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NYS DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION
BOARD OF PAROLE

Parole Board Interview
In the Matter
-of-

[REDACTED]

TYPE OF INTERVIEW: De novo

HELD AT: Fishkill Correctional Facility
Video-conferenced to
20 Manchester Road
Poughkeesie, New York

DATE: June 15, 2021
DECISION DATE: June 15, 2021

BEFORE: COMMISSIONER C. MITCHELL
COMMISSIONER E. SEGARRA

AT FACILITY: SORC J. Baumann
PA H. Scott

VERBATIM REPORTER: Lori Ciofalo

[REDACTED]

1 COMM. SEGARRA: Good afternoon.

2 THE INMATE: Good afternoon, Commissioner.

3 How are you?

4 COMM. SEGARRA: I'm doing well. Thank you
5 for asking. Can you please state your name?

6 THE INMATE [REDACTED]

7 COMM. SEGARRA: Mr [REDACTED] am
8 Commissioner Segarra, and I am joined today with
9 Commissioner Mitchell.

10 COMM. MITCHELL: Good morning, sir.

11 THE INMATE: Good morning.

12 INTERVIEW BY COMMISSIONER SEGARRA:

13 Q. We are here for your de novo release interview;
14 is that correct?

15 A. Yes, ma'am.

16 Q. Basically, your last hold of 24 months, which
17 occurred in September of 2020, is a do over.

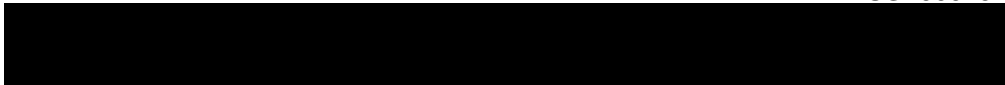
18 A. Yes, ma'am.

19 Q. Basically, we're going to talk about the crime,
20 itself, and your institutional adjustment, but I want
21 to know what's been going on even more so since
22 September of 2018. Okay?

23 A. Yes, ma'am.

24 Q. How long have you been incarcerated now?

25 A. January will make twenty-five years.



1 Q. So it's fair to say, twenty-four-and-a-half.

2 A. Yes, ma'am. I'm sorry, yes,
3 twenty-four-and-a-half.

4 Q. It's a long time. Your conviction was you pled
5 guilty to Murder, Second, a Class A1 felony,
6 sentenced twenty to life out of Westchester County;
7 is that correct?

8 A. Yes, Commissioner Segarra.

9 Q. I'm going to read a brief description of the
10 offense, but I want you to tell me your role, what
11 you did, what went on that day. I'd like to hear
12 what was going on in your life at that time. This is
13 a pretty serious crime and it's horrific.

14 A. Absolutely, absolutely, it's very horrific.

15 Q. It states here that on the evening of January
16 6th, 1997, you and co-defendant -- now, is it one
17 co-defendant, two co-defendants? How many?

18 A. So, on the evening in question, on the
19 afternoon in question, January 6th --

20 Q. Is this in question or is this when it
21 happened?

22 A. January 6th is when the murder happened.

23 Q. Okay, so it's not in question.

24 A. No, ma'am.

25 Q. So, was it one co-defendant or two

[REDACTED]

1 co-defendants?

2 A. One co-defendant [REDACTED]

3 Q. [REDACTED]?

4 A. Yes.

5 Q. He was your friend?

6 A. Yes, he was my friend.

7 Q. There's another person mentioned here.

8 A. Yes [REDACTED]

9 Q. Who is he?

10 A. So we attempted the burglary previously, maybe
11 two weeks before, and Mr. [REDACTED] was a part of that
12 attempted burglary.

13 Q. So the premeditated crime included Mr [REDACTED]
14 and then the actual crime was just you and [REDACTED]?

15 A. Yes, ma'am.

16 Q. It says that you drove to the home of your
17 victim, who was your victim?

18 A. On January 6th, it was one victim, Mrs.
19 [REDACTED].

20 Q. So you keep saying on January 6th, you keep
21 coming back to that date. This is the only date I
22 have right here in front of me. Is there other dates
23 or times you want to tell me about?

24 A. No, ma'am. The reason why I'm saying January
25 6th, is because [REDACTED] was a part of the

[REDACTED]

1 attempted, so I just wanted to be clear it was
2 January 6th. I won't mention the date anymore. I
3 just wanted to be completely transparent. There's
4 nothing else I need to say about the date.

5 Q. You just got me curious. What did you guys
6 plan two weeks before?

7 A. It was the same thing. We planned a burglary,
8 and it was for money and jewelry in a safe, but it
9 never happened.

10 Q. What happened to Mr [REDACTED] that he wasn't
11 there on the 6th?

12 A. So, there was never a plan to go back.

13 Q. This is the confusion here, you're saying to go
14 back. Did you guys actually attempt it the first
15 time?

16 A. Yes.

17 Q. So you planned it together, three people
18 planned it and attempted it?

19 A. Yes.

20 Q. Okay. Now, we're up to the current date.

21 A. Yes.

22 Q. So it says here that you went to the home of
23 the victim, with the intent to burglarize it. The
24 victim was at home with her seventeen-month-old baby.
25 The burglary went wrong and what happened? There was

[REDACTED]

1 a gun involved, a knife involved.

2 A. Yes.

3 Q. Now, you have been previously interviewed by
4 the Board and we've gotten different stories. I
5 don't know which story we're getting today, but I
6 hope it's the truth.

7 A. You will get the absolute truth.

8 Q. That's good, because I'm a polygraph examiner,
9 so I'm always after the truth.

10 A. I promise, yes.

11 Q. Okay, so let me hear you.

12 A. So I received a beep from [REDACTED], and
13 he told me to come with him back to the house. I met
14 him, he came, we went to the block. The block is
15 [REDACTED], which is where we grew up.

16 I get into the vehicle, he drives to my home, I
17 grabbed my gun. We get back into the vehicle and we
18 drive off. We go to Home Depot, he steps out, he
19 gets a rug cutter, he gets back in the car.

20 We drive to the home. We park about the next
21 street over. We walk to the home. He knows Mrs.
22 [REDACTED], because he previously worked for Mr. [REDACTED].
23 He goes to the door, he knocks on the door. I'm at
24 the bottom of the steps, I'm looking out.

25 I couldn't really determine exactly what was

[REDACTED]

1 said, but I know I heard him say that he needed to
2 speak to her. He gets into the house, and I follow
3 him into the house. I close the door, and I stand at
4 the door, and I'm still looking out. He disappears
5 from my view.

6 I hear yelling. I hear scrambling. I hear
7 commotion. I hear a shot and then he runs back out.
8 I open the door, I run out of the house, and he comes
9 behind me. We go into the car and we go to [REDACTED]'s
10 house, a friend of ours.

11 When we got into the car he said, "She made me
12 do it, I killed her." Cowardly of me, I chose to
13 ignore it. I chose to act as if it didn't happen, so
14 I never questioned further. I never asked him why.

15 I feel completely responsible for this
16 incident, for this tragedy. I feel like if I
17 would've said no, that I wasn't going with him, that
18 this wouldn't have happened. I take full
19 responsibility for Mrs. [REDACTED].

20 Q. So, let's back up a little bit here. Something
21 happened. Where was it that he told you, "She made
22 me do it, I killed her"? Where was it that he told
23 you that?

24 A. When we were in the vehicle.

25 Q. And where were you heading, to [REDACTED]'s house?

[REDACTED]

1 A. Yes.

2 Q. What was the dialogue that you guys had after
3 that? Because you changed the story at some point.
4 It had to be based on that dialog.

5 A. I was always saying that I was never in the
6 home. From the very beginning, from the moment of my
7 arrest, I said I wasn't in the home, I said I
8 remained in the car, and it was selfish of me.

9 In 2018, I came forward and I actually admitted
10 to being in the home. I thought that I was
11 protecting my family's honor. I minimized and I
12 thought I wasn't as culpable or guilty for the crime,
13 as I actually was. I did a disservice to everyone.

14 Q. Mr [REDACTED] hold on. I have some more
15 questions, before you do your declaration here. He
16 says I had to kill her and you didn't ask how? Did
17 you have the gun on you?

18 A. No, ma'am, he had the gun.

19 Q. How did he get the gun?

20 A. I gave it to him, when we went into the
21 vehicle. I never had the gun. It was my gun, but I
22 gave him the gun.

23 Q. You gave him the gun, you went inside the
24 vehicle, he goes to Home Depot, he picks up a rug
25 cutter. What was the point of the rug cutter?



1 A. He never told me.

2 Q. You don't strike me as someone who doesn't ask
3 questions. How much money were you going to get out
4 of this deal?

5 A. He told me that there was upwards of fifteen,
6 twenty, thirty thousand dollars.

7 Q. How much were you going to get out of the deal?
8 You're still not telling me.

9 A. That wasn't a part of the conversation. I was
10 going to get half of whatever.

11 Q. So weren't you disappointed when he walks out
12 of there with no money for you, no jewelry, and he
13 commits a murder? I mean you're a co-defendant here
14 and you're actually just as guilty as him, right?

15 A. I was in shock.

16 Q. Shock is the word you're using for me today?

17 A. I was appalled. I was scared more than
18 anything else. I was very, very scared.

19 Q. At what point did you guys decide to call 911?
20 How was he so sure she was dead? What did he do in
21 that room?

22 A. He didn't tell me the details. I heard the
23 gunshot. I heard the yelling. I heard the
24 commotion. I heard the scream. I remained at the
25 door.

[REDACTED]

1 Q. So what was your whole role in this thing?

2 What was the plan?

3 A. Lookout, driver.

4 Q. A gun supplier, you forgot that one.

5 A. I'm sorry. I'm sorry. Yes, it was my weapon.

6 Q. What happened afterwards? Who did what with
7 the gun? Was she cut up, too?

8 A. Yes.

9 Q. Tell me how.

10 A. I don't know, Ms. Segarra.

11 Q. Was her face cut up? Was her body cut up? Was
12 her throat cut up? You don't know?

13 A. No.

14 Q. You didn't read it anywhere?

15 A. Oh, yes.

16 Q. Oh, okay.

17 A. Oh, man. Oh, my God.

18 Q. Mr [REDACTED] think you're giving me bits
19 and pieces again. We can move on if you want.

20 A. No, ma'am, please, please, no, don't move on.
21 Please.

22 Q. Well, then, let's go.

23 A. I read that she was stabbed multiple times.

24 Yes, ma'am. As far as exactly where she was stabbed,

25 I do not know. I also know that she was shot in the

[REDACTED]

1 eye, one gunshot. I'm not hiding anything from you,
2 I swear to God.

3 Q. So did he take anything from the house?

4 A. No.

5 Q. So was his real intent to commit a burglary?

6 A. That was our intent, to commit a burglary.
7 That's what this whole plan was about, to commit a
8 burglary.

9 Q. So from that day, up until the day you got
10 arrested was how long?

11 A. Two weeks, give or take.

12 Q. In two-weeks' time, tell me what was going
13 through your mind in that two-weeks' time.

14 A. I was scared. I was running.

15 Q. I didn't say what was your emotion. I said,
16 what was going on?

17 A. I knew that I was going to have to face this.
18 I knew that what I did was wrong. I knew that I was
19 going away for a long time. I knew that my mother,
20 my grandfather, was going to be disappointed. I
21 thought of Mr. [REDACTED].

22 Q. Tell me about the conversations you had with
23 your co-defendant, in those two weeks.

24 A. It was blasé, we rarely even spoke. I was
25 avoiding him, intentionally. I was busy running.

[REDACTED]

1 There were homicide detectives looking for me, and
2 they threatened people in the neighborhood that if
3 they didn't get me. I was just running. I didn't
4 want to even speak to him. I didn't want to
5 associate with him. I thought that by staying away
6 from him, somehow I was going to disassociate myself
7 from the crime.

8 You can't make sense of it, because it makes no
9 sense, but in my mind, at that time, I thought that
10 by staying away from him, not answering his beeps,
11 not speaking to him, in any way, that I was going to
12 be okay, somehow, but deep down inside I knew I would
13 have to face this.

14 Q. How old were you, then?

15 A. I was twenty-one.

16 Q. So, what happened with this light bulb that
17 went on in 2018?

18 A. It happened through conversations with my wife,
19 multiple conversations with my wife, multiple
20 conversations with -- it was really only my wife,
21 who I spoke to.

22 I have pastoral counseling with [REDACTED].
23 Like, I'm highly religious. I went to catholic
24 school my whole life. I'm very involved in the
25 church. I have pastoral counseling with [REDACTED],

[REDACTED]

1 and he constantly spoke about honesty, how the truth
2 will set you free, and that started to weigh on me.
3 I kept asking myself, like, do you want to be the
4 person who never comes forward and honestly accepts
5 full responsibility for your participation in this
6 crime?

7 Q. Okay. Mr [REDACTED] where was the
8 seventeen-month-old baby at the time of the crime?

9 A. In the bedroom.

10 Q. How do you know?

11 A. Because I read it.

12 Q. Was the baby crying?

13 A. No, I didn't hear the baby at all.

14 Q. There's a gunshot and the baby doesn't cry?

15 A. I didn't hear the gunshot at all.

16 Q. You didn't hear the gunshot, either?

17 A. No, I heard the gunshot. I heard the yell. I
18 didn't hear the baby.

19 Q. How old are you, today?

20 A. I'm forty-five.

21 Q. Where is your co-defendant?

22 A. Shawangunk.

23 Q. How do you know?

24 A. It's on my COMPAS.

25 Q. Do you maintain any contact with your



1 co-defendant?

2 A. No, ma'am. No, ma'am.

3 Q. Your criminal history here, Attempted Criminal
4 Sale of a Controlled Substance.

5 A. Yes.

6 Q. You got probation.

7 A. Yes.

8 Q. And you committed this offense while under
9 probation.

10 A. No, I got probation for the offense.

11 Q. For which offense?

12 A. Criminal Sale of a Controlled Substance.

13 Q. Attempted Criminal Sale of a Controlled
14 Substance, and then you got probation in 1995. So
15 you were on probation and you had a gun in your home.
16 Was that the same home that your probation officer
17 was visiting?

18 A. Yes, yes.

19 Q. That's a pretty dangerous position you put your
20 probation officer in, huh?

21 A. Very dangerous. Can I say something?

22 Q. This is an interview, of course I want to hear
23 what you have to say.

24 A. I have been asked on several interviews why I
25 did not learn from probation, why wasn't probation

[REDACTED]

1 enough. It took a long time for me to understand
2 what was going on in my life at the time. In no way
3 is this a justification, nor is it me trying to
4 rationalize anything that I did, this was my fault.
5 I carry that had I not gone, that this would never
6 have happened. I really believe that. Mrs. [REDACTED]
7 [REDACTED] should be alive.

8 What I wanted to say, however, is that I had
9 unresolved issues, which I learned throughout my time
10 incarcerated. I had a problem with self-esteem and
11 it all stems from an incident I experienced when I
12 was eleven-years old, when I was sexually assaulted,
13 and because of that I felt like I had to always prove
14 myself.

15 I always felt like I had to be a man. I always
16 felt like I had to meet every challenge head on, so I
17 created this false narrative thinking that I was in
18 control of my life, when in fact I wasn't in control
19 of my life. I was far from in control of my life.
20 If anything, the experience led me to believe falsely
21 that the control came from meeting every challenge
22 head on.

23 I started selling drugs and I liked the power
24 that it gave me. I liked having money. I liked
25 having nice shoes. The attention made me feel worth

[REDACTED]

1 something. It made me feel like a man, instead of
2 emasculated, which is what I felt.

3 Unfortunately, regretfully, unexplainably, I
4 didn't learn when I was arrested and given probation.
5 This in no way should have ever happened.

6 Q. I want to state that I hear what you're saying,
7 and I understand, and it sounds like you have gained
8 some insight into yourself. I want to note that I am
9 sorry you were a victim of sexual abuse, I am.

10 A. Thank you.

11 Q. And I'm happy to hear that you're talking about
12 it and I hope you continue to work on it, because
13 that is a pretty traumatic experience. Moving
14 forward your choices, as you've indicated, have not
15 been really good choices.

16 Tell me what went on at sentencing, with the
17 Honorable [REDACTED]. What do you recall
18 from sentencing? What happened?

19 A. So something that sticks out from sentencing,
20 from Judge [REDACTED], there's a few things. Of
21 course when he described the crime in detail, I was
22 again shown exactly what my actions did. It was
23 almost as if I was watching. The way it was point by
24 point explained, it was as if I was given a look into
25 what my actions actually caused, this is what I did,

[REDACTED]

1 this is what I'm a part of.

2 I was thinking of Mr [REDACTED] and his daughter,
3 and I was thinking of how he was going to have to
4 live without his wife, and his daughter is going to
5 grow up without her God given right to a mother.

6 Judge [REDACTED] said that he really can't find
7 himself or believes that I will ever be a good
8 candidate for parole.

9 Q. That's what he said, huh?

10 A. And I understand that. I understand why he
11 said it, and I agree with him, because at that time
12 the person who was before him, that reckless, young,
13 immature man, who was before him, should never get
14 out. He should never be released to society, because
15 his job is to make sure that society is safe and by
16 releasing me, or thinking that I would be released,
17 he would be putting society at harm.

18 Q. Mr [REDACTED]

19 A. I'm not that person anymore, Commissioner
20 Segarra. I am not that person anymore.

21 Q. Mr [REDACTED]

22 A. Yes, ma'am.

23 Q. I'm going to remind you what he said. He said,
24 "I can't believe that the Parole Board will look
25 favorable upon your application for parole, of course



1 that's their decision." Let's move on with this
2 interview. All right?

3 A. Yes, ma'am.

4 Q. During your period of incarceration, how many
5 misbehaviors have you received?

6 A. Three, four.

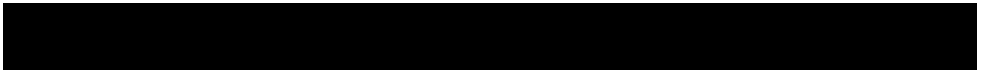
7 Q. How come you don't know? You're here pleading
8 to get out, you should know everything about you,
9 your case, your institutional adjustment, everything.
10 You got one, two, three, four misbehavior reports and
11 the last one was in 2011.

12 A. Yes, ma'am. I'm so nervous and I'm so scared.
13 I'm sorry. I'm sorry for not remembering things.

14 Q. Your misbehavior reports do include Tier IIs
15 for direct order, unauthorized exchange, smuggling,
16 out of place, moving violation. You also have a Tier
17 III for contraband. Again, as I indicated, the last
18 one was in 2011.

19 The programs you have participated in, tell me
20 the programs you have participated in.

21 A. So I've been fortunate that I participated in
22 great programs. First, I want to mention my college
23 experience. I have an Associate's Degree from Bard
24 College. I have a Bachelor's Degree, from Nyack
25 College, in Science.



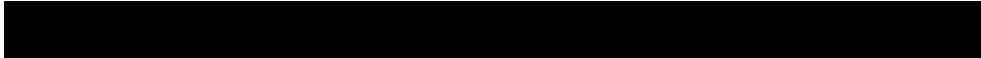
1 It was during my college experience that I
2 actually understood that there was more to life,
3 that the world was so much bigger, and that's when I
4 started to think that I had a chance to do more than
5 what I gave in life. I actually started to believe
6 in myself, through college.

7 The hospice program is also a program that
8 sticks out to me. I've been a hospice aide since
9 2015. There is no experience like the experience of
10 sitting with a dying man, understanding and
11 connecting with someone who is dying. Gaining the
12 trust of someone who is dying, the knowledge, the
13 wisdom, there's nothing like it.

14 People often ask me, how could you do such
15 work. The reason why I do it, above everything else,
16 is because I believe that no man or woman deserves to
17 die alone. Our biggest fear is dying and if you die
18 in prison it only makes it that much more scary. So
19 that is a really, really great program that I
20 participated in.

21 Q. It's good to hear that something has impacted
22 you. I have to tell you what rang in my head when
23 you said that, and I have to say it again, you guys
24 left that place and she died there.

25 A. I left her to bleed, to die. She may have



1 lived had I made a phone call. Time and time again,
2 I ask myself why didn't you do more, why didn't you
3 just leave, why were you such a coward.

4 Q. Because that was your longtime friend and your
5 loyalty was to him, right?

6 A. Yes.

7 Q. All right. I'm looking at your COMPAS Risk and
8 Needs Assessment and it indicates that you are a low
9 risk of felony violence, a low risk of arrest, and a
10 low risk to abscond.

11 A. Yes.

12 Q. It also indicates that it is low and unlikely
13 regarding your needs for re-entry need upon release
14 to the community.

15 A. Yes.

16 Q. Your Case Plan goal is to establish a
17 functioning anti-bully program at Fishkill
18 Correctional Facility. Is that an old one or is that
19 a new one?

20 A. It's one that we created. It was up and
21 running and I'm happy to say that we went through our
22 first eight-week program right before COVID, and we
23 had to stop it, but it was very interesting. I
24 appreciated the feedback from the men.

25 I understand how important it is to deal with



1 anti-bullying, especially in this setting. We can't
2 stop the bullying, but our motto is if we could at
3 least get people to understand what bullying is, then
4 they may be more aware. It's about raising awareness
5 more than anything else, which is why we started the
6 program.

7 Q. That's good. I often say that if some of these
8 programs were done in the community way before, then
9 maybe we wouldn't have to do them in the prison
10 system, but that's just my thought.

11 A. Absolutely. We have many credible messengers
12 out there now, who are actually doing community work,
13 they're doing community outreach.

14 I actually have a passion for the work that I
15 do currently. I work in OMH, Office of Mental
16 Health.

17 Q. Yes, and there is a letter here in the file
18 indicating that.

19 A. I work alongside social workers and doctors. I
20 actually intend to return to school upon my release,
21 so that I can actually pursue a Master's in social
22 work. I intend and am passionate about doing
23 something with my life, to change the lives of
24 others. Maybe I can stop someone from making the
25 same choices that I made. Maybe if I had someone to

[REDACTED]

1 talk to, I may have been a different person back
2 then.

3 Q. That's a good way to self reflect on things,
4 where you are today and where you want to be, right?

5 A. Yes, ma'am.

6 Q. Your release plan is to live with who?

7 A. My beautiful wife of twenty-four years.

8 Q. Listen, she doesn't have to read this. Okay?

9 A. Today is her birthday. She's the best thing
10 that ever happened to me.

11 Q. How did you meet her?

12 A. I met her when we were kids, on my block.

13 Q. What's her name?

14 A. [REDACTED]. [REDACTED] was only thirteen
15 when I met her, and I was sixteen. We've been
16 together ever since.

17 Q. Any kids?

18 A. Unfortunately, no.

19 Q. How old are you, today?

20 A. Forty-five.

21 Q. You have a lot of support out in the community,
22 a lot of support. A lot of letters are presented
23 here on your behalf.

24 A. I'm fortunate.

25 Q. A lot of information is also provided here

[REDACTED]

1 concerning your participation with Bard, your
2 participation with the ICP program.

3 A. Yes, ma'am.

4 Q. I'm looking for the letter from your wife. Is
5 it in here?

6 A. Yes, yes. I submitted a new packet. I don't
7 know if that's the new one. But she's in every
8 packet, of course. So there's a letter from her,
9 [REDACTED].

10 Q. I see the older one. I'm trying to look at the
11 more current one. If we were to discuss one letter
12 in this file, which one do you want to talk about?
13 And trust me, we will review these, I just want to
14 review one with you.

15 A. [REDACTED], that's my little sister. She
16 was seven-years old.

17 Q. How do you spell her first name?

18 A. [REDACTED].

19 Q. And her last name?

20 A. [REDACTED]. Her letter touched me like no
21 other letter. She was seven, when I got arrested.
22 The voice of her letter is that of a seven-year old.
23 The seven-year- [REDACTED] in that letter,
24 her innocence. Her believing in me is what stands
25 out in the letter.

[REDACTED]

1 Even after everything I've done, I'm still her
2 big brother. She believes in me, she loves me, and
3 she wants me to come home. It's just a connection
4 that she maintains with me, even after all this time.

5 Q. Did you submit the letter to your counselor?

6 A. It should be in -- do you have one of these?

7 (Indicating.)

8 Q. Give us a minute. This packet, right here?

9 A. Yes, ma'am.

10 Q. So you're talking about your sister and you got
11 emotional when you were talking about your sister.

12 A. Yes. You'll see all the letters there,
13 [REDACTED], everything is there. Thank you for getting
14 it.

15 Q. It was here. I was just going through the
16 folder, still.

17 A. Yes, ma'am.

18 Q. Go ahead.

19 A. [REDACTED]'s letter, also. Every letter that was
20 submitted on my behalf is humbling to read how people
21 feel about me, to read the impact that I have in
22 their lives. It gives me purpose. It gives me
23 drive.

24 Q. Tell me about the release plan. Is it to go
25 live with your wife?

[REDACTED]

1 A. Yes. She lives in [REDACTED]
2 [REDACTED]. She has been living there
3 eleven years, now.

4 Q. What are you going to do for employment?

5 A. Right now I have a job offer at [REDACTED]. [REDACTED]
6 (ph), a good friend of mine, offered me a job and he
7 says it's guaranteed. He's a partial owner of [REDACTED].

8 Q. What are your responsibilities going to
9 include?

10 A. I'm going to train guys, and I'm also going to
11 handle clerical work in between.

12 [REDACTED] also has a workshop that is available
13 through their re-entry program. [REDACTED] actually
14 guaranteed that I'll be part of the workshop, which
15 helps with the transitional phase of re-acclimating
16 into society, which is really important.

17 I understand there are going to be a lot of
18 struggles, when I'm given the opportunity. I have
19 other options available, because of the overwhelming
20 support that I have, and it's amazing.

21 Q. Why should you be released? You have been
22 afforded a lot of opportunities, even while
23 incarcerated, or should I say definitely while
24 incarcerated, and a lot of opportunities were no
25 longer afforded to your victim. So, why should you

[REDACTED]

1 be released?

2 A. First, I am completely sorry for what I have
3 done. There is no way for me to undo what I have
4 done, and I understand that. I understand that all I
5 can do moving forward is try to make a difference in
6 other people's lives.

7 Q. Tell me the major difference between you then,
8 and you today?

9 A. You do not have to worry about me re-offending.
10 I am no longer a threat to our communities, at all.
11 Back then I was an irrational self-seeking follower,
12 who didn't understand himself. Today, I understand
13 who I am and how I got here. I actually understand
14 that I have a purpose in life and that is to serve.

15 This all came at the expense of Mrs [REDACTED]
16 life and that is inexcusable, but I intend to use my
17 time to do good.

18 Q. Okay. What's the difference between who you
19 were then, and who you are today?

20 A. Today, I'm a leader. Today, I understand the
21 difference between right and wrong. Today, I process
22 my choices much differently. Today, before I make
23 any choice, I think of choices, consequences and
24 what's at stake. Today, I think about others in a
25 way that I didn't back then.

[REDACTED]

1 I understand that every human being has a God
2 given right to be safe, to not feel threatened, to
3 not feel uncomfortable. I understand that I have a
4 responsibility not only to the smaller community that
5 I will be living in, but to a greater society as a
6 whole. I understand today that in order for us to
7 function as a society, everybody has to do their
8 part.

9 I see the world completely different, Ms.
10 Segarra. I see the world completely different. I
11 value life, today, which is something I didn't
12 understand back then. Back then I was nothing but a
13 young punk, who thought he was cool because he had
14 the latest sneakers. I was a young punk, and I'm not
15 that guy. I am a man, today, Ms. Segarra, with
16 responsibilities.

17 Q. And, today, you are telling us the truth about
18 the crime, right?

19 A. Absolutely.

20 Q. There was something about some gloves that were
21 recovered. Were there gloves recovered?

22 A. Yes, there were

23 Q. Where were they recovered from?

24 A. In my bookbag in [REDACTED]'s house. [REDACTED] gave
25 them to me, I put them in my bag and I left the bag

[REDACTED]

1 in [REDACTED]'s house. They were found in my bag, with
2 blood fragments on them.

3 COMM. SEGARRA: Let's see if Commissioner
4 Mitchell has any questions.

5 COMM. MITCHELL: I have listened
6 thoroughly and it has been a very comprehensive
7 interview, I don't have any additional questions.
8 Good luck to you, Mr. [REDACTED].

9 THE INMATE: Thank you, Mr. Mitchell.
10 CONTINUED BY COMMISSIONER SEGARRA:

11 Q. You have done a lot of work inside prison. You
12 are prepared to do some work outside of prison. You
13 have caused a very, very senseless crime.

14 A. Yes, absolutely.

15 Q. We have covered a lot, and we have a lot more
16 to cover, obviously, by the packet you have provided
17 us with. We covered the crime, itself, your
18 institutional adjustment, your plans for release,
19 again, documented in your packet here and discussed
20 during your interview.

21 What did we leave out? What do you feel we
22 need to know today, that we have not already
23 discussed?

24 A. You need to know that I understand the effects
25 of my crime, the ripple of my actions. I understand

[REDACTED]

1 that in many respects, Ms. Segarra. Because of this
2 crime you're sitting there interviewing me, today,
3 and that's part of this ripple. You are tasked with
4 a very difficult job.

5 Q. Mr [REDACTED] know this. What do you feel
6 we need to know, that we have not discussed?

7 A. I'm not coming back. I'm not going to do
8 anymore crime.

9 Q. We have a lot to consider. We are going to
10 notify you of our decision in writing. Thank you for
11 coming in and you dressed up. Who got you your
12 clothes?

13 A. My wife.

14 Q. She did a good job.

15 A. Thank you.

16 COMM. SEGARRA: We will notify you of our
17 decision in writing.

18 THE INMATE: Thank you. God bless you.

19 COMM. SEGARRA: Thank you.

20 THE INMATE: Thank you, Mr. Mitchell.

21 COMM. MITCHELL: Yes, sir.

22 (Interview concluded.)

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[REDACTED]

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

DECISION

[REDACTED], parole denied. Hold 24 months.
Next appearance 6/2023.

A careful review of the record and your interview led this Panel to conclude that your release would be incompatible with the welfare of society. The Board of Parole deliberated and weighed the statutory factors and is denying your discretionary release.

You are currently incarcerated because you were convicted of Murder 2nd, in which you and your co-defendant [REDACTED] forcibly entered his former employer's residence with the intent to burglarize it. While at the residence the former employer's wife [REDACTED] was murdered with a knife and a gun, while her 17 month infant was present.

During the interview you stated that 2 weeks prior to committing the instant offense, you, [REDACTED] and [REDACTED] plotted to enter [REDACTED]'s residence with the intent to steal money and jewelry located in a safe inside of her residence. You said

[REDACTED]

1 that [REDACTED] was not present during the instant
2 offense, however, he was also convicted in the instant
3 offense.

4 You admitted to providing [REDACTED] with your
5 gun and mentioned that you were aware that [REDACTED]
6 [REDACTED] brought a rug cutter prior to entering [REDACTED]
7 [REDACTED]'s residence, but insisted that you did not know
8 his intentions with the weapon.

9 Your criminal history includes a prior conviction
10 for Attempted Criminal Sale of Controlled Substance,
11 3rd, and placed on Probation Supervision, which you
12 violated when you committed the instant offense.

13 The instant offense represents your 1st period of
14 NYS incarceration and during this period you have
15 received several misbehavior reports, but none since
16 2011. You have completed all required programs, earned
17 two college degrees, are an IPA for ICP since 2019 and
18 developed an Anti-Bullying Program for those
19 incarcerated.

20 The Board of Parole commends your personal growth
21 and productive use of time, however, discretionary
22 release on parole shall not be granted merely as a
23 reward for good conduct or efficient performance of
24 duties while confined.

25 In considering your release we also reviewed the

[REDACTED]

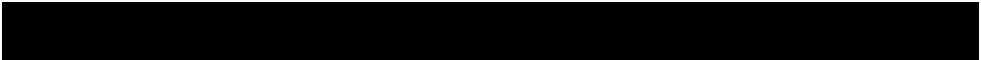
1 COMPAS risk and needs assessment, which presents you as
2 a low risk to offend and unlikely to need re-entry
3 services upon release. We discussed with you your Case
4 Plan goals and your plans for release. We also reviewed
5 and considered the Pre-Sentencing Investigation Report,
6 the Sentencing Minutes, and an official letter of
7 opposition.

8 This Panel is concerned with your continued
9 inconsistent account of the instant offense and limited
10 culpability. Information provided indicates that
11 [REDACTED] was violently murdered and you said that
12 you stood at the door and kept watch. Your actions as
13 well as your course of conduct before, during and after
14 the murder of [REDACTED] are of concern to this
15 Panel.

16 After weighing the statutory factors this Panel
17 concludes that your release at this time would so
18 deprecate the serious nature of the crime as to
19 undermine respect for the law.

20 (All Commissioners concur.)

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CERTIFICATION

I, Lori Ciofalo, 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 33 pages, is a true and correct copy of same and the whole thereof.

Lori Ciofalo

Lori Ciofalo, Court Reporter

Dated: June 15, 2021