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Parole Interview Transcript/Decision - FUSL000055 (2021-09-07)

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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]

TYPE OF INTERVIEW: Reappearance

LOCATION: Woodbourne Correctional Facility
(Video-conferenced to 20 Manchester Road,
Poughkeepsie, New York 12603)

DATE: September 7, 2021
DECISION DATE: September 7, 2021

BEFORE: COMMISSIONER COPPOLA
COMMISSIONER DEMOSTHENES
COMMISSIONER LEE

AT FACILITY: C. SMITH, SORC
A. HOSKING, ORC

VERBATIM REPORTER: Erin Chickery, Hearing Reporter

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

1 COMM. LEE: Good afternoon, sir.

2 THE INMATE: Good afternoon.

3 COMM. LEE: What is your name?

4 THE INMATE: ██████████

5 COMM. LEE: ██████████ I'm Commissioner Lee,

6 today I'm joined by Commissioner Coppola to my far left --

7 COMM. COPPOLA: Hello.

8 COMM. LEE: -- and Commissioner Demosthenes.

9 COMM. DEMOSTHENES: Hello.

10 THE INMATE: Hello.

11 INTERVIEW BY COMMISSIONER LEE:

12 Q. This is your reappearance, correct, sir?

13 A. Yes, ma'am.

14 Q. And you were convicted by plea in the Bronx for
15 Attempted Robbery in the Second serving 12 to life, correct?

16 A. Yes, ma'am.

17 Q. The instant offense involved you using an imitative
18 pistol to rob a victim and you stole money and a chain from his
19 neck, correct?

20 A. Yes.

21 Q. This is your fourth bid, correct?

22 A. Yes, ma'am.

23 Q. That's a lot of bids, sir, what's going on here?

24 A. It is a lot of bids. The time that I've done right now
25 is different for me this time for a lot of reasons. I found out

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1 a lot of resources that I didn't have before and I'm able to
2 understand a lot of things that happened to me in my childhood
3 that I wasn't able to realize before. Those things were
4 reflected in the trajectory of change that has happened in the
5 last six years, since 2015.

6 Q. What have you learned from this bid that's different
7 from your previous bid?

8 A. Well, in therapy I've learned that a lot of the things
9 that happened to me as a child had a profound effect on --

10 Q. You don't have to go into detail, I read about it in
11 your parole packet prepared by the Office of Appellate Defender,
12 this is dated 2020. I do note there's a supplement to your
13 parole packet from [REDACTED], which is
14 very positive. I want you to know that I was very impressed with
15 the accomplishment that you made during this bid,
16 congratulations.

17 A. Thank you.

18 Q. If you were to identify three things that's been most
19 helpful for you to become a law abiding citizen in the community,
20 what would those three things be from this bid?

21 A. The first thing would be to remain drug free, that
22 would be the most important part of it because I had been using
23 drugs since I was a child, not really understanding the effects
24 of it and the trajectory that it would take me into my adulthood
25 which led me down the path of negative behavior. The second

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1 thing would be to maintain employment as I would be able to take
2 care of my wife and my 13 year old son, as well as myself. The
3 third thing I believe would be for me to finish my college
4 education. As you know I'm enrolled in Bard, I'm very proud of
5 myself for that accomplishment, as far as getting into Bard
6 College. I have five more classes to earn my degree and I think
7 that that allowed me to be able to see that there's more to life
8 than just a negative aspect to my criminal behavior that I had in
9 the past. It opened up a broader picture for me to see life from
10 a different perspective and I'm gonna take advantage of that.

11 Q. I hope so because next time -- well, there's not gonna
12 be a fifth round, right?

13 A. I'm 56 years old now, I think I've learned the hard
14 lessons that it's taken me thus far to realize. The life that
15 I've lived had no benefit and I'm sincerely remorseful, not just
16 because of the crime but the victim itself. I wrote a personal
17 statement on my initial board and I wanted it to stand because
18 the remorse I felt then is the same as it is today.

19 Q. I note in your appellate defender statement by your
20 representative he said all these robberies you committed in the
21 past involved -- well, this one incident involved a fake gun, it
22 was not an actual gun, right?

23 A. Right.

24 Q. I also note that you were held 18 months from the last
25 interview, correct?

DIN # [REDACTED]

NYSID # [REDACTED]

1 A. Yes, ma'am.

2 Q. And I note that since that appearance you maintained a
3 clean disciplinary record, which is to your credit.

4 A. Yes, ma'am.

5 Q. Congratulations.

6 A. As well as my GPA is 3.5 in Bard College.

7 Q. Awesome. How do you feel about that?

8 A. I feel great about that.

9 Q. You said that you have family support out there, which
10 is good, you would go live with your wife and your child when
11 you're released?

12 A. My child is with another person but me and my wife have
13 no kids together. We lost our children at birth. We had twins
14 but we lost them at birth, but she's there for me and it would
15 just be me and her.

16 Q. You're lucky that you have the support of your wife. I
17 know you have numerous letters of reasonable assurance, which
18 program would you like to pursue? You're gonna continue classes
19 at Bard but what else would you want to pursue in terms of work?

20 A. Right now I have my ACCR certification for construction
21 and I have a job already guaranteed at [REDACTED] in
22 [REDACTED] with [REDACTED], she has a job offer inside of my parole
23 packet, I want you to acknowledge that, as well as Bard College
24 has a workshop program which pays me \$2,500 initially when I come
25 home. It's a \$500.00 stippen as well as a part-time job for

DIN # [REDACTED]

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1 [REDACTED] in construction.

2 Q. Excellent. I do note that your COMPAS indicates that
3 you're low risk for felony violence, arrest, and absconding.
4 Your prison misconduct is medium, your criminal involvement is
5 medium -- no, your prison misconduct is low, your history of
6 violence is high, that's because of your past, we can't change
7 that, your criminal involvement is medium, and you're probable
8 for re-entry to substance abuse and the rest of them is unlikely.
9 I also have your Case Plan which is appropriate, you set various
10 goals for yourself, some of them you accomplished. One of the
11 things you want to do is complete your Bard College program,
12 which I think is an excellent idea because education is something
13 that you can keep, right?

14 A. Yes.

15 Q. If you have a few dollars in your pocket it's gone but
16 your education will always be with you, so I'm glad that you
17 recognize the value of education. I also have your Sentencing
18 Minutes, your Sentencing Minutes is dated July 1st, 2010. You
19 were sentenced before the Honorable Peter Benitez in County of
20 Bronx, right?

21 A. Correct.

22 Q. I also have your PreSentence Investigation report that
23 was reviewed and considered. [REDACTED]

24 [REDACTED] I
25 do want you to note that we did receive a letter, you know we do

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1 contact various public officials about your possible release back
2 to the community, and I want you to know that we did receive a
3 letter from the Bronx County DA's Office, which is good, it's
4 positive. They do not opposed your release. I think they
5 reviewed your file and they were impressed with what you
6 accomplished during this bid. They also reached out to the
7 victim and they also indicated that if you did well here they're
8 not opposed.

9 I'm gonna ask my colleague, Commissioner Coppola, if he
10 has any questions for you?

11 COMM. COPPOLA: Sir, does the word life at the
12 end of your sentence scare you a little bit?

13 THE INMATE: Terrifies me.

14 COMM. COPPOLA: Good, it should.

15 THE INMATE: Terrifies me, I'm 56 years old.

16 COMM. COPPOLA: No more questions, thank you.

17 COMM. LEE: Commissioner Demosthenes?

18 COMM. DEMOSTHENES: No further, thank you.

19 CONTINUED BY COMMISSIONER LEE:

20 Q. [REDACTED] we covered a lot of different areas, any
21 final statement you would like to share with us before we
22 conclude this interview?

23 A. I wanted to first apologize sincerely, profoundly, to
24 the victim of my crime. I know I had no right to accost him of
25 his property under any circumstance that was not acceptable in

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1 society. I know I might not be able to, as I said in my personal
2 statement, I might not be able to pay it back for the crimes that
3 I've committed and the harm that I've caused, but I will make an
4 effort to pay it forward to someone else that is in need of my
5 help and the things that I do in here will hopefully translate
6 into a positive in society as well.

7 COMM. LEE: Thank you for that statement, sir.
8 We're gonna deliberate and give you a written decision in a
9 few days. Take care of yourself.

10 THE INMATE: Okay, thank you.

11 (Interview concluded.)

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

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DECISION

6

7 [REDACTED], open date 10/21/2021 or earlier.

8 Conditions of Release:

- 9 1. I will seek, obtain and maintain employment and/or an
10 academic/vocational program.
- 11 2. I will submit to Substance Abuse Testing, as directed by the
12 Parole Officer.
- 13 3. [REDACTED]
14 [REDACTED]
- 15 5. I will not consume alcoholic beverages.
- 16 6. I will not frequent any establishment where alcohol is sold
17 or served as its main business, without the written permission of
18 the Parole Officer.
- 19 8. I will abide by a curfew established by the Parole Officer.
- 20 9. I will support my dependent children.
- 21 10. I will participate in anti-aggression/anti-violent
22 counseling, as directed by the Parole Officer.
- 23 15. I will not associate in any way or communicate by any means
24 with (See file), without the permission of the Parole Officer.
- 25 18. [REDACTED]

[REDACTED]

DIN # [REDACTED]

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1 [REDACTED]

2 27. Other: Geographic restrictions, as per Parole Officer.

3 (All Commissioners concur.)

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CERTIFICATION

I, Erin Chickery, 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 11 pages, is a true and
correct copy of the same and whole thereof.

Erin Chickery

Erin Chickery, Court Reporter

Dated: September 7, 2021