



STATE OF ILLINOIS  
 BRUCE RAUNER, GOVERNOR  
**PRISONER REVIEW BOARD**

Craig Findley, Chairman

**EN BANC MINUTE SHEET**  
**OPEN SESSION—July 26, 2018**

The Illinois Prisoner Review Board met in open *en banc* session at the Stratton Building, Room A-1, 401 South Spring Street, Springfield, Illinois, on July 26, 2018, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following inmates:

<b>C15381</b>	<b>Charles Connolly</b>
<b>H39616</b>	<b>Lee Moseley</b>
<b>C83885</b>	<b>Roger Tolefree</b>

The meeting was called to order by Chairman Findley.

Roll call was taken by Recording Secretary Janet Crane.

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

13 Members Present

The Recording Secretary presented the June 28, 2018 Open Session Minutes for approval.

Motion to approve Open Session Minutes from **June 28, 2018**. (VM—DWD). Leave.

Meeting was adjourned (CF—DS). Leave.

July 26, 2018 Open Session Minutes submitted by Recording Secretary Janet Crane.



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**OPEN SESSION—July 26, 2018**

Inmate Name: **CHARLES CONNOLLY**

IDOC Number: **C15381**

The Illinois Prisoner Review Board met in open *en banc* session at the Stratton Building, Room A-1, 401 South Spring Street, Springfield, Illinois, on July 26, 2018, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Charles Connolly C15381.

Members present were Ms. Crigler, Ms. Daniels, Mr. Diaz, Mr. Dunn, Ms. Harris, Ms. Johnson, Ms. Martinez, Mr. Norton, Mrs. Perkins, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

Mr. Norton presented the following summary of the parole consideration interview and review of the inmate's file:

A parole assessment interview was conducted with Charles Connolly C15381 on June 5, 2018. Mr. Connolly was born on March 2, 1945, is currently 73 years of age, and was a resident of Graham Correctional Center on the date of the interview. According to the file, following a jury trial Mr. Connolly was found guilty of the Murder of the Chicago Police Officer Thomas Kelly and guilty of Aggravated Battery for the shooting of Chicago Police Officer Thomas Neustrom. Based upon a recommendation from the jury, on October 21, 1970, the trial judge sentenced Mr. Connolly to Death for the Murder of Officer Kelly and to a concurrent sentence of 9–10 years for the Aggravated Battery of Officer Neustrom (Cook Co. 70-685). On appeal, the Illinois Supreme Court affirmed the convictions of Mr. Connolly, but found his Death sentence unconstitutional. At the resentencing hearing, the trial judge sentenced Mr. Connolly to 75–100 years for the offense of Murder and to a concurrent sentence of 9–10 years for the offense of Aggravated Battery.

The file and record indicate that the Murder and Aggravated Battery offenses of Mr. Connolly took place on or about March 3, 1970, when Mr. Connolly and his passenger, Frank Luckett, were pulled over in the area of 44<sup>th</sup> Street and King Drive on the southside of Chicago for a traffic violation. During the traffic stop, Mr. Connolly pulled a .38 caliber revolver and fired two shots at Officer Kelly. One shot struck Officer Kelly in the head, causing his immediate death. Inmate Connolly then shot Officer Neustrom three times, striking him once in the chest and twice in the back. As Mr. Connolly fled the scene, Officer Neustrom gave chase and began firing his weapon at Mr. Connolly. At this point, Mr. Connolly pulled a second revolver and fired three more shots at Officer Neustrom. Officer Neustrom survived, following surgery for his gunshot wounds. After a standoff with Chicago Police and the Chicago Fire Department, Mr. Connolly was arrested and taken into custody. It is important to note that when Mr. Connolly



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committed the Murder of Officer Kelly, Mr. Connolly was on parole for a prior Murder offense, for which he was convicted at the age of 14 (Cook Co. No 59-4025), and was on bond for a new arrest from November 8, 1969, for possession of a loaded .38 caliber firearm, which had resulted in a parole violation warrant. At trial, and for many years thereafter, Mr. Connolly maintained his innocence and stated that it was his passenger, Frank Lockett, who fired the weapon that killed Officer Kelly and severely wounded Officer Neustrom. At the interview, Mr. Connolly did not dispute or deny the basic facts of the offenses, but stated that he was under the influence of alcohol at the time of the offense, was full of resentment, and was a follower of Black Panther leader Bobby Rush, and had adopted his plea to "Off the Pigs" and "Kill Cops".

The parole assessment, as completed by the Illinois Department of Corrections, and the interview of Mr. Connolly reveal that he was admitted to the Illinois Department of Corrections for this offense on October 30, 1970, and has remained in custody ever since, for a total of approximately 48 years. During this time period, the institutional adjustment of Mr. Connolly has been marginal, but has shown improvement in recent years, as he has not had any IDR violations since 2011. Mr. Connolly reported that he has earned his GED certificate and has received an Associate Degree from the International College of Biblical Theology. He also stated that his current work assignment is in the laundry. Mr. Connolly further advised that he was born and resided in Chicago, that his parents are deceased and that his five brothers and one sister are also deceased. Mr. Connolly stated that his only marriage resulted in divorce in 1997, with no children born to the marriage. Mr. Connolly advised that he did have one daughter born out of wedlock, with whom he last had a visit in 2004, but that there had been no other contact within the last ten years. Mr. Connolly also advised that within the last six months he met a woman from Wisconsin who is now his fiancée. Mr. Connolly advised that he is in good health, with the exceptions of an enlarged prostate and vision problems. Mr. Connolly stated that he feels he is a good candidate for parole, because he is remorseful for his actions, he has had no new convictions while in prison, he has avoided gang involvement, and he has had no further discipline issues since 2011. Mr. Connolly stated that if the Board would grant his parole, he would plan to live with his fiancée in Wisconsin and seek employment as a paralegal. Mr. Connolly was courteous, pleasant, polite, and attentive during the assessment interview.

### **DISCUSSION**

Summary of discussion for parole consideration:

Ms. Crigler asked what happened to Mr. Connolly's co-defendant. Mr. Norton replied that he could find no reference to the co-defendant in Mr. Connolly's file.

Ms. Crigler also asked if Mr. Connolly had taken the police officers' weapons. Mr. Norton stated that Mr. Connolly did not take the officers' weapons, but had used two weapons of his own.

Ms. Crigler also asked if Mr. Connolly had ever had a psychiatric exam other than the SPIN Assessment. Mr. Norton said there was an old report in the file from 1979. The writer of



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that report indicated that Mr. Connolly could successfully complete a work release program and live in a group home. There was no diagnosis of any kind of mental illness.

Chairman Findley stated that any Member of the Board could request a current psychiatric exam if they saw fit to do so. Chairman Findley also talked about a letter that each Board Member had received from Mr. Connolly about two months ago. The letter referred some comments made by the Chairman in previous hearings. In the letter, Mr. Connolly pled for mercy and asked for forgiveness for his crime. Chairman Findley stated that Mr. Connolly was referring to the crime of Murder that happened when Mr. Connolly was 14 years old. Mr. Connolly made no reference to, nor did he admit any guilt for, the Murder of the Chicago police officer that he shot and killed, and for which Mr. Connolly has served 48 years in prison. Chairman Findley further noted that Mr. Connolly's failure to speak of the Murder that has kept him in prison told Chairman Findley all he needs to know.

Commander Boyd, of the Chicago Police Department district where the Murder occurred, and Mr. Kelly, one of Officer Kelly's three brothers, were present and were asked if they would like to make any comments.

Cook County Assistant State's Attorney Maggie Hillman spoke about Mr. Connolly's crime spree. She noted that Mr. Connolly did not want to go back to prison and was out on bond for Murder, when he threatened a parole officer, terrorized the office, and held hostage an elevator full of people. After leaving the parole building, Mr. Connolly was pulled over by Officers Kelly and Neustrom. After fleeing that scene, Mr. Connolly barricaded himself in a home, and a fire officer was injured when tear gas was required to bring Mr. Connolly out. Under current laws, Mr. Connolly would be sentenced to Natural Life in prison. ASA Hillman asked for a five-year set on behalf of the Cook County State's Attorney's Office and the victims.

Ms. Crigler filled out the paperwork requesting a psychiatric evaluation.

### **DECISION AND RATIONALE**

Motion to deny parole (WN—VM). Motion prevails by a vote of 13–0.

Motion for a five-year set (WN—AP). Motion prevails by a vote of 8–5. Members voting in favor of the Motion were Mr. Diaz, Ms. Johnson, Mr. Norton, Mrs. Perkins, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley. Ms. Crigler, Ms. Daniels, Mr. Dunn, Ms. Harris, and Ms. Martinez dissented.

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



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The Board further specifically finds, pursuant to its authority under 730 ILCS 5/3-3-5(f), that it is not reasonable to expect parole release to be granted prior to June of 2023, and therefore continues Mr. Connolly's next parole consideration hearing to that docket.

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





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***EN BANC* MINUTE SHEET  
OPEN SESSION—July 26, 2018**

Inmate Name: **LEE MOSELEY**

IDOC Number: **H39616**

The Illinois Prisoner Review Board met in open *en banc* session at the Stratton Building, Room A-1, 401 South Spring Street, Springfield, Illinois, on July 26, 2018, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Lee Moseley H39616.

Members present were Ms. Crigler, Ms. Daniels, Mr. Diaz, Mr. Dunn, Ms. Harris, Ms. Johnson, Ms. Martinez, Mr. Norton, Mrs. Perkins, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

Mr. Shelton presented the following summary of the parole consideration interview and review of the inmate's file:

Lee Arthur Moseley H39616, age 63, was heard for parole consideration by a Member of the Prisoner Review Board at the Hill Correctional Center on May 2, 2018. He was not represented by counsel and there were no other persons present in support of or in opposition to parole. Discussed were the circumstances of the crime leading to his conviction, his additional criminal history, his institutional adjustment, and his parole plan.

On May 13, 2002, Mr. Moseley was sentenced to 25–75 years for the Murder of 60-year-old Robert Shepherd on October 15, 1974, in Chicago. Following an agreed-upon plan by Moseley and two co-offenders at that time, Moseley watched Mr. Shepherd cash checks at a credit union. The offenders then followed Mr. Shepherd from the credit union along Kedzie Avenue, before attacking him for his money. Mr. Moseley was 20 years of age at that time.

Mr. Shepherd, having been forced into a vacant lot near his residence, tried to fight off his attackers. The victim's common-law wife, Pearline McGee, witnessed the attack from their nearby residence and retrieved a gun. After she heard a shot fired, she fired her gun. The attackers fled. Mr. Shepherd was then observed lying on the ground with a gunshot wound to the back. He died from that wound.

Mr. Moseley was twice arrested within the first three months following the crime, and a witness identified him as the shooter, but those arrests and his identification did not result in prosecution at that time. Nearly 26 years passed before new information resulted in an interview with Mr. Moseley, during which he made admissions and gave a detailed recorded statement. Two weeks later, Mr. Moseley was arrested on a warrant for Murder. During the subsequent jury



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trial, Mr. Moseley was again identified by the eyewitness as the shooter; Mr. Moseley denies to this day that he was the shooter.

On April 5, 2002, Mr. Moseley was convicted of Murder and sentenced under the indeterminate sentencing structure in place prior to 1978. Mr. Moseley acknowledged this year that the Statement of Facts was accurate as to its description of the crime, after listening to a verbatim reading of the Statement submitted in 2016. He only wished to clarify that he was “*not the shooter.*”

There are no letters of support for parole. The Cook County State’s Attorney—by letter and through in-person representation by Assistant State’s Attorney Maggie Hillman—opposes parole.

Of particular concern is Mr. Moseley’s considerable record of arrests and convictions. Five unprosecuted arrests—at ages 18 and 19—precede the Murder. An additional 35 arrests—at ages 23, 25, 26, 28, 29, 31, 34, 36, 37, 38, 39, 40, 41, and 45—have resulted in five sentences to the Illinois Department of Corrections prior to his final prosecution for Murder.

Mr. Moseley’s education has not progressed beyond 11<sup>th</sup> grade and he has been unable to pass an exam for his GED. Additionally, Mr. Moseley has not submitted a parole plan and the only referral for placement consideration has been rejected by the organization to whom the request was made.

The risk assessment that previously found Mr. Moseley to be a High Risk to recidivate, on review following an additional two years of incarceration, now finds him to be a Moderate Risk overall.

### **DISCUSSION**

Summary of discussion for parole consideration:

Mr. Norton asked the date of Mr. Moseley’s projected mandatory release. Mr. Shelton replied that it would be Oct 26, 2034.

Ms. Crigler asked the date of Mr. Moseley’s incarceration. Mr. Shelton said that Mr. Moseley was arrested twice within 3 months of the crime. The first time, he was discharged for no probable cause. Mr. Moseley later was arrested again after giving a statement. Ms. Crigler asked if this was a case where the victim was shot by the common law wife and not Mr. Moseley. Mr. Shelton stated that was brought up at trial. The common law wife heard shots prior to her shooting at Mr. Moseley and his accomplices. Mr. Moseley contends that he was not the shooter, but that it instead was one of the other people with him. A witness at the trial identified Mr. Moseley as the shooter.



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Cook County Assistant State's Attorney Maggie Hillman indicated that the record shows that the statements made by the witness identifying Mr. Moseley as the shooter have been consistent for 26 years. ASA Hillman noted that Mr. Moseley's institutional adjustment and behavior after the shooting indicates that he is unwilling to abide by the law, so it's unlikely that he will be willing to abide to the conditions of parole. ASA Hillman stated that Mr. Moseley indicated in his last interview that if he is released he is in danger of falling into his old ways of drug and alcohol addiction. He has not attended any drug or alcohol treatment while incarcerated. Mr. Moseley also indicated that he has mental health issues, but he has no parole plan in place to support his treatment needs. The Cook County State's Attorney asked for parole to be denied. ASA Hillman also explained the reason for Mr. Moseley's arrest 26 years ago; a possible co-defendant wanted to get something off his chest and made a police report on the crime.

Ms. Crigler voiced her concerns that Mr. Moseley has made no parole plans.

**DECISION AND RATIONALE**

Motion to deny parole (DS—KT). Motion prevails by a vote of 12–1. Members voting in favor of the Motion were Ms. Crigler, Ms. Daniels, Mr. Diaz, Mr. Dunn, Ms. Harris, Ms. Johnson, Ms. Martinez, Mr. Norton, Mrs. Perkins, Mr. Shelton, Mr. Tupy, and Ms. Wilson. Chairman Findley dissented.

After thorough consideration of Mr. Moseley's case, the Board voted to deny parole. The Board finds Mr. Moseley ill-prepared for release and notes that his criminal history indicates there is a substantial risk that he would not conform to reasonable conditions of 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."*





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***EN BANC* MINUTE SHEET**  
**OPEN SESSION— July 26, 2018**

Inmate Name: **Roger Tolefree**

IDOC Number: **C83885**

The Illinois Prisoner Review Board met in open *en banc* session at the Stratton Building, Room A-1, 401 South Spring Street, Springfield, Illinois, on July 26, 2018, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Roger Tolefree C83885.

Members present were Ms. Crigler, Ms. Daniels, Mr. Diaz, Mr. Dunn, Ms. Harris, Ms. Johnson, Ms. Martinez, Mr. Norton, Mrs. Perkins, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

Ms. Harris presented the following summary of the parole consideration interview and review of the inmate's file:

Roger Tolefree C83885, age 67, was born on April 13, 1949, in Edinburg, Arkansas, and moved to Chicago in 1953. His parents were Mauldell and Vester Tolefree; both parents are now deceased. Mr. Tolefree is the second-eldest of 16 children and two of his siblings are deceased. He often communicates with his family by way of letters and phone calls. He has never been married nor has he had children. Mr. Tolefree has been engaged twice, with both engagements having failed due to his incarceration. Before incarceration, Mr. Tolefree completed the 11<sup>th</sup> grade. He stopped going to school to take employment at the Chocolate Factory during 1966–1969 and thereafter at Waco Chemicals, but left employment after sustaining an injury. Mr. Tolefree has currently served 41 years.

Mr. Tolefree, in currently incarcerated for the Rape of then-23-year-old Margaret Sullivan. He was sentenced to 30–100 years on December 11, 1978. The crime occurred on May 6, 1977, at the victim's apartment at 244 E. Pearson, Chicago, Illinois. Ms. Sullivan lived in a high-rise apartment building for the staff of Wesley Hospital. On May 16, 1977, at 6:30 p.m., Ms. Sullivan was returning to her 10<sup>th</sup>-floor apartment after throwing away her garbage in the hallway receptacle. As she was returning, she encountered Mr. Tolefree in the hallway, outside of her apartment. She felt somewhat fearful, so she went to the apartment of friends on two different floors, neither of whom was home. She then went to the lobby and decided to return to her apartment shortly after, thinking that she was being overly cautious. As she reached her apartment door, she again saw Mr. Tolefree in an adjacent hallway leading to a fire escape. Ms. Sullivan quickly attempted to open her door and enter her apartment. However, as she entered her apartment, Mr. Tolefree pushed the door in and forced his way into her apartment.



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The force of the door knocked her to the floor, and she began to scream for help. Ms. Sullivan struggled with Mr. Tolefree as he grabbed her and forced her into her bathroom, throwing her head against the wall. He slapped her across the face, held a “rat-tail” comb with a sharp point against her throat, and stated, “stop fighting me, or I’ll use this comb on you.” Ms. Sullivan stopped struggling and attempted to talk him out of the attack, but she was unsuccessful. Ms. Sullivan was forced from the bathroom to the bedroom and raped twice. During the first sexual assault, Ms. Sullivan’s telephone rang; she was instructed to answer the phone and told the caller that she would return the call later. It was at this point that Mr. Tolefree told Ms. Sullivan that he felt that he could trust her not to report him to the police. He then showed her his chess club membership card. Ms. Sullivan was able to observe his first name and the first letters of his last name on the card. Mr. Tolefree forced Ms. Sullivan into her bedroom for a second time and raped her again. After the second rape, Mr. Tolefree fled the scene.

As he left, Ms. Sullivan called the person who had phoned her during the attack. She told the friend that she had been raped. She also called another friend who lived in the building. This friend was a nurse, and she accompanied Ms. Sullivan to the hospital. A doctor examined Ms. Sullivan, and noted bruises and lacerations to the victim’s nose, cheeks, elbows, arms, and knees. The doctor also observed slight bleeding to her cervix. During the course of the investigation, the investigators were able to trace Mr. Tolefree through his chess club membership. The investigators compared the fingerprints on file to those found at the scene, finding a match to fingerprints on a drinking glass in the apartment. A warrant was issued, and Mr. Tolefree was placed under arrest on May 29, 1977.

Mr. Tolefree elected to have a jury trial. On October 13, 1978, the jury returned a guilty verdict on the charge of Rape. On December 11, 1978, Judge Frank Wilson sentenced Mr. Tolefree to 30–100 years in prison. Mr. Tolefree appealed, and the Appellate Court affirmed the conviction. Mr. Tolefree specifically raised the issue of excessive sentence on appeal. On September 12, 1988, Mr. Tolefree filed a petition for post-conviction relief. The Court denied the petition on June 30, 1992. On December 4, 2008, Mr. Tolefree filed a petition for writ of habeas corpus. On January 23, 2009, the Honorable Judge Dennis Porter denied the petition.

Prior to the Rape, Mr. Tolefree’s criminal history consisted of the following:

- May 22, 1969, arrested and charged with Attempt Auto Theft. On May 23, 1969, he was convicted and sentenced to one year of court supervision.
- Case Number 69-2387: On May 23, 1969 (the same day he was sentenced to court supervision), at 11:20 p.m., Mr. Tolefree, along with several co-offenders, entered Vic’s Tavern at 833 N. Western Avenue in Chicago. The offenders pulled out guns and then robbed the victim of \$250, a Polaroid camera, and other items. Mr. Tolefree and his co-offenders were arrested two days later in a gang disturbance. Persons in the tavern later identified them. Mr. Tolefree was charged and released on bond.



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- Case No. 69-2383: On June 10, 1969, at approximately 12:45 a.m., while out on bond for the previous Armed Robbery, Mr. Tolefree and the same co-offenders entered the Shrimp House restaurant at 444 W. Cermak in Chicago. While armed with guns, they robbed the victim. Mr. Tolefree was later arrested after one of his co-offenders made a confession, and Mr. Tolefree was later identified. He was charged with Robbery. On the same day, he was arrested for Unlawful Use of a Weapon and Resisting Arrest after he robbed the victim at the Shrimp House. He was fined \$100 and released.
  
- Case No. 69-2689: Three days later, on June 13, 1969, Mr. Tolefree and a co-offender committed another Armed Robbery. Mr. Tolefree was still on bond at that time. Mr. Tolefree and James Williams entered a 24-hour Clark Gas Station at 2340 W. 52<sup>nd</sup> Street in Chicago at 1:00 a.m. Mr. Tolefree asked the attendant to check the oil. As the attendant, Harry Kapitanek, checked the oil, Mr. Tolefree approached Mr. Kapitanek with a small revolver in hand. Mr. Tolefree ordered Mr. Kapitanek into the station and signaled James Williams to also come inside. Mr. Williams was armed with a .45 caliber pistol. Inside the station, Mr. Tolefree and Mr. Williams took the attendant's money, money belt, and coin changer. Before leaving, Mr. Tolefree struck Mr. Kapitanek in the head with a gun. Mr. Tolefree and Mr. Williams then stole several cartons of Kool cigarettes on their way out of the station. The victim called the police to the scene and provided them with descriptions of Mr. Tolefree and Mr. Williams. The victim was later transported to the hospital and treated for his head wound, for which he received six stitches in his head. Around 1:40 a.m., police officers observed a car run a stoplight. The car fit the description of the car used in the gas station robbery. The officers pulled the car over with assistance of other units. Mr. Tolefree and Mr. Williams were ordered out of the car; an automatic .45 caliber and a .22 caliber revolver were recovered from the front seats of the car, along with a carton of Kool cigarettes and a coin changer on a belt. Mr. Tolefree and Mr. Williams were taken into custody. The victim, Mr. Kapitanek, identified both offenders as the men who robbed him.
  
- Mr. Tolefree was charged in three separate cases, but was ultimately convicted of Armed Robbery after a jury trial in Case No. 69-2689. On October 15, 1969, the Honorable Judge Louis Garippo sentenced Mr. Tolefree to a term of 5–20 years. On January 19, 1970, Mr. Tolefree pleaded guilty to the charges of Robbery in both Case No. 69-2687 and Case No. 69-2383. He was sentenced in each case to a term of 3–10 years, to run concurrently with each other and concurrently with his sentence in Case No. 69-2689.

Mr. Tolefree has received more than 130 tickets since his incarceration; at least 10 have involved Sexual Misconduct (1986, 1996, 1997, 1998, 1999, 2001, 2003, 2007, and 2012); his most recent ticket for Sexual Misconduct was in 2012. He has received more than 30 major tickets for offenses including Gang Activity, Theft, Assault, Trading and Trafficking, and Filing a Frivolous Lawsuit.

Mr. Tolefree has also completed his GED, and he has additionally earned 136 college credit hours. He participates in several programs, including Inner Circle, Life Style Redirection,



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Anger Management, One Track, and Law Clerk. He wants to continue participation in sex offender programs, but they are not offered at Lawrence. He did participate in the services at Pontiac Correctional Center. His hobbies include chess, writing, and starting an organization called PAAC to help inmates adjust in society. Mr. Tolefree states that he has been granted a transfer to East Moline, but that the transfer is delayed due to available bed space.

Prior to the Rape of Ms. Margaret Sullivan, Mr. Tolefree was a repeat offender of Armed Robbery. He received a period of imprisonment, and after being paroled, he chose to rape and beat Ms. Sullivan.

### DISCUSSION

Summary of discussion for parole consideration:

Mr. Shelton asked when Mr. Tolefree's most recent ticket was. Ms. Harris stated the most recent ticket was in 2012, and that he has had more than 10 Sexual Misconduct tickets. She explained that the tickets were for masturbation and fondling himself, as opposed to physical contact with other inmates.

Mr. Tupy inquired about the SPIN Assessment. Ms. Harris stated that the SPIN is overall High Risk. Mr. Tupy also asked if Ms. Harris knew if Mr. Tolefree was eligible for a Sexually Dangerous Person designation. Ms. Harris did not know if he was or not, but did bring up that Mr. Tolefree had a 10-year sex offender registration during 1978–1988.

Mrs. Perkins inquired as to Mr. Tolefree's "out date". Ms. Harris indicated that his projected release date is April 29, 2022 and he would have a 5-year parole term thereafter.

Assistant Attorney General Samantha Smith from the Attorney General's Office was present and requested a 6-month delay in parole release, in the event that parole was to be granted, because of the nature of Mr. Tolefree's charges. The Cook County State's Attorney's Office also requested a 6-month delay on the same grounds.

Mr. Shelton asked whether the State's Attorney would still ask for the 6-month delay to apply to finding secure placement for Mr. Tolefree, even if Mr. Tolefree is denied discretionary parole and ultimately serves his entire sentence while incarcerated. Assistant State's Attorney Maggie Hillman answered yes, they would still ask for the time.

Ms. Harris stated that Mr. Tolefree indicated that he does have a parole site.

Chairman Findley asked if there was anyone present to speak on behalf of Mr. Tolefree. There was no one present.

ASA Hillman spoke about Mr. Tolefree's disciplinary record from the State of Illinois. She stated that Mr. Tolefree's last violation of the IDOC's rules was December 15, 2017, and





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that he has received five tickets since 2012, including a Sexual Misconduct ticket in 2015. ASA Hillman specifically noted that Mr. Tolefree is masturbating in front of staff, both male and female, and that this was being done as an attack on staff. ASA Hillman indicated that Mr. Tolefree was transferred to Lawrence so that he could participate in sex offender treatment, but that, to her knowledge, he did not participate in this treatment. Moreover, ASA Hillman stated that Mr. Tolefree has been seen by a psychiatrist and mental health issues were indicated, but that Mr. Tolefree has made no effort or indication as to how those concerns would be addressed in the event of parole. ASA Hillman stated that although the victim of Mr. Tolefree's crime is now deceased, this Rape was violent and was also committed while he was out on bond. ASA Hillman further observed that Mr. Tolefree also committed two Armed Robbery offenses while out on bond. ASA Hillman concluded by stating that Mr. Tolefree is a violent offender, who has indicated that he does not intend to abide by the law, and that his institutional adjustment has not improved.

Mr. Shelton asked about the transfer to Lawrence for sex offender treatment. ASA Hillman stated that, according to the records that she has, there is nothing to indicate Mr. Tolefree participated in the program. Chairman Findley asked Ms. Wilson if she remembered Mr. Tolefree. Ms. Wilson stated that the masturbation is an attack; it's a passive-aggressive attack on the staff. Ms. Wilson felt the fact that Mr. Tolefree continues to act in such a manner indicates that he would probably require sex offender treatment for the rest of his life. She feels that he is obviously a very sick person and she would like to see him somewhere that he could receive the treatment that he needs. Mr. Shelton stated that the pattern of sexual misconduct is a continuation of Mr. Tolefree's pattern of rape and he continues to try to degrade others.

Ms. Perkins asked about the Attorney General's request. Chairman Findley explained that the Attorney General's Office would ask the court for the possibility of placement in a treatment center for sexually violent individuals.

ASA Hillman further provided that she had spoken with Cook County Assistant State's Attorney Shane, who prosecuted the case 24 years ago. ASA Shane talked about Mr. Tolefree's arrogance and it was ASA Shane's belief that Mr. Tolefree should not be released back into society.

Ms. Harris summarized her observations and noted that it was her opinion that to parole Mr. Tolefree at this time would deprecate the serious nature of the offense and promote disrespect for the law. Ms. Harris additionally stated that her recommendation would therefore be to deny parole release in Mr. Tolefree's case. Ms. Harris also noted that she would like to see an updated psychiatric exam.

### **DECISION AND RATIONALE**

Motion to deny parole (VH—AMP). Motion prevails by a vote of 13–0.

Motion for a 2-year set (VH—AMP). Motion prevails by a vote of 13–0.



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

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

The Board further specifically finds, pursuant to its authority under 730 ILCS 5/3-3-5(f), that it is not reasonable to expect parole release to be granted prior to June of 2020, and therefore continues Mr. Tolefree's next parole consideration hearing to that docket.

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