

CLINTON C.F.

DATE:

OCTOBER 10, 2006

BEFORE:

COMMISSIONER GAILOR

COMMISSIONER FERGUSON

COMMISSIONER ORTLOFF

HEARING REPORTER:

CHRISTINA DUTCHER

BY COMMISSIONER FERGUSON:

Q Good afternoon, sir. State your name, please.

A

Q I'm Commissioner Ferguson. Next to me is
Commissioner Gailor and Commissioner Ortloff.

COMMISSIONER GAILOR: Hello.

COMMISSIONER ORTLOFF: Hello.

INMATE: Hello.

BY COMMISSIONER FERGUSON:

Q Mr. this is a reappearance for you, sir. This is your fifth
appearance before the Board, correct?

A Yes, sir.

Q You have been in for 23 years at this point, is that correct?

A Yes, sir.

Q The instant offense involves you in of '83 in
stabbing your ex-girlfriend in the chest and
stomach with a hunting knife, causing her death, is that correct?

A Yes, sir.

Q Why did you do that, sir?

A I was very insecure young man. I was abusing the alcohol, I had
troubled relationships. We broke up and I kind of hit rock bottom,
and I acted out. I was trying to get back with her. She pushed me
outside the bar, I was going to cut my wrists, like -- and I just
acted out when she pushed me.

Q You hadn't been seeing her that long.

A No.

Q Only a couple of months?

A About a couple of months.

Q And you attempted suicide once before and she aided you and took you to the hospital.

A Yes. I cut my wrists open. I was very insecure.

Q Okay. Now, since your incarceration, have you had any contact with the family?

A In one year after my incarceration, the mother wrote me, sent me a Christmas card offering -- she was offering forgiveness. We corresponded until '86 and I was asked not to write anymore. In '99 I was in Mt. McGregor ASAT program. I participated in a seminar, making amends. There was a murder in my hometown, Cohoes, and the newspaper printed the article of my crime and brought up my crime from '83. My victim's mother lived upstairs from my brother and sister-in-law. She went upstairs crying, upset about the article, wanted to put it behind her and forget it. I misinterpreted that with her trying to get in touch with me. I tried to write, I wrote a letter of -- trying to make amends in June or July of '99.

Q You understand communication is no longer welcome.

A Yes.

Q You understand if you are released, you cannot contact her in any shape or form. If you do, you will be put back in prison as a violation of parole.

A Yes, sir, I understand that.

Q You don't have much of a criminal history before this, correct?

A No, sir.

Q I think it was one prior conviction for Assault.

A Yes, sir.

Q In '82?

A Yes.

Q Who did that involve?

A Girlfriend. I was a very young -- insecure, young man. I had troubled relationships when I was a young man.

Q Insecurity and troubled relationships, we were all there, that's not uncommon. What's uncommon is beating them up and killing them, so it's got to go beyond that.

A I'm not saying it -- it was in '83.

Q I'm not saying you are, but your answer that I was an insecure, young man, isn't sufficient to explain the behavior, you follow? Insecurity can result --

A I know it's wrong.

Q -- drinking and drugs and things of that nature, but actually carrying out of violence on another human being and repeatedly stabbing somebody and causing their death is a long way from being insecure. What do you feel is -- was at the root of all this insecurity and your committing violence on women?

A I got attached -- got too attached and broke up and not being able to handle the breakup, and that rejection.

- Q But what I'm getting at is there's another layer behind that.
- A I lacked the skills to communicate to express myself.
- Q But there's another layer behind that, understanding that shows some insight, which is good, but understanding why it was so important for you to not be rejected and why that rejection was so serious, that it would cause you to become violent is at the heart of the matter, do you understand what I'm saying?
- A I believe so.
- Q So do you know why you were so vulnerable to rejection that it would cause you to become violent?
- A I just acted out, sir. I saw her, I just wanted to be loved. I felt like I was unloved.
- Q Okay. Now, if you're released, you want to go to [REDACTED] house?
- A Yes.
- Q They're also going to help you with job placement, job training.
- A They have a culinary arts institute or training outpatient, like alcohol programs, things like that.
- Q We're familiar with [REDACTED]. It's a very good program, a lot of people seek to go there.
- A They have been consistent in writing letters to help me out since '98, everybody. They write letters on my behalf.
- Q We do have one here, July of this year, details of the program indicating your status regarding your request for admission. What else would you like to tell us?

A Well, my mother just passed in June.

Q I'm sorry to hear that.

A My grandmother just died last week.

Q Okay.

A My father is not doing too good. I just want to be home with him.
He's 68.

Q Your father is he's sick as well?

A He's just -- from losing my mother for the last 4 or 5 years, he took care of her in the apartment. He watched her shrivel up to 80 pounds from kidney failure and cardiac failure. He took care of her in the apartment as best as he could. He's very overweight. My time here, I got rushed to Albany Medical Center for stomach surgery. They came to visit me. I can see it in his face, he's drained and overweight. I never seen him like that in my life. I'm kind of concerned about him.

Q You're going to be able to live near him, where is he living?

A He lives in ██████████ County is five, six miles.

Q You'd be able to assist in his care?

A Yes, sir. I know what it means to be victimized. I was in Coxsackie. I guess there's a photo I asked to be placed to my summary. I was brutally assaulted. I had a fractured rib and multiple contusions, and that's why I came here. I signed into PC. It's a -- it's a large photo. I asked for it to be attached to the parole summary. I know what it feels to be victimized.

Q Well, you know what it feels like to be assaulted, you certainly don't know what it's like to be murdered, otherwise you wouldn't be here.

A Yes, sir, I know.

Q This might have given you some additional insight on what's -- what it's like to be on the receiving end of the criminal activities.

A I just want to get my life back together. I'm going to be 46 in February. If health fails at a later age, I got 20 years now to work towards retirement.

Q Okay. Well, you have a clean disciplinary, there's no negative recommendations from the DA or Judge. You have been doing some programming since you have been in, which is a good thing to see. We'll take that all into consideration.

A There's a copy in my file -- that's the Phase III I took in '98. They forgot to put it in the computer, and I have been writing to Bare Hill, trying to get them to correct it. There's a copy in my file.

Q All right.

A I just want to let you know I finished Phase III.

Q Okay.

A My dad wrote a letter. I asked for that to be placed in the file too.

Q There's a lot -- there's a list here of a lot of the programs you have completed, and a lot of the work training that you have received contained in the file. Is your father

A No.

Q Okay. I have one from your mom, which is dated a while ago. How recent is the letter from your father?

A About a week ago. I sent it to the Parole Officer to place in my file. I sent it in the large mail envelope with the envelope.

Q You have it with you?

A No. I sent the original to you.

Q Excuse me?

A I sent the original to the Parole Officer to place in my file.

COMMISSIONER FERGUSON:

Officer, do you have anything waiting to be inserted into the file?

INMATE: It was handwritten.

BY COMMISSIONER FERGUSON:

Q What did the letter state?

A Basically wrote about my mother passing away, how he wasn't doing well, he needed me home. He was going to be very supportive, whatever way he can, you know. It was a short letter, front and back page.

Q All right. Well, we'll take that into consideration.

A I think that's it.

Q All right. It will be taken into consideration, as well as what you stated today and the rest of the record as well.

COMMISSIONER FERGUSON:

Commissioners, any other questions?

COMMISSIONER GAILOR: No,

thank you.

COMMISSIONER ORTLOFF: No

other questions.

BY COMMISSIONER FERGUSON:

Q All right, sir, thank you. Have a good day.

A Good evening. Thank you.

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

DECISION

Parole is denied. Hold 24 months. Next appearance 10/2008.

After a review of the record and interview, the Panel has determined that if released at this time, there is a reasonable probability that you would not live and remain at liberty without again violating the law and your release would be incompatible with the welfare of society and would so deprecate the serious nature of the crime as to undermine respect for the law. This decision is based on the following factors: Your instant offense Murder in the 2nd Degree, in which you repeatedly stabbed your female victim with a hunting knife, causing her death. Note is made of your programming and clean disciplinary record. Your criminal history includes a prior Assault in 1982, also against an ex-girlfriend. The instant offense represents a heinous escalation of your already violent, criminal behavior. The brutal nature of your actions clearly indicates the danger you pose to society.

Parole is denied. All commissioners concur.

aam