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### Parole Interview Transcript/Decision - FUSL000100 (2019-09-03)

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1 NYS DEPARTMENT OF CORRECTIONS  
2 AND COMMUNITY SUPERVISION  
3 BOARD OF PAROLE

4 \*\*\*\*\*

5 Parole Board Interview

6 In the Matter

7 -of-

8 [REDACTED]  
9 DIN # [REDACTED]  
10 NYSID # [REDACTED]

11 \*\*\*\*\*

12 TYPE OF INTERVIEW: Reappear

13 HELD AT: Video-conferenced to NYS DOCCS  
14 314 West 40th Street  
15 New York, New York

16 DATE: September 3, 2019  
17 DECISION DATE: September 3, 2019

18 BEFORE: COMMISSIONER ALEXANDER  
19 COMMISSIONER DEMOSTHENES

20  
21 ALSO PRESENT: E. BROWN, ORC  
22 S. SWINT, APA

23  
24  
25 VERBATIM REPORTER: Christina M. Wolcott

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

2

1 BY COMMISSIONER ALEXANDER:

2 Q. Good afternoon.

3 A. Good afternoon.

4 Q. Could you state your name, please.

5 A. [REDACTED].

6 Q. [REDACTED], my name is Commissioner Alexander. I'm  
7 joined by Commissioner Demosthenes.

8 COMMISSIONER DEMOSTHENES: Good  
9 afternoon.

10 Q. We're going to see if we can fix that. Hold on one  
11 second.

12 (Discussion off the record.)

13 BY COMMISSIONER ALEXANDER:

14 Q. Okay. [REDACTED], this is a reappearance for you,  
15 correct?

16 A. Correct.

17 Q. We're going to look at the crime, we're going to look  
18 at your progress in prison and we're going to look at  
19 your packet, as well as your release plans, and we're  
20 going to apply the statutory criteria and come up with a  
21 decision, okay?

22 A. Okay.

23 Q. The interview is important and we'll discuss all  
24 these issues. Now, my records indicate that this case  
25 was decided by verdict in Ontario County, is that

[REDACTED] DIN # [REDACTED]

NYSID # [REDACTED]

3

1 correct?

2 A. Yes, ma'am.

3 Q. Okay. Were you ever given a plea offer?

4 A. Not that I remember.

5 Q. Okay. And do you remember how long the trial was?

6 A. I believe it was three days.

7 Q. Okay. And did you testify?

8 A. I did not.

9 Q. But there was testimony presented, I assume, by the  
10 police or the mother or other people?

11 A. Yes, there was.

12 Q. Okay. And how long have you been in prison now?

13 A. Since 1995; 24 years.

14 Q. Okay. And you were given a sentence of 21 years to  
15 life on the murder, 7 to 21 on the manslaughter, and  
16 you're serving those concurrently, correct?

17 A. Yes, ma'am.

18 Q. Now, the crime involved you, it says, striking a two  
19 year old with your fist and stomping and kicking him, is  
20 that correct?

21 A. That's correct.

22 Q. How did you know [REDACTED]?

23 A. He was the son of the boy friend that I had at the  
24 time.

25 Q. How long had you been with his father?

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 4

1 A. A very short time, approximately eight months.

2 Q. Eight months. And did this happen at your house?

3 A. It did.

4 Q. Okay. And did you have any children in the house at  
5 the same time?

6 A. Yes, my two daughters.

7 Q. Your two daughters; and how old were they?

8 A. They were seven and almost three at the time.

9 Q. Seven and three. And was [REDACTED] sleeping in the  
10 same room as your daughters?

11 A. With one of them and my younger daughter was with me.

12 Q. So he slept in the same room with the seven year old?

13 A. Yes, ma'am.

14 Q. And his dad, [REDACTED], was he around at the time?

15 A. No, he was working.

16 Q. He was working. Were you -- did you take care of  
17 [REDACTED] frequently?

18 A. No. He didn't come to visit us very often and I  
19 never knew when he was going to come over. There was no  
20 regularity, so I'd only seen him maybe three times prior  
21 to this.

22 Q. Only three times?

23 A. Possibly.

24 Q. Had you ever hit him prior to this time?

25 A. No, ma'am.

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

5

1 Q. So, in your recollection, [REDACTED] was never bruised  
2 or suffered any injuries prior to that night?

3 A. No, ma'am.

4 Q. Now, what time did he arrive?

5 A. I'm sorry?

6 Q. Do you know what time he arrived on January 13th?

7 A. I believe it was the early evening.

8 Q. Okay. And when did [REDACTED] go to work?

9 A. He would have had to be there, I think it was 11:00  
10 or 12:00 at night, so he was only there for a short  
11 while after.

12 Q. Okay. So he arrived early evening. How far away was  
13 work? I mean so it sounds like he would have been  
14 around for a while, right?

15 A. Yes. A few hours he would have been -- I'm pretty  
16 sure he took a nap beforehand. The company was only  
17 about 35 minutes away.

18 Q. Okay. And did [REDACTED] go to sleep that night  
19 without any problem?

20 A. He did.

21 Q. Do you know if he was sick?

22 A. His father described him as having a stomach virus  
23 when he arrived.

24 Q. Did that make you angry that he brought him over when  
25 he was sick?

[REDACTED] DIN # [REDACTED]

NYSID # [REDACTED]

6

1 A. It was upsetting to me because we had planned a trip  
2 the next day to see my grandparents and they were  
3 elderly and I didn't want to take anything to them, you  
4 know, cold wise, or -- my youngest daughter had just  
5 gotten over a cold and Pink Eye herself, so I thought we  
6 would be okay for the next day and then [REDACTED] arrived  
7 and he wasn't well.

8 Q. So were you angry?

9 A. I wouldn't call it anger at that time. It was  
10 disappointment. I didn't think -- we had to figure out  
11 whether we'd be able to make the trip the next day.

12 Q. Okay. Is there any reason in any other materials you  
13 think that it said you were angry?

14 A. I believe when the incident happened I was angry. It  
15 wasn't, you know, prior.

16 Q. So what happened? It says that you struck him with  
17 your fist, you went into the bedroom, what happened?

18 A. There was -- I don't know what time it was, something  
19 woke me up. I got up to go see what it could have been.  
20 I went to go into the bedroom and the door was blocked.

21 Q. What do you mean the door was blocked?

22 A. Well, I didn't know -- at the time we had recently  
23 moved into that apartment and there were boxes and  
24 things we hadn't put away yet, unpacked, and I believe  
25 that was what was behind the door. I don't know. I

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

7

1 pushed the door open, I was suddenly upset about it and  
2 I fell. When I fell, I landed on [REDACTED]. I didn't  
3 realize it at the time, though, it was dark and I became  
4 upset.

5 Q. Why were you upset?

6 A. At the time it was -- I believe a culmination of  
7 everything I was dealing with in my life at that moment.  
8 It just suddenly came over me. I felt like that  
9 everything was wrong at the time and I was hitting  
10 [REDACTED]. I fell and hit him and when I realized it was  
11 him, I stopped.

12 Q. So you fell and you started hitting him, not knowing  
13 you were hitting him? I'm confused.

14 A. I didn't know he was there. The boxes and things  
15 that had been in the room were moved all around. I  
16 don't know in the moment if I thought I was hitting the  
17 things in frustration or what, but it turned out to be  
18 [REDACTED] was there.

19 Q. Well, did he start crying?

20 A. No.

21 Q. He didn't cry at all?

22 A. He did not; he didn't cry at all. I realized what I  
23 was doing and stopped and I picked him up and he looked  
24 at me and I looked at him and I laid him back on the bed  
25 but he didn't cry.



[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 8

1 Q. What was your daughter doing, did she wake up?

2 A. She was on the -- there were bunk beds in the room,  
3 she was on the top, she did wake up. She asked what I  
4 was doing, I told her, "Nothing; go back to sleep," and  
5 I left the room.

6 Q. Do you know what time that was?

7 A. I don't.

8 Q. Okay. So you think it was after 11:00 o'clock  
9 because that's when [REDACTED] went to work, right?

10 A. Yes, ma'am, it had to be. It had to be. He wasn't  
11 there.

12 Q. So what time did you wake up in the morning?

13 A. I'm not sure. It would have been very early, though.  
14 The children were always up early; 7:00.

15 Q. 7:00 in the morning?

16 A. It couldn't be past 8:00 a.m. They never slept that  
17 late.

18 Q. So between the time you said you fell on [REDACTED] and  
19 punched him, did you go back in the room and check?

20 A. I did not.

21 Q. Why not?

22 A. I don't know. I couldn't believe that this happened;  
23 nothing like that had ever happened to me before, and I  
24 wanted to believe everything was okay, that it wasn't  
25 really as bad as it was.

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 9

1 Q. So when did you see [REDACTED] next?

2 A. In the morning, when all the children seem to kind of  
3 wake up at the same time, he seemed fine. He seemed the  
4 same as he was the night before and I convinced myself  
5 that he was okay.

6 Q. Did he say anything?

7 A. No, nothing out of the ordinary.

8 Q. Well, a two year old -- I'm not sure -- was he  
9 talking? Some two year olds talk, some don't.

10 A. Very little. He didn't want to have any breakfast  
11 and when he did have a drink, he vomited, but he had  
12 been ill the night before as well, so I just --

13 Q. When did [REDACTED] get back?

14 A. He would have came in the early morning hours. I  
15 don't remember exactly, but I didn't say anything to him  
16 that this had happened.

17 Q. Okay. So you never said anything to [REDACTED] that there  
18 was -- that you punched or fell on [REDACTED] the night  
19 before?

20 A. No.

21 Q. When did [REDACTED] die?

22 A. That -- that would have been Saturday morning when I  
23 last saw him. I believe it was Saturday night. They  
24 left and I wasn't there.

25 Q. When did [REDACTED] and [REDACTED] leave your house?

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 10

1 A. Early in the morning, maybe 9:00, 10:00 o'clock-ish.

2 Q. What happened to the trip to your grandparents?

3 A. Well, we didn't go. They left; [REDACTED] was taking

4 [REDACTED] back home to his mother. We had had an

5 argument. We were talking of ending our relationship,

6 and we decided that we would cancel the trip and meet

7 back at the house later in the day to talk about it.

8 Q. All right. You've presented quite a big packet of

9 material here. You've done a lot of good things in

10 there, correct?

11 A. Yes. Yes, ma'am.

12 COMMISSIONER ALEXANDER: We're going

13 to go on mute one second. I'm going to ask staff if

14 they can get rid of that noise in the background. I

15 want to make sure you have a full and fair

16 interview.

17 BY COMMISSIONER ALEXANDER:

18 Q. So we were about to talk about your parole packet,

19 right?

20 A. Yes, ma'am.

21 Q. Now, why did you put this together?

22 A. Well, I worked with a group who -- my understanding,

23 it was a preparation for this meeting, this interview,

24 and that's how they put it all together.

25 Q. Okay. So the Morningside Heights Legal Services,

[REDACTED] - DIN # [REDACTED] NYSID #07902335Z 11

1 Inc. How did you get involved with them?

2 A. I have friends here in the area who recommended them  
3 and they came here and I met them and we've been working  
4 together since January of this year.

5 Q. Okay. And I see that you have written the apology  
6 bank?

7 A. Yes, ma'am.

8 Q. Why did you do that?

9 A. Well, I never knew about it before and I've never  
10 been able to contact [REDACTED]'s parents, and so I  
11 thought that this was the absolute best way that I could  
12 to express my grief over what I've done to them.

13 Q. Okay. And so I've read parts of it. How hard was  
14 that to write?

15 A. Well, it took a few months and I changed it several  
16 times, but after I seemed to find what I wanted to say,  
17 it was easier because I didn't get to say anything that  
18 night in the courtroom, and -- so I was glad to be able  
19 to, even if they never read it, try to say something to  
20 them.

21 Q. So what do you think you should have done differently  
22 that night?

23 A. Well, I should have done absolutely everything  
24 different. And when I felt I should have called an  
25 ambulance, I should have done something immediately or

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 12

1 taken him myself to the hospital because I didn't know  
2 how bad it could have been, but I was only thinking  
3 about myself in that moment, that I didn't want anybody  
4 to know.

5 Q. What didn't you want them to know, that you had  
6 fallen?

7 A. That -- well, no, not that I -- that I had acted in  
8 anger against this child, that it had never happened  
9 before. I didn't know what had happened to me as I was  
10 thinking all these parts of my life that everything was  
11 wrong and I just wish that I had changed that because if  
12 the doctors had known, if his parents had known, maybe  
13 what had happened, where his injuries might have been,  
14 they may have been able to save him and I would  
15 absolutely had said something, regardless of the end  
16 result, and it would have been better than [REDACTED]  
17 having passed.

18 Q. What do you think is the most important thing you  
19 have been able to accomplish in prison?

20 A. I think that because I couldn't admit in the early --  
21 earliest time of this tragedy, earliest years of my  
22 incarceration and after that, I couldn't admit that I  
23 was the one that was responsible for it, that I had  
24 talked myself into believing it was anything else than  
25 that fall and my actions toward him after. So, as I

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

13

1 found different programs and different people, it helped  
2 me to figure out what was going on with me at that time  
3 and then I was able to accept this responsibility, I was  
4 able to move forward and learn how that I could never  
5 have this happen again, and that was like a turning  
6 point for me. And I just understood myself in a whole  
7 new way that, you know, to never let your feelings  
8 bottle up and to never let situations get out of control  
9 like that, the way I had at that time.

10 Q. Okay. Now, you've done a lot of education, right?

11 A. Yes, ma'am.

12 Q. What was your level of education when you came into  
13 prison?

14 A. I had a high school diploma.

15 Q. Okay. And I see that you got a Bachelor's of Art  
16 Degree in Sociology. Why did you think it was important  
17 to study sociology?

18 A. Well, that's what they offered, but that also became  
19 my passion. As I learned more about the sociology and  
20 psychology that come together, I've learned about myself  
21 and how people react to each other and it just helped me  
22 in my -- every way in my life.

23 Q. And it looks like you've done a lot of programming,  
24 done a lot of sort of -- not even the required  
25 programming, but the extra sort of programming

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

14

1 throughout your 25 years, right?

2 A. Right. Yeah.

3 Q. Is there something else, besides the education, that  
4 you believe has had the biggest impact on you?

5 A. It was -- it's absolutely the ART program and the AVP  
6 program, which both relate to how to handle anger and  
7 different kind of -- any different number of situations  
8 and the AVP -- actually, I can do those groups when I go  
9 home; they're valuable.

10 Q. Now, there are a number of letters of support from  
11 people; some are, I believe, professors of yours --

12 A. Yes.

13 Q. -- other people in prison. Why do you think it's  
14 important to gather all these letters before seeing us  
15 today?

16 A. Well, my professors were the ones who had the most  
17 impact on me personally, as far as not just my school  
18 work, but as I learned that I can do the work, they  
19 became mentors to me in many ways. I became aware that  
20 I could do this work, that I could contribute to a  
21 classroom and they were the ones that were there with me  
22 more than anyone, worked at the programming in addition  
23 to going to college, so they were my direct people that  
24 I was in contact with.

25 Q. Okay. Now, in terms of your family and your plans,

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 15

1 if you were released, where would you live and how would  
2 you support yourself?

3 A. Well, my plan is that I'd like to live in this area  
4 of New York, as opposed to where my family is mostly in  
5 Rochester. I'd like to stay here. I have a very strong  
6 support system here with the people that I've met  
7 through the college and through their various jobs, and  
8 I'm very interested in the Hope House that wrote a  
9 letter for me. What they're doing seems to be  
10 extraordinary, and I'd like to be apart of it in some  
11 way.

12 Q. What does the Hope House do?

13 A. Well, they have a -- it's a very small house and they  
14 offer it to, I think, approximately ten women and they  
15 are very involved in empowerment and building one's  
16 confidence and helping one, after they've been  
17 incarcerated, make a good transition and become a  
18 productive member of whatever community they go into.  
19 And I met the director of the program and she was so  
20 enthusiastic and impressive that I thought that's what  
21 I'd like to do one day. I thought if I could be apart  
22 of that and learn from her, it would add to the  
23 experiences that I've gotten here.

24 Q. You would live there as well?

25 A. Yes, ma'am.



[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 16

1 Q. I do have some other documents. I have your COMPAS  
2 risk assessment. We do use the COMPAS as a tool to see  
3 what your needs might be out in the community if you  
4 were released. Your scores are all low. I'm not having  
5 any needs out in the community, so that's a positive  
6 document. I also have reviewed your case plan; that  
7 goes over your goals in the community and it says that,  
8 clearly, you've been working with the Osborne, Columbia  
9 Law University for this packet, correct?

10 A. Yes, ma'am.

11 Q. You want to work to enhance your future employment,  
12 work towards, you know, appealing old parole board  
13 decisions, I guess. So we make note of these goals. I  
14 have had an opportunity also to read your sentencing  
15 minutes that happened after trial?

16 A. Yes.

17 Q. And that had to be a harsh day, right, for you?

18 A. Yes, ma'am.

19 Q. The judge said some difficult things, there were  
20 bruises on his body, they talked about blows to his  
21 abdomen, the Court listened and then said some difficult  
22 things. They said all the evidence at trial  
23 demonstrated that [REDACTED] was a happy little guy. The  
24 judge said you kneed him, punched him very hard, shook  
25 him, stomped him in the abdomen area. He was

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 17

1 defenseless, vulnerable, scared. You left the room  
2 after covering him up. You severed the small intestine.  
3 It sounds like it was perhaps a little more violent than  
4 what you told me about. I'm not sure. I wasn't there,  
5 right?

6 A. Yes, ma'am.

7 Q. It says that your daughter asked what happened to  
8 [REDACTED]; she was in the room, is that true?

9 A. Yes, she asked me what I was doing.

10 Q. It said later that morning you had sex with the  
11 child's father while this little two year old's life was  
12 in the balance. He couldn't keep his food down, he was  
13 vomiting, and they said there was one person who knew  
14 what he was suffering from and that was you, that you  
15 had complete disregard for his life and well-being. Do  
16 you think the judge got it right?

17 A. I do. I think that what he said was truthful, as far  
18 as it was to hear that, and then that's where I just  
19 can't apologize enough for everything I did was wrong.  
20 There is some things there that I know that was said in  
21 that report that I don't remember. I don't dispute  
22 them. I take responsibility, this is my fault, and I  
23 did have his life in my hands and I did not think and  
24 that's what will torment me forever. I have children of  
25 my own, I'm a mother, I knew better, and I just only

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 18

1 thought of myself in that moment and it was the worst  
2 thing I've ever done. And the --

3 Q. Go ahead. I'm sorry.

4 A. And the judge said what he had to say because it was  
5 the truth.

6 Q. Okay. I'm going to ask Commissioner Demosthenes if  
7 she has any questions.

8 COMMISSIONER DEMOSTHENES: Just a  
9 little clarification. How long had you been dating  
10 [REDACTED]'s father?

11 THE INMATE: I believe it was  
12 approximately eight months.

13 COMMISSIONER DEMOSTHENES: Eight  
14 months. So it was basically a new relationship for  
15 you, correct?

16 THE INMATE: Yes. Yes.

17 COMMISSIONER DEMOSTHENES: And he  
18 would visit or was he residing there from the onset  
19 of the relationship?

20 THE INMATE: He lived with me there.  
21 I was recently divorced and I lived in the house  
22 with my husband and [REDACTED] moved in there with me;  
23 that was for a very short time and then we got this  
24 apartment together where we were that night.

25 COMMISSIONER DEMOSTHENES: And at the

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

19

1 time you were aware that he was in another  
2 relationship, a previous relationship, and that he  
3 had a small son, correct?

4 THE INMATE: Yes, ma'am.

5 COMMISSIONER DEMOSTHENES: And you  
6 mentioned that you met the child on very few  
7 occasions, about three?

8 THE INMATE: Very few; three is  
9 approximate.

10 COMMISSIONER DEMOSTHENES: Three,  
11 approximately. When the child would come over,  
12 would the father leave the apartment or the house or  
13 wherever you resided, or would he remain in the  
14 household?

15 THE INMATE: No, he was there. I  
16 think this one time I didn't know he was coming and  
17 his father had gone to work. He had never done that  
18 before.

19 COMMISSIONER DEMOSTHENES: Okay. So,  
20 yeah. Why was the child picked up and brought to  
21 your residence, if the father was going to be out of  
22 the house?

23 THE INMATE: I don't know, and he  
24 never told me. When [REDACTED] had come to visit  
25 before, the few times, we had family things for the

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

20

1 day, we had a picnic one time, there was another  
2 time we took him to get his picture taken and that  
3 was really it. I don't know why he brought him this  
4 time and then left.

5 COMMISSIONER DEMOSTHENES: Were you  
6 okay with him visiting or was there ever a  
7 conversation regarding [REDACTED] visiting the  
8 residence?

9 THE INMATE: No, no. It was fine that  
10 he came. It was also that my relationship with him  
11 was about to end and [REDACTED] had nothing to do with  
12 that.

13 COMMISSIONER DEMOSTHENES: That's  
14 where I'm going with this, basically I'm trying to  
15 understand, trying to get a full picture. So  
16 basically the relationship was ending, so there was  
17 issues between the two of you?

18 THE INMATE: Yes, ma'am.

19 COMMISSIONER DEMOSTHENES: What was  
20 the reason, if I may ask?

21 THE INMATE: I found out that [REDACTED]  
22 was taking money from an account that I had, a job  
23 that I previously had; I had a retirement package.  
24 I don't know the terminology for that, but when I  
25 left the job, I was laid off, I was given this money

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

21

1           that I had paid into this account at the time. I  
2           discovered that [REDACTED] was taking it, and he was  
3           often not where he said he'd be or at work where he  
4           said he'd be. I believed that he was still in a  
5           relationship with [REDACTED]' mother, and I was about  
6           to end our relationship.

7                   COMMISSIONER DEMOSTHENES: So is it  
8           safe to assume that you were very angry at him for  
9           all these reasons; financial, the romantic aspect of  
10          it?

11                   THE INMATE: His father, absolutely.  
12          I just didn't know how to end it, and it was a very  
13          difficult time for me after I had been divorced and  
14          I had my two daughters, who were little, and I  
15          should have never been in that relationship with  
16          him. He came along when I was at a very low point  
17          and he told me he was staying in -- on the couches  
18          of friends and things and I said, Come, move in with  
19          me. I thought it was a solution for us both, but it  
20          wasn't because I was devastated by my divorce and I  
21          never felt that pain.

22                   COMMISSIONER DEMOSTHENES: And, then,  
23          you also had children at the residence, correct?  
24          You had children of your own, so it's kind of soon  
25          for you to bring in someone you barely know,

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 22

1 basically, and then the child was introduced and now  
2 you're having issues with him, so on that fateful  
3 day, why didn't you just tell him to take the child  
4 back to the mother? When there was so much going  
5 on, you know, going through a breakup and all that,  
6 why didn't you tell him to take his child back?

7 THE INMATE: My intention was to speak  
8 to him about it, and then when he showed up that day  
9 with [REDACTED], it was all very fast. He went in to  
10 lay down, we went about our normal evening, you  
11 know, with the children and pajamas and bedtime and  
12 everything and then he was gone, and then this is  
13 what happened in the middle of the night. It's my  
14 fault. I'm not making an excuse. It's -- I should  
15 have spoken to him sooner.

16 COMMISSIONER DEMOSTHENES: You  
17 mentioned that you never hit him prior to that  
18 fateful night?

19 THE INMATE: No.

20 COMMISSIONER DEMOSTHENES: Never?

21 THE INMATE: Never. I did not. I did  
22 not.

23 COMMISSIONER DEMOSTHENES: He's a kid,  
24 correct? He was, what, approximately -- how old was  
25 he? I'm sorry.

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

23

1 THE INMATE: A little over two.

2 COMMISSIONER DEMOSTHENES: A little  
3 over two, rambunctious little kid. Normally, they  
4 run around a lot. Did he ever misbehave or, you  
5 know, was he running around, your children running  
6 around, did you ever stop them; did you ever spank  
7 him?

8 THE INMATE: No, it was nothing  
9 unusual about his behavior. I believe what happened  
10 that night had nothing to do with him. He was  
11 there.

12 COMMISSIONER DEMOSTHENES: He was  
13 there, he became the punching bag, so to speak. You  
14 were angry, so you took out your frustrations, your  
15 pain, you had everything that's going on, your  
16 previous relationship, this relationship, and you  
17 took it out on that poor, defenseless child.

18 THE INMATE: Yes, ma'am.

19 COMMISSIONER DEMOSTHENES: And you  
20 didn't seek any medical attention for him afterwards  
21 and went about your business?

22 THE INMATE: I did it and he left and  
23 then he died later that night, and that's what I  
24 think about.

25 COMMISSIONER DEMOSTHENES: Thank you



[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

24

1 for clarifying. No further.

2 BY COMMISSIONER ALEXANDER:

3 Q. I know this has all been pretty emotional and  
4 difficult, but I'm wondering if there is anything that I  
5 missed that you want us to know before we end the  
6 interview?

7 A. Not that there's anything that was missed, but I just  
8 want you to know that -- that I am responsible for the  
9 death of [REDACTED]; I am and I accept that and I  
10 live with it forever, trying to make things better  
11 everyday by everything I try to do and that I wrote in  
12 my letter to you that regret and shame have lived with  
13 me this whole time because I'm responsible for this,  
14 because the pain I caused his mother and father to live  
15 with all this time. Because of my actions, they had to  
16 live without him, wondering all this time what they  
17 could have done, and I know that no apology is great  
18 enough, so this is what pushes me to do my best with  
19 everything I try to do and, though, I know I'm  
20 responsible for this terrible crime and I accept that.  
21 I know that today, what I want you to know is that I  
22 have become responsible enough to create good in my  
23 life, peaceful in my life and those around me; that I'll  
24 never forget [REDACTED], ever, and he stays at the  
25 forefront of all that I do just so that I can be better

[REDACTED] - DIN # [REDACTED] NYSID # [REDACTED] 25

1 because I didn't do good enough for him, and that's what

2 I'd like you to know, and thank you for talking with me.

3 Q. Thank you for coming in. We are going to look at

4 everything and we'll get back to you in a couple of

5 days, okay?

6 A. Thank you so much.

7 Q. Okay.

8 (The inmate was excused.)

9 (After due deliberation by the Parole

10 Board panel, the following decision

11 was rendered:)

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[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

26

D E C I S I O N

Parole is denied. Hold 24 months.

Next appearance 9-2021.

After carefully reviewing your record and conducting a personal interview, parole is denied.

You were convicted of Murder 2nd and Manslaughter 1st, in which you assaulted the son of your then boy friend, causing this young and vulnerable child's death. The panel considered your rehabilitation, including your completion of all recommended programs, your educational accomplishments, your IPA training and your work as an administrative clerk and clean disciplinary record. We have reviewed your case plan and your risk and needs assessment which indicates your overall low risk and needs.

Further, we have considered your extensive packet that was put together with Morningside Heights Legal Services. While this panel notes your personal growth and productive use of time after 24 years in prison, discretionary release shall not be granted merely as a reward for good conduct or efficient performance of duties while confined.

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

27

1                   This case involved your callous and  
2                   wanton conduct resulting in the toddler's death. We  
3                   carefully reviewed the sentencing minutes, which  
4                   includes the heartfelt statements of his mother and  
5                   the judge's review of your actions after presiding  
6                   at trial.

7                   The panel departs from the low COMPAS  
8                   risk scores, as the jury's verdict and judge's  
9                   comment point to the vulnerability of the young  
10                  victim who was punched and stomped resulting in  
11                  severing his small intestine. The fact that you  
12                  never disclosed your actions or sought medical  
13                  attention was cruel and heartless.

14                 The continued opposition by the  
15                 community indicates your release would not be  
16                 compatible with the welfare of society. Further,  
17                 your release would trivialize the tragic loss of a  
18                 toddler's life and the years of harm to the  
19                 community and would therefore deprecate the serious  
20                 nature this crime as to undermine respect for the  
21                 law.

22                                 (Both commissioners concur.)  
23  
24  
25

[REDACTED] - DIN # [REDACTED]

NYSID # [REDACTED]

28

## 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.

Christina M. Wolcott