

STATE OF ILLINOIS
 BRUCE RAUNER, GOVERNOR
 PRISONER REVIEW BOARD

EN BANC MINUTE SHEET: MEETING OF JULY 30, 2016

The Illinois Prisoner Review Board met in open en banc session at 319 E. Madison, Springfield, IL, on July 30, 2016, at the 8:00 a.m. session to discuss and deliberate parole eligibility for the following inmates:

C82540	LARRY KURENA
C81085	CASPER ROSARIO
C83885	ROGER TOLEFREE
C62803	CHARLES MITCHELL
C71583	THEODORE ROSS
C02207	A.D. CLARK

The meeting was called to order by Chairman Findley
 Roll call was taken by the Recording Secretary: Gabriela Chavez Barrientos

<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
Mr. Ed Bowers	X	
Edith Crigler	<u>X</u>	
Salvador Diaz	<u>X</u>	
Mr. Gary Duncan	<u>X</u>	
Mr. Donald Wayne Dunn	<u>X</u>	
Mr. Pete Fisher	X	
Mr. Eric Gregg	X	
Vonetta Harris	X	
Tom Johnson	X	
Mr. Daryl Jones	X	
Mr. Adam Monreal	X	
Mr. William Norton	X	
Mrs. Aurthur Mae Perkins	X	
Mr. Donald Shelton	X	
Chairman Craig Findley	X	

15 Members Present

Note: Mr. Johnson not present for part of the meeting.

The Recording Secretary presented the following minutes for approval:
 Open Session Minutes from **June 2015. (CF - ADM)** Leave

Meeting was adjourned (CF – DS). Leave.
 Submitted by: Gabriela Chavez Barrientos, Recording Secretary

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**EN BANC MINUTE SHEET
OPEN SESSION—JULY, 2016**

Inmate Name: **CASPER ROSARIO** IDOC Number & Institution: **C81085**

The Illinois Prisoner Review Board met in open en banc session at 319 E. Madison Street, Springfield, IL, on July 30, 2016, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Casper Rosario, IDOC # C81085.

Members present were: Chairman C. Findley, E. Bowers, E. Crigler, G. Duncan, D.W. Dunn, P. Fisher, E. Gregg, V. Harris, T. Johnson, D. Jones, A. Monreal W. Norton, A.M. Perkins, and D. Shelton.

Other(s) present: Gabriela Chavez Barrientos, Recording Secretary

Summary of discussion for parole consideration: Member Crigler presented a summary of the parole interview and a review of all file materials.

Mr. Casper Rosario was interviewed on June 24, 2015 via a video conference from the Keen Mountain Correctional Center a high security facility. Present were Board member Edith Crigler, interviewer, Inmate Casper Rosario, Attorney Jean Maclean Snyder, Mr. Rosario's friend Rory Guerra, Sister Nylda Rosario, and Brother Rafael Rosario . Mr. Rosario's current projected release date is October 16, 2024 and his maximum release date is January 16, 2028.

Member Crigler stated that Mr. Rosario is serving 20 to 50 years for the murder of Benjamin Llanas. On December 22, 1975 victim Benjamin Llanas and four of his friends were standing at a Tastee Freeze near Armitage and Mozart Street in Chicago. One of Benjamin friends thought he saw someone standing in a gangway across the street. Another friend looked and saw the inmate who he knew as "Casper" step from the gangway. The witness heard the inmate yell out, "King Love" and his chest. The inmate had a gun in his hand. When Benjamin and his friends saw this they began to run. Benjamin had his dog with him and could not run as fast as the others. Five shots were fired and one of the bullets struck Benjamin in the lower back. Benjamin yelled out that he had been shot and he could no longer run. One of his friends flagged down a police car and told the officers what happened. The officers drove to where the shooting occurred and put Benjamin in their squad car and transported him to St. Elizabeth's Hospital.

Benjamin Llanas was a rival Latin Disciple gang member and Mr. Rosario denies being the shooter, but admits arriving at the scene after the shooting. While on bond for the Llanas shooting Mr. Rosario was arrested for the murder of Mr. Donald Walls. He was sentenced to 20 to 50 years for the murder of Mr. Walls and 4 to 12 for the attempted armed robbery of the Trackside Lounge in the same event.

Member Crigler also shared with the Board that on February 18, 1976 the inmate went to the apartment of 16-year-old Eugene Hernandez who lived there with his common law wife Iris Nieves and their three children. The inmate asked Hernandez if he would keep a 30-0 carbine rifle for him. Later that same evening the inmate his brother Rafael, Peter Gonzales and Rufino Santiago were all in Hernandez's apartment. Santiago suggested "sticking up" the Trackside Lounge at 1758 N. Washtenaw. At the trackside Lounge the inmate kicked open the door and Rafael, holding the rifle announced a robbery. William Heaton, the tavern owner ran into an adjoining room to press the burglar alarm. The offenders were standing in the doorway when a man inside came towards them carrying a pool cue stick. The man's name was Donald Walls, the victim. Mr. Walls closed the door on the offenders. The inmate stated "Cap, Cap" which is Spanish for shoot. With this command the inmate's brother, Rafael fired the

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rifle through the tavern door. All five offenders ran. All five offenders found their way back to Hernandez's apartment where they gave their masks to Iris Nieves who hid them and they hid the rifle under the baby's crib mattress. At the tavern Mr. Heaton saw Mr. Walls lying on the floor with a chest wound. The police arrived and Mr. Walls was transported to St Elizabeth's Hospital where he was pronounced dead upon arrival. The cause of death was a gunshot wound to the chest and heart.

Both sentences are to run consecutively.

Motion for Executive Session (EC-APM).

Motion to Return from Executive Session (EC-CF).

Mrs. Crigler also stated that Mr. Rosario's institutional adjustment was poor at the beginning of his incarnation. From 1978 through 1995 there were approximately 62 IDRs. Starting in the 1990 with his behavior began to improve and in 1995 he left the Latin Kings, but refused to debrief with prison officials and become an informant. From 1996 until present Mr. Rosario moved from Minnesota DOC to New Mexico DOC, Illinois Tamms DOC and since 2002 he has been housed in the State of Virginia.

Mr. Rosario has earned his GED in both English and Spanish. He has taken all programming available to him in Virginia and is waiting to be assigned as houseman. Two of his counselors in Virginia state that he is doing well and they expressed trust in him and he has been selected to be in a special assignment worker on the unit. He has the support of his family and has been accepted at St Leonard's Ministries with a letter attached to his request for parole. He also has a concrete offer of employment.

Mr. Shelton shared with the Board that he interviewed Mr. Rosario last time he went before the Board. He noted that Mr. Rosario could very well be doing well in Keen Mountain Correctional center because he has no other choice. Mr. Shelton visited Keen Mountain and noted that the prison was extremely well staffed and inmates very watched at all times. Mr. Rosario is living under this kind of surveillance and that may be the reason for his good behavior in Virginia thus far. Mr. Shelton expressed doubt about his continued good behavior once out of prison.

Mrs. Crigler continued to state that Mr. Casper Rosario was a young teenager who was involved in the Latin Kings at the time of these murders. In his own word, he was a violent teenager with no morals and he lived the life of a gangbanger and did stupid dangerous things because he did not know any better. He now states that he has grown up and now knows how reckless his behavior was. He also claims that he had denounced any gang ties and that he has no influence or rank in the Latin Kings. She stated, "I found him to be a focused articulate individual who expressed remorse for the lives he took and for his behavior during the early years in prison."

Mrs. Harris stated that she did not feel comfortable paroling him in Chicago. Other members of the Board agreed. Mr. Shelton continued stating that he may still have ties to the gangs, who are still very much active in the City.

Motion to Grant Parole (EC-CF). Motion does not prevail 6-9). Members voting against the motion were Mr. Bowers, Mr. Dunn, Mr. Fisher, Mr. Gregg, Mrs. Harris, Mr. Jones, Mr. Monreal, Mr. Norton, 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."

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**EN BANC MINUTE SHEET
OPEN SESSION—JULY 30, 2016**

Inmate Name: **LARRY KURENA**

IDOC Number & Institution: **C82540**

The Illinois Prisoner Review Board met in open en banc session at 319 E. Madison Street, Springfield, IL, on July 30, 2016, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Larry Kurena, IDOC # C82540.

Members present were: Chairman C. Findley, E. Bowers, E. Crigler, G. Duncan, D.W. Dunn, P. Fisher, E. Gregg, V. Harris, D. Jones, A. Monreal W. Norton, A.M. Perkins, and D. Shelton.

Other(s) present: Gabriela Chavez Barrientos, Recording Secretary

Summary of discussion for parole consideration: Member Shelton presented a summary of the parole interview and a review of all file materials.

Member Shelton stated that Inmate Larry Kurena was interviewed for parole consideration on June 23, 2015 at the Danville Correctional Center. Discussed during the interview were the statement of facts, testimony of the inmate, a review of the inmate's convictions, institutional discipline record, and his parole plan. Parole violations were also discussed. Inmate Kurena was represented by counsel, who was also present during this En Banc session.

Mr. Shelton shared with the Board that Inmate Kurena is currently serving a 200 – 500 year sentence for the stabbing murders of two men in 1976. On March 13, 1976, victims John Taylor and Emil Lauridsen, while inside a Chicago area tavern, were called upon to help remove an intoxicated unruly patron named John Shannon, Jr, and to escort the patron home. The patron lived near the tavern and the request for assistance came from the patron's father. Inmate Kurena was with a group of associates friendly to John Shannon Jr. They objected to the intervention and became argumentative.

Mr. Shelton stated that after having completed the task of escorting the drunken patron home, Mr. Taylor and Mr. Lauridsen attempted to return to the tavern. They were, however, intercepted by Inmate Kurena's group. With a knife, Inmate Kurena stabbed first Emil Lauridsen, killing him, then John Taylor, killing him. Kurena was arrested and convicted of the murders. The Appellate Court affirmed the conviction in 1980.

Mr. Shelton also shared that Inmate Kurena was paroled in 1993 after serving 17 ½ years of his sentence. However, Inmate Kurena was re-incarcerated in 2005 for parole violations. He has remained in custody since that time and the sentence previously imposed by the court is in force.

Mr. Shelton stated that his pattern of substance abuse is a concern to him if he is paroled by the Board. He also stated that he has had the benefit of significant leniency upon being paroled in the past, considering his original sentence.

Other members, particularly Member Monreal, shared Mr. Shelton's concerns. The Board has reservations about this inmate's ability and willingness to live a crime free life. In light of the seriousness of the committing offense, Mr. Shelton believed that Inmate Kurena's release at this time would deprecate the seriousness of the committing offenses.

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Motion to Deny Parole (DS-EB). Motion prevails 10-4-1 Abstention. Members voting for the motion were Mr. Bowers, Mr. Duncan, Mr. Dunn, Mr. Fisher, Mr. Gregg, Mr. Johnson, Mr. Monreal, Mr. Norton, Mr. Shelton, and Chairman Findley. Mr. Diaz Abstains.

"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
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Inmate Name: **THEODORE ROSS** IDOC Number & Institution: **C71583**

The Illinois Prisoner Review Board met in open en banc session at 319 E. Madison Street, Springfield, IL, on July 30, 2016, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Theodore Ross, IDOC # C71583.

Members present were: Chairman C. Findley, E. Bowers, E. Crigler, G. Duncan, D.W. Dunn, P. Fisher, E. Gregg, V. Harris, D. Jones, A. Monreal W. Norton, A.M. Perkins, and D. Shelton.

Other(s) present: Gabriela Chavez Barrientos, Recording Secretary.

Summary of discussion for parole consideration: Member Gregg presented a summary of the parole interview and a review of all file materials.

Inmate Theodore Ross was interviewed at the Graham Correctional Center on June 2, 2015. Inmate Ross is coming off a three year set.

Mr. Gregg stated that Inmate Ross was sentenced for murder with the intent to kill out of Cook County. He was sentenced to 50-150 years for the murder of Ms. Margaret Abrams. The date of his sentence was May 9, 1977.

Member Gregg shared the facts of the case with the Board. On March 10, 1975, 18 year old Theodore Ross was at the home of Ms. Abrams, who was his sister's mother-in-law. He knew Ms. Abrams very well and described her as a mother figure to him. While Ms. Abrams had her back turned to Inmate Ross, he brutally attacked her with a knife that had been lying on the table. He proceeded to attempt to choke Ms. Abrams and stab her. After stabbing her multiple times, Inmate Ross then proceeded to beat Ms. Abrams with a 2X4 until she was unconscious. He then dragged her body into the bathroom and placed her in the bathtub full of water in order to drown her if she was still alive.

Inmate Ross fled the scene after cleaning himself and the kitchen area up and upon seeing Ms. Ross's son coming home. He was apprehended by police and later confessed to the crime. Inmate Ross was on parole for theft at the time of the murder of Ms. Abrams.

During the interview, Mr. Gregg learned that Inmate Ross has earned his GED, Associates and Bachelor's Degree while he has been incarcerated. He stays active in sports and is in good health other than having diabetes. A psychiatric evaluation completed in 2012 revealed no abnormal behaviors. Previous exams have noted impulsive behavior issues for Inmate Ross. His overall institutional adjustment has been very good with him only receiving four disciplinary tickets since 1998. He also has had various jobs in the institutions he has been incarcerated in.

Mr. Gregg also shared that Inmate Ross does not have set parole plans at this time. He has been married for 38 years and has three stepchildren. Although he has a stellar institutional record and strong family support, Mr. Gregg feels that to parole him at this time is not in the interest of public safety, since he has no parole plan in place.

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Motion To Deny Parole (EG-GD). Motion Prevails. Leave.

Motion for a 3 year set (EG-APM). Motion Passes 9-5. Members in favor of the motion were Mr. Bowers, Mr. Dunn, Mr. Fisher, Mr. Gregg, Mrs. Harris, Mr. Monreal, Mr. Norton, Mrs. 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.”

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**EN BANC MINUTE SHEET
OPEN SESSION—JULY 30, 2016**

Inmate Name: **CHARLES MITCHELL** IDOC Number & Institution: **C62803**

The Illinois Prisoner Review Board met in open en banc session at 319 E. Madison Street, Springfield, IL, on July 30, 2016, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Charles Mitchell, IDOC # C62803.

Members present were: Chairman C. Findley, E. Bowers, E. Crigler, G. Duncan, D.W. Dunn, P. Fisher, E. Gregg, V. Harris, D. Jones, A. Monreal W. Norton, A.M. Perkins, and D. Shelton.

Other(s) present: Gabriela Chavez Barrientos, Recording Secretary

Summary of discussion for parole consideration: Member Norton presented a summary of the parole interview and a review of all file materials.

Mr. Norton stated that a parole assessment interview was conducted with Charles V. Mitchell on June 10, 2015. Mr. Mitchell was born on December 29, 1955, is currently fifty-nine years of age and was a resident of Lawrenceville Correctional Center on the date of the interview. According to the file, Mr. Mitchell has 5 convictions which are as follows: Murder with a sentence on 7-29-76 of 15-30 years to be served concurrent with another Murder conviction with a sentence on 7-29-76 of 15-30 years also to be served concurrent; Escape with a sentence on 1-22-80 of 4 years to be served consecutive; Attempt Murder and Armed Violence with a sentence on 9-18-80 of 45 years; and Armed Violence with a sentence in 1982 of 25 years to be served consecutive to his prior conviction for Attempt Murder and Armed Violence.

Mr. Norton shared with the Board that The file and record would indicate that on or about October 13, 1974 when Mr. Mitchell was eighteen (years of age, he and his nephew, co-defendant Darryl Waddell formulated a plan for a "stick-up" of their 54 year old neighbor Shelton Guidry. Mr. Guidry was lured from his residence, his wallet was stolen and then either Mr. Mitchell or Mr. Waddell shot Mr. Guidry in the left side of his head causing his death. The two co-defendants then stole the car of Mr. Guidry and divided the total sum of \$16.00 which they gained as a result of the robbery. On the next morning, being October 14, 1974 Mr. Mitchell and Darryl Waddell and a female acquaintance by the name of Alta Mease Parker were involved in a carjacking where the victim, 31 year old Wanda Pittman was shot three times in the left side of her head causing her death.

Mr. Norton stressed that it is important to note that at the time of the murder of Mr. Guidry and Ms. Pittman that the defendant, Charles V. Mitchell had only been on parole for 10 weeks for a previous crime. On September 21, 1979 Mr. Mitchell attempted to escape from the Pontiac Correctional Center by throwing a rope over a wall.

He was convicted of this escape offense and sentenced to an additional 4 years in the Illinois Department of Corrections. On January 21, 1980 during another attempted escape Mr. Mitchell stabbed a correctional officer three times while being transported to court in Livingston County. He was convicted of Attempt Murder and Armed Violence and sentenced to an additional 45 years in the Illinois Department of Corrections. In 1982 Mr. Mitchell stabbed a correctional officer at Menard Correctional Center. He was again convicted of Armed Violence and received an additional sentence of 25 years in the Illinois Department of Corrections.

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Mr. Mitchell did not dispute the facts of any of his convictions. Mr. Mitchell also had a prior criminal history with a prior conviction of Attempt Theft in 1973 and a prior conviction for Robbery for which he received a 1 year and 1 day sentence to the Illinois Department of Corrections on October 26, 1973.

Mr. Norton noted that the Parole Assessment as completed by the Illinois Department of Corrections would report that Mr. Mitchell has had a negative adjustment during his past 39 years of incarceration. He is currently assigned as a unit porter and his last ticket was in 2007 which was a major for theft and unauthorized property. Mr. Mitchell has received his GED, but does not participate in programming. Mr. Mitchell was never married and has no close living relatives. He reported that he does have a daughter by the name of Tanya Mitchell with whom he has no contact. Mr. Mitchell has had one visitor during the course of his incarceration and that was in 1992.

Mr. Norton shared with the Board that Mr. Mitchell appeared to be in good health and was polite, courteous and attentive during the interview. Mr. Mitchell did not have a parole plan, but stated that if granted parole he would like to live in a halfway house and seek employment in the janitorial field.

Mr. Norton stated that due to his poor institutional adjustment and lack of parole plan he feels that a release at this time would deprecate the serious nature of these crimes and offenses and would promote a lack of respect for the law.

Motion to Deny Parole (WN-PF). Leave. Motion Prevails.

Motion for a 3 Year Set (WN-APM). Leave. Motion Prevails.

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**EN BANC MINUTE SHEET
OPEN SESSION—JULY 30, 2016**

Inmate Name: **ROGER TOLEFREE** IDOC Number & Institution: **C83885**

The Illinois Prisoner Review Board met in open en banc session at 319 E. Madison Street, Springfield, IL, on July 30, 2016, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Roger Tolefree, IDOC #C83885.

Members present were: Chairman C. Findley, E. Bowers, E. Crigler, G. Duncan, D.W. Dunn, P. Fisher, E. Gregg, V. Harris, D. Jones, A. Monreal W. Norton, A.M. Perkins, and D. Shelton.

Other(s) present: Gabriela Chavez Barrientos, Recording Secretary

Summary of discussion for parole consideration: Member Gregg presented a summary of the parole interview and a review of all file materials.

Mr. Gregg stated that Inmate Roger Tolefree was interviewed at the Lawrence Correctional Center on June 10, 2015. Present on behalf of Inmate Tolefree were his brother, John Tolefree and sisters, Ms. Carole Washington and Ms. Louise Anderson.

Inmate Tolefree has served 37 years of his sentence for rape. He was given 30 to 100 years for the crime and was sentenced on December 11, 1978 in Cook County.

Inmate Tolefree is coming off a three year set and he has never received a vote for parole. He is 66 years old.

Mr. Gregg recounted the facts of the case. On May 16, 1977, 28 year-old Tolefree attacked and raped Ms. Margaret Sullivan in her apartment on two occasions during the same attack. Ms. Sullivan was a virgin at the time of the rape and was 23 years old. Inmate Tolefree stalked and forced his way into Ms. Sullivan's apartment as she attempted to get into her door. After raping Ms. Sullivan, Inmate Tolefree fled the scene. He was later identified by his chess club identification card he showed Ms. Sullivan and by fingerprints found on a glass at the crime scene.

Mr. Gregg notes that Inmate Tolefree has an extensive criminal history dating back to 1969 and it involves attempt auto theft to multiple armed robberies. He was sentenced for the armed robberies and was released on parole on April 20, 1973.

Upon his visit to Lawrence CC, Mr. Gregg learned that Inmate Tolefree maintains relative good health with the exception of high blood pressure. He enjoys playing chess, reading, and watching television. He maintains and has excellent family support. He plans to reside with his brother or one of his sisters if he is paroled.

Inmate Tolefree's institutional adjustment has been and continues to be a problem. He has had multiple tickets, several included for sexual misconduct, staff assault, insolence, and disobeying direct orders. His

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institutional adjustment does not reflect a man that has changed. Inmate Tolefree has never completed a sex offender program.

Mr. Gregg does not feel comfortable recommending Mr. Mitchell for parole at this time. To do so would deprecate the serious nature of the offence and show complete disrespect for the law.

Motion to Deny Parole (EG-APM). Leave.

Motion for a Three Year Set. (EG-DS). Leave.

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