



STATE OF ILLINOIS
 JB PRITZKER, GOVERNOR
PRISONER REVIEW BOARD

Donald Shelton, Chair

EN BANC MINUTE SHEET
OPEN SESSION— February 1, 2024

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following individuals in custody:

B82702	Alexander, Frank *
C01829	Hoover, Larry *
N77201	Jackson, Janet
N01682	Bivens, Aryules *
R32339	Merriweather, Byron
K83849	Royer, Randy

The meeting was called to order by Donald Shelton, Chair.
 Roll call was taken by Recording Secretary Alexandria Bryan.

<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
Mr. Jared Bohland	X	
Mr. Matthew Coates	X	
Mr. William Delgado	X	
Ms. Julie Globokar	X	
Ms. Darryldean Goff		X
Mr. Jeffrey Grubbs	X	
Mr. Rodger Heaton	X	
Ms. LeAnn Miller	X	
Mr. Donald Shelton, Chair	X	
Ms. Robin Shoffner	X	
Ms. Carmen Terrones	X	
Ms. Krystal Tison	X	
Mr. Kenneth Tupy	X	

12 Members Present

1 Member Absent

The Board heard the case of Alexander B82702, Hoover C01829, Jackson N77201, Bivens N01682, Byron Merriweather R32339, and Randy Royer K83849 as detailed in the individual case minutes.

MINUTES FOR APPROVAL for 12/14/2023: LM - DS

Open Session: LM - MC

Meeting was adjourned by: RS - WD Leave.



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***EN BANC* MINUTE SHEET**
OPEN SESSION February 1, 2024

Individual in custody's Name: Byron Merriweather IDOC Number: R32339

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Merriweather, R32339.

Members present were Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Terrones, Ms. Tison, Mr. Tupy, Ms. Shoffner, and Mr. Shelton, Chairman. Ms. Goff absent.

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

Mr. Byron Merriweather was interviewed on December 12, 2023, live via Webex virtual platform from Hill Correctional Center at 9:00am by PRB Board Member, Mr. William Delgado. Chairman Shelton was present and observing. Ms. Rachel Lindner legal counsel for Mr. Merriweather was present.

STATEMENT OF FACTS

On June 15, 2003, Mr. Merriweather was 17 years old and went to the park in Bloomington, Illinois with friends. A group of rival gang members were present and outnumbered Mr. Merriweather and his friends. Mr. Merriweather and his friends chose to go to another park. However, they returned to the previous park to prove that they were not afraid of the rival gang. On the way back to the park one of Mr. Merriweather's friends gave him a gun and told him to hold it in case something happened, and to take care of it. Once they returned to the park a fight broke out among both gangs. Mr. Merriweather's friend told him more than three times to shoot. Mr. Merriweather shot the gun and killed the victim.

In February 2006, Mr. Merriweather was found guilty of First-Degree Murder by a Jury and sentenced to 70 years in the Illinois Department of Corrections. Mr. Merriweather's projected mandatory supervised release date is October 08, 2039, and his projected discharge date is October 08, 2042. In September 2019, an Appellate Court mandate was granted and the 70-year sentence was vacated and remanded with instructions. In March 2021, Mr. Merriweather was resentenced to 35 years, with 6,016 days of time served.



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CRIMINAL HISTORY

On August 19, 2004, Mr. Merriweather was charged with Receiving, Possession and Selling of a stolen vehicle, he received five years. He was also charged with Other Amount Narcotic Schedule I & II. He received 5 years for that charge.

On March 7, 2004, Mr. Merriweather was charged with Battery and Causing Bodily Harm in McLean County. He was given time served with no probation or other supervision.

INSTITUTIONAL ADJUSTMENT

Mr. Merriweather maintains good relationships with his family and friends. His father is a retired police officer and will assist his son when needed. Mr. Merriweather maintains a very positive relationship with his siblings, and many of them attended his hearing.

Mr. Merriweather's mental and physical health appear to be very strong, and he is clear minded and focused. He has worked as a porter.

Mr. Merriweather has used his time while in Illinois Department of Corrections to educate himself. He has obtained his associate degree in liberal arts. He has also received his Paralegal Certificate. Mr. Merriweather has used his time to engage in programs and has taken correspondence courses. He also practices his Muslim faith.

Mr. Merriweather has engaged in a positive lifestyle while incarcerated and has excelled in education and creating new relationships with the community and re-entry organizations. Mr. Merriweather is a student with Tayba, a National Re-entry Program.

Mr. Merriweather received 13 disciplinary tickets from February 2005 to September 2017. He has not had any disciplinary tickets in five years. He has been engaged in many self-help programs.

STATEMENTS AS TO THE OFFENSE

Growing up Mr. Merriweather witnessed domestic violence. He grew up in a gang infested area, and he began drinking and using drugs by the age of 12. Mr. Merriweather also started selling drugs at the age of 12.

Mr. Merriweather does not dispute what occurred on the day of the offense. Mr. Merriweather stated his remorse for the victim and the victim's family. Mr. Merriweather has taken full responsibility for his actions and demonstrated it in his own words.



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PAROLE PLANS

Mr. Merriweather plans to reside with his mother in Bellview, Illinois. He has employment opportunities available to him with the Tayba Foundation, and they would also provide wrap around services. Mr. Merriweather is interested in becoming a welder when he is released. Tayba Foundation wrote in a letter of support for Mr. Merriweather, as well as his siblings.

OPPOSITION TO PAROLE RELEASE

There is no opposition to parole on file.

ENBANC HISTORY

This is Mr. Merriweather's first En Banc.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Rachel Linder, Mr. Merriweather's Attorney, stated that given that Mr. Merriweather is applying under the Youthful Parole Act. During his first meeting, he stated that he just hopes he can show the Board the person he is today. She stated that whenever she meets with him, they come right back to that point. She stated that youth are different, and it is never who they are as adults. The observation of his case was described as the hallmark view of youth. He was surrounded by negative influences. His actions came from fear in the moment, he was reckless that day. Mr. Merriweather was heavily influenced by his older peers. Each person that was present during the crime was significantly older than him. The influence of older men in his life was important to him. She stated that he had a very challenging childhood. She wanted to emphasize his remorse in the case. One of his accomplishments was a full renunciation of the gang. She stated that this was a dangerous process, and he went through this in prison. Mr. Merriweather has worked hard to put together his release plan. She stated that his circumstances will be different this time. There has been a development in his release plan. She stated that a supplement was provided late, but it includes job training that he has access to when he comes home. She stated that he has decades of deep reflection and hard work has rehabilitated him. She stated that he is mature, and he has become a responsible adult.

Mr. Savion Smith is Mr. Merriweather's brother. He stated that they have a strong plan for Mr. Merriweather when he comes home. He stated that he was 4 years old when Mr. Merriweather went to jail, and he has been able to watch him grow within prison. He was able to see what Savion was doing in sports and help cheer him on to keep on the right track within prison. Mr. Smith stated that he would go and visit him weekly. Mr. Merriweather's growth has been great within prison. He stated that making a hard decision to leave a gang while in prison was something he was standing for that he believed in and knew he had to make that right. He stated that he is going to be a great role model to all of his nieces and nephews. He stated that Mr. Merriweather cherishes his family. Mr. Smith stated that he coaches a non-profit basketball team, and they help younger youth stay in programs without having to pay so that they do not get into trouble. He stated that Mr. Merriweather is not the same 17-year-old



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man that went into prison. He stated that everything that Mr. Merriweather does now he does with purpose. He stated he thinks before he acts now.

Mr. Merriweather stated that he feels terrible for taking another person's life. He stated that this is the worst thing that he could've ever done. He stated that it hurts him to know the pain that he has caused. He stated that he cannot take away the pain, but he can show the Board that he is a different person. He stated that he wants to help with youth now so that they do not make the decisions that he made when he was a youth. He stated that he made his mind up a long time ago to become a better person. Upon his release he intends to become a welder. He also has a goal of providing a nonprofit organization for youth. He stated that he wants to be granted parole to become a productive member of society.

Dr. Globokar questioned if the Board went to the facility to see the file and observe the disciplinary file.

Mr. Heaton questioned Mr. Merriweather stating in his petition that he wants to be a welder. He questioned how Mr. Merriweather wants to pursue that.

Mr. Merriweather stated that he mentioned interest in learning a trade in welding. He stated that he is good with his hands, and he has been intrigued by that profession. He stated that he has uncles that are car mechanics and electricians, so he has been interested.

Mr. Heaton questioned the ticket received in 2017, which was for gang fighting. He stated in his petition that he renounced gang membership but was charged with that ticket for gang fighting.

Mr. Merriweather stated that in Menard Correctional Center it is not that easy to leave a gang. He stated that he requested protective custody but was denied. He stated that he was approached by gang members, and they asked him if he was still with them or not. He stated that he denied it for his own protection. He stated that during that fight he did not participate, they were in the yard at the time. He stated that he made the decision to not get on the ground when he was told to do so. He stated that he was scared that the gang members were going to stab him if he laid down due to not participating in the fight. He is appealing that ticket. Mr. Merriweather stated that in 2019 when he was transferred out of Menard Correctional Center, he was able to renounce the gang.

Mr. Bohland stated that he has concern about his serious tickets in 2011, 2013, 2015, 2017 that led to segregation time. Mr. Bohland questioned if Mr. Merriweather wanted to speak about those tickets, specifically the ticket received in 2013 that was gang related and resulted in 1 year segregation time.

Mr. Merriweather stated that he received the ticket in 2011 due to being asked to do something by a gang member that he did not want to do. He stated that the safest way to remove himself was to get sent to segregation. The correctional officer wouldn't allow him to go, so he threw paper around until he was taken to segregation. He stated that the ticket he received in 2015 was due to his buddy going to segregation and having his property stolen while he was away. He stated his friend accused him and then proceeded to fight him. In 2013, the ticket was for gambling. Another guy lost to him, and they



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started arguing, the other guy admitted to the situation, but he was still charged.

Ms. Linder stated that the ticket in 2011 was due to a gang member asking him to injure someone else and he did not want to do that.

Mr. Bohland stated that McLean County State's Attorney sent in a letter of opposition from 1 year ago. He stated that the evidence showed that he had every chance to not commit murder, but they left the party and came back to commit the crime. He stated that the letter said that Mr. Merriweather stated that he would do it again, and if they are coming after me, they better come hard. He claimed innocence until the *Miller vs. Alabama* hearing.

Ms. Rachel Linder, Mr. Merriweather's Attorney, stated that the State's Attorney stated the opposition from the state's attorney was for the clemency hearing and not the youthful parole hearing. She stated that the state's attorney has been given the opportunity and did not do so. She stated that all the points that were made all relate to the youthful period from Mr. Merriweather's life and since has matured and grown.

Mr. Merriweather stated that he never threatened anyone about the case. He stated that the statements were made on record, but he was immature at that time. He stated that he was using his words to impress the lady he said it to, to have sex with her. He stated that this happened in 2003.

Mr. Tupy stated that in 2021 Mr. Merriweather was resentenced to 35 years. The court stated that he shows a lot of maturity. The court thought that 35 years was appropriate. He stated that in that court proceeding it was also stated that if the crime was made 10 days later, he wouldn't have been eligible for youthful parole. The court has already looked at those factors and decided that 35 years was sufficient.

Ms. Rachel Linder, Mr. Merriweather's Attorney, stated that when he was receiving the resentence, that they were questioning parole eligibility. The judge stated that parole would be up to corrections and the board at that time. She stated that it was discussed at the resentencing and the judge knew that parole was the next option.

Chairman Shelton stated that in September 2004 he was indicted by a grand jury. He stated that the direct appeal didn't work out. In December 2008, he filed a pro se petition, and it was dismissed. In February 2013, he filed another pro se petition, with newly discovered evidence that he did not do the crime. He questioned when Mr. Merriweather went from being innocent to accepting responsibility. He stated that he is suspicious to why he now takes responsibility and questioned when he decided to take responsibility.

Ms. Linder stated that it is difficult to pin down the date. She stated that he accepted responsibility before his resentencing hearing in 2021. She stated that her understanding is that he took responsibility way before then.

Dr. Globokar stated that taking responsibility is huge and she stated that she wants Mr. Merriweather to be able to speak about this.



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Mr. Merriweather stated it is very hard and when he first started to decide he wanted to change it came in different stages. He stated in 2014 he took accountability for what he did. He stated he came into his faith and sat and thought about what he had done. Unfortunately, the family was not there and he was not able to apologize to them directly.

Ms. Linder stated that Mr. Merriweather thought he was going to be able to make a statement at his rehearing.

End of discussion.

DECISION AND RATIONALE

Motion to grant parole (WDELGADO-RSHOFFNER). Motion failed with a 5-7 vote. Members voting in favor of the motion were Mr. Coates, Mr. Delgado, Ms. Globokar, Ms. Shoffner, and Ms. Terrones. Mr. Bohland, Mr. Grubbs, Mr. Heaton, Ms. Miller, Chairman Shelton, Ms. Tison, and Mr. Tupy dissented.

After thorough consideration of Mr. Merriweather's case, the Board voted to deny parole. The Board feels that parole release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Merriweather's parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."

***EN BANC* MINUTE SHEET
OPEN SESSION February 1, 2024**

Individual in custody's Name: Randy Royer

IDOC Number: K83849

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Randy Royer, K83849.

Members present were Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Terrones, Ms. Tison, Mr. Tupy, Ms. Shoffner, and Mr. Shelton, Chairman. Ms. Goff absent.

Recording Secretary: Alexandria Bryan.



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PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

Mr. Randy Royer was interviewed on December 5, 2023, live via Webex virtual platform from Stateville Correctional Center at 9:00am by PRB Board Member, Ms. Carmen Terrones. Ms. Marissa Jackson pro bono legal counsel for Mr. Randy Royer was present, Mr. Brian John, Legal Assistant and Ms. Rachel Linder supervising attorney observing. In addition, Mr. Randy Royer Sr., Mr. Randy Royer's father, Ms. Elizabeth Ranney, Mr. Randy Royer's fiancé, and Mr. Bobby Mattison, Mr. Randy Royer's friend and a previous institutional Barber instructor.

Mr. Randy Royer presented with a clear mind and demonstrated a positive attitude throughout the interview. He expressed appropriate values and articulated well his empathy, sympathy and compassion to the victim and victim's family throughout the interview. He was well prepared to participate on his own behalf. He was a consistent participant and very well prepared to answer all questions without hesitations. Mr. Randy Royer has an overall healthy appearance and was clothed in traditional regulated clothes issued by Illinois Department of Corrections. Mr. Randy Royer and his supportive team desired to move forward and they were all sworn in. Mr. Randy Royer was asked if all the information in the petition packet was accurate, and he affirmed with yes.

Mr. Randy Royer is currently 43 years old, and the offense occurred when he was 17 years old. He has currently served over 23 years on a 60-year sentence. Mr. Randy Royer was resentenced to 27 years, which gives him a projected Mandatory Supervised Release date of August 3, 2026, and a projected discharge date of August 3, 2029.

STATEMENT OF FACTS

Mr. Randy Royer and the victim Mr. Timothy Dildine were dating the same woman, Ms. Jennifer Tappen. On August 3, 1999, the defendant received information that Mr. Dildine was at the Marquette Beach, near Spring Valley, with Ms. Jennifer Tappen. The defendant went to Marquette Beach with a baseball bat and found Mr. Dildine and Ms. Jennifer Tappen asleep on the ground. He approached Mr. Dildine and struck him in the head four or five times with the baseball bat. Mr. Dildine died the next day from a massive brain injury. Mr. Royer was charged with First Degree Murder.

CRIMINAL HISTORY

Mr. Royer has an extensive Juvenile record.

Mr. Royer has previous misdemeanors including Possession of Marijuana under 2.5 grams, and Criminal Damage to Property. Charges were dropped on both of those misdemeanors. Mr. Royer was not on probation or parole as an adult, this was his first case as an adult.



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INSTITUTIONAL ADJUSTMENT

Mr. Royer received a ticket October 18, 2000, for Damage or Misuse of Property, and Disobeying a Direct Order. On August 8, 2001, he received a ticket for Unauthorized Movement, and Disobeying a Direct Order. On August 23, 2001, he received a ticket for Disobeying a Direct Order, and Violation of Rules Audio and Visual.

Mr. Royer has held various jobs while in Illinois Department of Corrections. His main interest was that of barbering. His other jobs have included warehouse specialist, floor maintenance, shoeshine man, and he also worked in the health care unit cutting the hair of injured or terminally ill patients. It gave them a sense of worth and life. It showed leadership and compassion from Mr. Royer.

While remanded for sentencing to Pinkneyville Correctional Center, Mr. Royer was working in the warehouse for 6-8 months. While Mr. Royer was in Vienna Correctional Center, he held a job as a barber. Mr. Royer went back to Statesville for licenses. He enjoys being a barber and benefited from instruction on becoming a barber and received mentoring from Mr. Bobby Matteson an institutional instructor on barbering.

STATEMENTS AS TO THE OFFENSE

Mr. Royer affirms the facts with the added information to his role in the crime. He does not dispute the facts of the case and takes full responsibility.

In the heat of passion and obsession as written in the petition by Mr. Royer, he lost it after realizing his girlfriend was messing around with his best friend and roommate, Mr. Dildine. He was encouraged by the group of acquaintances to confront his friend. He got a ride from his friend Mr. Victor Ceballos since he was in no condition to drive while on acid, LSD, and other drugs. He wanted to confront them. Once they arrived, Mr. Randy Royer saw Mr. Timothy Dildine's car and just lost it at that moment. He completely unraveled at that point. He got out of the car and looked in Mr. Dildine's car and saw that the passenger's seat was lowered all the way back. In his mind he could envision them there, together. He saw only red at that point. He went to the car that Mr. Ceballos had brought him in and retrieved a baseball bat from the back seat and walked towards the spot along the river. He had been told that Ms. Tappen and Mr. Dildine were there. After a short walk through some woods, He came upon the camp site where the party was. He saw Jennifer's father Mr. Robert Tappen and his girlfriend, Ms. Annette Rexroad. Ms. Annette Rexroad asked him what he wanted, and he asked her where Mr. Timothy Dildine and Ms. Jennifer Tappen were at, yelling at her. She screamed at him to just leave but he couldn't hear her. The jealousy, pride, and anger he was struggling with had finally taken over.

It was then that he spotted Mr. Timothy Dildine and Ms. Jennifer Tappen sleeping under a blanket near the shore of the river. He lost all control in that moment, completely blinded by rage. He walked over to them and hit his best friend in his head three times while he slept. It happened so fast. Immediately after he realized what he had just done. He had hurt Mr. Dildine very badly. Mr. Timothy Dildine's head was caved in, there was blood was everywhere. Mr. Randy Royer began to sob telling Mr. Dildine he was sorry, and he didn't know what to do. Mr. Royer threw the bat into the river then



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tried to wake Mr. Dildine.

Ms. Jennifer Tappen was awake now and screaming at Mr. Royer, but he could not hear her. All he wanted to do was to take back what he had just done to his friend. His only thought was to get Mr. Dildine to the emergency room. He begged his friend Mr. Victor Ceballos for the car, but he refused. Then Mr. Tappen, Jennifer's father, gave him the keys to his car. He took the car to the river, picked up Mr. Dildine's body and drove him to the emergency room. He begged the medical staff to help and when they followed him outside to get Mr. Dildine, he heard them speak to call police which prompted him to run. He had not thought of the police. The police arrested him 2-3 hours later.

When the police arrested Mr. Royer, he gave a full written confession to the Illinois State Police Homicide Investigation Unit. He asked the state police to tell Mr. Dildine he was sorry, but Mr. Dildine died the next day, and he was charged with First Degree Murder. He was so stricken with guilt that he was willing to accept any punishment.

Mr. Royer stands by the handwritten statement in his petition. He is responsible for the crime, he takes accountability, and is remorseful. He desires for his rehabilitative efforts to be noted and is grateful for the opportunity to be considered by the Prisoner Review Board for an earlier release even though his sentence was reduced.

Mr. Royer acknowledges the facts of the crime and takes responsibility for his actions. He affirms his responsibility accompanied by acknowledging he should have been punished. He is working every day on forgiveness of himself and asking forgiveness from the family he harmed. Mr. Royer feels remorse for his actions and recognizes the damage caused. His daily practice is reminding himself of the harm he inflicted not only on the victim but the victim's family and society. He verbally expresses remorse and reflects on the harm.

The following statement was made by the Judge at sentencing. "In considering the sentence, the factors I find in mitigation are remorse and the youth. However, the fact that he was a young man does not mitigate in my estimation sufficiently to prevent me from sentencing him severely. The evidence here shows that violence and anger was well known and used in the family. The incident in question was done in the court's opinion in a cold, calculated manner because he picked up a bat and went looking for someone. The factors further in aggravation are that he attacked a man that was sound asleep, with no offer or ability to defend himself. The series of blows in the court's opinion indicate wanton cruelty to the fact that you attack a sleeping man is heinous and brutal. Considering everything, I find that the society deserves to be protected from the defendant, given his background, the usage of violence as a daily occurrence aggravated by drugs, two prior incidents in the same year within months of the sentence, it is the order and sentence of this court that you are sentenced to the Illinois Department of Corrections for the term as requested by the State's Attorney of sixty years." Appeal dismissed his post-conviction at the second stage. Mr. Royer's case was later sent back to the courts for resentencing. On March 16, 2022, Mr. Royer was resentenced for the offense of First-Degree Murder to serve 27 years in the Illinois Department of Corrections. He was also given credit for time served while in custody, this backdated to August 3, 1999.



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STATEMENT FROM THE INDIVIDUAL IN CUSTODY

Mr. Royer was born to parents that were addicted to heroin and alcohol. He was abandoned shortly after birth by his mother who decided to live a life on drugs in the streets. His father was left to raise his son and introduced women to young Mr. Royer who were equally challenged with drug addiction creating a harmful life for him. When he was four or five, he suffered a fall down the stairs at the hands of his father's new wife, Lisa. She wanted him to walk down the stairs and when he did not due to her screaming, she shoved him, and he woke up in the hospital. Mr. Royer observed domestic violence at a young age between his father and stepmother Lisa. He also witnessed his father injecting himself with illegal drugs at 7 years old.

Mr. Royer was significantly neglected due to his father and stepmother suffering from drug addiction. He would not have food, clean clothes, or other basic attention and needs. A neighbor for three years made the effort to feed and clothe him.

Mr. Royer felt betrayed by his father with the uncaring partners he chose to bring home. He became addicted to drugs after taking to the streets. He was placed in foster care, and his first foster care experience was a good one. This foster family provided shelter and care from April 1994 to January 1995 in Braidwood, Illinois. Unfortunately, later this home resulted in further abuse. This abuse by others and self by substance abuse was affirmed by the presenting report in 2021 and the report completed by Mr. James Garbarino, PH. D, consulting in Child and Adolescent Development from Ithaca, New York. He reviewed the Adverse Childhood Experience Scale, his social history, and original PSI. He makes three important points. He stated that he is not offering any clinical diagnoses of Mr. Royer, only an analysis of his development pathway from childhood to adolescence into adulthood. He stated that he is not excusing Mr. Royer's behavior in the crime he committed in 1999, but rather offering an explanation of how it arose from his life circumstances and experiences over the course of his 17 years before the actions for which he was sentenced. He stated that he is offering his developmental analysis considering the Supreme Court decision in the case of *Miller v. Alabama*. The *Miller* ruling requires the courts to consider the adolescent defendant's liabilities when it comes to making good decisions and managing emotions as a function of the special developmental characteristics of being immature particularly with respect to brain development and points toward considering the possibilities for rehabilitative intervention that are particularly promising in the case of young defendants.

The conclusion that Mr. James Garbarino, PH. D came to was when Randy was sentenced in 2002, the judge offered this assessment: "That if there was rehabilitative potential that he would have been engaged in had the rehabilitative program that he was in succeed. There was none and demonstrated that there was no possibility for rehabilitating." This expert believes this assessment was developmentally premature and is inaccurate because it did not recognize the role that the interaction of maturation and experience could play in Mr. Royer's rehabilitation. The years that followed have proven the judge wrong. Today, Mr. Royer is an excellent candidate for release and in that sense is living embodiment of the *Miller* decision's scientific foundation, namely that all but the "very rarest" of violent youth are capable of rehabilitation and positive transformation. Mr. Royer is clearly not one of those rarest of cases. Mr. James Garbarino is an expert witness, he offers his opinion to a reasonable degree of scientific certainty, based upon the information available to him.



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PAROLE PLAN

Mr. Royer plans to live with father in LaSalle, Illinois

Mr. Royer shared that it will be a long road and he will start with little things first. He also plans to identify and enroll in AA meetings, seek employment, therapy, and a support group like AA to support his sobriety. He plans to reconnect with family and be an uncle. He stated that he plans to stay with his father rent free and save money. He stated that his fiancé Ms. Elizabeth Ranney will support from afar, share long weekends together, and will do all she can to guide him. Mr. Royer stated in detail the intent his family has to support him when he is released.

Mr. Royer's fiancé Ms. Ranney, who he met while he was incarcerated lives in New York. She is prepared to have him live with her when he is willing and ready. She is confident they will be successful together as they share common goals and desire to thrive in life independently and as a couple. Ms. Ranney hopes he can relocate to where she is. She believes they are compatible because they both are very goal orientated. She will encourage and support him. Ms. Ranney works for an electronic cooperation, she is a landlord, and owns her home.

Mr. Randy Royer, Sr. is committed to the return of his son to his home. He is drug free and a retired man. He is asking for Randy's release understanding his son is rehabilitated and has taken responsibility by meeting his sentencing obligations and requesting grace at time by the Prisoner Review Board for earlier release then the resentencing of 27 years. His father has visited since incarceration, he also has video visits, and their relationship has become very close. They now have a close relationship, they are both responsible adults, and he is confident Mr. Royer will be successful. He would like him to start his own barber business, after he receives his driver's license.

Mr. Bobby Mattison, Mr. Royer's good friend, gave a powerful testimony on behalf of Mr. Royer. Mr. Mattison was an employee at Illinois Department of Corrections who taught and mentored Mr. Royer through barber school. Mr. Mattison taught Mr. Royer everything regarding barbering. Mr. Mattison stated that he is going to give Mr. Royer all of his equipment, to start, and plans to accompany him to hair shows so he continues to learn. He stated that the more he learns it will increase his employment opportunities. He stated that Mr. Royer gravitated to programs and started believing in himself. He stated that in the shop they would talk. He stated that Mr. Royer teaches others how to become a better man, and not just cut their hair. Mr. Royer grabbed everything he was hoping all the students would grab. He stated it is his pleasure to be a witness to the character and growth of Mr. Royer as he participated as a student in barber school. He stated that he believes in him. Mr. Mattison stated that this profession is economically beneficial, and Mr. Royer already drew a logo for his business.

Mr. Mattison worked for Illinois Department of Correction for 23 years. He stated that he reached out to Mr. Randy Royer to help him be the best at his job when he left to instruct at the JTDC. He stated that he always gave him questions to ask the youth, and that barbers have the power of touch. He stated that Mr. Randy Royer will be an honorable citizen and tremendous contributor to the community when he returns.



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OPPOSITION TO PAROLE RELEASE

There are no oppositions to parole on file.

EN BANC HISTORY

This is Mr. Randy Royer's first En Banc.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Marissa Jackson, Mr. Royer's Attorney, stated that Mr. Bobby Madison worked in Illinois Department of Corrections for over 20 years, and is now at IDJJ. He stated that he is asked all the time to speak about individuals in custody and he also most never does it, but he did for Mr. Randy Royer. She stated that he passed his exam, and he can work for up to 1 year once he is out as a barber. He leads AAA meetings and is working to get his GED. She stated that when she met him, he had already had his re-entry plan completed for his parole plan. She stated that she will assist Mr. Royer in getting any identification he needs once he is released. She stated that she wanted to provide context about his juvenile convictions, and he was living in a home with older children. She stated that he dealt with alcohol abuse, depression, and mixed substance abuse. These made him impulsive at his age. She stated that he was in a place of spiraling, and not the same person. She stated that he was be participating in NA and AA meetings, and he is a skilled barber.

Mr. Randy Royer stated he wanted to thank the members of the Board. He stated that for nearly 25 years that he has carried a ball and chain of something that he has done. He stated that he took the life of his best friend. He stated that not a day has passed that he has not thought about what he did to his friend. He stated that he let his irrational mind and love guide him to a horrible decision. He stated that he has shame in what he did to his friend. He stated that he wishes he could take it back and go back to that day. He stated that the pain he has caused has bene immeasurable. He stated that the victim was more than a friend, he was his brother, and he took his life. He stated that he was spiraling and had no real direction in life and was following a life of drug and alcohol abuse. He stated that what he did forced him to make a change in life. He stated that he began to see that he could be positive in this world. He said that he made the conscious effort to do better. He stated that he began the 12 steps to sobriety. He stated that it was there that he began his change. He stated that his father as well started his sobriety journey, and they began to rebuild their relationship. He stated that while he was working in the infirmary at the prison it helped him help people and since then he has dedicated his life to becoming a barber. He stated that it helps people in other ways than just cutting hair. He said that he cannot fix taking Timmy from this world, but he will work on helping the community to show a positive role for other youth to not make these decisions. Failure is not an option, and this would be my chance to make something of myself.

Mr. Bohland stated that he wants to commend Randy on his accountability and remorse and the changes that he has made. He stated that he would also like to take notice of the resentencing and that



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the mother of the victim spoke in opposition.

Ms. Jackson stated that the family reached out to him, and they spoke, and he was allowed to apologize and speak with them.

Mr. Royer stated that he met with Timmy's sister in 2015.

Mr. Heaton questioned if there has been any effort to see if Mr. Royer will be getting sentencing credit for his work time.

Ms. Jackson stated that Mr. Royer received a sentence that has to be served at 100% and, therefore, will not get sentencing credit for his work within IDOC.

Dr. Globokar stated that she commends him on his rehabilitation. The crime is tragic for not only the family but for Mr. Royer. There was a difficult childhood and she questioned if he would like to speak on what support he will have once he gets out.

Mr. Royer stated that he plans to lean on his brotherhood with AA, and cognitive behavioral therapy, counseling sessions, and any other reentry programs.

Mr. Grubbs questioned if the victim's family lives in the area that Mr. Royer will be paroling to.

Ms. Jackson stated that he would be paroling 100 miles away from where this crime happened.

End of discussion.

DECISION AND RATIONALE

Motion to grant parole (CTERRONES-MCOATES). Motion failed with a 5-7 vote. Members voting in favor of the motion were Mr. Coates, Mr. Delgado, Chairman Shelton, Ms. Shoffner, and Ms. Terrones. Mr. Bohland, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Tison, and Mr. Tupy dissented.

After thorough consideration of Mr. Randy Royer's case, the Board voted to deny parole. The Board feels that parole release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Randy Royer's parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."



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***EN BANC* MINUTE SHEET**
OPEN SESSION February 1, 2024

Individual in custody's Name: Frank Alexander * IDOC Number: B82702

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Alexander, B82702.

Members present were Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Terrones, Ms. Tison, Mr. Tupy, Ms. Shoffner, and Mr. Shelton, Chairman. Ms. Goff absent.

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

Mr. Frank Alexander was interviewed on 12/13/2023 live via Webex virtual platform from Centralia Correctional Center at 9:00am. He was interviewed by PRB Member, Ms. Carmen Terrones. Mr. Steven Drizen and Ms. Marissa Jackson, Mr. Alexander's attorneys. Mr. Quinn Milner, friend and previous correctional officer who shared 10 years in the institution with him, Mr. Perry Campbell and wife Ms. Jaime Campbell, his cousin and pastor who attest to his affiliation with the Kingdom of Jehovah.

Mr. Alexander appeared in clean issued institutional wear. He presented prepared to communicate. He was enthusiastic and willing to share. No apparent physical challenges obvious to the interview. Mr. Alexander presented with a clear mind and demonstrated a positive attitude throughout the interview. Mr. Alexander and his supportive team desired to move forward and they were all sworn in. Mr. Alexander was asked if all the information in the petition packet was accurate, and he affirmed.

Mr. Alexander's projected mandatory supervised release out date is November 10, 2038. Mr. Alexander's projected discharge date is November 10, 2041. He was 19 years old at the time of the offense, and he is currently 41 years old. He has currently served 22 years while in Illinois Department of Corrections.

STATEMENT OF FACTS

The facts as documented from the St. Clair County Twentieth Judicial Circuit on May 14, 2022, stated that the defendant participated in a home invasion and robbery of a man for his electronic



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equipment. The victim was killed as a result. Count 1, the criminal complaint reads on October 22, 1998, committed the offence of murder in that without lawful justification Mr. Alexander while committing a forcible felony, robbery, struck Mr. Eric B. Griffin with a steam clothing iron in the head and thereby caused the death of Eric B. Griffin. Count 2, the criminal complaint reads that Mr. Alexander committed the offense of robbery knowingly took property and IBM portable laptop computer, Mackie brand 40 channel mixing board and other assorted items of electronic equipment and accessories from the person of Mr. Eric Griffin.

There is documentation from the appeal from Circuit Court of St Clair County dated November 8, 2004, on Mr. Alexander's pro se brief. The position was to affirm the defendant's conviction. The jury found him guilty on accountability no evidence to reflect he was the one who struck the blow that killed victim. This document further affirms Mr. Alexander's story.

Mr. Alexander does not dispute the overall facts of case. He does indicate he did not inflict the death blow but was the orchestrator of the events that resulted in his acquaintances death so therefor he takes full responsibility.

On October 22, 1998, Mr. Alexander recruited the team of men and orchestrated the home invasion and robbery at Mr. Griffin's home. He knew Mr. Griffin would not have a problem answering the door since Mr. Griffin knew him, therefore gaining access to the victim's home. His recruited accomplices rushed in behind him, their faces covered by masks. Several of his accomplices grabbed Mr. Griffin, struck him, and bound him with duct tape. While Mr. Alexander was in another part of the studio gathering the equipment, he heard grunting from where Mr. Griffin was being held and observed Mr. Dunn striking Mr. Griffin on the head. In the presence of others, he demanded that Mr. Dunn stop hitting Mr. Griffin and repeated that such was not necessary. Mr. Alexander referred to Mr. Dunn by his nickname, exposing Dunn's identity.

Before leaving the scene for the final time, Mr. Alexander noticed that Mr. Griffin was lying on the floor in his own blood and with a cord around his neck. Mr. Alexander was scared.

Mr. Alexander felt the plan was executed well since no one was seen only him and they would have time to sell the equipment and dispose of the van. He thought no one got hurt. Mr. Alexander did observe Mr. Dunn hurting the victim and told him to stop but never thought Mr. Dunn would kill the victim.

Even though Mr. Alexander did not physically inflict the fatal wound he takes responsibility because he created the plan. Mr. Alexander's accomplices implicated him and he was arrested on their testimony.

The sentencing judge was documented in the packet referencing Mr. Alexander's words to appear to be a genuine statement directed at the family and they are appreciated. The judge further noted that Mr. Alexander readily admitted that there is no justification, excuse or any kind of explanation for his behavior.



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On April 18, 2023, Governor Pritzker granted Mr. Alexander Clemency in the form of a commutation to parole eligibility. Mr. Dunn, Mr. Alexander's Codefendant, who may have been the apparent shooter was released from prison 8 years earlier.

CRIMINAL HISTORY

Mr. Alexander has no other adult charges.

INSTITUTIONAL ADJUSTMENT

Mr. Alexander does not present with any mental health issues.

Mr. Alexander's disciplinary history contains five tickets on file. On February 7, 2003, he gave false information to an employee. On August 13, 2003, he was disobeying a direct order. On September 17, 2005, he had unauthorized movement. One August 18, 2017, he received a ticket for violation of rules. On July 31, 2023, he received a ticket for violation of rules, compliance checks.

He is walking his religious belief of the Kingdom Hall of Jehovah Witness. He has connected his religion to his values, and it is his anchor. He is a trusted leader in Illinois Department of Corrections with the Jehovah Witness community in the institution.

Mr. Alexander has no gang involvement. He has rebuffed them and is committed to his religion.

Mr. Alexander earned his GED while awaiting his trial in the county jail before his trial ended.

He became an ordained minister in 2005 for the Jehovah witnesses where he must maintain a bible study course and maintaining a strong reputation of trustworthiness among the elders.

Mr. Alexander has held the following work assignments while in the Illinois Department of Corrections, gallery porter, inner-ground crew, busser in the officer's dining hall, dishwasher, and then served staff. Mr. Alexander then became a maintenance worker, and then cook. He then received a highly trusted position in the employee commissary. He also performed duties as a nursing assistant in the Health Care Unit taking care of ill and physically unable individuals in custody. Mr. Alexander was promoted to senior attendee and is responsible for training new employees, individuals in custody.

Mr. Alexander presents as a leader in the institution and utilizes this respect to reach out to others who need redirected. He also received recognition from a previous correctional employee for his initiative, leadership, and compassion. They speak to his work in the health care unit.

He supports other peers in the institution and models the behavior to support their change.

He facilitated a substance abuse class and program about reentry. His supervisors frequently sought extensions which were granted, allowing him to remain on the job beyond six months.

Mr. Alexander's ability to create, nurture and sustain relationships is demonstrated by the



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mutual friendship with Mr. Milner who appeared on his behalf at the hearing to provide testimony to his character. Mr. Milner subsequently left and is now in aviation and remains in touch with Mr. Alexander and considers him a good friend. He provides testimony stating that Mr. Alexander deserves to be released so that he can now sow into the world the kindness and generosity he strives to spread, and he can't wait to take him flying.

STATEMENTS AS TO THE OFFENSE

Mr. Alexander acknowledges the facts of the crime and takes responsibility for his action. He stated that he agrees with Judge Le Chien. "Regardless if they gave me forty years to a hundred years, it could never bring back Mr. Griffin. For years, I have been carrying this burden. I take responsibility for the cause of the death of Mr. Eric Griffin, and regardless if you continue to harbor animosity against me, hate me or never forgive me, I can deal with that because I don't expect sympathy. The Judge is absolutely right, and I am surprised that he didn't give me more."

Mr. Alexander is remorseful of his actions and recognizes the damage caused to the victim and the victim's family. Also, how it affected him and his family, especially his daughter.

He was desperate for money to take care of his family. He just found out he was going to be a father. He was completely overwhelmed both with excitement and fear. He was jobless and did not complete high school.

Mr. Alexander witnessed domestic violence when his mother remarried, and the family became involved in Kingdom Hall of Jehovah Witnesses. He also was subject to physical abuse at the hands of this stepfather. There was much activity by police as they responded to the domestic violence. He enjoyed the Kingdom Hall where he felt safe. He decided at the age of 14 to smoke marijuana, sell drugs and drop out of high school. His father tried to provide direction and it was challenging. He became a member of the Gangster Disciples. He met a girl, and she became pregnant with his child and did not have anything like a job, or education to get him a job to support his family.

PAROLE PLANS

Mr. Alexander does have a parole plan with an of abundance support.

Mr. Alexander will become a resident of St. Leonard's in Chicago. The reentry provided has a comprehensive service menu for returning citizens and is recognized has a leading agent in the community for our citizens to maximize their success.

Illinois Prison Project and Northwestern Legal Clinical Center on Wrongful Convictions are prepared to serve as a focal point for the supportive efforts needed and will provide Mr. Alexander and his family with professional guidance and support upon release including providing Mr. Alexander with referrals for any necessary services.

Employment opportunities were also shared. His cousin Mr. Perry Campbell and wife Ms. Jamie Campbell will support his employment at an RV Park, Jellystone Park.



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He will have Medicaid to support his medical needs and other services provided by St. Leonard's. He also has commitment from NAMI for therapeutic assessment and intervention as diagnosed. TASC and SAFER submitted a letter of support for his continued recovery and other services on their menu.

His family is fully leaning in to support his return along with community as documented. He is looking forward to deepening his relationship with his daughter Heaven.

OPPOSITION TO PAROLE RELEASE

Mr. Alexander has no opposition from St. Clair County on file.

EN BANC HISTORY

This is Mr. Alexander's first En Banc.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Marissa Jackson, Mr. Alexander's attorney, stated that Mr. Alexander was upset after the crime happened because he gave direction that no one got hurt. She stated that he never officially joined the gang, 22 years ago. During Mr. Alexander's sentencing he took responsibility for the death. She stated that Mr. Alexander held his newborn child right before he was taken to prison and realized at that moment what he did. She stated that he was recently selected to become a Peer Educator at the facility. She stated that Mr. Alexander is well situated for parole. She stated that he already served 5 years more than the current sentence for Murder, and he was not the one who committed the murder. She stated that releasing him will inspire other individuals in custody to reform. She stated that he understands that he has a lot to learn once he is released. She stated that St. Leonard's is willing to help him rehabilitate. They have approved him into their programming. He wants to use this time to spend time with his daughter.

Mr. Steven Drizen, Mr. Alexander's attorney, stated that Mr. Alexander worked while in the healthcare unit. He stated that while working in the healthcare unit he was responsible for bathing, walking, and spending time with other in custodies. He stated that while he was there working there was a dying individual and he wanted to spend his time with his family before he died. The individual asked him to help him with a clemency petition. Mr. Alexander did that, and the individual was granted release and he was able to spend his last days with his family. He stated that this is the first case that a correctional officer not only sought him out to speak about an individual in custody, but also is wanting to speak to the Board about the individual.

Ms. Quentin Milner, a previous Illinois Department of Corrections Correctional Officer, stated that the first time he met Mr. Alexander he was brand new employee, and he was put in healthcare unit with Mr. Alexander as a porter. He stated once he became in charge of the library, he immediately



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wanted Mr. Alexander to work in the library with him. He stated that he knew Mr. Alexander was different than the other individuals in custody that he had met. He stated that he didn't want to seek relief at that time. He received encouragement from staff and that is what pushed him into filing a petition. He stated that he never doubted his sincerity over the years. He was always there to help any other individual that needed help with their work, or faith. He stated that he has never thought about speaking to the Board regarding an individual but with Mr. Alexander it was different.

Mr. Grubbs questioned when the plan to St. Leonard's will begin.

Ms. Marissa Jackson stated that originally Mr. Alexander wanted to go on with his life, but as we continued to work with him, he understood the difficulties he would face when being released, and they chose that St. Leonard's.

Mr. Shelton stated that one of the things he noticed was he didn't start programs until February 2022. He questioned why it took him so long to start programming.

Mr. Milner stated that Mr. Alexander was always remorseful for what happened. He stated that he always wanted to keep his head down and mind his business. He didn't want to get mixed up with things going on at the facility. As time went on, he decided to work on his personal development and rehabilitation. He stated that he met him in 2017.

Mr. Drizen stated that he takes cases that he believes people have turned their lives around. He stated that he has never claimed innocence. He stated that he did not seek certificates for a while. But when he was in the county jail, he found his faith again. He became involved in religious groups and became an ordained minister in 2005. He wanted to work on that part of his life and work a job before getting into programming.

End of discussion.

DECISION AND RATIONALE

Motion to grant parole (CTERRONES-RHEATON). Motion prevails by a unanimous vote.

After a complete review of Mr. Alexander's case, and after giving thoughtful discussion and consideration to all factors, the Board decided and voted to grant parole to Mr. Alexander, subject to conditions of parole release as set by the Board and by law. The Board hereby finds that Mr. Alexander is an appropriate candidate for parole release.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."



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***EN BANC* MINUTE SHEET**
OPEN SESSION February 1, 2024

Individual in custody's Name: Larry Hoover * IDOC Number: C01829

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Larry Hoover, C01829.

Members present were Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Terrones, Ms. Tison, Mr. Tupy, Ms. Shoffner, and Mr. Shelton, Chairman. Ms. Goff absent.

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

Mr. Larry Hoover C01829 was interviewed by Mr. Jared Bohland Prisoner Review Board Member live via Webex virtual platform from Florence ADX Federal Super Max Facility in Colorado on December 7th, 2023, at 9 a.m. Mr. Hoover was represented by Ms. Jennifer Bonjean of Bonjean Law out of New York, New York. Due to security requirements for virtual hearings at ADX, no other parties were involved on behalf, but a separate behalf hearing was held for Mr. Hoover's wife. Mr. Hoover was dressed in tan prison issue uniform, standing, and speaking without issue, and appeared to be in good health. Mr. Hoover was clear, polite, and very well spoken throughout the interview.

Ms. Bonjean made opening arguments, followed by an opening statement from Mr. Hoover, and then Mr. Hoover answered my questions throughout the interview without issue.

Ms. Bonjean made an opening argument stating that she has represented Mr. Hoover's interests for a few years now. She urges that Mr. Hoover be viewed as anyone else in this position without any special treatment. She argued that Mr. Hoover maintains deep regret and deep remorse. Ms. Jennifer Bonjean argues that Mr. Hoover has been rehabilitated in conditions within the Federal Super Max facility where rehabilitation is nearly impossible. She points out that Mr. Hoover entered Illinois Department of Corrections custody as functionally illiterate and has since made great strides while in Federal Super Max conditions. She states that Mr. Hoover has had zero physical contact with his family since entering federal custody. She stresses his voracious appetite for learning across all subjects matters. She argues that the Bureau of Prisons has evaluated Mr. Hoover as a lower risk, and they submit an independent risk and threat assessment as well. She argues that his family support is strong, that his family is doing work in the community, and that they hold him accountable. Ms. Bonjean stresses that if Mr. Hoover were to be released that he would come into a supportive environment



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without negative influences. She stressed that Mr. Hoover shares at length statements of regret, remorse, and renunciation from his gang leadership. They argue that Mr. Hoover is not somebody who can't be trusted.

Mr. Hoover opened by stating that he believes he is a good candidate based on his current state of mind, values, and principles. He states that he is a 73-year-old man who views the world much differently than when he went into prison. He regrets the wrong choices that he has made and the harm he has caused. He wants his story to be used as a cautionary tale for others. He argues that he is not a threat to the community, and that he will not do what he once did. He would not make the same mistakes, and he admits today that he did make those choices in the past. He is asking to be paroled to federal custody only in order that he can fight for parole on that end as well. Mr. Hoover states that he is a good risk for the Prisoner Review Board to take. He states he has learned his lesson. Mr. Hoover is aware of his age and mortality today, and he would not jeopardize any freedom that was granted to him.

Mr. Hoover's holding convictions include both state and federal convictions. Mr. Hoover's original holding conviction from the State of Illinois for which he seeks parole through this Board is a Murder conviction out of Cook County in 1973 which resulted in a 150-to-200-year sentence. Mr. Hoover's subsequent federal convictions for which he is currently held in Federal Super Max custody are all from 1998 and include Narcotics Conspiracy with a life sentence, Continued Criminal Enterprise with a life sentence, Use of Persons Under Age 18, 2 counts, with a life sentence, Distribution of Cocaine, 13 counts, with a life sentence, Use of Communication Facility in committing Narcotics Conspiracy, 20 counts, with a life sentence, and Use of a Firearm in the Commission of Drug Trafficking Crime with a 5 year sentence. Regarding Mr. Hoover's Illinois conviction for Murder, Mr. Hoover's projected mandatory supervised release date is April 25th, 2063, with a maximum discharge date of April 25th, 2066, at which point Mr. Hoover would be released to the exclusive custody of the Bureau of Prisons. Mr. Hoover was 23 years old at the time of the offense of murder, and he is currently 73 years old. Mr. Hoover served 22 years in Illinois Department of Corrections custody before being transferred to federal custody in 1995. He has since served 28 years in federal custody to date.

STATEMENT OF FACTS

In February 1973, Mr. Hoover was the leader of a gang known as The Family, ultimately the Gangster Disciple Nation. They headed the narcotic trafficking for the South Side of Chicago. One of the gang's drug houses was robbed. On February 21, 1973, Mr. Hoover ordered the execution of the 3 people he believed were responsible. At the meeting, where the executions were ordered, was the gang's top enforcer Mr. Andrew Howard. On February 26th, 1973, Mr. Andrew Howard located one of the victims Mr. William Young in front of Kennedy-King College, and, at gun point, forced him into his car and drove him to 68th and Green, where he met Mr. Hoover. They drove the victim into a rear alley and shot Mr. Young in the back of the head. That same day, Mr. Hoover announced that Mr. Young had been taken care of and that he wanted the other two killed before the week was out.

On February 28th, 1973, the second victim Mr. Joshua Shaw was shot 6 times in the chest and survived. The third victim known as Tucker hasn't been seen since February 21st, 1973. Mr. Joshua Shaw was a witness and saw Mr. Howard abduct Mr. Young off the street on February 26th. After Mr.



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Shaw was released from the hospital where he was treated for six gunshot wounds, he testified for the State at a preliminary hearing. He stated that Mr. Hoover had a hit out on all three victims, that he saw Mr. Young in a car with two men, and that he was being followed by a car driven by Mr. Hoover. Just prior to the trial for these two executions, Mr. Shaw was found in an alley with two bullets in the back of the head.

On March 15th, 1973, Police acting on an anonymous tip went to the Roberts Motel, located Mr. Howard, and placed him under arrest for the murder of Mr. Young. Arrest warrants were then issued for Mr. Hoover and Mr. West.

On September 21st, 1973, officers stopped the driver of a Hertz Rent-a-Truck for a traffic violation. They asked the driver to produce his license, which he could not. The driver, who identified himself as Mr. Cooper, was asked to accompany the officers into the 6th District Police Station. While officers followed the driver, he turned off his headlights and sped away. A chase ensued which ended when a squad car and the truck were involved in an accident, and the driver fled the truck on foot. He was caught and placed under arrest. The officers later learned that the truck had been reported stolen. The officers learned that the driver's fingerprints matched Mr. Hoover, who had an active warrant for murder. He was then arrested and charged with the murder of Mr. Young.

On December 10, 1973, the jury in this case returned a verdict of guilty for both Mr. Hoover and Mr. Howard in less than 3 hours. They were both sentenced to 150 to 200 years. All appeals were exhausted.

While in prison, later in 1995, Mr. Hoover was charged by the Federal Government with two charges for Continuing Criminal Enterprise and Narcotics Conspiracy. The Feds obtained an eavesdrop order from a judge and modified prison visitor badges with wire taps so that the prosecution could record conversations between Mr. Hoover and other members of the Gangster Disciples. Evidence and wire taps included conversations between Mr. Hoover and his visitors at Vienna Correctional Center, wire tapped governors and board members, and even wiretapping a restaurant used for Gangster Disciple meetings. It was determined that Mr. Hoover ran the 35,000-member gang from his prison cell as the "Chairman of the Board" and planned the drug sales in Chicago along with money laundering activities. Transcripts from this wire taped conversations with several leaders in the gang confirmed both Mr. Hoover's leadership over the entire gang and its drug empire, but also his plan for profiting from the empire while still in prison. One such transcript and its quotes outline how he would take the proceeds from the drug trafficking from one day each week, rotating the day each week, and that he expected to make at least a million dollars a month. When asked what he wanted for his birthday, he stated that every day was his birthday and that this was his birthday present. A 2014 letter from the DuPage County Assistant State's Attorney who was a part of the team of Cook County and Federal prosecutors' states that the gang's drug sales were nearly 100 million dollars a year. The letter also clarifies that Mr. Hoover had a one day a week tax whereby he and the other directors would get all the profits from the sales of drugs once a week. Mr. Hoover thought he would make nearly \$500,000 on that one day alone. Mr. Hoover also laid out gang drug sales and how the gang was organized. Mr. Hoover was sentenced by the Federal Court to 6 Life Sentences. Six other members including mostly other directors and governors for the gang were also convicted and sentenced to life. All appeals have been denied. Mr. Hoover is currently in Florence Federal Super Max Security Prison



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in Colorado with limited visitation and interaction.

On appeal in 2001, the appellate court stated that the “tapes of the intercepted conversations [was] evidence so crushing that the rest of the prosecution’s case scarcely mattered” and that “Hoover and other top managers violated the law whether or not they sold drugs (or committed the conspiracy’s other crimes) personally.”

In 1991, Mr. Hoover filed an appeal with the argument of ineffective counsel based on he and his co-offenders being represented by attorneys of the same firm. The judgement was upheld. In 1998, Mr. Hoover’s post-trial motion was denied. In 1999, Mr. Hoover began petitioning and arguing that the State of Illinois, Illinois Department of Corrections, and the Illinois Prisoner Review Board had relinquished their authority over him by handing him over to Federal custody. In 2003, Mr. Hoover filed a post-conviction which was denied. In 2005, Mr. Hoover petitioned for Habeus Corpus and to vacate his sentence which was denied. Mr. Hoover has submitted a petition under the First Step Act related to his federal convictions only.

CRIMINAL HISTORY

Mr. Hoover has quite a few arrests and police contacts preceding his murder conviction from 1968 to 1973. In 1968 he was arrested for unlawful use of weapon, discharge of firearm, aggravated assault, two counts of aggravated battery, reckless conduct, and mob action. In 1969 he was arrested for two counts of aggravated battery, reckless conduct, mob action, and attempted murder. In 1970 he was arrested for two counts of attempted murder, murder, theft, aggravated assault, disorderly conduct, assault, resisting, and battery. In 1971 he was arrested for concealed carry of weapon, drugs, two counts of armed robbery, possession of marijuana, aggravated robbery, discharge of firearm, and house of ill fame. In 1972 he was arrested for possession of heroin, possession of meth, possession of drugs, and aggravated battery. In 1973 he was arrested for theft prior to this holding conviction of murder.

Mr. Hoover’s statements regarding his criminal history were that he was living by the code of the streets at the time. He stated that he was shot 6 times during his period of his life. That was life at the time. Mr. Hoover stated, “I didn’t know any better until being educated while in custody.”

Per a 2022 Bureau of Prisons Psychology Assessment, Mr. Hoover described his gang history and evolution into leadership in detail. Mr. Hoover stated he joined the Black P-Stone Nation as an adolescent in the 1960’s. In the late 60’s he joined the Lords Stone Disciples. By the early 1970’s he became affiliated with the Supreme Gangsters. He assumed leadership of that gang before it merged with the Disciples forming a new gang called the Black Gangster Disciples. Mr. Hoover emerged as the new gang’s leader. During his 1973 incarceration, he built and organized an extremely well-structured drug distribution organization primarily owning the drug sales in the Chicago area, surrounding communities, and other large cities near Chicago. Mr. Hoover was described in this assessment as having a large following of devoted gang members throughout the country. Mr. Hoover discussed his tenure as leader of the Gangster Disciples over the past 25 years and during incarceration explaining, “I treat people the way I want to be treated. That is why people like me and want to follow me.”



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INSTITUTIONAL ADJUSTMENT

Mr. Hoover stated he lost his mother, brothers, and aunts over the years. He stated his sister is still alive. He has a wife and sons who visit him two to four times per year in Colorado. Mr. Hoover stated that he owes it to his kids to come out and prove to them he has changed. He stresses he will not disappoint them. Mr. Hoover married his long-time common-law wife in 2018.

Mr. Hoover shared that some programming is required for him to stay in the K Unit at ADX. He takes classes via television which he states gives him something to do. He points out that you can only complete courses at ADX when they come up in their rotation. He took Anger Management in 2006. Mr. Hoover states he is not currently enrolled in anything, but that is not by his choice. In March of 2022 Mr. Hoover refused to take part in a recommended services for Anti-Social Peers, Cognitions, and Trauma. In November of 2022, he admitted to refusing some services stating that the group services cut into his three hours of daily movement. As of his most recent documentation, Mr. Hoover is currently recommended as needing anger and hostility, anti-social peers, cognitions, and trauma counseling. By August of 2024, ADX would like Mr. Hoover to complete Criminal Thinking, Money Smart, Anger Management, and Illness Management.

Mr. Hoover has a complicated disciplinary record. Regarding his 22 years in Illinois Department of Corrections custody, Mr. Hoover had 30 minor and 10 major tickets with approximately 382 days of time in segregation. In 1976, Mr. Hoover received a ticket for threats and refusal to lock up, in 1978 for inciting a riot and involvement in mutinous act he received one year in segregation, in 1981 for unauthorized movement and disobeying a direct order on four occasions, in 1982 for unauthorized movement, in 1993 for trading and trafficking, and in 1994 for unauthorized movement. The ticket he received in 1978 for inciting a riot was for the "1978 Pontiac Prison Riot" that left three corrections officers dead and dozens hospitalized, which he allegedly was the leader of. Mr. Hoover was the number one defendant in what would be dubbed the "Pontiac 17 Case" due to it involving a total of seventeen inmates that wound up being charged with three counts of first-degree murder in the fallout from the riot. The state wanted the death penalty however, they all beat the case and charges against Mr. Hoover were ultimately not pursued. During his custody within Illinois Department of Corrections for these 22 years, Mr. Hoover committed acts leading to numerous federal convictions and life sentences.

During his 28 years in federal custody, Mr. Hoover accrued several tickets. In 1996, Mr. Hoover received a ticket for using unauthorized equipment or machinery. In 1996, for using phone or mail without authorization. In 1997, for high level disruptive conduct "most likely threatening" for an incident where he threatened to cause a fire and damage property if he and his peers were not allowed to socialize in a large area (per his private 2022 violence assessment.) In 1999, for assault with serious injury where he held another inmate while an accomplice punched the victim in the head and face resulting in 60 days isolation. In 2015, he received a ticket for unauthorized communication with another inmate via coded messaging he received 15 days segregation. In 2015, for communicating gang affiliation. In 2017, for communicating gang affiliation which involved a 17-page exhibit. In 2018, for participating in an unauthorized meeting and being in unauthorized area.

A 2021 Federal Indictment against numerous Gangster Disciple ranking members for



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Racketeering and Murder to Aid in Racketeering shed light into some of these issues with ties to Mr. Hoover and his tickets while in ADX. The documents in the indictment outline that the structure of the Gangster Disciples still acknowledges Mr. Hoover as the sole Chairman of the Board for the organization with an expansive list of positions under the chair. It also notes that the Gangster Disciple Nation has spread throughout the country. The indictment shows that the Gangster Disciples still acknowledge and celebrate Mr. Hoover's birthday as a holiday within the organization. Mr. Hoover's 2015 ticket for coded messages involved one of the individuals tied to this 2021 case. Mr. Hoover was caught communicating in code using a dictionary found in his cell, a deciphering system, and a message hidden within a list of legal cases. The communication was occurring with Mr. Anthony Dobbins who was also incarcerated at ADX at the time. An excerpt from the coded message stated, "Chief this code is very important. We both have to be absolute about this interpret system. Whenever we see a word with a small dash in front, we do not count that word. We only count the whole word that is farthest over to the left. We also count ever single letter. Only we know this code. Nobody else does. We communicate in plain sight. I am ready to handle your business." On September 1st, 2014, Mr. Anthony Dobbins informed another board member, Mr. Griffin, that Mr. Hoover had appointed them both as board members. On October 11th, 2014, Mr. Dobbins and Mr. Griffin discussed challenges to their appointment and that dissenting members should be dealt with violently. Mr. Dobbins continued to express his intentions to execute anyone who challenged his appointment. On November 25th, 2017, the Gangster Disciple leadership held an event in Chicago celebrating the birthday of Mr. Hoover. On May 18th, 2018, Mr. Griffin and Mr. Dobbins shot and killed a rival Gangster Disciple member. On August 10th, 2018, Mr. Dobbins possessed 200 grams of heroin, 90 grams of crack cocaine, 50 rounds of .40 caliber ammo, and Gangster Disciple correspondence. All of this was argued for a much closer connection to Mr. Hoover and the Gangster Disciples as recently as 2014 and 2015 than Mr. Hoover was claiming himself.

Mr. Hoover argues today that the tickets in federal custody are not as significant as they sound on paper. He states that in 1996 he used two lockers without authorization. He claims his gang tickets are related to a guy giving him a dictionary and writing a letter to him. Mr. Hoover further claims that he never actually received the letter. He states that in 2018 he hollered over a wall to talk to someone in another unit. He states that the communication was friendly but that such communication is not allowed.

Ms. Jennifer Bonjean responded to what they refer to as the 2015 Dobbins Incident. She argues that someone else attempted communication that Mr. Hoover never actually received. She argues that Mr. Hoover didn't know Mr. Dobbins. She argues that the dictionary has never been seen. She points out that his punishment was 30 days commissary loss. She argues that Mr. Hoover is repeatedly punished for the conduct of others who want to involve him whether he wants to be involved or not. Ms. Jennifer Bonjean argued that if his offenses were that serious, he would have lost the K Unit placement.

Mr. Hoover's only stated belief system is that his practice is to treat people the way you want to be treated. He states that his wife and family are religious, but he is not.

Mr. Hoover has taken part in an extensive amount of education during his incarceration. While in Illinois Department of Corrections custody, Mr. Hoover completed his GED and EMT certifications



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while at Vienna Correctional Center along with 14 hours of college course work. While in federal custody, Mr. Hoover has taken part in a significant amount of adult education courses across numerous topics. He is on his third course of 2023 thus far. Mr. Hoover stated in the interview that the most amazing part of his education over the years is that he learned to read in the first place. He wasn't sure when he was younger that he even had the mechanics to do so when he first came into Illinois Department of Corrections. Mr. Hoover stated that he didn't learn when he was younger because he was lazy and didn't want to be embarrassed. Learning to read opened the world to him.

Mr. Hoover's institutional work history is complicated. While at Stateville Correctional Center he held several jobs including gym help, cellhouse help, soap shop, book bindery, labor pool, and as a unit orderly. While at Vienna Correctional Center he worked as a teacher's aide, grounds crew, and as a first responder. There is no work history noted while at Dixon Correctional Center. He did not participate while in federal custody in Illinois or Indiana. The work history isn't noted at ADX Florence however he would not have had work opportunities until 2015 when he transferred to the K Unit. Notes indicate that ADX would like to see him take a work assignment by August 2024. Mr. Hoover points out that work wasn't available until the K Unit. The only job available in the K Unit is as a porter for 3-month periods of time, which he claims he has done.

There are no volunteer opportunities available at ADX.

As of August 10th, 2023, Mr. Hoover is leveled as low risk for recidivism. Mr. Hoover's 2022 Private Violence Risk Assessment ordered by Mr. Hoover's legal counsel states, "While in state prison in Illinois, he continued to run the Gangster Disciples gang from within the Illinois Department of Corrections. At that time Illinois Department of Corrections was not set up for the effective management of inmates who were in gangs. Gang chiefs were allowed to continue in their gang-related business activities in exchange for assistance managing other gang inmates. The assessment further argues that while his historical risk factors are present, that his future risk factors are low. That Mr. Hoover voices strong opposition to future involvement in crime or gang affiliation. The assessment also argues that Mr. Hoover has been separated from the Gangster Disciples since entering federal custody, that he has only been involved in the one gang, and that the gang has changed over time therefore minimizing his chances of recidivism into group-based violence.

Mr. Hoover's confinement history is as such. Mr. Hoover was first received at Stateville Correctional Center in 1974. He was transferred in 1978 to Pontiac Correctional Center for four months, and then transferred back to Stateville Correctional Center. In 1979 he was transferred to Metropolitan Federal Correctional Center in Chicago. He was transferred back to Stateville Correctional Center in 1981. A 1984 Supplemental Assessment states: "Mr. Hoover, AKA King Hoover, is the leader of the Black Gangster Disciple Street Gang. Mr. Hoover is an intelligent individual who has tremendous control over his organization. He is quite personable and courteous and appears able to affect a conforming adjustment when he chooses to." A 1986 Supplemental Assessment states: "A review of inmate Hoover's records indicate that upon arrival to IDOC, he was a functional illiterate. Inmate Hoover appears to have taken advantage of the educational opportunities afforded by IDOC and I have found him to be in complete control of his oral and verbal skills." In 1987 he was transferred to Vienna Correctional Center. In 1994 he was transferred to Dixon Correctional Center at his own request. In August of 1995 he was transferred to federal custody on court writ. He remained in federal custody in



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pre-trial status until receiving his federal life sentences in June of 1998. During this time, he was assigned to Federal Prison in Terre Haute, Indiana as well as Marion, Illinois from May 9th, 1997, to September 21st, 1998. On September 24th, 1998, Mr. Hoover was transferred to ADX Super Max Federal Institution in Florence, Colorado. He remained on the G Unit until 2015. He was transferred to the K Unit in 2015 which is the least restrictive unit with some socialization and a few more freedoms. This includes 1.5 hours of social time and access to the yard in small groups.

STATEMENTS AS TO THE OFFENSE

Mr. Hoover seems to take responsibility for his actions, although when it comes to the details of his murder conviction, he doesn't speak of the details specifically. In 2022 he stated that the victim of the murder "took narcotics from a drug house that belonged to him, and he stated that at the time that we would get him and do something to him. Somebody caught him and got rid of him." Today Mr. Hoover states that he takes full responsibility for the murder. He states that he can't get redemption but has tried to rehabilitate himself for it. Mr. Hoover went on to say that it is hard to admit that he was part of something so heinous but admits that he was. He mentioned that he is glad his mother isn't alive today to hear him admit to it. He states that since entering federal custody, his life went into total lockdown, and that type of incarceration forced him to think about his past on a deeper level. This resulted in a natural maturity and change over time. Mr. Hoover states that he was young and illiterate, and he didn't even have a driver's license. Drugs and hustling were his only way of finding success in life. He became indoctrinated in criminal lifestyles, and he took the opportunity when it was presented. When things happened in the streets, he states he responded with a street mentality. Mr. Hoover states he has replayed these facts a thousand times in his head.

Regarding his federal convictions for actions taken while in Illinois Department of Corrections custody, Mr. Hoover now admits that he did everything that was alleged, but he argues that the details and amounts related to the crimes were inflated to accomplish seeking life sentences at his conviction. Mr. Hoover claims that the claims of him running a 100-million-dollar drug enterprise are false and just talking fluff. Mr. Hoover argues that the federal agents never even found \$100,000 worth of cash. He also claims that he didn't even have the money for an attorney at the time, and that's why he represented himself pro se. Mr. Hoover argues his activities related to his federal convictions boil down to him asking the Gangster Disciples still on the streets for money out of their own operations.

Ms. Bonjean argued that Mr. Hoover's federal life sentences were based on inflated figures with a lower standard of proof. She argued for disproportionate sentencing related to heavy cocaine sentences at that time in the past. She points out that he is eligible for resentencing under the First Step Act today, and that they have an active motion for reconsideration at this time. She argues that Mr. Hoover doesn't deny his activity, but rather argues that the figures leading to him qualifying for life sentences were inflated for that reason.

Mr. Hoover admits that he was the Chair of the Board for the Gangster Disciples during his time in Illinois Department of Corrections, but that he was transitioning the Gangster Disciples into a new organization called Growth and Development. Mr. Hoover states he was asking the Gangster Disciples for money to support the Growth and Development efforts. He further argues that many of the Growth and Development leaders from back in the 1990's are still active community leaders today.



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Mr. Hoover was asked how he would respond to those concerned about the obvious leadership and influence that he held over generations of gang members. Mr. Hoover argues that at one point he had that kind of influence, but that it was 25 years ago. He claims that those people are now dead or gone from the gangs. He argues that it is a whole different world today with young leadership who don't know him. Mr. Hoover would like to use his story as a cautionary tale but has no desire to influence anybody.

Ms. Bonjean argued that Mr. Hoover has zero ability to have influence from the Bureau of Prisons. She also argues that the structure of gangs has changed over the decades to the extent that he is more symbolic in nature than any sort of actual leader.

Mr. Hoover was asked when his gang leadership ended. Mr. Hoover stated that he renounced his gang membership 5 to 10 years ago. He states that in Federal custody, you cannot even speak about gangs at all, even in a renunciation manner. In 2022, Mr. Hoover had argued that he stopped being the leader at the point he was separated from the organization. He stated last year that he has remained a figurehead in name only but that he really stopped having direct influence. Mr. Hoover publicly renounced on paper in a letter to a judge in 2021.

PAROLE PLANS

Mr. Hoover understands that the Prisoner Review Board granting him parole would only release him into federal custody exclusively. If he were to be granted parole on both the state and federal level, his plan would be to live with his wife. She currently lives on the South Side of Chicago. Mr. Hoover has thought about trying to speak to youth as he believes his story is a good deterrent. Mr. Hoover believes that his release is a dream and a fantasy after 50 years in custody. They argue that they have support from the former Secretary of Education under President Obama. They state there are some who believe Mr. Hoover has the ability to influence the community for good and that he can speak to the issues of consequences for your actions. They argue again that 30 years at ADX have rendered Mr. Hoover unable and irrelevant to current gang structural knowledge.

As mentioned, Mr. Larry Hoover's wife, was granted a separate behalf hearing due to security constraints. She argues that Mr. Hoover has changed drastically over the years, and that he is a different man today. She sees differences in his thought patterns and the way he views the world. She believes he is now a family man. She does not believe his case is being considered fairly. She shared that they have phone visits regularly. There is lots of family support including his sons and grandkids. She stresses he is active as a father from prison. Ms. Winndye Jenkins Hoover is prepared to move for his parole if necessary. She pointed out that she hasn't touched him physically since he entered ADX. She visits him in Colorado; however, the visits are through plexiglass. She stated that her children have spent their lives visiting him in prisons. She stresses that Mr. Hoover has no desire to come out and get involved in the streets. She stresses that she needs a break from prisons herself, and that she doesn't want him coming home in a pine box. She will do whatever is needed for parole to be granted and successful. She is ready to move tomorrow if that were necessary. She believes that if granted parole, that the federal commission would do so also.



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Mr. Hoover has numerous letters of support submitted by his legal counsel.

He also has a letter submitted by a self-proclaimed former gang member who claims that after getting locked up and meeting Mr. Hoover, he changed his ways at Mr. Hoover's direction becoming a minister and mentor.

Another letter from a former offender, states that she changed her life after writing Mr. Hoover letters and getting advice to make better decisions.

Mr. Hoover argued in closing that he is a good risk, but he understands that it is a risk for the Prisoner Review Board. He stressed he would not embarrass the Prisoner Review Board. He stated "I would appreciate it. I wouldn't do anything to hurt or disappoint anybody, particularly my family."

Ms. Bonjean stated in closing that they recognize the complexity of this case. Mr. Hoover has maximized his abilities given his opportunities available at ADX. There is no more hopeless a situation than his at ADX. The expectation by the Bureau of Prisons is that he will die there. He has worked mightily to stay out of trouble and work on himself despite his hopeless situation. Mr. Hoover has no social capital anymore. He is a human being, recognizing the harm, but not overemphasizing the myth that he is still the person he once was. He has fully renounced his gang leadership on paper to a judge.

OPPOSITION TO PAROLE RELEASE

In 1995, Cook County State's Attorney opposed parole, stating that since his incarceration in 1973, Mr. Hoover had continued to control the largest, most violent gang in the state, the Gangster Disciples street gang. At that time, law enforcement had documented the presence of the Disciples in almost every county in Illinois. In Chicago, the Gangster Disciples committed 25 percent of the gang-related homicides from 1990 to 1993. Many of the gang members responsible for these crimes pledged their blind allegiance to "King" Hoover, even though they had never met him. They go on to note that Mr. Hoover and the Disciples had expanded their criminal activity throughout the United States. Federal Law Enforcement Agencies had documented the presence of the Disciples in over 150 cities, including in distant states such as California and Florida. Mr. Hoover's influence throughout the country had been the subject of several national television documentaries aired on ABC World News and HBO.

In 2014, DuPage County States Attorney wrote in opposition as one of the team members on the Cook County & Federal Prosecutors who coordinated the federal investigation. States that Mr. Hoover was the undisputed leader of the Gangster Disciples who managed a \$100 million-dollar criminal enterprise from his prison cell in the Vienna Correctional Center. It states 38 other members of the gang were charged and pursued. It states that Mr. Hoover was fearful of his phone calls being recorded so he insisted on face-to-face visits with his co-conspirators. The gang structure below the board were governors and regents with jurisdictions, assistant governors, treasurers, area coordinators, security chiefs, in addition to all the street level soldiers who sold the narcotics. Evidence established nearly 6000 members were actively engaged in the narcotics conspiracy.

Mr. Hoover was also convicted of specific acts in furtherance of the conspiracy such as arming juveniles to protect the narcotics conspiracy. In one example, a 15-year-old was armed and acted as



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“security” for a meeting of board members with orders to shoot at Chicago Police Officers to distract them from the board meeting to allow leaders to avoid arrest.

In 2017, Cook County State’s Attorney opposed with a 4-page letter. They outline the statement of facts in detail. Major objection centered on deprecation as the gang leader who ordered and committed murder to enforce drug and gang leadership, as well as adverse effects on institutional discipline due to Mr. Hoover running his drug empire during the entirety of his state custody and acquiring numerous federal life sentences.

There is a history of significant protest in this case.

EN BANC HISTORY

The year of first consideration for parole was in 1983. Mr. Hoover has come up for parole consideration 23 times. A summary of his past multi-year sets includes two-year sets in 1997, 2003, and 2012; three year sets in 1999, 2005, 2008, and 2014; and a five-year set in 2017.

Mr. Hoover received one vote in favor in 2014 and had one vote in favor in 2022.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Bon Jean stated that a lot of what has been said is folklore and hearsay. There is no doubt about what he is responsible for. He does not deny his crimes, specifically the crime that we are here for today about. She stated that ADX Florence, is not like Tamms. She stated that he is not presently seeking parole in federal court. He is under numerous life sentences. She stated that they are asking for the chance to request parole from federal prison. She stated that they have a pending motion for 1 year with the federal court. She stated that Illinois would be releasing him to federal custody, for potentially forever. She stated that he was living a criminal life, he was illiterate, and he was a go getter. She stated the only way up the ladder for him was criminal activity. She stated that she does not believe Mr. Hoover would deny any class that he would be offered. She stated that he is only allowed out of his cell 1 hour per day, and he does not want to repeat any classes during that time he is allotted. He doesn’t have any desire to run any organization, such as the Gangster Disciples. He cannot speak at ADX Florence, he cannot even renounce at that level. He will be punished if he speaks about that. She stated that Mr. Hoover never communicated with Mr. Dobbins. If Mr. Hoover was involved in communicating with gang activity, he would’ve been punished more than the loss of ramen noodles. She stated that he would’ve lost his privileges on K Security, which is the lowest you can get at ADX Florence. She stated that the mention of a name he was in contact with over 30 years ago is a moot point because ADX Florence has it covered that he will not be able to get away with that. She stated that he has chosen to rehabilitate himself even with multiple life sentences. She stated he said that the has formally renounced all gang affiliation.

Mr. Hoover Jr., Mr. Larry Hoover’s Son stated that he is father, son, community activist, and union worker. He stated that he wants his father to be known of the man he is today and not the man that the media portrays him to be. He stated that at the time of the crimes his father did not know better,



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and he lives by the saying if you know better, you do better. He stated that the man he knows today is not the man that went into prison. He stated that despite the picture that has been painted of his father he is proud of the man that he is today. He wants people to see that he is a 73-year-old man, and he has taken responsibility for what he has done. He stated that he hopes rehabilitation is what the Board wants to see.

Dr. Globokar noted Mr. Hoover's influence, which, if one were to suspend moral judgment, was impressive for what had been an illiterate youth. She stated she doesn't envy his task of navigating such a complex biography. Dr. Globokar stated for the benefit of the Board that there is evidence to support the authenticity of some street organizations' efforts to change in a positive direction, including the Lords, Stones, Disciples coalition in the 1960s and the Gangster Disciple's efforts toward "Growth and Development." She also acknowledged the attorney's point that the dismantling of gang hierarchies has had complicated effects on street violence. Dr. Globokar acknowledged that the Board is tasked with weighing such positive efforts against concerns about the deprecation of past offenses and resulting harms, which in this case, mythologies regarding Mr. Hoover aside, included a murder that took place in the context of three ordered executions, along with the aggravation of his subsequent activities within Illinois Department of Corrections.

End of discussion.

DECISION AND RATIONALE

Motion to deny parole (JBOHLAND-RHEATON). Motion prevails by a unanimous vote.

Motion for a 5-year set (JBOHLAND-LMILLER). Motion failed by 9-3 vote. Members voting in favor of the motion were Mr. Bohland, Mr. Grubbs, and Ms. Miller. Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Heaton, Chairman Shelton, Ms. Shoffner, Ms. Terrones, Ms. Tison, and Mr. Tupy dissented.

Motion for a 3-year set (KTUPY-WDELGADO). Motion prevails by an 8-4 vote. Members voting in favor of the motion were Mr. Bohland, Mr. Coates, Mr. Delgado, Mr. Grubbs, Ms. Miller, Chairman Shelton, Ms. Tison, and Mr. Tupy. Ms. Globokar, Mr. Heaton, Ms. Shoffner, and Ms. Terrones dissented.

After thorough consideration of Mr. Hoover's case, the Board voted to deny parole. The Board feels that parole release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Hoover's parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."



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***EN BANC* MINUTE SHEET**
OPEN SESSION February 1, 2024

Individual in custody's Name: Janet Jackson

IDOC Number: N77201

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Jackson, N77201.

Members present were Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Terrones, Ms. Tison, Mr. Tupy, Ms. Shoffner, and Mr. Shelton, Chairman. Ms. Goff absent.

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

On December 11, 2023, Ms. Janet Jackson was interviewed by Board Member, Mr. Matthew Coates via Web Ex video at Logan Correctional Center. Ms. Jackson presented with her attorney, Ms. Rachel White-Domain, alongside 11 individuals that were present to speak on her behalf. Ms. Jackson's interview began at 9:28am and ended at 11:37am.

Ms. Jackson was put together and prepared for the interview. Ms. Jackson's attitude was very polite, and she communicated clearly without issue for the duration of our interview. Ms. Jackson answered every question presented and was a productive communicator.

Ms. Jackson shared she felt she was in good physical health.

Regarding her mental health, Ms. Jackson shared that she feels her mental health is pretty good.

Ms. Jackson is currently 69 years old and has been incarcerated for 37 years.

Ms. Jackson was convicted of Murder and 1 count of Armed Robbery and sentenced on June 15th, 1987, to serve a life sentence for the Murder and 30 years for the Armed Robbery.

Ms. Jackson petitioned for Executive Clemency in 2022, and on April 18th, 2023, Governor Pritzker commuted her sentence to parole eligible, thus bringing her before our Board for parole consideration for the first time.



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STATEMENT OF FACTS

On early Sunday morning November 23, 1986, Mr. Kim Jackson was bludgeoned to death in a small farmhouse two miles south of Viola, Illinois in accordance with a plan conceived by his wife Ms. Jackson and carried out by her two co-conspirators Mr. Tony Royark, age 27 at the time and Mr. Michael Miller age 16.

At the time of the murder, Ms. Jackson and the two co-offenders were involved in a sordid and complicated sexual relationship. From these three emerged several plans to kill Mr. Jackson, two of which were unsuccessful, and the third which was successful.

The first plan involved Mr. Tony Royark attempting to disconnect a gas pipe leading into a trailer home where Mr. Jackson was living in the hope that the gas leak would cause an explosion and fire. However, Mr. Jackson caught Mr. Tony Royark in the middle of his attempt and reported him to the police. Mr. Tony Royark was charged with attempted arson.

The second plan created by Ms. Jackson and Mr. Tony Royark involved an attempt to kill Mr. Jackson by giving him an overdose of valium with alcohol. The dosage they gave Mr. Jackson was insufficient because he suffered no ill effects.

The third plan called for Ms. Jackson to lure Mr. Jackson to an isolated farmhouse at about 2:00am, where Mr. Tony Royark would be waiting with a four-foot-long galvanized piece of pipe. That evening, after having a date night, Ms. Jackson lured Mr. Jackson to the farmhouse and once inside positioned him so his back was to Mr. Tony Royark who was in an adjoining room.

At this point, Mr. Tony Royark then struck Mr. Jackson 5 or 6 times on the head with the pipe. As Mr. Jackson laid there on the floor, Ms. Jackson, and Mr. Tony Royark discussed how they were going to carry out the rest of their plan. Ms. Jackson realized Mr. Jackson was still breathing. As a result, Mr. Royark once again began to beat Mr. Jackson with the pipe on his head while he lay on the floor. Mr. Jackson eventually died, and the coroner concluded his cause of death was due to extensive trauma to his brain caused by a blunt object.

Mr. Jackson had also suffered defensive wounds to his hands in trying to defend himself during the attack. After Mr. Royark made certain Mr. Jackson was dead, the plan called for them to make it look like a robbery. To further their plan, Ms. Jackson had Mr. Royark beat her with a two by four on her arms and legs and also had him strike her in the mouth.

Their plan also called for a way to try and put the blame on someone not involved in the murder. To that end, Ms. Jackson sought to implicate Mr. Todd Brown, a local 7-11 employee in the murder. Ms. Jackson knew Mr. Brown because she frequently stopped for coffee at his 7-11 early in the morning while on her paper route.

Ms. Jackson also knew Mr. Brown was a hunter and knew that he wanted to hunt on her property. Seeing this as an opportunity, Ms. Jackson told Mr. Brown that he could hunt on the land



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early Sunday morning, November 23rd, 1986. Ms. Jackson's plan then was to kill her husband around two or three in the morning and wait until 5:00am before reporting the crime hoping Mr. Brown might still be on the property.

Ms. Jackson told police she was attacked by an unknown assailant. Ms. Jackson gave police an almost identical description of Mr. Brown. Due to previous conversations Ms. Jackson had with Mr. Brown about seeking to murder her husband, Mr. Brown instead went to the police with information concerning Mr. Jackson's death. Mr. Brown further stated that Mr. Michael Miller and Mr. Tony Royark were often present for these conversations. Based on this information, the authorities picked up Mr. Miller, Ms. Jackson, and Mr. Royark.

After questioning, all three made taped statements and were subsequently charged and convicted.

CRIMINAL HISTORY

Ms. Jackson has no criminal history prior to this offense.

INSTITUTIONAL ADJUSTMENT

Ms. Jackson has an extraordinary institutional adjustment. Since 1998, Ms. Jackson has only received 7 disciplinary tickets. None of them were for violence. Her most recent ticket was in July 2016 for unauthorized movement which stated, it was for going to the bathroom during count. She had two other tickets for unauthorized movement, one ticket for violation of rules for losing her ID and others for contraband, intimidation or threats, and violation of rules. Her disciplinary history is minimal.

Ms. Jackson has an extraordinary record of rehabilitation, education, and programming. Ms. Jackson has earned an associate degree in 1989 from Lincoln College, a bachelor's degree from Lewis University in 1995.

In 2011, she earned a Master's in Divinity Degree from Shalom Bible College and became an ordained minister that same year. She then went on to earn two PhDs. In 2013, she earned a PhD in Nouthetic Counseling and in 2015, earned a second PhD in Theology, graduating with honors from both programs. She has earned more than 24 awards, and over 15 programming certifications.

Ms. Jackson earned recognition for her poetry and has been an advocate for people with disabilities by helping start the Americans with Disabilities Act (ADA) program at Dwight and Logan Correctional Centers. She has also earned several public speaking awards from Toast Masters. Additionally, Ms. Jackson earned a Paralegal Certification and a Dog Grooming Assistant Certification in 2010. She became a certified tutor by the Literary Volunteers of America and has served as a tutor for many years helping other individuals in custody prepare for the GED test.

Ms. Jackson has spent her 37 years of incarceration helping others, educating herself, and remaining on the road to rehabilitation.



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STATEMENTS AS TO THE OFFENSE

Ms. Jackson when describing her version of events took full accountability for the offense and in the planning of it. She became emotional and was visibly remorseful. She made a note to emphasize and say she is fully responsible for what occurred and takes full accountability of what happened to her husband.

Ms. Jackson shared that while their marriage didn't start out abusive, at one point she financially made more than her husband, at times he was out of work, which caused friction in their marriage. To then, he became verbally, physically, and sexually abusive towards her. Her husband became very unhappy and would often take that frustration out on her, and the abuse did not stop.

Ms. Jackson's testimony regarding the abuse she received from her husband has been consistent. Dating back to during her trial testimony, several folks that knew Ms. Jackson testified confirming the abuse. Dr. Noble Harrison, who was a psychologist, examined Ms. Jackson, to then he testified during sentencing that Ms. Jackson suffered from Battered Woman's Syndrome.

PAROLE PLANS

In the short term, Ms. Jackson has several options. She been accepted to Peoria Rescue Ministries. She also has the option of living with her long-time friend Ms. Deb Helregel, who owns her own house in Peoria, Illinois. Ms. Helregel is a full-time accountant, formerly incarcerated, has known Ms. Jackson for over 20 years, and is able to provide Ms. Jackson with her own bedroom and private bathroom.

Regarding long term plans, Ms. Jackson plans to move into Spoon River Towers, a low-income building for people aged 55 and older. Spoon River Towers is managed by United Church Homes and subsidized through the Department of Housing and Urban Development. Ms. Jackson received approval to live there, as explained by Property Manager Ms. Karissa Stell, who was present for Ms. Jackson's interview, stating she's fully supportive and will aide Ms. Jackson in the process to live there.

Ms. Jackson also has a tremendous amount of community and organizational support. She had over 60 letters of individual support. She has reentry financial support pledges from several Domestic Violence organizations. Ms. Jackson also plans to receive social security income and plans to continue volunteering, serving, and helping people.

EN BANC HISTORY

This is Jackson's first En Banc.



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INDIVIDUAL IN CUSTODY'S STATEMENT

Ms. Jackson said "I know that I was wrong. I accept full responsibility. I know what I could have done, and I know what I should have done, and it's my actions that deprived my daughter a father. I deprived my husband's family a son, a brother, and an uncle. I deprived all of his friends of a good friend, and that is all my fault and I accept responsibility for that. I know that God has forgiven me, but I'm still working on forgiving myself. I can't tell you in words how bad I feel about this. How sorry I am. If I could do anything at all to make it up or to change it, I would. But I can't. But I do accept responsibility and I do know if there was anything I could do, I would do it. I'm sorry for everything that I've done."

DISCUSSION

Summary of discussion for parole consideration:

Ms. Rachel White-Domain, Ms. Jackson's Attorney stated that 2020 clemency and 2021 prison project entered a pro se clemency. She stated that Ms. Jackson made multiple plans to kill her husband. She has taken responsibility for this. She stated that she was raped, shaken, and stalked for over 10 years by her husband. The resources that we have today were not around when this happened. She stated that the violence made her plan to kill her husband. She stated that Ms. Jackson loves her husband and is remorseful. She stated that cases like this is her why, and why she does the work she does in Domestic Violence Advocacy. She requested all the organizations to stand and show their support for Ms. Jackson. She stated that there are several people that know Ms. Jackson personally and are here to support.

Ms. Alexis Mansfield, Women's Justice Institute, stated that Ms. Jackson is intelligent and kind. She stated Ms. Jackson's love for other people is visible. She stated that she is visibly old, and she is one of the oldest women in Illinois Department of Corrections. She stated that people seek her out in the prison because of her kind heart. She stated that she runs a legal clinic inside Illinois Department of Corrections. She stated that from the inside she was able to draft and pass the Post Partum Bill. She stated that what she has done for survivors outside is why this advocacy group would like her to be a part of their group.

Mr. Grubbs stated that he wanted to thank all the people present from each advocacy group.

Dr. Globokar wanted to thank the domestic violence community for being at En Banc. She stated the Battered Women's Syndrome was considered at sentencing, and the appellate court ruled the reason it had not been allowed at trial was that it was not relevant to her defense, which was one of factual innocence. She stated that the only evidence of abuse outside of Ms. Jackson's own testimony was her aunt's testimony that she "saw him push her once" and asked whether her current attorney had sought other corroborating evidence of abuse, such as referenced medical and police records. She stated while she understands there is not always evidence of abuse and such records may be difficult to obtain, the Board is in the difficult position of assessing what is in evidence regarding claims made before it.

Ms. White-Domain stated that there are no records that are kept from that period. She stated that



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the comments from the aunt when people often refer domestic violence as a family problem. She stated that the aunt was in her 60s at the time and she diminished the story due to beliefs at that time. She stated that there are not records and she wished there were more. She stated that Ms. Jackson speaks about her issues in a way of domestic violence, and she has a PTSD diagnosis.

Dr. Globokar stated that she is aware that there are difficult questions in this. She questioned what Ms. Jackson stated about the life insurance.

Ms. Rachel White-Domain, Ms. Jackson's Attorney stated that they have talked about it, but the statements are not true. The states position was that she killed him for life insurance and that was not the case. She had Battered Woman Syndrome, and she wasn't claiming innocence but that her reasoning was because of that. But this was before she was allowed to prove this to the court.

Dr. Globokar clarified that Ms. Jackson had argued actual innocence at the trial, testifying that she overheard her co-defendants discussing a murder plot regarding her husband but at the time didn't take it seriously because she thought they were just playing a game called "Murder and Mayhem," despite evidence that they, including her, had already made two efforts to take her husband's life. Contrary to the attorney's statement Ms. Jackson has not always taken accountability for her role in the offense.

Ms. White-Domain stated that there was a shift in characterization because she now takes responsibility.

Mr. Heaton questioned if there were any protests.

Mr. Coates stated that there are no oppositions on file.

Mr. Tupy states that Battered Woman Syndrome was a successful defense back then. He questioned if this was appealed when she was denied. He questioned if the appeal was denied.

Ms. White-Domain stated that she does not know. The appeal was denied.

Mr. Bohland stated that he is moved by the full accountability on the table today. There were some hints at an argument of accountability. He stated that this was an intentional act, so it is good that the accountability is there. The Battered Women Syndrome and Domestic Violence is a mitigating factor but taking the admission into account there were things in the trial that were being discounted. He stated taking all the abuse into account, and that 36 years have been considered and that she has used those 36 years to rehabilitate and better herself.

Ms. White-Domain stated that it is 38 years. She stated that Ms. Jackson is responsible for being the one that put this action into order.

Ms. Terrones stated that having the community to come in for cases like this is big.

Mr. Shelton questioned what the State's Attorney filed at the trial. He stated that they said she



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was an intelligent woman and had the ability to manipulate people. He stated that it said she convinced her husband to change his life insurance to the highest amount. Mr. Shelton questioned if she had access to the transcript, and if she remembers that portion.

Ms. White-Domain stated that she does have the transcript and doesn't remember that part. They had documentation that his life insurance premium was raised in the months prior to this happening.

Dr. Globokar stated that the personnel of the post office state that he elected the basic coverage and then came back after speaking with his wife and changed the policy. The new policy he chose was five times the amount of his salary.

Mr. Shelton stated that there is the allegation of the abuse. He stated the fact is if this was planned over time, the ultimate act wasn't from being twisted out of shape due to abuse.

Ms. Shoffner stated that people who are being abused aren't thinking clearly and it is often that the actions they make are due to that and the harm that is in their lives.

Mr. Coates stated that Ms. Jackson emphasized her participation in the planning of the murder. She talked about the abuse she suffered but she did not use that as an excuse for what she did. She took full accountability for planning and completing this motion.

End of discussion.

DECISION AND RATIONALE

Motion to grant parole (MCOATES-RSHOFFNER). Motion prevails by a 11-1 vote. Members voting in favor of the motion are Mr. Bohland, Mr. Coates, Mr. Delgado, Mr. Grubbs, Mr. Heaton, , Ms. Miller, Chairman Shelton, Ms. Shoffner, Ms. Terrones, Ms. Tison, and Mr. Tupy. Members that dissented were Ms. Globokar.

After a complete review of Ms. Jackson's case, and after giving thoughtful discussion and consideration to all factors, the Board decided and voted to grant parole to Ms. Jackson, subject to conditions of parole release as set by the Board and by law. The Board hereby finds that Ms. Jackson is an appropriate candidate for parole release.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."

EN BANC MINUTE SHEET OPEN SESSION February 1, 2024

Individual in custody's Name: Aryules Bivens * IDOC Number: N01682



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The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on February 1, 2024, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Bivens, N01682.

Members present were Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Terrones, Ms. Tison, Mr. Tupy, Ms. Shoffner, and Mr. Shelton, Chairman. Ms. Goff absent.

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

The basis for the Board's decision, at this time, is as follows:

PRESENTATION OF INTERVIEW AND FILE

Mr. Aryules Bivens appeared for his parole interview on December 6, 2023. He was interviewed by PRB Member, Ms. LeAnn Miller via Web-Ex video conference at Stateville Correctional Center. The following persons were also in attendance via Web-Ex Ms. Maria Burnett, Mr. Bivens' Attorney; Mr. Denard Jacox, cousin; Ms. Christelle Booker, cousin; Ms. Michelle Dodson, Professor from North Park University, Ms. Maleka Howard, daughter of Mr. Bivens and Ms. Darryldean Goff, observing Board Member from Prison Review Board.

Mr. Bivens is a 61-year-old who has been incarcerated for 41 years. He is currently serving an 80- year sentence for Murder and a 30- year sentence for Armed Robbery. On April 18, 2023, Governor Pritzker commuted his sentence to 80 years and 30 years with the possibility of parole.

STATEMENT OF FACTS

On September 12, 1982, at 4:00am, Mr. Kelvin Coleman, age 22, who was a deaf mute, was returning to his mother's apartment. His mother lived on the 2nd floor of an apartment building that is located at 733 E. Bowen in Chicago. When Mr. Coleman reached the stairway that led up to the second floor, he was approached by Mr. Bivens and a second person, named Mr. Johnnie Nicks. Mr. Bivens announced a stick-up and removed the victim's wallet at gunpoint. After this occurred, the victim ran up the stairwell. Mr. Bivens ran behind the victim. He fired several shots that struck the victim, while he was running up the stairwell. Finally, the victim was able to reach the second-floor hall. The defendant cornered the victim on the second floor. As the victim backed away from the defendant, the defendant fired several shots at the victim. The victim fell to the ground. Then the defendant walked up to the victim and fired one more shot before fleeing. The last portion of the incident was viewed by the victim's mother, who subsequently gave the police a detailed description of the defendant. Police detectives that were assigned informed the police of the involvement of Mr. Johnnie Nicks and his brother. Mr. Nicks turned himself in the next day, and an arrest warrant was obtained for Mr. Bivens. Police efforts to arrest Mr. Bivens were unsuccessful. However, on January 4, 1983, at about 9:00pm, Mr. Bivens was accused of abducting a woman by the name of Ms. Annie Taylor from her car. However, the woman was able to escape from Mr. Bivens by diving out of the moving car. At about



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3:00am on the following morning, Officer Everett Johnson spotted the car and after a short chase, he arrested the defendant. The defendant gave a confession to the murder and was identified in a line-up by the victim's mother.

Mr. Bivens was convicted from a jury trial for Murder and Armed Robbery. He was originally sentenced to Life for Murder and 60 years for Armed Robbery to be served consecutively. The petitioner appealed his conviction and sentence. The appellate court noted that it was impossible to determine whether the jury found that the petitioner was the person who murdered Mr. Coleman or that he was guilty on the theory of accountability. Because of this lack of clarity, the court vacated petitioner's life sentence and remanded the case to the trial court for a new sentencing hearing. He was resentenced on July 20, 1988, to 80 years for Murder and 30 years for Armed Robbery to run concurrently.

On March 23, 1984, Mr. Bivens was housed in the maximum-security division of the Cook County Jail awaiting disposition of another Armed Robbery case. Mr. Bivens perpetrated the offenses of Armed Robbery of 10 correctional officers, Unlawful Restraint of numerous correctional officers, Possession of a Stolen Motor Vehicle and Escape from Cook County jail with 5 other inmate-offenders. The individuals were able to escape at approximately 9:00pm on March 3, 1984, because handguns had been secretly brought into the jail to them and those guns were used to overpower the guards. With a gun, Mr. Bivens and the others took complete uniforms, money, wallets, IDs, and keys from 15 different male and female correctional officers they encountered. After doing so, Mr. Bivens left the jail complex with Mr. Gregory Hill both being fully dressed in correctional officer's uniforms. Immediately upon leaving the jail, Mr. Bivens and Mr. Gregory Hill stole a car after forcing a woman and her 3 small children out of the car. Defendant Mr. Bivens remained at large for 4 days most of that time dressed as a woman. On March 27, 1984, Mr. Bivens was arrested by the Chicago Police Department as he was hiding under a bed wearing fingernail polish and face make up.

In March 1985, he was found guilty of Escape and 5 counts of Armed Robbery & Restraint. He was sentenced on March 4, 1985 to 50 years for each Armed Robbery and 7 years for escape. In sentencing Mr. Bivens took 50 years on each count of Armed Robbery and 10-years for escape, Judge Bentivenga described Mr. Bivens as "the most serious danger to society he could imagine." Judge Bentivenga stressed the sentences in this case are not to start until Mr. Bivens sentences on the previous case have expired.

Mr. Bivens appealed his conviction and sentence, and the appellate court upheld the Petitioner's convictions and sentences. He filed a Petition for Leave to Appeal in the Illinois Supreme Court, which was denied. Petitioner also filed various post-conviction petitions in state court, in addition to a federal habeas corpus petition, all of which were denied.

Therefore, he was resentenced to 50 years for Armed Robbery and 7 years for escape, concurrent to each other but consecutive to 80 years and 30 years.

CRIMINAL HISTORY

In 1980, Mr. Bivens was charged with Armed Robbery. Mr. Bivens pled guilty to robbery of a



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black female and given three years in prison. He was paroled in 1981.

In 1980, Mr. Bivens was charged with Burglary. Mr. Bivens pled guilty to Burglary of a school. He received 2 years felony probation, 10 days in Illinois Department of Corrections and \$375.00 for restitution for a broken window.

INSTITUTIONAL ADJUSTMENT

Mr. Bivens had a horrible transition to prison. He stated that when he went into prison, he was wild and had a lot of trouble. He stated that he joined a gang in prison. Between April 1984-May 1998, Mr. Bivens had 103 disciplinary tickets.

In July of 1998, Mr. Bivens was transferred to Tamms.

Between 2001-2009, Mr. Bivens had five disciplinary tickets. Four of those tickets were major and one minor. He had a ticket in 2008 for Dangerous Disturbance and Participating in a Mass Demonstration. He received one year in segregation, one year Grade C, revoked 6-months good time and one year commissary restriction.

Mr. Bivens stated that one year in segregation made him realize that he needed to focus on himself. He stated that he got out of the gang, and he suffered brutal beatings to get out. He stated that is just a fact of getting out of the gang in prison.

In March 1985, Mr. Bivens was transferred to Pontiac Correctional Center. In February 1997, he was transferred to Menard Correctional Center. In July 1998, he was transferred to Tamms. In 2001, Mr. Bivens was transferred to Stateville Correctional Center. In August 2006, he was transferred to Menard Correctional Center. In August 2017, Mr. Bivens was transferred back to Stateville Correctional Center where he still currently resides.

Mr. Bivens has held many jobs in the facilities. He is currently working in the general library as a clerk at Stateville Correctional Center. He worked doing data entry for five years. He works as a Law Library Paralegal, and he has obtained his paralegal certificate. He worked in the Health Care Unit doing Pastoral care for dying individuals in custody. He said it was fulfilling spiritually, and you get to see a different side to the humans as they are dying.

Mr. Bivens states that he works so he can send money home to his daughter.

Mr. Bivens claims that he tries to stay healthy. He exercises on a regular basis and follows a vegan diet.

Mr. Bivens received his GED. He received his Master's in arts, Christian Ministry from North Park University May 2023. He received his associate degree from Lincoln College. He received his bachelor's degree from Illinois State University.



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Mr. Bivens has received multiple certificates including his Paralegal Certificate, Ministry Education Certificate, Restorative Justice Certificate, Transformative Certificate, and his Pastoral Care Practice.

STATEMENTS AS TO THE OFFENSE

Mr. Bivens denies any involvement in the Murder and Armed Robbery of Mr. Kevin Coleman. He stated that he feels terrible for what happened to Mr. Coleman. He stated that he must think about how his family must feel. Mr. Bivens stated that he knows how families feel when they lose someone, because he lost his sister, and it is a horrible loss.

Mr. Bivens stated the night of the murder, he was at his sister's house and the Nicks brothers came there to get a ride. He stated that they had been drinking. Mr. Bivens stated that they had asked him for a ride, and he told them he would give them a ride. He said once they were walking toward Cottage Grove, both brothers, Phillip and Johnnie were smoking weed. He said that a person walked by them, and Phillips stated, "Hey, there is someone we can sting." Mr. Bivens stated that he said, "No, let's go." He stated that Mr. Johnnie Nicks started following Mr. Kevin Coleman and Mr. Phillip Nicks was following behind him. Mr. Bivens stated that he stayed in the alley and an older man came and tried to buy weed from him. He said he heard shots fired and Johnnie and Phillip came running into the alley. He stated that Phillip was putting the gun in his pants. Mr. Bivens stated that he cursed at them, and Johnnie stated, "It was Phil." He stated that he wasn't a look out and never entered the stairs. Mr. Bivens stated that the next day he found out the Mr. Coleman had been robbed and killed. He stated that upon questioning from the police, he tried to be loyal to his friends and was not truthful about what happened. He said that was a "great mistake."

Mr. Bivens states that he is innocent of this crime, but he does have a lot of guilt toward it because he is the one who bought the gun in the first place.

Mr. Bivens stated about the escape conviction that the Cook County Jail was a torture chamber and there were a lot of older guys, and it was very violent. He said that he was bullied and intimidated there. He stated that the weapons were brought in by paramedics and it was a complex operation. He stated that he was told to cooperate, or they would kill him. He said he was afraid and did what they told him to do. Mr. Bivens stated that it all happened so fast and that he was told to put on a uniform, so he did. He said that once they were all outside, they all split up, but he and another individual found a car and then they separated. He stated that he knew he was going to be caught because he didn't have a plan. He said he was caught in five days.

PAROLE PLANS

Mr. Bivens will parole to his cousin's house, Ms. Christella Booker. She has a bedroom for him and access to a computer. She plans on supporting him in getting back into society.

Mr. Bivens has a job offer with North Park University as a writing tutor. He also has an offer from a DC based law firm for a paralegal position.



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Mr. Bivens has a support group that plans to help him in whatever he needs.

OPPOSITION TO PAROLE RELEASE

There are two letters in the file from Cook County State's Attorney, Ms. Foxx dated September 2020. One of the letters did not oppose his clemency petition and the other letter opposes the clemency petition.

ENBANC HISTORY

This is Mr. Bivens first time to appear at En Banc.

INDIVIDUAL IN CUSTODY'S STATEMENT

Mr. Bivens stated he had a message for the Board. "First and most important, I am remorseful for the pain for the life being taken. The pain I have is for so many families. It is very difficult for me. It keeps me balanced as a human. Seeing me now as an individual and not my past will show you that I will contribute to society. I am transformed and not the person from the past. I hope and pray that you grant me the opportunity to be a contributor to society. I want to be with my daughter, grandkids, and great grandkids. I want you to see me as a human and maybe I will become a lawyer, teacher, or pastor. Thank you, Governor Pritzker and the Board for this opportunity."

DISCUSSION

Summary of discussion for parole consideration:

Ms. Maria Burnett, Mr. Bivens' Attorney, stated that Uptown Law Center has offered him a position as a paralegal. She stated that she wanted to make some corrections that Mr. Bivens has never said that he was innocent. She stated that there was not a long-term plan to commit that crime that night. They were young boys that were drinking and committed this crime. She stated that he did procure the gun and was at the crime. He believed at his age that having a gun would protect him. He is very remorseful and takes full accountability for his actions. She stated that she wants to make a correction on the escape, and he has taken full responsibility of escaping, but he was not responsible for planning this crime and getting the guns in. He stated that he was very young, and he was working in the underground tunnels serving food trays. The other inmates knew that he knew the tunnels and he had a gun pointed at him and told to take them through the tunnels and escape. She stated that the guns were pointed at him, and he had no other options. When he escaped, he went and sat at his friend's house waiting to be picked up. She stated that he is still remorseful for what he did that day to those officers. She stated that he has had two chapters in his life while in prison. After 1998, he chose to get baptized. He did have some hard times getting adjusted in his incarceration. Mr. Bivens joined a gang while in prison, at Pontiac Correctional Center for his own protection. She stated that he didn't approve of the gang violence. Once getting baptized he renounced his gang affiliation and sustained a serious beating. This was before Illinois Department of Corrections had a formal renunciation from gangs. Since 1998, Mr. Bivens has been a completely different person. He tried to get as much education as he could, and



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it helped through his transition. She stated that the governor saw the value of his incredible work he has done since 1998. He started literacy programs, and was a NA counselor, and developed programs. He had no other reasons to commit himself but just to become a better person. This was important to do this for himself. The ticket in 2008, he was in Menard Correctional Center, and they went several months without heat. They filed grievances and asked to speak to the Warden. Previously someone died from hypothermia, and they feared that was going to happen. He chose to be a part of that hunger strike for a change. He spent one year in segregation for that ticket, and he spent that year studying his Bible. He believes that spending that year reading his Bible helped him. The Governor has sought to realize a difference from a reckless youth and an adult rehabilitated incarcerated man. He has become an advocate for learning abilities. He has profound dyslexia and still manages to keep going.

Ms. Miller stated that in the writing it stated that he was there, with a gun but he was not the one who shot the gun.

Ms. Malika Howard, Mr. Biven's daughter, stated that she is grateful for this opportunity for possible parole. It is hard to maintain a relationship for 41 years while your father is incarcerated, and she stated that he has been an awesome Dad. He has been a role model with his education. She stated that against all odds her and her children have all done well. She stated that Mr. Bivens keeps in constant contact with her and her children. She stated that she has watched his change throughout his time in prison. She stated that she has been on this ride with him from the beginning and she is praying that this is the end.

Ms. Maria Burnett stated that another clarification she wants to make is that she contacted Cook County that they stated they had no opposition to that clemency petition.

Ms. Miller stated that there were two letters from Cook County. One letter was opposing and the other one not opposing from the same date.

Dr. Globokar stated that he has a significant change while in Illinois Department of Corrections. The State's Attorney records stated that he saw the codefendant point the gun at the victim and he took it away and reminded him of the consequences and then he handed it back.

Ms. Maria Burnett stated that the car was not stolen, and he knew Annie. She stated that Mr. Bivens had been in a difficult relationship with police from the age of 16 due to another case. She stated he was beaten severely during that accusation, and it has made his relationship with them bad. Mr. Bivens was 19 when this crime occurred, and he had suffered a great deal of trauma during his childhood. He was a reckless teenager. He is now a man of his word. There is no doubt given his disciplinary report since 2014 that he would be great on parole.

Dr. Globokar questioned if there is full acknowledgment of the crime with Annie.

Ms. Burnett said that being in the car was a mistake and those charges were dropped.

Mr. Grubbs questioned the year 1998 and his transformation at that point. He stated that TAMMS opened in 1998, and TAMMS held the most difficult inmates at that time. He questioned his



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disciplinary record there.

Ms. Burnett stated that Mr. Bivens doesn't know why he was transferred to TAMMS. She stated that he filed a grievance about his transfer to TAMMS. He was a part of a lawsuit about being transferred to TAMMS. During that litigation the judge found that Mr. Bivens should not have been transferred there and was done so incorrectly. His disciplinary record while in TAMMS was strong. He received two tickets while there, but he believes one was expunged. He has had no tickets since 2014.

End of discussion.

DECISION AND RATIONALE

Motion to deny parole (L. MILLER-J BOHLAND). Motion prevails by a 11-1 vote. Members voting in favor of the motion are Mr. Bohland, Mr. Coates, Mr. Delgado, Ms. Globokar, Mr. Grubbs, Mr. Heaton, Ms. Miller, Ms. Shoffner, Ms. Terrones, Ms. Tison, and Mr. Tupy. Chairman Shelton dissented.

After thorough consideration of Mr. Bivens' case, the Board voted to deny parole. The Board feels that parole release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Bivens' parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."