

Fordham Law School

FLASH: The Fordham Law Archive of Scholarship and History

Parole Interview Transcripts and Decisions

Parole Information Project

Parole Interview Transcript/Decision - FUSL000108 (2019-05-07)

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

1 NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

2 *****

3 PAROLE BOARD INTERVIEW

4 In the Matter of

5 [REDACTED]

6 DIN NO. [REDACTED]

7 NYSID NO. [REDACTED]

8 *****

9 TYPE OF INTERVIEW: Initial Release Appearance

10 LOCATION: Albion Correctional Facility

11 Video-conferenced to
12 Buffalo Area Office
13 460 Main Street
Buffalo, New York 14202

14 DATE: Tuesday, May 7, 2019

15 DECISION DATE: Tuesday, May 7, 2019

17 BEFORE: COMMISSIONER TANA AGOSTINI
18 COMMISSIONER CARYNE DEMOSTHENES

19 ALSO PRESENT:
20 Christine White, SORC
21 Pamela Silversmith, PA
Stefanie Peruzzini, ORC
Sheri Mancuso, OAl

22 AT FACILITY: Leah Udell, ORC

24 HEARING REPORTER: Carrie A. Fisher

25

eScribers, LLC
(973) 406-2250

1 EXAMINATION BY COMMISSIONER DEMOSTHENES:

2 Q Good afternoon.

3 A Good afternoon.

4 Q Your name, please?

5 A [REDACTED].

6 Q Okay. Ms. [REDACTED], I am Commissioner Demosthenes
7 joined today by Commissioner Agostini.

8 COMMISSIONER AGOSTINI: Good afternoon.

9 THE INMATE: Good afternoon, ma'am.

10 Q Okay. This is an initial appearance, correct?

11 A Yes, ma'am.

12 Q You are presently serving a two and a third to seven for
13 manslaughter second and two and a third to seven to run
14 concurrently for vehicular manslaughter second by plea
15 in Albany County; is that correct?

16 A That is correct, ma'am.

17 Q I see here that you are non-certifiable which means you
18 haven't had time to program. And in terms of the
19 instant offense, on or about October 11th of 2016 you
20 recklessly caused the death of a victim. You consumed a
21 significant quantity of alcohol throughout the course of
22 the day and then operated a vehicle. Your BAC was .14
23 percent. It goes on to state that you were traveling
24 eastbound on the highway, overcorrected, crossed the
25 center median and struck the front driver's side door of

1 the victim's vehicle.

2 A That is correct, ma'am.

3 Q In your own words, ma'am, why don't you tell us what
4 occurred that day?

5 A I am sorry. Tell you about what happened that day?

6 Q Yes, in your own words what occurred.

7 A Well, I woke up that morning. I was in an eleven-year
8 relationship with a gentleman and for the last past
9 three years it was not going well. I knew it was not
10 going well. I unfortunately was avoiding the obvious
11 signs that it was not going well and did not remove
12 myself from the situation because we had a great
13 relationship before. Those previous nine years were
14 absolutely fantastic and I was going to bring us back
15 together closer, I was going to fix it. Unfortunately,
16 I couldn't fix it. I could not -- he chose something
17 else over me. I became number two in his life and I was
18 going to make myself number one again and I couldn't.

19 And the morning of October 11th I woke up and I
20 decided that the relationship was finally over. I could
21 not have him in my life anymore. I would not allow
22 somebody else to be in my life anymore to prohibit me
23 from obtaining my goals, fulfilling my dreams, and being
24 the person I wanted to be in life. Unfortunately, I did
25 not deal with this well. He was texting me and saying

1 that if he did not see me that he would commit suicide
2 which I did not take very well whatsoever because I did
3 not want to have any contact with him anymore. I made
4 up my mind I was done. I was going to live my life for
5 myself, not for somebody else anymore.

6 And, unfortunately, it was a traumatic event for me,
7 a very devastating event. I had overwhelming feelings
8 and emotions and I am a grown adult and I picked up the
9 (Type) responsible thing to relieve what I was feeling, this
10 overwhelming feel of emotions, fear, devastation,
11 distraught, anger. I dealt with that by drinking which
12 is a very a typical behavior of myself. It's not a
13 behavior I am proud of whatsoever and the drinking
14 allowed -- well, allowed my behavior to go ahead and
15 make decision that I would normally not make now. I got
16 behind the wheel of a vehicle.

17 I knew I needed a support system. I needed my
18 parents. I needed to go ahead and talk to my parents
19 about this decision I made that morning and the alcohol
20 that I drank that morning gave me the courage to go
21 ahead and tell my parents everything that I have been
22 hiding from them. I have been saying, oh, everything is
23 fine, everything is great, meanwhile it wasn't. I was
24 hiding this from my family and the alcohol gave me the
25 courage to go ahead and confess basically my sins to

1 them, everything that I have been lying to them about
2 that I had been withholding from them and that I haven't
3 been forthcoming with them.

4 I did get behind the wheel of a vehicle. It's a
5 very selfish act on my part. I have not driven with a
6 drink in my system since I was 24. I had a bad
7 experience, what they call a gray out. I remember
8 leaving the restaurant and I don't remember driving down
9 the highway but I remember coming home. And when I woke
10 up the next morning, I said this is absolutely
11 ridiculous. Why are you doing this and I have not
12 driven without a -- with a drink in my system since I
13 was 24 years old.

14 This traumatic event that morning, I lost it. My
15 world as I knew it was over. And like I said,
16 unfortunately, I did deal with the alcohol and I made an
17 irresponsible, selfish decision. I got on the road, put
18 thousands of people's lives in danger and ended up
19 taking the life of an 18-year-old who did not deserve to
20 die, ma'am. I am overwhelmed. I am outraged with
21 myself. I made very wrong decisions. I made traumatic
22 decisions, numerous of them with severe consequences
23 that I have to live with for the rest of my life.

24 Q So you were at home?

25 A Yes, ma'am.

1 Q Started drinking?

2 A Yes, ma'am.

3 Q Spoke to your parents regarding the relationship and you
4 did not mention what was the issue there. Was it drugs?
5 Was he using drugs?

6 A He was into drugs, yes, ma'am. He was into heroin.

7 Q So that was the issue. So drugs first, which is what
8 happens when a person has an addiction, it's the drug
9 first.

10 A I apologize, I did not mention that, yes, ma'am.

11 Q That's quite all right.

12 A It's something that I am embarrassed with that I stayed
13 with someone for that long when I knew the road was
14 going to come to an end so yes.

15 Q You mentioned that you drove under the influence once
16 before. Do you normally like drink at home in order to
17 deal with situations at home or no?

18 A Do I drink at home?

19 Q Yes, prior to these incidents.

20 A No. When I had that driving incident, I was 24 years
21 old. I just started drinking. At that time I didn't
22 exactly understand. I mean, I knew driving under the
23 influence was the wrong thing to do. I had three drinks
24 while out to dinner and then I got behind the wheel of
25 my car. I did not know it was going to affect me that

1 way and right then and there I realized I had way too
2 much to live for to be driving like this for the rest of
3 my life so whenever we --

4 Q Go ahead.

5 A I am sorry. Whenever we did go out, it was either with
6 a designated driver or I did use a cab or Uber on the
7 way home. I did have my parents pick me up too. That
8 driving incident scared the living daylights out of me
9 that I could not remember driving my vehicle home that
10 night so I have not done it since, until the day of
11 October 11th.

12 Q Driven after consuming alcohol socially I am assuming?

13 A Yes. Since I was 24 years old, yes. That's why this is
14 so overwhelming for me.

15 Q Okay. So you were distraught over the relationship
16 issues?

17 A Yes, ma'am.

18 Q Started drinking. Spoke with your parents on the phone,
19 told them the truth. Why did you feel that you needed
20 to get behind the wheel to go to their residence anyway
21 when you have already spoken with them on the phone?

22 A I did not speak to them over the phone.

23 Q How did you tell them? You said that morning you told
24 them about your issues, so how did you tell them?

25 A I drank at my house which gave me the courage to call my

1 mother and told her that I needed to talk to her. What
2 I should have done was I should have talked to her on
3 the phone. Why I didn't, I can't answer that question.
4 Like I said, I believed the alcohol gave me the courage
5 that I needed to do this face-to-face with her. So many
6 years have gone by that I have not been telling her the
7 truth and I needed to tell her the truth in person.

8 Q Okay. I guess I misunderstood what you said because it
9 sounded like you basically told them what had been going
10 on with you and then you decided to go to their
11 residence. Okay. So you had the few drinks, went to
12 your mother's so on the way you drove basically under
13 the influence?

14 A Yes, I did.

15 Q And what happened?

16 A I went to my mother's house. We discussed the
17 relationship, what I have been hiding from her for
18 several years, what I wanted to go, what I wanted to do.
19 I had the full support of both my parents. It was
20 overwhelmingly emotional for the both of us so we both
21 laid down and took a nap and they -- when we woke up,
22 she asked me to stay for dinner and I did. I said I
23 would stay for dinner. I wanted to go home and I wanted
24 to get my glasses because I wear contacts. I knew I
25 would stay at their house that night and, unfortunately,

1 I never made it back. My mother was aware, I was aware
2 that I drank alcohol earlier in the morning and we both
3 thought that I was more emotionally and mentally upset
4 than I was intoxicated.

5 Ma'am, I did not pay attention to the alcohol that I
6 was pouring into the glass. I normally don't pour my
7 own drinks. That morning I was definitely not thinking
8 straight so I probably poured a lot more rum into the
9 cup than I thought I had.

10 Q Okay. So when you left the residence though, I believe
11 you left with a cup? There was alcohol found in the
12 vehicle.

13 A Yes, the cup that I had that was in the vehicle was the
14 one that I brought in the vehicle when I left my
15 residence and went to my parents, yes.

16 Q So that was the iced tea and rum basically?

17 A Yes, ma'am.

18 Q Okay. So you drink at home, took your cup out to the
19 vehicle?

20 A Yes.

21 Q Sat down, drive, sipping in between?

22 A Yes, yes, ma'am.

23 Q Arrived, spoke with your mother regarding everything
24 that's been going on. You took a nap?

25 A Mhmm. Yes.

- 1 Q Then you got back in the vehicle to drive home?
- 2 A Yes, to drive back to my house.
- 3 Q Back to your house.
- 4 A Yes.
- 5 Q What did your mother have to say being that you walked
- 6 in inebriated? What did she have to say about you
- 7 drinking and, you know, getting behind the wheel?
- 8 A She wasn't happy with me, but as I said we both thought
- 9 that I was more emotionally and mentally not there. But
- 10 even that being said, one should not get behind the
- 11 wheel of the vehicle being emotionally and mentally
- 12 distraught but I was not emotionally -- I mean, I was
- 13 emotionally, mentally distraught but I was also still
- 14 intoxicated severely.
- 15 Q You stated --
- 16 A And I should not have made that decision.
- 17 Q You stated in April, what is that April 4th of 2017, my
- 18 mom was pissed at me because I drank and drove to her
- 19 house.
- 20 A Yes, she was not happy with me. Oh, when I went to her
- 21 house with alcohol in my system, absolutely, she was
- 22 angry with me. Absolutely she was. She was not happy
- 23 with her daughter at all.
- 24 Q You stated that you took a nap so why didn't you just
- 25 remain at your mother's?

1 A I decided that -- well, I was going to stay there the
2 night and I wore contacts at the time and I decided that
3 I wanted my glasses and I just was not thinking clearly,
4 ma'am. I was not thinking clearly at the time. I
5 really didn't want to think at that moment of everything
6 that I have gone through.

7 Q So, unfortunately, we cannot go back to correct, for you
8 to say, oh, I am going to spend the night because an
9 hour's nap is not going to do much based on how much
10 alcohol you consumed and whether you ate and all that
11 factors into whether you're still inebriated or drunk
12 for that matter.

13 A Right.

14 Q And, unfortunately, someone's child lost her life.

15 A Yes, ma'am.

16 Q Eighteen years old.

17 A Yes, ma'am.

18 Q Parents would never find out exactly what she would have
19 been, probably get married, have children or, you know,
20 become like one of my colleagues would say the president
21 of the United States. You never know how much
22 potential.

23 A You are correct. It's something I deal with every day
24 because of a selfish decision I decided to make.

25 Q You are proposing to reside with your parents?

1 A Yes.

2 Q If you are released. And you were employed at the time?

3 A I worked for the New York State Department of Health. I
4 did get a job at the Albany VA for our veterans which my
5 accident happened on Tuesday, the following Monday was
6 when I was supposed to start my job so technically I was
7 unemployed.

8 Q You were unemployed?

9 A Yeah.

10 Q And the vehicle belonged to whom? The vehicle that you
11 drove belonged to whom?

12 A It's my car.

13 Q It was your car that you paid for, it's in your name and
14 all that?

15 A It was registered in my mother's name Judy Hall.

16 Q Registered in your mother's name but you purchased the
17 vehicle?

18 A I did, myself.

19 Q And you are proposing to return to patient care in the
20 future?

21 A Yes, ma'am, something in the health care field. Yes, I
22 plan on continuing my education.

23 Q Any drugs in the past?

24 A In the past, yes. I was unfortunately addicted to pain
25 killers, prescription pain killers, hydrocodone and

1 about -- I was prescribed hydrocodone for about two and
2 a half years. I had three surgeries. I had a surgery
3 on my left foot and then a surgery on my right foot and
4 then I had a dermoid tumor removed in 2015.

5 And after the dermoid tumor was removed, I was pain
6 free. I didn't need the hydrocodones anymore but,
7 unfortunately, when I decided to get off of them because
8 the relief of the tumor subsided, my body decided that I
9 wasn't ready to get off of them. I was physically
10 addicted to them so what I decided to do was I came
11 clean to my parents. I told them both that I could not
12 do this alone.

13 I tried it for 30 days. My last surgery was in
14 June. I tried it for 30 days in July. I did have a job
15 at the time for Workers' Compensation Board in New York
16 State. I didn't want to lose my job because of this and
17 I asked my parents if I could try to do it alone for 30
18 days. Those 30 days I struggled. I got to about a day
19 and a half. By the second day my body could not take it
20 anymore. I could not handle the withdrawal effects.

21 Q Cravings?

22 A Yes, ma'am. After two and a half, three weeks, we went
23 to them, we called Conifer Park in Troy, New York.
24 Their first available opening was a month later and then
25 unfortunately they had to cancel that appointment on me

1 so I ended up waiting almost two and a half months to
2 get in initially to see someone but I did start October
3 10th, 2015 -- well, October 9th, 2015, was the last time
4 I had any opiates in my system whatsoever.

5 I succeeded -- it's something I am actually very
6 proud of and I know I shouldn't be proud of myself at
7 this moment but getting over this drug addiction for me
8 I began this in October of 2015 and by June with the
9 Suboxone that I was on, I was on that until December and
10 then I went through withdrawal. I asked to get onto the
11 Vivitrol shot and from January to June I was on the
12 Vivitrol shot and June I graduated from Conifer Park.
13 They decided that I could graduate upon -- and that I
14 have not had a problem since.

15 When I was in the hospital, Albany Med, after the
16 accident, I did receive morphine and hydrocodone during
17 the time. I did not have a problem with it when I got
18 out. I also had nasal fracture repair after my accident
19 and they did give me some hydrocodone to ease with the
20 pain and I did not have a problem with that and, again,
21 it's something that I know I have overcome.

22 Q Okay.

23 A And that's the mindset that my life has been in.

24 Q There was 2015 I believe you mentioned the treatment at
25 Conifer Park.

1 A Yes.

2 Q Were you using heroin at any time those three months in
3 between?

4 A That did come up in my PSI, yep. I did have my own
5 supply of the hydrocodones left over that I was weaning
6 myself off of. I would try to make one, either separate
7 it into halves or quarters, last for a 24-hour period.
8 I was struggling at New York State shaking, violently
9 ill. I never called in sick or anything regarding it.
10 I didn't want to do that but, yes, I did turn to heroin.
11 There was a day when I did not have a pill on me and
12 unfortunately one of my coworkers came over to me and
13 offered me it was bags of heroin and I took them.

14 Q Is that a friend? Is that considered a friend?

15 A Not really a friend, ma'am, but he knew what I was going
16 through. He could see what I was going through and he
17 offered me the two bags and at that moment I went ahead
18 and took them because I knew that I would feel better
19 and I would be able to complete the rest of my day. So
20 total was a total of four bags that I had.

21 Q Four bags, okay.

22 A Yes, the rest I used all pills.

23 Q Were you aware that some hospitals you can check
24 yourself into the emergency room? You go through
25 withdrawals. Some of them, you need to find out which

1 one, they would allow you in right away, the emergency
2 room if you were, you know, that bad off where you
3 needed that treatment.

4 A Well, I was -- I am aware of that. I was afraid because
5 I was afraid that they were going to put me in inpatient
6 rehab and that I would lose my job with the state but my
7 main goal was to get over this drug addiction because I
8 was physically addicted to it. My body wouldn't go more
9 than six hours without it in my system.

10 Q So from 2015 until the instant offense you were clean of
11 any drugs, it was alcohol, no drugs?

12 A Yes, ma'am.

13 Q Mental health has you at a level 6 but they mention PTSD
14 and anxiety.

15 A Yes.

16 Q How do you feel today?

17 A How do I feel?

18 Q Mhmm.

19 A Well, I went through a traumatic event. I am
20 responsible for the death of an 18-year-old, misery,
21 pain, and sorrow of friends, family, an entire community
22 who knew [REDACTED] and I have to live with that every
23 day. It's a struggle. Every single second that goes
24 by, not a minute goes by that she is not on my mind, her
25 family, her friends, her loved ones. I pray to God

1 every single day that He can guide them through and ease
2 their pain and suffering because of the irresponsible
3 decision that I made that day.

4 Q Are you presently receiving counseling?

5 A I receive counseling on the outside through a therapist.
6 I did receive counseling here through OMH when I was on
7 the meds. I discontinued the medication that I was on
8 and I still did see a therapist I believe on a monthly
9 basis and we decided to close my case because she
10 thought I was doing pretty well with accepting
11 responsibility, gaining knowledge and insight through
12 the programs that are offered here and working on myself
13 as an individual to grow and move on.

14 Q Okay. And how old are you today?

15 A I am 44 years old.

16 Q You were, what, 40 at the time?

17 A 41.

18 Q About 41, okay.

19 A Yes.

20 Q And this is I believe your only contact with law
21 enforcement, correct?

22 A That is correct.

23 Q And it's your first term of incarceration?

24 A Yes, ma'am.

25 Q What programs have you completed, ma'am? No, actually,

1 I mentioned you are non-certifiable or have you started
2 any programs?

3 A I had two mandatory programs here. I completed ART June
4 of last year. I am currently in my second mandatory
5 which is DWI. The completion date of that is August 9th
6 of this year, yes, ma'am.

7 Q And beyond that in terms of education, I see here that
8 you have completed -- earned an associate's degree; is
9 that correct?

10 A That is correct, yes, ma'am.

11 Q Congratulations on that.

12 A Thank you.

13 Q Alternative to Violence, no discipline. That is good.
14 That's to your credit. You are following rules --

15 A Thank you.

16 Q -- while incarcerated.

17 We have your risk assessment in the file which is a
18 tool that we use to see what your strength and
19 weaknesses or what your needs might be if you were to be
20 released. Reentry substance abuse is highly probable
21 which is to be expected in such case. Beyond that,
22 everything else is low and unlikely. Also have a case
23 plan in which you sat down with a counselor and
24 discussed several goals which you mentioned what needs
25 to be done for an LCTA and improve your self-esteem,

1 address the substance abuse issues, earn a bachelor's
2 degree in health care, reestablish family relationship.

3 Sentencing minutes are in the file. You were
4 sentenced by the Honorable Judge Thomas Breslin,
5 B-R-E-S-L-I-N.

6 A Yes.

7 Q I believe the family of the victim spoke at sentencing
8 and I would like to quote the mother of the victim who
9 addressed the Court at the time stated, "why didn't you
10 know better than to drink and drive? Why didn't your
11 mother raise you to know better? You took my only
12 child. I struggle every day not knowing how to go on
13 without [REDACTED]. I don't know how not to be a mom. Every
14 morning I wake up it comes on like wave, the nausea, the
15 anxiety, the constant ache in my heart. It truly is the
16 greatest sadness in the world." That is sad. Do you
17 recall that?

18 A I am sorry?

19 Q Do you recall her saying that?

20 A Yes, ma'am, I do.

21 Q Moving on. We thank your for the letter that you wrote
22 to the parole board. You talk about your deep remorse
23 that you will constantly live with and that you are
24 diligently working on positive internal change which
25 includes thought process, feelings, behaviors, emotional

1 and mental growth. You have numerous letters of support
 2 in your file. There is one from [REDACTED]. What is the
 3 relationship between you and [REDACTED] [REDACTED] [REDACTED],
 4 I am sorry, [REDACTED]?

5 A Mr. [REDACTED] [REDACTED]

6 Q [REDACTED]

7 A Yes. My relationship with him?

8 Q Yes.

9 A He has been a friend of the family ever since I was a
 10 child. He was one of my uncle's best friends. He knew
 11 me since I was an infant.

12 Q We have letter from your parents. This one is from
 13 Robert, [REDACTED] No, not [REDACTED] Oh, she calls you.
 14 [REDACTED]

15 A Yes, ma'am. My full name is [REDACTED], some people
 16 call me [REDACTED] some people call me [REDACTED] I do have a
 17 couple nicknames.

18 Q Okay. [REDACTED] mentioned [REDACTED] And of course mom, her
 19 name is [REDACTED]

20 A Yes.

21 Q Talks about everything that you have gone through, that
 22 she is very proud that you took initiative to get a
 23 summer job and talk about counseling and how you
 24 completed your associate's degree while incarcerated.
 25 She mentioned a counselor, [REDACTED], who was offered to act

1 as a mentor?

2 A Yes.

3 Q Your stepfather, [REDACTED]

4 A Yes, ma'am.

5 Q Captain [REDACTED] [REDACTED], retired from the -- oh as an
6 airline pilot. This one is from [REDACTED]

7 If I am mispronouncing the names, just correct me.

8 A [REDACTED] [REDACTED], that is my therapist who I was seeing on the
9 outside and plan to see upon being paroled.

10 Q Mention that you responded positively to feedback and
11 that you accepted responsibility for the event.

12 A Yes, ma'am.

13 Q There is one from [REDACTED] [REDACTED]. There is a lot of support
14 in here, a lot of letters. As you can see, I am
15 flipping back and forth, a lot of letters. There is one
16 from [REDACTED] who is a nurse, [REDACTED] [REDACTED]
17 [REDACTED]. There is one from [REDACTED]-L, about
18 everything you have gone through. We will definitely
19 consider all these letters of support that you received.

20 COMMISSIONER DEMOSTHENES: Commissioner, any
21 questions?

22 COMMISSIONER AGOSTINI: My only question is what
23 are your plans to help you stay sober when you do return
24 to the community?

25 THE INMATE: My plans first of all is I am very

1 lucky, very blessed my father [REDACTED] and his
2 wife [REDACTED] combined between the both of them
3 they have over 60 years of sobriety. They both began
4 their recovery in the State of New York in Albany,
5 Clifton Park specifically. They have many outlets.
6 They have a hookup person which my father already told
7 me he spoke to, a woman by the name of Susan who is the
8 advocacy for the women's groups that Laura began going
9 to who has no problem taking me in underneath her wing
10 and showing me the ropes of AA from beginning to end.

11 COMMISSIONER AGOSTINI: Okay. So your plan is to
12 join and work the AA program?

13 THE INMATE: Join and work the AA program. I
14 also had [REDACTED] who is my therapist on the outside
15 who helps with my mental health.

16 COMMISSIONER AGOSTINI: Okay, very good. Well,
17 AA is an excellent program if you work it so I would
18 certainly encourage you to pursue that and therapy is
19 always I think a very good thing to do so I am glad to
20 hear both of those responses. Thank you. Thank you,
21 Commissioner.

22 COMMISSIONER DEMOSTHENES: Thank you,
23 Commissioner.

24 Q Okay, ma'am, in terms of official statements, we
25 normally reach out to the judge, DA, and defense

1 attorney regarding your possible release and in your
2 case we received correspondence which will be taken into
3 consideration, one of which is from your attorney. Any
4 last statement from you?

5 A. My last statement is if I had a time machine, I would go
6 back and I would not make this selfish, irresponsible
7 behavior and take the life of someone who didn't deserve
8 to go before her time. There was a letter that I wanted
9 to read in court at my sentencing to the parents of
10 [REDACTED] [REDACTED]. Listening to my lawyer, he did not want
11 me to make a statement. I slap myself every single day
12 that I did not read that letter to them, that I did not
13 show them how much remorse I had, that I do take
14 responsibility for this whole thing, the whole entire
15 thing from when I woke up to the accident. I had a
16 second chance. I drove the first time to my parents
17 house with alcohol in my system. Why did I have to
18 leave? I can't answer those questions.

19 I am very dissatisfied with myself, outraged with
20 myself and one thing that has made me happy is I have
21 had heard that [REDACTED]'s parents have -- they have set up
22 a scholarship fund for her in memory of her name. Every
23 year they celebrate her life and ask for donations from
24 their community so that another can excel in her
25 footsteps and that's the only thing that I ask is that

1 they keep on celebrating her life, that they keep on
2 commemorating her memory and that's what I plan on doing
3 too, ma'am.

4 I don't know her. I have learned a little bit about
5 her but what I can do is work on myself which I have
6 been doing as in here and upon being paroled, being an
7 advocate for drunk driving, making the exact same
8 mistake I made, signing up for impact panel groups,
9 using my word, my knowledge, my experience to hopefully
10 convince others of the tragic mistake that I had.

11 There were so many outlets out there that I could
12 have taken. I could have gone over to my parents, first
13 of all, in the beginning. I didn't have to lie to them
14 all this time. The fear hid me back but as I am
15 learning in here through ART and DWI there was so many
16 facets that I could have taken advantage of before my
17 life crumbled apart that day. I should have faced my
18 fears. I shouldn't have ran from them and that's what I
19 am learning on how to do in here for next time because
20 life is going to be full of traumatic experiences. I am
21 only 44 years old. I am going to have a lot more
22 traumatic events so I am learning triggers and different
23 factors of dealing with these traumatic efforts instead
24 of turning to alcohol next time, being true to myself,
25 being true to the person that I want to be, that I am

1 proud of.

2 Q Very good. You mentioned scholarship so there are
3 people in the community basically that reached out to
4 you and tell you that there is a scholarship for the
5 victim?

6 A My parents have told me, ma'am.

7 Q They told you, okay.

8 A Yes, it's advertised in our local paper.

9 Q Have you ever heard of an apology bank?

10 A Have I ever what?

11 Q Heard of an apology bank, the apology bank in which you
12 write a letter to the family of the victim? They can
13 see the letter if they so choose to do so.

14 A I have thought many times of doing that. I had many
15 drafts of many numerous letters that I can -- I haven't
16 really figured out exactly what to say or how to say
17 because I have hurt them so badly and taken something
18 away from them that they're never going to get back and
19 how do you apologize. I mean, you can apologize but
20 that only goes so far unfortunately and for me --

21 Q There is some tissue over there at the end.

22 A I just hope one day they will be able to forgive me for
23 the actions I made that day but definitely I will take
24 your advice on working on that letter a little more
25 finally.

1 Q Think about it and understand the fact that I am sure
2 the parents were looking forward to weddings,
3 grandchildren, and things of that effect and then all of
4 that is gone in a blink of an eye, okay?

5 Thank you for the interview as well as the
6 statement. We will notify you in writing of our
7 decision. Good luck to you.

8 A Thank you, ma'am. Have a great day.

9 Q Likewise.

10 INTERVIEW CONCLUDED

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

3 DECISION

4
5 Denied. Hold 24 months. Next appearance 5-2021.

6 After review of the record and interview, the panel
7 has determined that if released at this time your release
8 would be incompatible with the welfare of society and would so
9 deprecate the serious nature of the crime as to undermine
10 respect for the law. Parole is denied.

11 Your serious instant offense involved your actions
12 of drinking and driving recklessly causing the death of the
13 victim. You had a BAC of .14 percent. You failed to
14 acknowledge the dangers of drinking and driving which puts
15 society at risk. During the interview, you expressed remorse
16 for your actions. You further stated that on the day of the
17 instant offense you were very emotional over the demise of
18 your relationship. You proceeded to make a selfish decision
19 which is to drink and drive. Your criminal record reflects no
20 prior unlawful conduct. The instant offense represents your
21 only New York State term of incarceration.

22 As to your institutional record, the panel notes
23 your efforts towards rehabilitation which includes your
24 participation and completion of those required programs. The
25 panel commends you on your educational accomplishments. We

1 have reviewed and considered your case plan and the result of
2 your risk and needs assessment and the mixed scores indicated
3 therein with reentry substance abuse being high and low for
4 all other categories. Your disciplinary record reflects
5 positive adjustment to DOCCS rules and regulations.

6 The panel notes your personal growth and efficient
7 performance while incarcerated. However, the instant offense
8 shows a total disregard for human life. You were engaged in
9 conduct which was the death of the victim, a young woman who
10 was loved by her family. The mother of the victim expressed
11 her pain during sentencing. She stated that, "You took her
12 only child and that it is the greatest sadness in the world."
13 Note is made of your numerous letters of support. There is
14 opposition to your release.

15 Therefore, based on all required factors,
16 discretionary release is not warranted.

17 (All Commissioners concur.)
18
19
20
21
22
23
24
25



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION

I, Carrie A. Fisher, 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, that the foregoing, consisting of 28 pages, is a true and correct copy of same and the whole thereof.

Dated: Tuesday, May 21, 2019

Carrie Fisher

Carrie A. Fisher, Court Reporter

Name: [REDACTED] Facility: ALBION-FEMALE
DIN: [REDACTED] Interview Date: 05/07/2019
Nysid: [REDACTED] Interview Type: INITIAL

Earned Eligibility Certificate : ISSUED
Supervision Fee: ELIGIBLE
Certificate of Relief from Disability: ELIGIBLE

Parole Decision:
DENIED - HOLD FOR 24 MONTHS, NEXT APPEARANCE DATE: 05/2021

Conditions of Release/Staff Instructions/Reasons for Denial:

AFTER A REVIEW OF THE RECORD AND INTERVIEW, THE PANEL HAS DETERMINED THAT IF RELEASED AT THIS TIME, 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. PAROLE DENIED. YOUR SERIOUS INSTANT OFFENSE INVOLVED YOUR ACTIONS OF DRINKING AND DRIVING RECKLESSLY, CAUSING THE DEATH OF THE VICTIM. YOU HAD A BAC OF .14%. YOU FAILED TO ACKNOWLEDGE THE DANGERS OF DRINKING AND DRIVING WHICH PUTS SOCIETY AT RISK. DURING THE INTERVIEW YOU EXPRESSED REMORSE FOR YOUR ACTIONS. YOU FURTHER STATED THAT ON THE DAY OF THE INSTANT OFFENSE, YOU WERE VERY EMOTIONAL OVER THE DEMISE OF YOUR RELATIONSHIP. YOU PROCEEDED TO MAKE A SELFISH DECISION, WHICH IS TO DRINK AND DRIVE. YOUR CRIMINAL RECORD REFLECTS NO PRIOR UNLAWFUL CONDUCT. THE INSTANT OFFENSE REPRESENTS YOUR ONLY NYS TERM OF INCARCERATION. AS TO YOUR INSTITUTIONAL RECORD, THE PANEL NOTES YOUR EFFORTS TOWARD REHABILITATION WHICH INCLUDES YOUR PARTICIPATION AND COMPLETION OF MOST REQUIRED PROGRAMS. THE PANEL COMMEND YOU ON YOUR EDUCATIONAL ACCOMPLISHMENTS. WE HAVE REVIEWED AND CONSIDERED YOUR CASE PLAN AND THE RESULTS OF YOUR RISK AND NEEDS ASSESSMENT, AND THE MIXED SCORES INDICATED THERE (continued)

I N M A T E C O P Y

Name: [REDACTED] Facility: ALBION-FEMALE
DIN: [REDACTED] Interview Date: 05/07/2019
Nysid: [REDACTED] Interview Type: INITIAL

IN WITH RE-ENTRY SUBSTANCE ABUSE BEING HIGH AND LOW FOR ALL OTHER CATEGORIES.

YOUR DISCIPLINARY RECORD REFLECTS POSITIVE ADJUSTMENT TO DOCS RULES AND REGULATION. THE PANEL NOTES YOUR PERSONAL GROWTH AND EFFICIENT PERFORMANCE WHILE INCARCERATED, HOWEVER THE INSTANT OFFENSE SHOWS A TOTAL DISREGARD FOR HUMAN LIFE. YOU ENGAGED IN CONDUCT WHICH CAUSED THE DEATH OF THE VICTIM; A YOUNG WOMAN WHO WAS LOVED BY HER FAMILY. THE MOTHER OF THE VICTIM EXPRESSED HER PAIN DURING SENTENCING. SHE STATED THAT "YOU TOOK HER ONLY CHILD AND THAT IT IS THE GREATEST SADNESS IN THE WORLD". NOTE IS MADE OF YOUR NUMEROUS LETTERS OF SUPPORT. THERE IS OPPOSITION TO YOUR RELEASE. THEREFORE, BASED ON ALL REQUIRED FACTORS, DISCRETIONARY RELEASE, AT THIS TIME, IS NOT WARRANTED.

Comments:

FOLLOWING DELIBERATION, THIS DECISION IS BASED ON REVIEW OF THE CASE RECORD AS WELL AS THE INTERVIEW WITH PAROLE BOARD MEMBERS.

SORC : CHRISTINE WHITE

***** INMATE COPY *****

INMATE COPY NYS Dept. of Corrections and Community Supervision Date: 05/09/19
FORM 9026 Parole Board Release Decision Notice

Name: [REDACTED]
DIN: [REDACTED]
Nysid: [REDACTED]
Facility: ALBION-FEMALE
Interview Date: 05/07/2019
Interview Type: INITIAL

ME Date: 05/09/2024
CR Date: 01/09/2022
Prev Hold:

CONTROLLING CONVICTION(s)	FLCL	MIN SENT (YY-MM)	MAX SENT (YY-MM)
MANSLAUGHTER-2	C	02-04	07-00
VEH MANSL'TER-2	D	02-04	07-00

Sentencing Counties: ALBANY
Jail Time in Days: 0012
Prison Time in Months: 028

Ignition Interlock Condition Required: CRIME

TERM:

INMATE COPY
