



STATE OF ILLINOIS
 BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

EN BANC MINUTE SHEET: MEETING OF May 25, 2017

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following inmates:

C70938	Robert Jones
C77200	Patricia Columbo
C15133	Charles Robinson
C90220	George Phillips
C64310	Amenseb B'Ne Ra
C81531	Jerry Dunnigan
C72908	Richard West
C71688	Rodney Gross
C01252	Carl Reimann

The meeting was called to order by Chairman Findley
 Roll call was taken by the Recording Secretary: Robynn Davis

<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
Mr. John Clough	X	
Ms. Edith Crigler	X	
Mr. Salvador Diaz	X	
Mr. Donald Wayne Dunn	X	
Mr. Pete Fisher	X	
Ms. Vonetta Harris	X	
Ms. Ellen Johnson	X	
Mr. Tom Johnson	X	
Ms. Virginia Martinez	X	
Mr. William Norton	X	
Mrs. Aurthur Mae Perkins	X	
Mr. Donald Shelton	X	
Mr. Ken Tupy	X	
Chairman Craig Findley	X	

14 Members Present

The Recording Secretary presented the following minutes for approval:
 Open Session Minutes from **April 27, 2017. (WD-DS)**. Leave

Meeting was adjourned (CF –BN). Leave.
 Submitted by: Robynn Davis, Recording Secretary



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **ROBERT JONES**

IDOC Number & Institution: **C70938**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Robert Jones, IDOC #C70938.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

Chairman Findley noted that this case is being moved to the June en banc docket as a SPIN Risk assessment has yet to be completed by the Illinois Department of Corrections for this inmate.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **PATRICIA COLUMBO**

IDOC Number & Institution: **C77200**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Patricia Columbo, IDOC #C77200.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

Patricia Columbo was considered for parole for the nineteenth time at en banc this date. She was interviewed by two Board members on April 25, 2017 at the Logan Correctional Center.

Inmate Columbo was convicted jointly with her boyfriend - Frank DeLuca - of the murder of her father, Frank Columbo (52 years of age); her mother, Mary Columbo (50 years of age); and her brother Michael Columbo (13 years of age). The sentence both Inmate Columbo and Mr. DeLuca received was 200 – 300 years.

Inmate Columbo and co-offender DeLuca were also convicted and sentenced on three counts each of Solicitation of Murder, for which they received an additional, but concurrent, 20 – 50-year sentence.

The victims were murdered in their home and their bodies were discovered on May 7, 1976. Frank Columbo was shot for times in the head, bludgeoned, and stabbed twice in the throat. Mary Columbo was shot between the eyes and her throat was cut. Michael Columbo was shot through the head and stabbed 98 times (some accounts advise 87 times) – mostly in the chest but also in the neck. The victims had been deceased between two and three days when they were discovered.

The authorities were aided in their lengthy investigation by the cooperation of two men with whom Inmate Columbo conspired for as long as six months to commit the murders. When those men failed to complete act, and after the passage of additional time, Inmates Columbo and DeLuca committed the murders themselves.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Co-offender DeLuca has for many years admitted his role, specifically, that he shot each of the victims. He has also stated that Inmate Columbo stabbed the victims.

The edged murder weapon recovered at the scene was a pair of scissors. Blunt weapons were determined to be a lamp, a bowling trophy, and a vase.

Inmate Columbo has given various accounts between the time of her arrest on May 17, 1976 and the time of her most recent hearing. The accounts have ranged from having “visions” of the crime scene but being unable to remember details - and making a statement of hatred for her family, which she reported to authorities shortly after her arrest, to complete denial of any involvement and her accusation that the Cook County Statement of Facts was utterly false, which she claimed at the time of her admission to I.D.O.C., to acceptance of some (un-specified) responsibility for the murders, with the caveat that she had been sexually abused for a period of years by her godfather and that sexuality was an issue in the case.

Inmate Columbo’s institutional adjustment has been excellent. Discipline reports have been minor, relatively few, and focused closer to the earlier part of her incarceration than the latter. By 1992, she had obtained her G.E.D., an Associate’s Degree, and a Bachelor’s Degree. She has a long history of volunteerism in the institution, including her role as a literacy volunteer, an assistant with the revision of an institution-issued handbook, a math tutor, a reading tutor, a teacher’s aide, her work on institutional newsletters, her initiation of a Mental Health Unit Arts & Crafts program, and other achievements. She has made good use of her time while in custody and been recognized by former inmates as well as staff – current and former.

Member Crigler requested to know what point does Inmate Columbo deny being at the home. Member Shelton advised that the Inmate Columbo constantly changes her story and keeps mentioning her “visions”. She has never said that she murdered anyone. While she has taken responsibility, she has yet to admit to her part in the murders.

Member Fisher requested to know if Inmate Columbo’s visions were an accurate representation of the crime scene. Member Shelton confirmed that the visions were accurate.

Member Perkins requested to know if she has taken any responsibility for her part. Member Shelton noted that Inmate Columbo’s story keeps changing, but throughout all the documents and all her interviews, she never admits to stabbing anyone.

Member Harris requested to know what evidence was used to convict her. According to Member Shelton, the testimony of Frank DeLuca along with the “hit men” were used for her conviction. Member Shelton advised that Inmate Columbo was a suspect from pretty early on in the investigation. Member Harris also requested to know the age of Inmate Columbo at the time of the offense. Member Shelton noted that Inmate Columbo was 19 at the time of the crime and Frank DeLuca was 37.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Member Dunn requested to know how long Inmate Columbo has been in prison. Member Shelton advised that she has been incarcerated since 1976.

Chairman Findley stated that he sat in on the interview of Inmate Columbo with Member Shelton. He noted that during the interview, Inmate Columbo had stated that she was on the front step of her parents' home at the time of the murder. Member Shelton noted that Inmate Columbo had stated that she arrived at her parents' home prior to Frank DeLuca and that he came afterwards.

Chairman Findley noted that there is no record of Inmate Columbo being involved with illegal activity. A prior investigation was completed IDOC into some illegal activities that were occurring at the female prison, but there was no evidence that Inmate Columbo was a part of that activity. Inmate Columbo has excellent institutional adjustment; however, there are several things about this case that are still troubling to Chairman Findley. He noted that Inmate Columbo has a near-perfect memory of events leading up to the murders, but recalls noting of the actual murders themselves. While this could be due to repressed memories, she also claims it has to do with all the information thrown at her by the investigators, the police, the news, etc. Inmate Columbo claims that the information has become all jumbled.

The State's Attorney for Cook County, Dan Groth, spoke in protest of Inmate Columbo's release. He provided the Board a letter of protest that was written by Mary's great-niece. He noted that this case is horrifying and that there is no cure for being a sociopath. He believes that Inmate Columbo attempted to use her visions to get better for herself. No matter how good Inmate Columbo's institutional adjustment is, she will always be a danger to society. He is requesting a 5-year set for Inmate Columbo.

Member Shelton advised that the SPIN Assessment for Inmate Columbo shows an overall moderate risk for reoffending.

Motion to go into Closed Session (DS-AMP).
Motion to return to Open Session (DS-CF).

Member Shelton noted that Inmate Columbo has received two votes in the past, on four occasions.

Achievements notwithstanding, the Board continues to believe that a parole release would deprecate the seriousness of these brutal crimes and promote disrespect for the law.

Motion to deny parole (DS-PF). Motion prevails by a vote of 13 to 1. Members voting in favor of the motion are Mr. Clough, Mr. Diaz, Mr. Dunn, Mr. Fisher, Ms. Harris, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, Mr. Shelton, Mr. Tupy and Chairman Findley.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Motion for a 3-year set (BN-AMP). Motion prevails by a vote of 9 to 5. Members voting in favor of the motion are Mr. Clough, Mr. Diaz, Mr. Fisher, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, and Mr. Tupy.

Member Crigler stated that she is completely amazed by Inmate Columbo's work with the mental health patients. She believes that there is no need for a set for Inmate Columbo, as it is punishment on top of punishment.

Member Fisher noted that from his experience there is repressed memory and there is selective memory loss. It appears that Inmate Columbo is choosing not to disclose memories, which makes her case selective, rather than repressed.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm."



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **CHARLES ROBINSON**

IDOC Number & Institution: **C15133**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Charles Robinson, IDOC #C15133.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

Inmate Charles Robinson was interviewed on March 16, 2017, 10am, at Pontiac Correctional Center. Present for the interview were Inmate Robinson and Board Member Diaz. Inmate Robinson has resided at Dixon Correctional Center since April 11, 2017. He was transferred to Dixon from Pontiac Correctional Center, after having been housed there since October of 2007. His most recent Pontiac assignment was the South House (the Mental Health Unit). Prior to Pontiac, Inmate Robinson resided in a closed maximum security unit at Tamms Correctional Center from June 1998 until the Pontiac assignment. Prior to Tamms, he spent many years at Menard Correctional Center. Inmate Robinson has been incarcerated for a total of 42 years, since August 8, 1975.

Inmate Robinson was sentenced for 3-10 years for Aggravated Batter and 8-24 years for Attempted Murder. The two cases were ordered to run concurrent.

The initial Cook County offense was the 1972 attempt murder of Henry Kelly in Chicago, Illinois. Inmate Robinson was the owner of an apartment building wherein Henry Kelly was a tenant. Mr. Kelly was moving furniture in an attempt to move from the apartment. Inmate Robinson appeared on the scene, a dispute over non-payment of rent ensued and during this dispute, Inmate Robinson produced a pistol and shot the victim five times.

Charles Robinson's version: He states that he was informed by another tenant that Kelly and some friends were attempting to steal a stove from the apartment. Inmate Robinson proceeded to the apartment armed with a pistol, confronted Kelly and his friends, and argument ensued, he believed he saw a shiny object in Kelly's hand (believed it may have been a firearm) and he (Robinson) shot him five times. The "shiny object" turned out to be a lighter. Inmate Robinson further shared that after having shot Henry Kelly five times, Kelly ran into the barrel



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

of his pistol, got cold feet, and ran out of the room. He denies that the dispute was over money owed.

Inmate Robinson continues to dismiss the event as a combination of righteous beliefs that he shot Kelly because of the shiny object, and the physical threat posed by Kelly, and as defending his property. Further, as Kelly did not die and supposedly recovered, Inmate Robinson put forth that the whole thing was blown up by the Chicago Police and the States Attorney.

Institutional Adjustment:

The Dixon counselors report details that Charles Robinson:

- Is on "C Grade" Classification, Maximum Security, High Escape Risk,
- Never held a job nor attended school during his incarceration,
- Has received 2 Major Tickets (staff threats, and refusing medical/forensic test) since arriving at Dixon on April 11, 2017,
- Is currently housed in the Psychiatric Unit, and
- Is described as severely mentally ill and highly aggressive, per The Pontiac Counselors supplementary report.

Institutional Offenses

1978 - Aggravated Battery (3yrs) (Pontiac Correctional Center) Stabbed an inmate

9/1979 – Escape (10 years) (Tamms Correctional Center) Escaped from Centralia Hospital

9/1979 - Aggravated Battery (7 years) (Tamms Correctional Center) Disarmed a Correctional Officer during an escape from the Hospital

10/1979 - Armed Violence (14 years) (Randolph County) fire hose attack on Correctional Officer

7/1996 - Aggravated Battery (5 years) (Randolph County) Threw Liquid on a Correctional Officer

2000 - Aggravated Battery (2 years) (Alexander County) Threw Liquid on Correctional Officer Lieutenant.

Inmate Robinson has received an additional 41 years for the offenses he has committed while incarcerated. These sentences run consecutively to his current sentence, as they occurred within a correctional institution. Since 1998, Inmate Robinson has also received a total of 159 tickets (including 12 staff assaults, 3 inmate assaults).

The psychiatric report describes Inmate Robinson as delusional and in touch, with the hardest challenge to be finding a suitable placement given his oppositional demeanor. Additionally, Inmate Robinson was found not to be a candidate for psychotropic meds.

There is no doubt that Inmate Robinson continues to challenge authority when he believes he is being wronged. He continues to believe that the correctional staff is trying to hurt him in various ways, so in essence it is a no win situation. Even now in the Psychiatric Unit, he believes there is an on-going conspiracy to keep him incarcerated.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Mr. Robinson has no parole plan, and has been unable to begin to develop such a plan. He in essence needs assistance to develop such a plan, to work with him in an effort to see beyond the blocks which he believes exist all around him.

Member Norton requested to know the outdate for Inmate Robinson. Member Diaz noted that the outdate is 2024.

Member Perkins stated that even if he is released, he has no place to reside. This was confirmed by Member Diaz.

Member E. Johnson requested to know how many tickets Inmate Robinson has received. Member Diaz noted that he has over 100 tickets.

The psychiatric report provides support for attempting to parole him but without a viable plan parole he cannot be released at this time. Considering the facts of this case, granting an early release to Inmate Robinson at this time would certainly deprecate the seriousness of this offense and show disrespect for the law.

Motion to deny parole (SD-TJ). Motion prevails by a vote of 14 to 0. Leave.

Chairman Findley noted that Inmate Robinson has sent in a written requested, asking that he be allowed to have the entire Board meet with him and interview him. This request was denied by the Board.

“The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **GEORGE PHILLIPS**

IDOC Number & Institution: **C90220**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for George Phillips, IDOC #C90220.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

George Phillips was interviewed on April 20, 2017 at the Pontiac Correctional Facility for consideration of parole. Present at the hearing were Board Member Johnson of the Prisoner Review Board and Inmate Phillips. Factors considered include, but are not limited to, a review of the file, the nature of the offense, the inmate's testimony, parole plans, and institutional adjustment.

Inmate Phillips is now 64 years old, having served 43 years of 100-200-year sentence for Murder and a 3-year sentence for Escape while Incarcerated. The murder took place on May, 1972, when Inmate Phillips entered the apartment of Dean Terrill in Chicago armed with a 38 snub-nosed revolver and hunting knife. He believed Mr. Terrill was in possession of a large sum of money which he intended to rob. The victim tried to tear the ski mask off of Inmate Phillips' face, after which Inmate Phillips struck him over the head with the pistol and stabbed him to death. Inmate Phillips took \$21 from the victim and fled. He was arrested in November of 1973 for a burglary, at which time he was also charged with the Terrill murder after giving a confession. Inmate Phillips displays appropriate remorse for what he did and states that the person who committed this crime is no longer here.

Inmate Phillips' institutional record has been up and down over the years with a recent ticket in July of 2016 for arson, which he believed he was hearing voices. The instability of his institutional behavior appears to be a result of his mental health issues, which involve a diagnosis of axis one schizophrenia and of axis two anti-social behavior. He feels he is doing much better now and that his medications are very helpful.

Inmate Phillips has no real family support, other than a recent discovery of a niece in North Carolina with whom he is now communicating. He spends his days reading the Bible and



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

other books. His faith is very important to him. He has no parole plans, but realizes he will need on-going mental health monitoring. He states he has written to Decatur Park Manor for possible placement and would like to parole there or to Chester Mental Health.

Member Perkins requested to know where Inmate Phillips got the incendiary device used in the Arson event for which he received his ticket in 2016. Member T. Johnson stated that he was unsure, as this was not discussed with the inmate.

Chairman Findley requested to know if Inmate Phillips had a place to go, would he be considered an acceptable risk. Member Diaz believes it would be, as long as it is an in-house facility that has 24-hour supervision.

Member Fisher requested to know the age of Inmate Phillips. Member Diaz advised that he is 64.

Member T. Johnson noted that Inmate Phillips has not family and has no place to go. He was essentially raised by DCFS and the only way he was able to survive was by committing crime.

Member Crigler noted that she attended a symposium on older inmate, where older inmates spoke about their experiences. The older inmates at the symposium only made it on the outside was due to strong family support.

Member E. Johnson noted that Inmate Phillips cannot be placed in a nursing home or care facility due to his Arson ticket.

After careful consideration of all factors, the Board believes Inmate Phillips could not comply with reasonable conditions of parole and that to parole him would deprecate the seriousness of the offense and bring disrespect for the law.

Motion to deny parole (TJ-PF). Motion prevails by a vote of 12 to 2. Members voting in favor of the motion are Mr. Clough, Ms. Crigler, Mr. Dunn, Mr. Fisher, Ms. Harris, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, Mr. Shelton, and Mr. Tupy.

Motion for a 2-year set (TJ-KT). Motion does not prevail by a vote of 5 to 9. Members voting in favor of the motion are Mr. Clough, Mr. Fisher, Mr. Johnson, Mr. Norton, and Mr. Tupy.

“The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm.”



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **AMENSEB B'NE RA**

IDOC Number & Institution: **C64310**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Amenseb B'Ne Ra, IDOC #C64310.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

Inmate Fulton/Shabazz has been before the board approximately 25 times, and this will make his 26th time being presented. Inmate Fulton/Shabazz is currently housed at Stateville Correctional Center and since his last parole board hearing he has no disciplinary reports. He is currently housed in Unit B and is A grade status with no assignment.

On March 19, 1975 the victim, Bernard DiMeo who worked for the Gunthrop-Warren Corporation, left his office and went to Hartford Plaza Bank to cash some checks for his fellow employees. Mr. DiMeo had been cashing paychecks for employees on payday each Wednesday for the past two years. As Mr. DiMeo left the building he met Mr. Thomas Dole who accompanied him to the bank. Mr. DiMeo cashed the checks and put the money, which was approximately \$5,500 in coins and currency in a blue envelope. Both Mr. DiMeo and Mr. Dolce returned to the office and got on the elevator and exited the second floor. As Mr. DiMeo stepped off the elevator the inmate, Inmate Fulton/Shabazz, who was armed with a loaded handgun, confronted Victim DiMeo. Inmate Fulton/Shabazz put his hand on Mr. DiMeo's chest and said, "I'll take that." Inmate Fulton/Shabazz grabbed the blue envelope from underneath Mr. DiMeo's arm and the victim's arm came up and hit the inmate's hand, which held the gun. The inmate fired the gun and shot Mr. DiMeo in the right forearm. Mr. Dolce stated "what's happening" and Inmate Fulton/Shabazz turned and fired five shots at Mr. Dolce striking him twice, once in the upper left abdomen and another in the right chest causing his death. Inmate Fulton/Shabazz then fled to a waiting 1968 Green Oldsmobile Cutlass.

Donald Howard, who was employee of Gunthorp-Warren Corporation, and Inmate Fulton/Shabazz, knew each other. Donald Howard told Inmate Fulton/Shabazz about Mr. DiMeo's routine of cashing the checks.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

On April 17, 1975, the police set up surveillance at the home of Donald Howard. They observed the 1968 Oldsmobile Cutlass arrive and then followed the car. Inmate Fulton/Shabazz was the driver of the Cutlass. The car was stopped and Inmate Fulton/Shabazz was arrested. He initially denied any knowledge of the crime. He then claimed that he had loaned the car to Donald Howard the day of the crime. Inmate Fulton/Shabazz subsequently gave a written statement admitting to driving the car to the scene and dropping off two men at the scene, at the request of Donald Howard, who told him that the men needed ride to band practice. He stated the men asked him to wait and 15 to 20 minutes, later these two men came back. He stated that both men had pistols and one man had a torn bag. Inmate Fulton/Shabazz stated that he dropped the men off and never saw them again. Mr. DiMeo subsequently positively identified Inmate Fulton/Shabazz in a line up. Inmate Fulton/Shabazz had a pending case for Robbery at the time of the offense.

Inmate Fulton/Shabazz chose to have a trial by jury. He was found guilty of murder of Thomas Dolce, the attempt murder of Bernard DiMeo, the aggravated battery of Mr. DiMeo, and the armed robbery. He was sentenced on December 17, 1976 to 100 to 300 years for Murder, 25 to 100 years for Attempt Murder, and 10 to 40 years for Armed Robbery, to be served concurrently. The Aggravated Battery conviction was merged into the Attempt Murder conviction

Inmate Fulton/Shabazz refused to be sworn in and to be interviewed regarding the crime and his version. Inmate Fulton/Shabazz stated he wanted to be interviewed by the full board. He strongly believes he is at a disadvantage because he cannot address the full board. He further stated that when he first came to prisons here were only three members of the prisoner review board and that he wants to be heard by the entire board in person. He refused to discuss the crime, parole plans or institutional adjustment. He did state he has not been assessed.

Inmate Fulton/Shabazz appealed his convictions. The murder and armed robbery convictions were affirmed and the attempted murder conviction was reversed on the basis of erroneous jury instructions. The Appellate Court reinstated the aggravated battery conviction pursuant to Supreme Court Rule 615(b) and remanded the case for resentencing. On remand Inmate Fulton/Shabazz elected to be sentenced under the recently enacted determinate sentencing laws and was sentenced to a term of 5 years in IDOC. The sentence of aggravated battery has since discharged. Inmate Fulton/Shabazz filed a petition for a writ of habeas corpus, which was denied. Inmate Fulton/Shabazz then filed an appeal from the denial of his petition for a writ of habeas corpus. The United States Court of Appeals, Seventh Circuit affirmed the denial of Inmate Fulton/Shabazz's petition. Inmate Fulton/Shabazz filed a petition for habeas corpus in 2007 alleging that on remand for sentencing on the sole count of aggravated battery that he was entitled to elect to have all of his offenses resentenced under the determinate sentencing system. The trial court dismissed the petition. Inmate Fulton/Shabazz appealed. The public defender that represented him on appeal filed a motion for leave to withdraw as appellate counsel indicating that there were no issues of merit warranting argument on appeal. The appellate court granted the public defender leave to withdraw also finding no issue of arguable merit. The



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

petitioner filed for executive clemency in April 1986 and April 2004, both were denied. He filed again in October of 2006 which was heard in January 2006 and is pending before the Governor.

PRIOR CRIMINAL HISTORY:

- **July 1969** using the alias Larry Doyle he was arrested for armed robbery and unlawful use of a weapon and in September 1969 he was sentenced to 3 years' probation with the first 6 months at Vandalia Correctional Center on the charge of armed Robbery.
- **August 1970** he was arrested under the alias name of Larry Cain and charge with interfering with arrest.
- **June 1971** he was arrested and charged with the offense of battery, pleaded guilty and was fined \$250.00 and \$5.00.
- **August 1971** he was arrested and charged with Grand theft, which was reduced to tampering and received a \$25.00 fine.
- **January 1973** he was arrested for battery and the matter was dismissed for want of prosecution.
- **October 1973** he was arrested and charged with robbery. **December 1973** a bond-forfeiture warrant was issued and on **January 31, 1974** the case was indicted and in **June 1976** he pled guilty to robbery and was sentenced to 1 year, 1 day, time served.
- **August 1974** inmate using the alias Phil King was arrested and charged with offense of disorderly conduct and on August 15, 1975 an ex-parte judgment was entered with a fine of \$20 and \$5.
- Inmate was also charged with aggravated battery in Montgomery Counts and the case was dismissed on **Aril 1991**.

Inmate Fulton/Shabazz last ticket was 2015 and he has taken advantage of educational opportunities.

Institutional records reflect that Inmate Fulton/Shabazz is divorced and the father of two children. He receives visits and support from his family.

Inmate Fulton/Shabazz indicated he would send written parole plan.

Inmate Fulton/Shabazz was pleasant and focused. He just did not want to discuss the crime, institutional adjustment or parole plans. He was very adamant in his desire to be presented and in attendance before the entire board, when his case is discussed and determined. He strongly believes this is the only way he can receive a fair hearing.

Inmate Fulton/Shabazz received two votes in 2016 with one abstention. The file also reflects that Inmate Fulton/Shabazz claims he did not commit the crime.

Member Shelton noted that his arrest history shows violence, but he wondered if the inmate had a violent history in the institution as well. Member Crigler noted that he did not.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

Chairman Findley requested to know if the inmate had ever received past votes. Member Crigler noted that he has received no votes, however he has had past abstentia votes by Member Jones and Chairman Findley.

Chairman Findley notes that the offender has asked that the full board be present to hear his case. This request is denied by the Board.

The Board believes that a parole release would deprecate the seriousness of these brutal crimes and promote disrespect for the law.

Motion to deny parole (EC-PF). Motion prevails by a vote of 13 to 1. Members voting in favor of the motion are Mr. Clough, Ms. Crigler, Mr. Diaz, Mr. Dunn, Mr. Fisher, Ms. Harris, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, Mr. Shelton, and Mr. Tupy.

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STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **JERRY DUNNIGAN**

IDOC Number & Institution: **C81531**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Jerry Dunnigan, IDOC #C81531.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

Jerry Dunnigan was interviewed for parole consideration by a member of the Prisoner Review Board. Considered in a review of his case was his interview, his institutional adjustment, his criminal history, the incarcerating offense, his accomplishments while incarcerated and parole plans.

Inmate Dunnigan is 69-years-old and is serving a 100-300-year sentence for Rape; a 6-18-year sentence for Attempt Murder; a 5-15-year sentence for Burglary, and a 3-9-year sentence for Aggravated Battery. He is A grade, low escape risk and has been at Danville Correctional Center since 2004. His projected out-date is February 20, 2118. He has had three year sets in 2004, 2007, 2011, and 2014. He has received no votes prior to 2011. In 2011, he received votes from Member Madison and Member Reynolds. In 2014, he had a vote from Member Crigler.

Inmate Dunnigan was a member of the Black Panthers and served as a security chief for them. On December 25, 1970, Inmate Dunnigan went to the Silverstein's apartment just after they had returned home from Christmas church services. Inmate Dunnigan was armed with a 9-mm handgun. He forced the victims into their apartment and forced them to remove their clothing. He then raped Mrs. Silverstein in front of her husband and made her perform deviate sexual acts. He threatened to kill them and at one point took a knife and prepared to cut off Mr. Silverstein's penis. Mrs. Silverstein crawled to the door and Inmate Dunnigan grabbed Mrs. Silverstein and said he would kill her. He then shot her behind the ear with a hollow point bullet, blowing out her teeth, bones and mandible. Mrs. Silverstein had several operations but suffered pain in her jaw throughout her life as well as substantial disfigurement. Mr. Silverstein got to a window and yelled for help. A police officer heard his cries and went to the apartment and found the victims. By the time the police had arrived, Inmate Dunnigan had left the apartment. The next day the 9-mm gun was found near the apartment that was registered to Inmate



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Dunnigan. Shell casing proved the gun was the same gun used in the Silverstein's apartment. Inmate Dunnigan fled the United States but was located in 1976 when he was arrested in Copenhagen, Denmark under the name of Lark Daniel. He was deported back to the United States and later convicted of the aforementioned crimes.

Inmate Dunnigan advised that his wife had died that day and another member of the Black Panthers, "William O'Neal", told him that the Silversteins had sold his wife the drugs which lead to her death. Upon hearing this information, Inmate Dunnigan left in a fit of rage and went to the Silverstein's home to seek revenge. Unfortunately, there is no corroborating evidence to support this claim other than Inmate Dunnigan's testimony. The Silverstein's testified that Inmate Dunnigan spoke in a normal conversational tone and there is nothing in the file indicating Inmate Dunnigan threatened them regarding his dead wife. Additionally, in the file he told DOC that he went to the Silverstein's home to burglarize it, but the owners were home at the time. According to the State's Attorney's protest, at trial Inmate Dunnigan claimed memory loss and did not remember being at the Silverstein's apartment and did not know if he committed the crimes for which he was convicted.

Inmate Dunnigan's risk assessment is overall high. However, the file does not indicate any disciplinary tickets since 2006. He is currently unassigned.

Inmate Dunnigan indicated his parole plans are to live with his daughter Renetta Frazier. Renetta works for the Georgia Department of Corrections and indicates she would provide a place for Inmate Dunnigan in her home. He indicates that he would try to collect Social Security or some other type of state or federal assistance and find work.

In regards to Inmate Dunnigan's health, he noted that he recently lost the tips of his fingers when his hand was slammed by a door. He has been on medication and has some health issues, but is in generally good health.

Inmate Dunnigan expressed remorse for the victims. However, his actions terrorized the Silverstein's throughout their lives. Mrs. Silverstein has had constant pain due to his actions. Although Inmate Dunnigan claims this was started because he believed the Silverstein's sold drugs to his wife causing her death, there are no records substantiating this claim. Records available from the trail and shortly thereafter do not mention Inmate Dunnigan's wife. It was noted to Inmate Dunnigan that the lack of drugs in the Silverstein's apartment indicated that they were not drug dealers. Inmate Dunnigan said he could not be convinced otherwise.

Member Shelton advised that he took a Protest Statement from the victim's son. The victim's son noted that since the incident, his mother has been in pain for the rest of her life. Approximately 80% of her teeth had to be replaced. He also noted that his mother passed away within the last year, which is why she was unable to attending the hearing. Because of this crimes, his mother's life was completely destroyed.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

Dan Groth, the Cook County State's Attorney, spoke in protest of releasing Inmate Dunnigan. He noted that Inmate Dunnigan has not been imprisoned in the 1960s as noted in the case presentation, but rather since 1976. Inmate Dunnigan beat Mr. Silverstein with butt of his gun, splitting his eyebrow. Additionally, his wife was raped, during which, Inmate Dunnigan taunted her husband. Afterwards, Inmate Dunnigan pistol whipped the husband, tortured him, and tried to castrate him. At the trial, Inmate Dunnigan used a variety of defenses in order to attempt to win his case. He also noted that Inmate Dunnigan has had two tickets since 2014, one major and one minor. Inmate Dunnigan is considered a sexually violent person and the Cook County State's Attorney's Office is requesting a SVP Evaluation if he is being released. Additionally, the State's Attorney's Office is requesting a 5-year set.

Member Norton requested to know how long Inmate Dunnigan was in Denmark for, after the offense and if Inmate Dunnigan went to Denmark to flee the crime. Member Tupy noted that Inmate Dunnigan was in Denmark for a total of 6years and that he did go to Denmark to flee the crime.

Member Crigler requested to know what his SPIN Assessment stated. Member Tupy stated that the SPIN Assessment shows that Inmate Dunnigan is high-risk with moderate support. Member Crigler also inquired about Inmate Dunnigan's institutional adjustment. Member Tupy noted that he does not have very many tickets at all.

Member Fisher requested to know the age of the victims. Cook County State's Attorney, Dan Groth, noted that the couple was in their 50s at the time of the crime.

Member Perkins requested to know the age of Inmate Dunnigan at the time of the offense. Member Tupy noted that he was 22 at the time of the crime.

Member Diaz noted that as Inmate Dunnigan is a sex offender, the Attorney General should be advised, if he is released.

Chairman Findley stated that should Inmate Dunnigan be paroled, the release would be delayed by 90 days for evaluation by the Attorney General's Office.

After a complete review by the Board as to the relevant issues concerning parole, granting parole at this time would deprecate the seriousness of the offence and bring disrespect for the law.

Motion to deny parole (KT-DS). Motion prevails by a vote of 13 to 1. Members voting in favor of the motion are Mr. Clough, Mr. Diaz, Mr. Dunn, Mr. Fisher, Ms. Harris, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, Mr. Shelton, Mr. Tupy, and Chairman Findley.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Motion for a 3-year set (SD-TJ). Motion prevails by a vote of 10 to 4. Members voting in favor of the motion are Mr. Clough, Mr. Diaz, Mr. Dunn, Mr. Fisher, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, and Mr. Shelton.

“The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm.”



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **RICHARD WEST**

IDOC Number & Institution: **C72908**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Richard West, IDOC #C72908.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

On March 7, 2017, Inmate Richard West was interviewed at Stateville Correction. Factors considered included, but are not limited to; his testimony, a review of the file, parole plan and institutional adjustment.

Inmate West was convicted for the murder of his father and was sentenced to 25-100 years. Also in 1983, while an inmate at Stateville, Inmate West, along with 11 other inmates, were convicted of unlawful restraint for holding correctional officers by force. He was sentenced to two years for this offense.

Since his last appearance before the board, Inmate West has received two major disciplinary tickets, but appears to attempting to improve his behavior when his disciplinary record is reviewed. Inmate West has no educational or vocational credits. His parole plan is to live with his sister, but he has no plans for employment or does he have a way to support himself.

Inmate West's SPIN Assessment states that he is aggressive and agitated, but that he has good relationships with his family.

Member Shelton questioned if Inmate West paid someone, twice, to drive him from his location to the location where he eventually killed his father. Member Crigler confirmed that is correct.

Member Crigler noted that Inmate West expressed that he has no hope of getting out or receiving votes.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

Member Perkins requested to know how old Inmate West is. Dan Groth, Cook County State's Attorney, noted that Inmate West is 60.

Dan Groth spoke in protest of Inmate West's parole. He noted that Inmate West has a 2011 conviction for Battery to a Correctional Office. This incident occurred as his first day in Pontiac. The Cook County State's Attorney's Office is requesting a 5-year set.

Member Harris requested to know how much time Inmate West has served. Member Crigler noted that he has served a total of 40 years.

Chairman Findley requested to know if Inmate West was prosecuted for the assault charge at Pontiac. The Cook County State's Attorney's Office noted that he was prosecuted and received a 5-year sentence, that is to run consecutively.

Member Perkins requested to know Inmate West's outdate. Member Crigler advised that his outdate is 2037.

After a complete review, and after giving consideration to all factors, the Board feels that a release at this time would deprecate the serious nature of this offense and crime and promote a lack of respect for the law.

Motion to deny parole (EC-DWD). Motion prevails by a vote of 14 to 0. Leave.

Member Norton requested to know what year the Aggravated Assault Charge occurred in. Member Crigler noted that it occurred in 2011. Member Norton noted he would call for a set.

Member Harris requested to know that basis for Member's Norton's request for a set. Member Norton noted that he was basing the requested on Inmate West's institutional adjustment.

Motion for a 3-year set (BN-AMP). Motion prevails by a vote of 12 to 2. Members voting in favor of the motion are Mr. Clough, Mr. Diaz, Mr. Fisher, Ms. Harris, Ms. Johnson, Mr. Johnson, Ms. Martinez, Mr. Norton, Ms. Perkins, Mr. Shelton, Mr. Tupy and Chairman Findley.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm."



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **RODNEY GROSS**

IDOC Number & Institution: **C71688**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Rodney Gross, IDOC #C71688.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

On 02-16-17 at 11:08 am Rodney Gross was interviewed at Danville Correctional Center. Inmate Gross is a 59-year-old white male. His date of birth is July 5, 1957. Inmate Gross states he has COPD, and has had a collapsed lung in 2001 or 2002. On January 6th of this year he had a hernia operation. He has no other health issues.

On April 1, 1977, Inmate Gross was convicted of the August 28, 1976 rape and murder of Della Masengarb. Inmate Gross was sentenced to 100 years for the offenses, to run concurrent.

Inmate Gross is currently A grade. He has been incarcerated at Danville Correctional Center for the past 6 years. Prior to that he had been at Menard, Graham and Hill Correctional Centers. He has been incarcerated for a total of 40 years, since he was 19 years of age. The last disciplinary ticket he received was on December 21, 2008 for contraband. Inmate Gross' projected discharge date is December 6, 2017. This is his 28th consideration for parole. He received his first favorable vote at last year's en banc.

During the overnight hours on August 27 to the morning of August 28, 1976 in Rock Island, Inmate Gross raped and murdered 23-year-old Della Masengarb at her residence. Della Masengarb was a wife and mother of two children ages four and one.

According to the Rock Island States Attorney's office statement of facts, Mrs. Masengarb was stabbed approximately 18 times, and it was indicated that she was discovered posed with her legs spread. It was also stated that the crime was witnessed by the oldest child who was four years of age, and who also identified Inmate Gross by first name to Police.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

At the time of this crime, Inmate Gross was out on bond for the attack of another female while armed with a knife. During trial two female witnesses testified to separate attacks by Inmate Gross. In each case, Inmate Gross was alleged to have been armed with a knife or edged weapon. One of the attacks resulted in an alleged rape and the second was an attempted sexual assault that was interrupted by others.

During the interview with Inmate Gross, he immediately admitted that he had raped and murdered Della Masengarb. He stated he had been drinking and using drugs that evening. He went on to state he was familiar with the victim for a lot of years from school before she was married. He said he did not know her personally however, just knew who she was. Inmate Gross said that his older brother was a friend of the victim's husband. He also said that he knew the victim's husband was in jail the night of the murder.

Inmate Gross stated he went to the residence, which was an upstairs apartment in a house. He stated he wanted it known that nothing-occurred in front of any children. "I want to clear that up. I never saw any children. No crime was committed while a child was present. Now is it possible that the child may have peeked around a corner, I guess that's possible."

Inmate Gross stated he is not sure why he went to Della Masengarb's residence, but while there he made sexual advances which he stated were not well perceived. An argument and struggled ensued. He stated the knife he used came from the victim's residence.

Inmate Gross said he left after killing Mrs. Masengarb and went home. He said he went to work the next day and was arrested later that day at his home.

When asked about the other two alleged offenses with two other female victims, he stated he doesn't recall what the States Attorney was talking about when he made reference to those. He said he was arrested for being in the bedroom with a female when her father came home. He said he paid \$200.00 bond for trespass and assault but the charges were dropped. He went on to state that he had numerous arrests but no other convictions like this, and that he was never questioned about any offenses involving females. He said he was never charged with another offense involving an attack on a female.

When asked if he remembered the two females who testified against him at trial, he again said he didn't recall what the States Attorney was talking about with that.

Inmate Gross is currently assigned as a housing unit laundry man. His last disciplinary ticket was 12-21-08, and he has not had any disciplinary issues since arriving at Danville Correctional Center in 2011. He has maintained a constant history of attending work and college classes.

He has received a certificate for construction occupations in 2010, received a letter of recognition from Lutheran Social Services in 2011, completed 120 hours of career technologies



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD

Craig Findley, Chairman

courses in 2012, and completed anger management in 2014. Since his last PRB interview he has completed rhetoric 1 and 2, introduction to sociology 1 and 2, journalism, and a media course.

He states he is not the person he was at age nineteen. He states, "I am a better person. I have definitely grown up. I can be a productive citizen and I'm eager to learn."

He states he is remorseful. In his words, "I have to deal with it every day. I took a life. Violently took a life. It doesn't matter how good I become, the crime is still there."

He says he has family in Rock Island, but doesn't think living there is in anyone's best interest. He says he has brothers in Tennessee, one of which may work for him, however it seems as though all his family is living together. Inmate Gross stated, "I really have no place to go." He said he would like to go to work, and that there are things he can do such as construction. He also states he can cook a little. He said he just wants to work. He also stated he would like to utilize the Kewanee reintegration program.

There are many factors to be considered with Inmate Gross. The first is the brutal nature of his senseless crime, which was in fact witnessed by the four-year-old child of the victim. The second is the statement of not recalling or totally disregarding the fact he was the suspect in two other sexual assaults, who actually testified at his murder trial. Lastly is the fact that inmate Gross has no solid parole plan.

Inmate Gross' SPIN Assessment notes that his is an overall high risk. It is also noted that Inmate Gross will need an Attorney General evaluation prior to any kind of release. Inmate Gross has a lengthy prior criminal history.

Member Norton states that Inmate Gross has two 100 year concurrent sentences and he has only served roughly 40 years, how is he able to get out now. Member Tupy noted that this happened through educational credits, plus day for day time.

Member Shelton noted that Inmate Gross had claimed that the sex was consensual when he had this case.

Member E. Johnson noted that as Inmate Gross maxes out in November, if the Board paroles him, he has to have a plan and he will have to be under supervision.

After a complete review, and after giving consideration to all factors, the Board feels that a release at this time would deprecate the serious nature of this offense and crime and promote a lack of respect for the law.

Motion to deny parole (PF-TJ). Motion prevails by a vote of 14 to 0. Leave.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm."



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

EN BANC MINUTE SHEET
OPEN SESSION— MAY 25, 2017

Inmate Name: **CARL REIMANN**

IDOC Number & Institution: **C01252**

The Illinois Prisoner Review Board met in open en banc session at 319 East Madison, Suite A, Springfield, Illinois, on May 25, 2017 at the 9:00 a.m. session to discuss and deliberate parole eligibility for Carl Reimann, IDOC #C01252.

Members present were: J. Clough, E. Crigler, S. Diaz, D.W. Dunn, P. Fisher, V. Harris, E. Johnson, T. Johnson, V. Martinez, W. Norton, A.M. Perkins, D. Shelton, K. Tupy and Chairman Findley.

Other(s) present: Robynn Davis, Recording Secretary

Summary of discussion for parole consideration:

Inmate Carl Reimann is currently incarcerated for five counts of Murder, for which he received a 50-year sentence for each count, and Armed Robbery, for which he received a 20-year sentence. Inmate Reimann's projected outdate is May of 2037. He has been incarcerated for a total of 44 years, beginning in 1977. Inmate Reimann has been at Dixon Correctional Center since 1986.

This is inmate Reimann's 19th appearance before the Prisoner Review Board. In 2013 he received a total of two votes, from Members Crigler and Madison. In 2010 he received one vote from Member Madison and in 2009 he received one vote from Member Madison.

At approximately 10 p.m. on December 29, 1972, 31-year-old Carl Reimann and his companion, Betty Piche, entered the Pine Village Restaurant and Lounge in Yorkville, Illinois with the intent to rob the business. Statements provided by Inmate Reimann reflect that he pulled a 32 Caliber pistol from Piche's purse, and after a family of six entered the establishment, he announced "this is stick-up" and ordered the family to come in and be quiet. His co-offender, Betty Piche, removed the cash from the register and cash box behind the bar. It should be noted that Piche had a criminal history related to robberies. Piche took the money and exited the restaurant whereupon Reimann commenced shooting the five victims and exited the restaurant to the waiting car. The father of one the victims was parking his auto in the restaurant lot and witnessed Piche exit with a bank bag in her hand and enter a Chevy, with Reimann shortly following behind. Approximately 20 minutes later, the offenders were arrested by the Morris police. Killed during the incident were: Robert Loftus, David Gardner, Catherine Rekate, George Pashade, and John Wilson

Mr. Reimann has had an exceptional institutional adjustment.



STATE OF ILLINOIS
BRUCE RAUNER, GOVERNOR
PRISONER REVIEW BOARD
Craig Findley, Chairman

Member Findley requested to know if Inmate Reimann has received votes in the past. Member Diaz noted that he had previously received votes from Members Crigler and Madison.

Member E. Johnson requested to know if the co-offender, Betty, received the same charges as Inmate Reimann. Member Diaz noted that she did not, she did not get charged with the murders.

Member Shelton inquired as to whether or not the victim had gone out of the way to contact Inmate Reimann. Member Diaz stated that the victim has not only written to Inmate Reimann, but visited him in prison as well.

Member Perkins requested to know the outdate for Inmate Reimann. Member Diaz stated that the outdate is 2037.

Member Dunn requested to know if the parole plan for Inmate Reimann is solid. Member Diaz confirmed that it is a solid plan.

Member Diaz noted that Inmate Reimann has beat twice while incarcerated. He also advised that Inmate Reimann's SPIN Assessment shows that he is a low-risk to reoffend.

After a complete review, and after giving consideration to all factors, the Board feels that a release at this time would deprecate the serious nature of this offense and crime and promote a lack of respect for the law.

Motion to deny parole (SD-TJ). Motion prevails by a vote of 7 to 7. Members voting in favor of the motion are Mr. Clough, Mr. Diaz, Mr. Fisher, Mr. Johnson, Mr. Norton, Mr. Shelton and Mr. Tupy.

"The Board makes a specific finding that the release of victim protest letters could subject a person to actual risk of physical harm."