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### Parole Interview Transcript/Decision - FUSL000130 (2021-02-23)

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NYS DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION  
BOARD OF PAROLE

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Parole Board Interview  
In the Matter  
-of-

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TYPE OF INTERVIEW: Reappearance  
  
LOCATION: Otisville Correctional Facility  
(Video-conferenced to 20 Manchester Road,  
Poughkeepsie, New York 12603)  
  
DATE: February 23, 2021  
DECISION DATE: February 23, 2021  
  
BEFORE: COMMISSIONER CORLEY  
COMMISSIONER SAMUELS  
  
AT FACILITY: M. BROOKS, SORC  
  
VERBATIM REPORTER: Erin Chickery, Hearing Reporter

1                   COMM. CORLEY: How are you, sir?

2                   THE INMATE: Good morning, sir.

3                   COMM. CORLEY: Good morning to you. We're  
4                   doing the best we can, we hope that this interview will be  
5                   clear because we've been having some audio difficulty but  
6                   we're hoping that we can get through it without any real major  
7                   problems, okay, sir?

8                   THE INMATE: Yes, sir. I can hear a little  
9                   echo from you.

10                  COMM. CORLEY: Right, that's what we're trying  
11                  to correct but hopefully you'll be able to hear us clearly.

12                  THE INMATE: Okay, I'll do my best.

13                  COMM. CORLEY: Would you state your name for  
14                  the record?

15                  THE INMATE: ██████████ ██████████.

16                  COMM. CORLEY: Mr. ██████████, I'm Commissioner  
17                  Corley and with me on the panel today is Commissioner Samuels.

18                  COMM. SAMUELS: Good morning, sir.

19                  THE INMATE: Good morning, Commissioner  
20                  Samuels, Commissioner Corley.

21 INTERVIEW BY COMMISSIONER CORLEY:

22                  Q. You're here for a reappearance; is that correct,  
23                  Mr. ██████████?

24                  A. Yes, sir.

25                  Q. All right, sir, how old are you today?

1 A. I'm 63.

2 Q. And how long have you been confined, sir?

3 A. Thirty-three years. Two months short of 33 years.

4 Q. Very well. Let's talk about why you're confined, your  
5 history and the progress you've made, okay, sir?

6 A. Yes.

7 Q. You are serving, Mr. ██████, due to Murder in the  
8 Second, a verdict in Erie County; is that correct?

9 A. Yes, sir.

10 Q. You entered your former girlfriend's place of  
11 employment in Buffalo, New York with a .22 caliber semi-automatic  
12 rifle, you began shouting at your girlfriend, the victim, as she  
13 was cooking at the grill. She ran towards the ladies room, you  
14 chased her and multiple shots were fired. The victim died before  
15 the ambulance arrived. Why did this occur, Mr. ██████?

16 A. The first thing I'd like to say, Commissioner, is I  
17 understand that anything that I say here may sound like an excuse  
18 but I'd like the Commissioners to please understand that I make  
19 no excuses. I'm 100 percent responsible for my actions, I'm 100  
20 percent accountable for the horrible choices that I made in my  
21 life, and in hindsight this was a culmination of a long line of  
22 my trauma history and my addictions that ultimately led me to  
23 killing ██████. I feel that my youth helped mold me into the  
24 person I became May ██████, 1988.

25 Q. Let me ask you, Mr. ██████, how long were you in a

1 relationship with Ms. [REDACTED]?

2 A. Me and [REDACTED] were together on and off, mostly on, for 13  
3 years.

4 Q. How did you meet her?

5 A. I met her while she was babysitting. I had stopped  
6 over a friend of mine's house and that friend wasn't there, she  
7 was an older woman at the time, I was 17, [REDACTED] was 15, and she  
8 was babysitting and that's how we originally met right then and  
9 there.

10 Q. What were you doing at the time? Were you in high  
11 school?

12 A. No, I was working in construction with my uncle.

13 Q. Had you completed high school?

14 A. Not at that point, no.

15 Q. What grade did you go up to?

16 A. I finished my sophomore year and then at 15 I was  
17 introduced to drugs and once I started doing drugs I -- I was  
18 always into sports and once I started doing drugs then I moved to  
19 a new neighborhood and got associated with all new friends and  
20 due to drugs I gave up my old friends, gave up the sports, and I  
21 gave up school at the same time.

22 Q. I was looking at your record, it looks like you moved  
23 around a lot, did you live in many different states?

24 A. Are you talking as an adult or as a child?

25 Q. Period. I don't know if this happened -- you wanted to

1 talk about when you were child, I don't know if it happened  
2 during that time.

3 A. Can I ask you, are you hearing me okay?

4 Q. We hear you very good.

5 A. There's no echo? One thing I'd like to say is I just  
6 had my top teeth removed so my pronunciation isn't right, if I  
7 say something you don't understand, please ask me about that.

8 Q. You're probably a little bit more clearer than we are.  
9 You sound very clear.

10 A. All right, thank you. My childhood traumas started  
11 when I was about seven years old and my parents were divorcing.  
12 We were in a brand new home, my life up until then was pretty  
13 regular. My mother was a little abusive to the point where when  
14 she walked by I would flinch. I was the oldest boy, I had two  
15 younger brothers and an older sister. When my parents decided to  
16 divorce, as a young boy it was devastating to lose your father  
17 but it wasn't debilitating. Shortly after my father left the  
18 house my mother moved in three guys and her girlfriend. One  
19 night two of the gentlemen took my mother's car and they  
20 committed a murder on the streets of Buffalo. Somebody had  
21 written down the license plate and my mother actually got  
22 arrested for that murder, so my mother was in jail for a couple  
23 months until they straightened that out. When my mother left all  
24 of us children, me, my two brothers and my sister, we all went to  
25 other family members. When my mother came out we had lost the

1 house, she ended up getting an apartment in the projects in  
2 Buffalo and my two younger brothers and my sister went to live  
3 with her. I couldn't go for whatever reason. For the next two  
4 years I was passed around from uncle, to grandmother, to aunt,  
5 back and forth, back an forth, so I started developing --

6 Q. Was that in New York?

7 A. Yes, that was in New York.

8 Q. How about the other states, when did that come about,  
9 you moving to the other states?

10 A. Well, shortly after this, about two years after my  
11 parents separated, me and my sister were given a choice to live  
12 with my father or stay with my mother, I wasn't with my mother so  
13 I chose to go with my father, my sister stayed in Buffalo.

14 Q. Where was he?

15 A. My father at that time was in Detroit. He was a  
16 boiler-banker and he actually moved from state to state and I  
17 stayed with him for about a year. He had remarried, they had a  
18 young son, me and the stepmother really didn't get along too  
19 well, I was there a year, maybe a year and a half. I was young  
20 so the time frames might be a little odd. But I end up moving  
21 back to Buffalo with my mother after about a year, year and a  
22 half. When I moved back she had remarried to a guy named Jack  
23 Kenney and --

24 Q. When did you begin to start getting in trouble, sir?

25 A. I never got in any trouble until I was 16 years old.

1 Q. What happened?

2 A. Well, to continue the story a little bit, at 13 I moved  
3 in with my Uncle [REDACTED], I was there about two years. My life had  
4 finally started to spiral up. I was good in school, I was  
5 playing sports and what happened is my aunt had a nervous  
6 breakdown and she had to go into a hospital. My uncle had four  
7 children so I actually moved in to my aunt's family's house that  
8 I didn't even really know. I was about 15 years old at this  
9 time. They were a little older, they had an older son that was  
10 19 that was living in the home, that was [REDACTED] (phonetic). I  
11 moved in with the [REDACTED]. Me and [REDACTED] had the whole upstairs to  
12 the house, that's when I was introduced to drugs.

13 Q. What kind of drugs?

14 A. At first it was marijuana and this is 1974 maybe.  
15 '73/'74, it was marijuana, then it went to acid, and I started  
16 drinking, I was introduced to a whole set of new friends and this  
17 is what they were into and it went a little -- got involved in  
18 illegal activities.

19 Q. Somewhere around that time you were placed on probation  
20 for something, do you remember what that was for?

21 A. Yeah, that was a high-speed chase with the police.

22 Q. You were driving?

23 A. Yes.

24 Q. Why were you trying to get away?

25 A. Well, I was high, it was like three, four in the



1 morning, we were smoking weed, the police pulled right up next to  
2 our car, told us to pull over, and when they walked up to the car  
3 I took off. We ended up getting into a high-speed chase. This  
4 is with all these new friends that I just met. Two of them were  
5 in the car. When I finally got arrested for that high-speed  
6 chase I told the police that I didn't know who these two guys  
7 are, I just picked them up, and they basically let them go. And  
8 after I got bailed out, about a week after that, they through  
9 some big party for me and this actually was sort of like the  
10 validation that I was looking for and I think that right there  
11 sent me on a really bad path.

12 Q. You met [REDACTED] and then you got into a relationship with  
13 her, how was that relationship?

14 A. That relationship was strained almost right from the  
15 beginning. We were both very young, I started working for my  
16 uncle, [REDACTED] had come to me talking about a situation that  
17 happened with her father, I confronted the father, [REDACTED] was in  
18 high school, she ended up coming and staying with me and she did  
19 graduate high school. That incident right there I think was the  
20 first domestic incident because I helped put a wedge between her  
21 and her family and I think that I isolated her from her family.

22 Q. So because of that you began to have issues with her?

23

24 (Video Interruption.)

25

1 CONTINUED BY COMMISSIONER CORLEY:

2 Q. Sorry about that. You said there was a wedge between  
3 her and her family, did you begin now to have problems with her?  
4 The two of you begin to have problems?

5 A. No, we didn't have any problems up to this point. Like  
6 I said, in hindsight I kinda feel that I helped isolate her from  
7 her family at that point, even though I thought I was doing the  
8 right thing. I thought I was helping to protect her but in  
9 hindsight I can see it a little different.

10 Q. How was your relationship, was it healthy, was it  
11 toxic? How was your relationship with her?

12 A. At this point we're probably 18, 16, the ages, and our  
13 relationship at this point was good. We were getting high but it  
14 was --

15 Q. You got high together is what you're saying?

16 A. Yes, our relationship really didn't get too toxic as  
17 far as drugs until about four years into the relationship and  
18 that's when we both experimented with certain drugs.

19 Q. That's drugs but how about in terms of your  
20 relationship, period? Communication, was there any physical  
21 abuse, any verbal, anything going on between the two of you?

22 A. At that early stages there wasn't.

23 Q. When did there begin to be some issues between the two  
24 of you, sir?

25 A. I think after my daughter was born.

1 Q. Did you have a daughter from [REDACTED]?

2 A. Yes, and my daughter [REDACTED] was eight years old when  
3 this happened. Just before [REDACTED] had gotten pregnant we started  
4 experimenting with certain drugs and we both were starting to do  
5 that. This is the '70s and it caused a couple problems when she  
6 got pregnant because I caught her doing it and I wanted her to  
7 quit but I wasn't quitting at all. I think through a lot of my  
8 past traumas my social and communication skills were almost  
9 non-existent. I had a problem seeing things from somebody else's  
10 perspective and I made some horrible choices along the way.  
11 Choices that I never even considered the consequences of those  
12 choices.

13 Q. Let me take you back, I'm sure that is the case but if  
14 I could just take you back and if you could just walk us through.  
15 The reason why I asked you whether your relationship was a  
16 healthy or unhealthy one is because was there something building  
17 there that led you to the point of what happened at [REDACTED]'s place  
18 of employment? Were you arguing, were you fighting, did things  
19 get physical prior to that at some point in the relationship?

20 A. Our relationship after my daughter was born really  
21 became pretty toxic. I actually left Buffalo on two or three  
22 different occasions.

23 Q. When you say "toxic" do you mean physical?

24 A. There was physical. I feel that because of my past  
25 traumas and my addictions, the choices I made under those

1 circumstances, yeah, I definitely was physical with [REDACTED] and I  
2 understand that there is absolutely no excuse for that.

3 Q. Approximately how many times would you say it got  
4 physical?

5 A. With her?

6 Q. Yes, sir.

7 A. Through the whole relationship, maybe five or six  
8 times.

9 Q. If I could ask you, sir, was there ever an Order of  
10 Protection taken out against you?

11 A. Yes.

12 Q. Taken out by [REDACTED]; is that correct?

13 A. Yes, that was New Year's Eve 1986 and that really  
14 derived -- we were at a party and she caught me kissing some  
15 other girl and she got a little pissed off about that and she  
16 went home, I followed her, she called the police, the police  
17 showed up, told me to get out of the house, and she was a little  
18 mad about that and she put an Order of Protection on me.

19 Q. What led to the incident that occurred at her place of  
20 employment? Did you see each other that day, did you argue or  
21 anything that day?

22 A. Well, [REDACTED] and I were living together, the Sunday  
23 previous we had gotten into an argument and I told her -- I threw  
24 some money at her and told her to take a cab and go to her  
25 sister's, my daughter was home with me, so she did that. [REDACTED]

1 works Monday through Friday at the restaurant, this was Sunday  
2 night. I went to go see [REDACTED] Monday after work, our regular  
3 schedule was this, I wasn't back at work yet so I would get up  
4 with my daughter, get her ready for school, take her to school,  
5 and [REDACTED] went to work, got off at 2:30 and picked [REDACTED] up at  
6 school. We sent her to a Catholic school. This whole area is  
7 not a very big area. You could walk from our house to the  
8 furthest point in about five minutes. This is all a very small  
9 area. The diner, our house, the school, it was all pretty close.  
10 That was our normal routine with taking [REDACTED] to and from school.

11 Q. What happened, sir, that day?

12 A. The day that this happened?

13 Q. Yes, sir, what happened?

14 A. The day that this happened I was on my way taking the  
15 gun that I had previously borrowed Saturday back to its owner. I  
16 was driving by the restaurant, I had seen [REDACTED], I wasn't  
17 expecting to see her 'cause it was Sunday, I was expecting to see  
18 her there Monday, I was gonna go see her. I was in the car with  
19 a friend of mine, I seen [REDACTED], I asked my friend to pull over,  
20 let me out, I wanted to go talk to [REDACTED]. When I got out of the  
21 car the emotions just totally encased me, I felt abandoned --

22 Q. If you was gonna talk to her, why did you have a gun to  
23 talk to her?

24 A. The gun is a whole another story.

25 Q. What's the story with the gun? You had the gun, you

1 said you got out the vehicle, you was just gonna talk to her, why  
2 carry the gun with you?

3 A. Would you mind if I explained this to you?

4 Q. I'm listening.

5 A. [REDACTED] came home from work Friday afternoon, she came  
6 home, had my daughter, took a shower, she said she was gonna  
7 babysit over at her sister Sue's. I said, "All right, cool."  
8 She didn't come home Friday night. Saturday morning she wasn't  
9 there, I was a little aggravated about that, I called her sister  
10 where she was babysitting, her sister said she was not there, I  
11 asked her where my daughter is, she said [REDACTED]'s here and I said  
12 I'm gonna come and get her. This is normal conversation. She  
13 just blew up, don't come over here, I'm gonna call the cops and  
14 I'm like "What's going on?" Anyways, I ended the conversation  
15 with [REDACTED], her sister. This is Saturday morning probably about  
16 11:00 in the morning.

17 Now, we have to move June 1st, our house is halfway packed  
18 up. I walked down the street and I said I'm gonna go get high  
19 now. I got money to move, I got like \$500.00 on me, I walk over  
20 to a friend of mine [REDACTED]'s house, she lives four houses down,  
21 and I asked her if she could get any coke. She made a couple of  
22 calls, she couldn't com up with anything. In the meantime her  
23 daughter [REDACTED] is our regular babysitter and she comes up to me  
24 and asks me, [REDACTED], did you and [REDACTED] break up?" And I said, "Not  
25 that I know of, why?" And she said, "Because she was kissing

1 some guy in a car Wednesday," she had seen her. So I'm like  
2 fine, whatever, man. I'm not gonna see her until Monday, I had a  
3 big argument with her sister, whatever. I know I'm not gonna see  
4 [REDACTED] until Monday. So I go over to a friend of mine's house,  
5 [REDACTED], I pick up a case of beer, we're over there having a couple  
6 beers, it's right around 12:00 now, I see a couple guys doing a  
7 job -- you don't want to hear this?

8 Q. No, I'm trying to get to -- I'm listening to what  
9 you're saying but I'm trying to get to -- it happened on Sunday  
10 you said, right?

11 A. This is Saturday that we're talking about.

12 Q. Right, but you stopped at [REDACTED]'s place of employment on  
13 Sunday, correct?

14 A. Right, but I'm talking about Saturday right now. I  
15 meet a couple guys, I'm at [REDACTED]'s partying, he brings out a gun,  
16 he's got a .22 rifle. I asked him where he got that rifle, he  
17 said some kid pulled a burglary and I'm gonna sell this. It  
18 wasn't no big deal where I lived, things like this was going on  
19 all the time. So we're drinking, I meet a couple guys and I end  
20 up getting an eight ball of cocaine. So probably four, 5:00 I'm  
21 going home. I pick up a bottle of Seagram Seven, I got my  
22 cocaine and I walk home and I decide to call [REDACTED]'s brother [REDACTED]  
23 and I told [REDACTED], "Come get your sister's shit out of my house or  
24 I'm gonna throw the shit on the street."

25 Q. Get us to Sunday, sir.

1           A.    I'm gonna get there. Now [REDACTED] -- this is what I'm  
2    saying, I think this is kind of important. [REDACTED] had actually  
3    woke me up with a .45 in my face like 10 years prior to this,  
4    [REDACTED]'s brother. Me and [REDACTED] get in a big argument Saturday. I  
5    tell him to get his sister's stuff out of my house before I throw  
6    it on the street. He threatens to blow my head off so I tell him  
7    "Come on over then." Now I'm drinking, I'm doing cocaine, I go  
8    back to [REDACTED]'s house, I grab the gun, I ask him to let me borrow  
9    the gun, he tells me, "[REDACTED]my, I gotta have this gun back Sunday  
10   morning." I said, "Fine." I walked the gun back to my house, I  
11   sat at my kitchen table with this gun in my house --

12           Q.    For what?

13           A.    Because [REDACTED] said he was gonna come over and blow my  
14   head off.

15           Q.    So you had the gun --

16           A.    So I had the gun.

17           Q.    And then Sunday?

18           A.    I have my cocaine, I'm drinking my Seagram Seven, about  
19   7:00 in the morning Sunday morning I hear some rustling outside  
20   my door, it's the paper boy. I grab my Sunday paper, I look  
21   through it, look through the sports, there's NBA basketball at  
22   this time, I take a shower and I'm like, I gotta get this gun  
23   back to [REDACTED]. It's about 10, 10:30 in the morning, I leave my  
24   house, I'm on my way taking the gun back to [REDACTED], a friend of  
25   mine [REDACTED] picks me up in the car. He says "[REDACTED]my, what the hell



1 are you doing?" I told him, I say, "I gotta take this gun back  
2 to [REDACTED]." He asked me did I mind going to South Buffalo with  
3 him to do a break job on some guy's car, we'll have a couple  
4 beers, I said, sure, fine. So I hop in the car, while we're  
5 driving over to [REDACTED]'s I see [REDACTED] in the window. This is  
6 Sunday, she has never, ever worked on a Sunday the couple months  
7 that she had her job. Her job was Monday through Friday.

8 Q. Okay, so she was working Sunday and what happened?

9 A. When I seen her I told [REDACTED], "Listen, I ain't going to  
10 South Buffalo with you, I gotta to go see [REDACTED]." When I got out  
11 of the car all the emotions of everything just came flooding over  
12 me, I felt like she was gonna leave me, I was scared, I wasn't  
13 ready to face life on my own, I was high --

14 Q. But did you exit the car with the gun to speak to her,  
15 sir?

16 A. Yes.

17 Q. Why? Why did you have a gun to talk to her? You said  
18 you wanted to talk to her.

19 A. Well, [REDACTED] left with the car, I'm taking the gun back  
20 to [REDACTED].

21 Q. Yeah but you didn't have a place -- you were walking,  
22 weren't you?

23 A. I just said [REDACTED] picked me up in a car.

24 Q. Okay, why not just leave the gun with him? You didn't  
25 need to take it with you.

1 A. Well, he was going to South Buffalo to do the job.

2 [REDACTED] lived two minutes from the restaurant.

3 Q. So you go into her place of employment and what  
4 happened, sir?

5 A. As soon as she sees me -- we didn't have no argument,  
6 as soon as she sees me she started running. I went behind the  
7 counter and I shot one shot. She went to the bathroom, I shot  
8 two more shots and I left the restaurant.

9 Q. Why do you think she ran when she saw you?

10 A. Obviously she knows now that I know that she's seeing  
11 some other guy, I come walking in there with the rifle, I don't  
12 think she thought I was there to have a conversation.

13 Q. There were other people there, right, sir?

14 A. Yes, there was.

15 Q. Other lives could have been lost. How many times did  
16 you shoot the gun?

17 A. I shot three times.

18 Q. And what happened when you shot three times?

19 A. [REDACTED] died.

20 Q. When were you arrested?

21 A. I was arrested probably eight hours after that.

22 Q. All right, sir, this is your first New York State  
23 incarceration, Mr. [REDACTED]?

24 A. Yes, sir.

25 Q. I see there was a possession of stolen property back in

1 '84, operating a motor vehicle impaired, I guess that was during  
2 the high-speed chase, is that what that was?

3 A. No, I didn't get a DWI for that.

4 Q. What was that in '85, operating a motor vehicle  
5 impaired?

6 A. Was that in Buffalo?

7 Q. I'm assuming so.

8 A. Well, I got behind the wheel of a car drinking.

9 Q. You don't remember, huh?

10 A. Not really, no.

11 Q. Were you ever in Nassau County?

12 A. Yes.

13 Q. What was you doing in Nassau County?

14 A. I was on my way to Florida, I was with my younger  
15 brother, and we got gas without paying for it. My grandmother  
16 and my father was born -- my father was from Long Island, I was  
17 actually stopping at my grandmother's at the time and we went to  
18 a gas station in Long Island and filled up the tank and took off.

19 Q. Got caught for doing that?

20 A. Yes.

21 Q. Let's talk about your discipline, Mr. ██████, how do you  
22 think your discipline has been during the course of your  
23 confinement?

24 A. I think there was a huge correlation between my  
25 discipline and me stopping doing drugs in '99. Before '99 I was

1 still doing the same things that I was doing that led me to  
2 killing [REDACTED]. I was getting high, I was fighting, so in '99 I  
3 had a situation that kind of just woke me up and I decided to  
4 straighten my life out. I believe since '99 I've had five  
5 tickets in 22 years. The last 17 years I've had three tickets,  
6 one was for talking too loud after 11, one was for not changing a  
7 garbage bag, and one was for being out of place.

8 Q. What's your thoughts about taking [REDACTED]'s life?

9 A. Sir, I hold the greatest guilt and shame for doing what  
10 I've done. Not only did I take [REDACTED]'s life but I also took my  
11 daughter's mother and father away from her at eight years old.  
12 She never grew up with her mother and father's shoulder to cry  
13 on, she was raised by the [REDACTED]s and I'm sure there wasn't any  
14 glowing reports about me to her as she was growing up.

15 Q. Is that your only child?

16 A. I have a son from another woman, this was before [REDACTED],  
17 that was like 17 years old. They moved to Texas and I was never  
18 really part of his life. The guilt and shame that I hold for  
19 what I've done -- guilt and shame is a funny thing because it can  
20 eat you up and swallow you up and I think the first 10 years of  
21 my bid that's exactly what it did. I couldn't even look at  
22 myself in the mirror.

23 Q. Why not?

24 A. Because of what I've done and what I've done to my  
25 daughter. The thing with guilt and shame is it can actually

1 swallow you up and eat you up alive.

2 Q. Let's talk about your COMPAS, Mr. [REDACTED]. You're high  
3 for criminal involvement, high for history of violence, highly  
4 probable for re-entry substance abuse, you indicated that you had  
5 a history of using drugs. As you mentioned in your discipline,  
6 you did get a drug ticket in '99 but ever since then there does  
7 not seem like you had any other issues with drug use.

8 A. No.

9 Q. What programs did you complete since you've been  
10 confined that helped you?

11 A. I did the Day Program which is a drug involvement  
12 group, I did ASAT, I did three courses of 12 Steps, I did a  
13 veteran's drug program --

14 Q. What drug program?

15 A. A veteran's drug program, and I'm in Network right now.  
16 Because of the epidemic they kind of closed the programs down but  
17 while I've been in Network they offer a lot of different programs  
18 and I've steadily stayed in the programs. I continuously program  
19 myself with the drugs and the traumas that I suffered, how my  
20 thinking used to be.

21 Q. Your Case Plan indicates, as you said, you're in  
22 Network, you want to facilitate the 12 Step program, are you  
23 doing that?

24 A. I was doing that, yes. Right now all the programs are  
25 shut down. I was doing that. The thing with my COMPAS and that

1 score with the high probability of substance abuse, I can  
2 definitely understand that number from my past. My past led me  
3 to make horrible decisions when I was high like getting in bar  
4 fights more than once, getting behind the wheel of a car more  
5 than once drunk, but I think a lot of these things had to do with  
6 the traumas that I was suffering from and my thinking. I had no  
7 one, I had no support system. Right now I have a great support  
8 system on the street if I was to get out, I have a sponsor, I  
9 don't think that that number has any relevance to my future.

10 Q. Who's the support system?

11 A. Well, I have my family that's supported me for the last  
12 33 years, I have a cousin [REDACTED] that's been in rehab over  
13 25 years and she's very well connected with AA and NA, she's  
14 associated with facilities that volunteer to help out throughout  
15 the Buffalo area and she's very interested in introducing me to  
16 these people. It's something I'd really love to do. I would  
17 love to give back.

18 Q. Where would you live if you were released?

19 A. I would like to live with my wife. I understand the  
20 nature of my crime is --

21 Q. You're married now?

22 A. Yes.

23 Q. How long have you been married?

24 A. I've been married 14 years and I've known this woman  
25 for 47 years.

1 Q. She lives in Buffalo?

2 A. Yes, sir, there's a letter in there from her.

3 Q. I'm looking at your packet now.

4 A. I understand the sensitivity with my crime and I'm sure  
5 I'll have to do a domestic violence program and my wife  
6 understands that. I've written to Bissonett House, I don't know  
7 if you've ever heard of them. They're out of Buffalo.

8 Q. Bissonett House?

9 A. Yeah, I got a letter from them in my packet. I got a  
10 letter from them that all I need is a referral and I have a  
11 brother that's disabled, he's on disability and Social Security  
12 and I think if I was to live there that might cause him some kind  
13 of problem because he has housing and stuff. So ultimately what  
14 I would like to do is go to the Bissonett House just so I'm not a  
15 burden on anybody and let me get my life together with a job and  
16 get secure, do some programs, and ultimately, if the parole  
17 officer would deem it feasible, I would go live with my wife.  
18 That's my goal.

19 Q. I'm looking at your support letters, Mr. ██████, and you  
20 do have a letter from Mr. ██████, I guess he represented  
21 you?

22 A. Yes, he did.

23 Q. You also have a letter from your younger brother  
24 ██████ ██████.

25 A. Yes, he has an accounting firm.

1 Q. He has an accounting firm?

2 A. Yeah, he has his own accounting firm in Buffalo. He  
3 says it's a small business but he's hired up to 40 CPAs so I  
4 don't really know how small that is.

5 Q. Your sister [REDACTED] writes.

6 A. Yes, that's my sister. She's living in Vegas right  
7 now.

8 Q. Your wife [REDACTED], married to you for 14 years.

9 A. Yes.

10 Q. Your cousin writes, [REDACTED], right?

11 A. Yes.

12 Q. All letters of support for you. There's a section for  
13 program certificates that you have here in your packet as well.  
14 Network program you mentioned. We will consider everything here  
15 and we will consider your personal statement that you have  
16 written, sir. Your Sentencing Minutes, you sat before the  
17 Honorable [REDACTED], we have those and we will consider  
18 them.

19 A. Yes, sir.

20 COMM. CORLEY: I'm going to ask my colleague at  
21 this time if she has any questions?

22 COMM. SAMUELS: I've listened carefully, it's  
23 been a thorough interview and therefore I have nothing  
24 further. Thank you.

25 COMM. CORLEY: Thank you, Commissioner.



1 CONTINUED BY COMMISSIONER CORLEY:

2 Q. Mr. ██████, we always reach out to the officials  
3 involved in your case, we've done that, I mentioned that we have  
4 heard from ██████, we also have a letter that we will  
5 consider from Erie County District Attorney's Office and the  
6 Supreme Court of Buffalo.

7

8 (Video Interruption.)

9

10 CONTINUED BY COMMISSIONER CORLEY:

11 Q. I'm sorry, sir, did you hear everything I said?

12 A. Last I heard you say is you were talking about the  
13 district attorney's letter.

14 Q. There you go, we have a letter from the DA as well as  
15 the judge from the Supreme court, we will consider those letters  
16 as well. The last word is yours, Mr. ██████, is there anything  
17 else you'd like to say that we have not covered? How is your  
18 health, sir? Is your health okay?

19 A. I've actually had open heart surgery, I had a  
20 micro-valve replacement --

21 Q. When was that?

22 A. In '18, end of '18, I'm having a little problem with my  
23 heart because my other valves are leaking still so it's not good.  
24 My heart is not in good shape in more ways than one.

25 Q. You're mental health level six, so you're okay with

1 mental health, you're not taking any medications or anything, are  
2 you?

3 A. Never have this whole bid, no, sir.

4 Q. Anything else you want to say to us?

5 A. There is, Commissioner. Commissioner, this is the  
6 sixth time that I've sat before this Board, this esteemed Board,  
7 and I mean that too, I respect your position, I understand your  
8 obligation to society, and I'm sure that when you're holding  
9 these interviews there's gotta be something that you can put your  
10 finger on to say this gentleman has changed in some way. I  
11 understand I'm not the best orator and I feel like to a certain  
12 degree I get penalized for that. The one thing I'd like to point  
13 out to you is that in my youth how I reacted to things was if  
14 somebody was pushing me I always pushed back. It wasn't  
15 50 percent of the time, it wasn't 70 percent of the time, I was  
16 dealing with some traumas that I understand today and with that I  
17 introduced a self-defense mechanism and this is how I protected  
18 myself, was by pushing back. What I'd like the Board to  
19 understand is that these parole hearings are very hard. We get  
20 hit after doing a certain amount of time and it's an adverse  
21 situation. Things I would like you to please notice is that I've  
22 never reacted in a negative manner. I kept on progressing in  
23 life, I kept on programming, I kept on getting better, I never  
24 get bitter. I think that is a sure sign that I'm not the person  
25 I used to be. I would just ask you to consider that.

1           And the █████ family, I hold nothing but the utmost  
2   respect and empathy for them. Not only did they have to live  
3   with what I've done, they also were burdened, not that it was  
4   burden, but I also burdened them with raising my daughter, and  
5   for that there isn't any words I could ever say how thankful I am  
6   for that. I understand there's nothing I can do, there's nothing  
7   I can say, nothing that I've written to the Apology Bank that  
8   could ever ease their minds or bring joy to their heart in any  
9   matter. There is one particular sister, Patty, that I know, hate  
10   is a big, ugly word but I know that Patty hates me. She's gonna  
11   do whatever she can to try to keep me in prison, which I do  
12   understand that and I hold absolutely no animosity towards that  
13   whatsoever. Thank God February 15th my oldest grandson, who is  
14   22 years old right now, reached out to me and we had a beautiful  
15   conversation. █████, my friend that picked me up that Sunday, he  
16   was a good friend, he wasn't an associate, he stayed in touch  
17   with me this whole bid, I had sent him a couple pictures and he  
18   ended up giving them to my daughter and my daughter still has  
19   those pictures. I'm hoping with her son contacting me that I'll  
20   be able to be close to her. I'm praying to God that that happens  
21   but I don't know if it will but I pray for that.

22                   COMM. CORLEY: Thanks for appearing, Mr. █████.

23                   THE INMATE: Okay.

24                   COMM. CORLEY: We will consider everything we  
25   have discussed, sir, everything in your record, we will

1 deliberate and we will get our decision to you in writing in a  
2 few days, all right, sir?

3 THE INMATE: All right, thank you, sir.

4 COMM. CORLEY: You take care, sir. Have a  
5 great day.

6 (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

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7 , parole denied. Hold 18 months. Next  
8 appearance 7/2022.

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10 A review of your record, interview and deliberation lead  
11 the Panel to conclude that if released at this time there is a  
12 reasonable probability that you would not live and remain at  
13 liberty without again violating the law and your release would be  
14 incompatible with the welfare of society and would so deprecate  
15 the serious nature of the crime as to undermine respect for the  
16 law.

17 Required statutory factors have been considered, together  
18 with your institutional adjustment including discipline and  
19 program participation, your risk and needs assessment, and your  
20 needs for successful re-entry into the community. In the instant  
21 offense you were convicted of Murder in the Second. You went in  
22 your former girlfriend's place of employment with a  
23 semi-automatic rifle and shot her multiple times causing her  
24 death.

25 During the interview you talked a great deal about your  
upbringing and the poor decisions you made, you also talked about

1 your drug use and the toxic relationship you had with the victim.  
2 The instant offense was an escalation of your violent behavior  
3 towards the victim that unfortunately resulted in her death.  
4 There was a time when your victim took out an Order of Protection  
5 against you but your violent behavior continued, which is a  
6 concern to the Panel. Your long history of violating probation  
7 also concerns the Panel.

8 In addition your COMPAS indicates that you're high for  
9 criminal involvement, high for history of violence, and highly  
10 probable for re-entry substance abuse, all further concerns. The  
11 Panel notes the multiple programs you have taken over the course  
12 of your confinement. Also noted is your parole packet which  
13 contains letters of support. However, there is significant  
14 official and community opposition to your release.

15 Therefore, discretionary release is not warranted at this  
16 time. Parole is denied. Continue programming and remain ticket  
17 free.

18 (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 30 pages, is a true and  
correct copy of the same and whole thereof.

Erin Chickery  
Erin Chickery, Court Reporter  
Dated: February 23, 2021