



STATE OF ILLINOIS
 JB PRITZKER, GOVERNOR
PRISONER REVIEW BOARD

Donald Shelton, Chair

EN BANC MINUTE SHEET
OPEN SESSION— August 31, 2023

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 31, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following individuals in custody:

C66268	GOOD, EARL *
C01793	BARKSDALE, JAMES *
M54916	PORTER, DESHAUNE

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

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

12 Members Present 0 Members Absent

The Board heard the case of Earl Good C66268, James Barksdale C01793, and DeShaune Porter M54916 as detailed in the individual case minutes.

Open Executive Session: Closed Executive Session:

Meeting was adjourned by () Leave.



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***EN BANC* MINUTE SHEET
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Individual in custody's name: DeShane Porter IDOC Number: M54916

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 31, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for DeShaune Porter M54916.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

PRESENTATION OF INTERVIEW AND FILE

On July 6th, 2023, Mr. DeShaune Porter, M54916 was interviewed by Board Member Matthew Coates via Webex video at Taylorville Correctional Center. Mr. DeShaune Porter represented himself without an attorney present and his interview began at 9:09am and ended at 11:13am. His mother Ms. Samantha Porter, his aunt Ms. Vynadrian Kidd, his spiritual advisor Ms. Carmelita Prog, a family friend Ms. Anna Williams and his brother Mr. Javontae Lee were present for this interview and there for support.

Mr. DeShaune Porter was put together with a blue buttoned up shirt, blue pants and prepared for the interview. Mr. DeShaune Porter's demeanor could be best described as positive and polite. Mr. DeShaune Porter was polite in his attitude and communicated clearly without issue for the duration of our interview. Mr. DeShaune Porter answered every question I presented and was an articulate and productive communicator.

Mr. DeShaune Porter was in good health and presented no health issues at our interview and also appeared to be in good mental health.

Mr. DeShaune Porter is currently 26 years old. He has been incarcerated for 11 years. Mr. DeShaune Porter started his incarceration at Harrisburg, then was transferred to Kewanee, and now he is currently at Taylorville Correctional Center.

Mr. DeShaune Porter was convicted on 2 counts of Aggravated Criminal Sexual Assault with victim being less than 9 years old and Aggravated Criminal Sexual Assault/Force with victim being between the ages of 9-13. Mr. DeShaune Porter pled guilty and was sentenced on June 12th, 2013, to serve 20 years, 10 years for each count, and each count to be served consecutively. Mr. DeShaune Porter has a Mandatory Supervised Release date of August 3rd, 2029.



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Mr. DeShaune Porter filed for Executive Clemency in January 2019 and was granted a Commutation of Sentence to parole eligibility on October 5th, 2020.

STATEMENT OF FACTS

After just turning the age of 15 on July 10th, from July 11, 2012, to July 26, 2012, Mr. DeShaune Porter, along with co-offender Mr. Demarkus Kidd, who is his cousin, engaged in repeated acts of Aggravated Sexual Assault against his sister who was 12 years old at the time and his female cousin who was 5 years old at the time.

Mr. DeShaune Porter's 5-year-old cousin was interviewed by a forensic interviewer at the Child Advocacy Center during the investigation, to which she disclosed and would testify that Mr. DeShaune Porter and Mr. Demarkus Kidd penetrated her butt and her vagina with their penises on numerous occasions. She testified they told her to bite the pillow if it hurt.

Mr. DeShaune Porter and Mr. Demarkus Kidd also forced the 5-year-old to perform oral sex on them. Her words to authorities during the investigation were, and I quote, "you honor, they put it all the way down my throat. They stuck it all the way to my heart." End quote.

Mr. DeShaune Porter's 12-year-old sister was also interviewed by a forensic interviewer, and she disclosed and testified that Mr. DeShaune Porter penetrated her anally and orally multiple times and that co-offender Mr. Demarkus Kidd penetrated her anally, orally as well as vaginally. Mr. DeShaune Porter told her not to tell anyone or they would beat on her.

According to Mr. DeShaune Porter's 12-year-old sister, Mr. DeShaune Porter and Mr. Demarkus Kidd were babysitting them and that the assaults occurred when the adults were not at home or were in their rooms with the doors closed.

As this information was from the St. Clair County's State's Attorney's letter of opposition, I could not verify whether this was a one-time isolated incident, or this was a pattern of repeated assaults.

Subsequently, I contacted the St. Clair State's Attorney's office and spoke with First Assistant State's Attorney, Mr. Daniel Lewis and requested more information into the Statement of Facts.

Mr. Daniel Lewis was helpful and did provide me a supplemental statement that provided more detail into the evidence from their initial investigation. In that statement, the 12-year-old victim was asked if her brother, Mr. DeShaune Porter, ever had sex with her, she disclosed to the Washington Park Police Department, "Yes, several times, at least 6 times at their old house in Cahokia and about seven times at the house in Washington Park."

She further stated and I quote, "there were a couple times when Demarkus and Mr. DeShaune Porter had her and the 5-year-old victim in the room at the same time. The first time Demarkus had sex with her in the butt, while Mr. DeShaune Porter had sex with the 5-year-old. The second time, Mr. DeShaune Porter had sex with her, while Demarkus had sex with the 5-year-old, then they switched. She stated her brother Mr. DeShaune Porter would try to make her and the 5-year-old suck his private part and would



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force the 5-year-old by offering to buy her candy, soda, and chips.” End quote.

The 12-year-old victim goes on to state Mr. Demarkus Kidd and Mr. DeShaune Porter would, and I quote, “do it for one day, then they would wait for two days or a lot of times at night.” End quote.

When officers interviewed the 5-year-old, she shared testimony that was consistent with the 12-year-olds account. They shared that it happened in her granny’s room and in her cousin Mr. DeShaune Porter’s room. She also stated that the sexual assaults happened both in Washington Park and Cahokia.

Some evidence shows that multiple other children were potentially targeted for sexual conduct by Mr. DeShaune Porter and Mr. Demarkus Kidd, however the charges which Mr. DeShaune Porter pled guilty to were the strongest evidentiary counts. Another victim included a 9-year-old, to which Mr. DeShaune Porter stated to authorities during the investigation that if he had sex with anyone else it would have to be his 9-year-old sister, who would have been 8 years old at the time.

Mr. DeShaune Porter also stated then that he had sexual intercourse with his 9-year-old sister on the floor beside the blue bunk beds while at 144 Amelia Drive, Cahokia, Illinois. Then he stated that he had sex with her for approximately three minutes by placing his penis inside her rectum and stated she did not cry but kept a normal face.

Mr. DeShaune Porter’s testimony along with victim statements from the original investigation is clear evidence that this was not an isolated incident on one particular day, but a pattern of repeated sexual assaults that occurred on different occasions.

Mr. Daniel Lewis also shared that he recognized the name of the five-year-old as a deeply troubled young woman who was involved in a physically abusive relationship and was intertwined in a murder prosecution that he handled earlier this year. Mr. Daniel Lewis stated the underlying trauma that the victims of these cases have suffered, and the people on the peripheral of this, such as the 5-year-old, cannot be overstated and has undoubtedly become a shadow that has darkened their lived ever since.

CRIMINAL HISTORY

Mr. DeShaune Porter does not have any criminal history prior to his conviction.

INSTITUTIONAL ADJUSTMENT

Mr. DeShaune Porter’s institutional adjustment has been nearly excellent.

Mr. DeShaune Porter stated, the biggest thing he learned from his situation, and his mindset coming into incarceration has been to never let anybody influence you to make a bad decision. Never let anybody put you in a predicament that will get you into trouble. He has been committed to that mindset. Mr. DeShaune Porter has received just one disciplinary ticket during this incarceration dated July 30, 2023, for contraband and unauthorized property. This is concerning that it stated it was for an altered hot pot and an altered porn magazine. This is impressive seeing as though he has served his sentence in Harrisburg, Kewanee, and Taylorville Correctional Center. Having to transition from Department of



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Juvenile Justice to Illinois Department of Corrections can be a rough transition. Mr. DeShaune Porter has adjusted well to those changing environments and has been trouble free up until his recent ticket.

Mr. DeShaune Porter completed his high school diploma and earned 13 outstanding achievement awards in taking his course to complete his diploma. He is currently working towards achieving is associate degree. Mr. DeShaune Porter has completed college level courses including criminology, intro to business, business math and psychology.

Mr. DeShaune Porter loves education and had enjoyed taking college courses and seeks to go further with it once he is released. Mr. DeShaune Porter has completed Anger Management, Lifestyle redirection, and Freedom-Gods Way: From prison to the Promised Land, Thinking for Change and Sex Offender Treatment. Mr. DeShaune Porter has participated in any program that has been available to him.

Mr. DeShaune Porter has held several jobs while being incarcerated. He has been a housing unit porter and has previously been assigned to Janitorial services and dietary floor crew. His offender overview stated he is a positive influence on the wing and is always taking advantage of the opportunities presented to him.

Mr. DeShaune Porter has strong family support in his mother, aunt, older brother, and family friends they communicated their support during Mr. DeShaune Porter's parole interview.

STATEMENTS AS TO THE OFFENSE

Mr. DeShaune Porter was originally born in Florida and his family moved to Illinois when he was a baby. Mr. DeShaune Porter is one of seven children. His mother was the primary breadwinner and worked a lot, so she was often away from the home working. Mr. DeShaune Porter shared he was a straight A student and enjoyed school.

Mr. DeShaune Porter shared at an early age he was exposed to a high volume of pornography from his peers at school and in his neighborhood. His stepfather had pornography in the home, and he often watched it. He also observed his older peers having sex with older women in the neighborhood. It was hard for his mother and trying to raise seven kids by herself. He was always the one that tried to help, and he had to take on the role of being a big brother fast. He experienced his mother's hardship in trying to keep food on the table.

Mr. DeShaune Porter shared that his mother's boyfriend would frequently take out his frustrations on him and his siblings in a physically abusive way. He did not feel he could speak up about it, so he bottled his emotions and did not talk much. He stated 5 of his 7 siblings came from his mom's boyfriend, while him and his older brother did not. At times he felt he took frustrations out of them because they weren't his children.

His mom's boyfriend would tell them, they were never going to be anything, your dad doesn't want you, you're trash, and would tell him you're going to end up going to jail one day. He doesn't blame his



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mother, but at times her boyfriend would starve them as a form of discipline. As his mother was the primary bread winner and was largely unaware of what was happening due to being gone for work.

Due to the sensitive nature of this offense, and many of Mr. DeShaune Porter's family members being present on the web ex call, I felt it may be difficult for him to speak candidly about the offense. I offered him the options to speak with just me, while I have his family members wait in the waiting room of our video call, or he could speak with me about the offense with them present.

Mr. DeShaune Porter chose to speak with just me and to have his family members wait in the waiting room until we were finished with this portion of the hearing.

Before I began my questions to Mr. DeShaune Porter regarding the offense, I stated clearly and emphasized the importance of taking full accountability, sharing his full truth with as much detail as he could remember, and not minimizing or leaving out details in his account no matter how bad the offense. I shared with him I understand how difficult it may be to share details about something that you feel great shame about.

I also shared with him that in the past, his accountability and rehabilitation had come into question regarding his version of events. And I wanted to make sure that he understood that and understood the importance of speaking with as much detail as he could remember and not minimizing the offense. Mr. DeShaune Porter stated he understood.

Mr. DeShaune Porter proceeds to share he had just turned 15. This particular night, his mother was working, and he was at his aunt's house in East St. Louis. There weren't many people home during this time.

There was marijuana involved and his cousin was smoking it and asked him if he wanted to try it. Mr. DeShaune Porter stated he felt timid, and he was easily influenced and agreed. He tried it and it did not go well. During this time, him, his cousins, and his sibling were just hanging out. His cousin Mr. Demarkus Kidd asked everybody if they wanted to play house. Mr. DeShaune Porter agreed, and his cousins did, too.

Mr. DeShaune Porter stated up until that point, playing house did not mean sexual acts, it was them pretending to have a job, pretending to be adults, and coming home from work. They all went into the basement to play house, and he shared that his younger female sibling, Mr. Demarkus Kidd, and his younger female cousin began to mimic everything that we would see adults do on TV. This included kissing, dating, then it went a step further. Mr. DeShaune Porter paused at this moment and became visually emotional.

He took a minute to collect himself and continued. He stated Mr. Demarkus Kidd had gotten his younger cousin by herself, and Mr. Demarkus Kidd told him to go with his sister and said we're just going to do this. He shared they began to perform sexual acts. He put his penis in her anus and did everything he had seen on TV. He shared his female cousin was 9 and his sister was 12. He stated he was 15, and he said his male cousin was 17 he believes. And at that time, they all began to perform sexual acts. He was not sure what Mr. Demarkus Kidd was doing, so he just did what he had seen adult



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do.

He shared they were there for about an hour, after it got done, the adults came home, and the adults knew something was wrong. Mr. DeShaune Porter stated he also did not feel right and went to go tell his mom what happened. His mother asked who was involved, and Mr. DeShaune Porter stated to her what he did, that he did sexual acts of anal, oral and others were performed. He stated to his mom all of it happened.

His mom got his aunt, and he then told his aunt what happened. They then went to authorities after speaking with him about why he should not be doing that. I could tell it was very difficult for Mr. DeShaune Porter to share details of the sexual acts due to the shame he feels.

Mr. DeShaune Porter stated, the offense itself did not happen other times, it was just that moment. All of the other times were not sexual acts, but them all just playing house. Mr. DeShaune Porter shared that they played house often together, and it never led to sexual acts until that night. He stated the police during their investigation completely twisted words, and enhanced it, when he shared with him what happened. He shared he told them where they would play house, but they took it as these sexual acts happened in all of these places. That was not the case.

He stated they played house only on those other occurrences, which meant that they were hugging, some kissing, and mimicked different roles and characters of working. He shared the sexual acts only occurred one particular night.

Mr. DeShaune Porter shared it wasn't normal for him. It was not something that he would normally do. He had never been under the influence of drugs. He sat and thought about that it was his sister and cousin and did not feel right. He felt he needed to go tell his mom what happened.

Mr. DeShaune Porter stated he never told the victim not to tell anyone nor did he say bite the pillow if it hurt.

Mr. DeShaune Porter stated that was the only time he was involved sexually with his cousin Mr. Demarkus Kidd and was unsure if it happened on other occasions with Mr. Demarkus Kidd alone, but as far as them doing sexual acts together with the victims, that was the only time. He shared that he wanted to go tell his mom, and Mr. Demarkus Kidd did not want him to tell anyone. Mr. DeShaune Porter stated I'm not saying that to shift blame to my cousin, I hold myself fully accountable for what I did that night and the sexual acts I performed.

Mr. DeShaune Porter stated, to this day, I'm trying to prove to everybody that, that was not me. I still beat myself up about it today still. I'm trying to make amends and let everyone know I am sorry. And the victims, he was told he could not have contact with them, he stated, I wanted to let them know how sorry I was. He wrote letters to his mother and aunt, in hopes that his whole family, including the victims would understand how sorry he was for this offense.

He should have been there to protect them, he betrayed their trust, he should have been there to stop these acts, not perform them. It was never his intentions to minimize what happened. It's been hard to



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deal with because he is reminded of his offense all the time, but he has used this mistake to make him a better person and to grow from it. He stated he never wants anyone to experience a situation like this and wants to help other people learn from his mistakes if he is able.

He stated he understands the victims may never recover from this, and he has to live with that, and that hurts him deeply. He stated it's really hard for him when people label him an animal or sex offender, and instead of letting that shame destroy him, he would rather use it as a way to become a better person.

He stated he has seen in the papers that the prosecutors can make you look like a monster, and to that degree I am not that. I do accept full responsibility for what I have done, and I wish I could take it back every day. Going through this process and knowing a decision like this that your life has been decided by this, is hard to deal it. I just want a chance to show my rehabilitation and I plan to lead a productive life. I don't want to be remembered for this. I want to be remembered for something great and leaving a positive legacy for my family. I do apologize if I ever came across that I was minimizing anything. I have just remained focused on bettering myself and growing as an individual from this circumstance.

PAROLE PLANS

Mr. DeShaune Porter plans to live with his mother, Ms. Samantha Porter. His sister who was a victim, does not live with her mother and now has her own home. He will have no victim contact and living with his mother there will not be an issue in abiding by the No Victim Contact Order. Each family member on the call stated they would welcome Mr. DeShaune Porter into their home to live if needed.

If he is able, he wants to help people in his community understand the negative impacts of being exposed to adult things at a very early age. In sharing his story, he seeks to help others. He plans to find work and continue his college education.

OPPOSITION TO PAROLE RELEASE

The St. Clair County State's Attorney opposes parole release on the basis of the seriousness of the offense and that it was a negotiated plea.

EN BANC HISTORY

Mr. DeShaune Porter first became eligible for parole consideration in 2021. He has been presented for parole two times prior to today. At his first En Banc hearing in 2021, a motion was made to grant parole, and parole was denied with a 5-9 vote. In 2022, a motion was made to deny parole, and that motion passed with a 6-5 vote.



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DISCUSSION

Summary of discussion for parole consideration:

Ms. Globokar questioned if he was at Kewanee and for how long, what transpired.

Mr. Coates stated that he was at Kewanee for a short time.

Ms. Miller questioned if he attended Sex Offender Treatment.

Ms. Terrones questioned if he completed Sex Offender Treatment and if they cleared that he was complete.

Mr. Coates stated he did take Sex Offender Treatment and completed it.

Mr. Bohland questioned his recent ticket. Mr. Bohland stated that more facts keep coming forward about his case. He keeps stating it only happened once, and with the amount of new information that is coming to light that is not the case.

Mr. Tupy stated that he told him he only plead to 2 counts, but their paperwork states that there is 4. He is not admitting to the other 2 victims. Due to the one victim being so young there would be an issue with family events and both possibly being present.

Mr. Coates stated the youngest victim is currently 16 years old. That sister now lives with their brother and not their mother.

Ms. Shoffner questioned the supplemental information that Mr. Coates submitted.

Mr. Coates stated that he reached out the State's Attorney's office for further information of opposition. This information had details that this did not happen one time on one night. This happened at multiple places, and multiple times. There were statements from the victims.

End of discussion.

DECISION AND RATIONALE

Motion to deny parole (MC-LM). Motion prevails by a unanimous vote.

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

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION— August 31, 2023

Individual in custody's Name: Earl Good *

IDOC Number: C66268

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 31, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Earl Good C66268.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

PRESENTATION OF INTERVIEW AND FILE

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

On June 19, I interviewed by video conference Mr. Good and his attorney, Mr. Joe Dusak. Mr. Good and Mr. Joe Dusak were sworn in, and both wanted to proceed with the scheduled interview.

He arrived in a wheelchair, looked physically well, and was eager to share his story to add to all the information he previously shared for other *en banc* hearings. His attorney was present and permitted Mr. Good to share information with me and Ms. Goff, a new PRB member observing the interview.

Mr. Good appeared well in appearance and mind.

He felt well in his body and spirit and was eager to share the thoughts he prepared for this interview. He shared his view on the time incarcerated, the science to support his release, and, more importantly, his redemption.

STATEMENT OF FACTS

On October 7, 1975, Mr. Good, Edward Spicer, and Donaldson Brooks went to the home of an elderly man whom they heard tended to keep a lot of cash in the house. Mr. Earl Good cut a hole in the window and entered the home of 73-year-old victim Mr. James Fitzpatrick. Mr. James Fitzpatrick and his 76-year-old sister, who also resided with him, were both blind. Mr. Earl Good took \$1,000.00 and went downstairs and "pistol-whipped" Mr. James Fitzpatrick, a beating that later resulted in his death.



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A month later, on November 10, 1975, Mr. Earl Good and Mr. Edward Spicer went to the Wonder Inn Tavern to commit another armed robbery. Mr. Edward Spicer had thought it would be an easy job. They entered the tavern and forced the two owners and a caretaker to line up against the wall, drop their wallets, and throw them on the pool table. Mr. Earl Good and his accomplice forced all three to lie face down.

At that time, a Schlitz Beer deliveryman knocked on the door, and Mr. Earl Good let the deliveryman in the tavern. Mr. Earl Good took the deliveryman to the back room and made him lie on the floor with the victims. Mr. Earl Good then shot all four victims; the two owners were killed. The deliveryman later reported the events to the police, identifying Mr. Earl Good and Mr. Edward Spicer. Arrest warrants were subsequently issued for both attackers.

Mr. Earl Good and Mr. Edward Spicer then went to East St. Louis, Illinois, where five days later, on November 15, 1975, they committed another Robbery and Murder. Both offenders, together with Mr. James Phillips, drove to a store on East St Louis and forced the two owners to open the store and the safe; they emptied the safe of the money, then shot and killed both men, with one victim surviving long enough to call the police. When Officer Mr. Bruce Moore arrived, the assailant shot and severely wounded him.

Mr. Earl Good was ultimately arrested on December 3, 1975, in Chicago. After his arrest, he gave a written statement admitting his involvement in the three separate crimes and the murders of 5 people. He pled guilty to the three counts of Murder in Cook County and two counts of Murder in St. Clair County.

INDIVIDUAL IN CUSTODY'S STATEMENT

Mr. Earl Good expressed that he is a changed man and believes no man who has gone through this imprisonment comes out the same. He states, "he is not the man he was 46 years ago". He believes he has done his time with peace and dignity. He is not a threat to society and desires to be released. He shares his remorse and can't change his past actions, but the past actions have shaped him to be the man he is now. He commits to be an asset and not a liability. He agrees punishment is warranted and asks when rehabilitation is recognized. He believes in himself and his future self. He is growing up in the prison but is not giving up. He believes in change when one chooses to start, and he has started. He has forgiven himself, is remorseful, and knows that his remorse cannot change the past but has shaped him into the man sitting before us today, and states that is redemption.

Mr. Earl Good expressed remorse for the harm to the family members.

CRIMINAL HISTORY

Mr. Earl Good shows a juvenile history as documented a commitment to St. Charles in 1959 until May of 1960, when he was transferred to Sheridan due to poor adjustment and for an escape attempt at St. Charles. He was paroled in July of 1961 from Sheridan Correctional Center and returned to St. Charles



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in November of 1961 after attempting to take money from another boy in school. He remained at Sheridan until February of 1963 and was paroled. A short time later, he was recommitted and sent to Sheridan for a strongarm robbery of an 11-year-old girl. He was paroled in July of 1964.

In February of 1965, at 18, Mr. Earl Good was arrested and charged with Manslaughter for stabbing a young man to death after a heated argument. Mr. Earl Good filed a petition for post-conviction relief, which was denied by the trial court. That decision was affirmed by the Appellate Court. He was later released on parole in July 1975. Three months later, Mr. Earl Good began his string of murders, which are now before the Board.

Overall, Mr. Earl Good is now 76 years of age and housed at the Illinois River Correctional Facility, having plead guilty to 5 counts of murder, two in St. Clair County and three in Cook County. He received two sentences of 25-50 years and one sentence of 90-180 years imprisonment to run concurrently for crimes committed in October and November 1975. The Illinois appellate court affirmed the convictions and denied Mr. Earl Good's motion to withdraw his guilty plea.

Additional information gathered from previous en banc reports states that Mr. Earl Good was involved in the April 22, 1975, Joliet riot. A commission report also cites Mr. Earl Good as a suspect in the cause of the riot. It was reported Mr. Earl Good was scheduled to be transferred to Tamms, but he did not want to be moved.

The riot resulted in the death of a returning citizen and the injury of several correctional officers. The investigation started, but Mr. Earl Good was transferred, released, and he was never interviewed by the State Police. The investigation of why the riot started was due to the conditions of the Joliet Facility.

INSTITUTIONAL ADJUSTMENT

Mr. Earl Good's institutional adjustment has improved since the riots. He was known as a leader of the Vice Lords, which demonstrates the power he yielded. His gang association is documented by Illinois Department of Corrections and his statement. Gang Affiliation as confirmed by a report from the facility dated April 18, 2007. Mr. Earl Good was identified as a leader in the conservative Vice Lord gang. In the interview, Mr. Earl Good confirmed his past affiliation but is no longer associated with this gang and has disassociated.

There is a news article that identifies him as a Gangster Disciple.

Mr. Earl Good has remained ticket-free for ten years. From 2000 to the present, he has only had three tickets.

There is a letter on file from Sergeant William C. Dawdy dated August 10, 2020, who wrote a letter on his behalf to attest to his institutional adjustment. Sergeant William C. Dawdy states Mr. Earl Good assisted him in a couple of situations where other individuals in the facility were creating problems for the institution and themselves. Mr. Earl Good advised him on how to address this particular individual to improve his compliance.

Mr. Earl Good has demonstrated his institutional adjustment through many examples.



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Mr. Earl Good has not had an institutional ticket for ten years. This is remarkable behavior, understanding the violent crime and lack of humanity, he had years ago when he committed the five murders. This supports his value commitment to following rules, honesty, and respect.

He placed his energy and mind into developing other young prisoners to focus on their talent, like boxing. He received recognition from institutions, external organizations, and individuals for his commitment to encouraging others to place their energy toward their talents.

Mr. Earl Good has commitment to his spiritual awakening. He is consistent in his practice and has sustained his commitment by practicing healthy choices. He demonstrates commitment by lack of tickets, taking care of his personal/health needs, and continuing to mentor other prisoners. He is committed to walking the talk. Letters on his behalf also vouch for his character. His attorney stated he would not take the case pro-bono if he believed someone was not being truthful and remorseful, and he considers Mr. Earl Good to be and has demonstrated these values.

He started to understand the value of family. His immediate family has long left this world. He has grandchildren, extended family members, and others he embraces as family. He credits this family for supporting him, knowing his past actions. This family is committed to supporting him and his every need upon his return to what he calls home.

Mr. Earl Good respects all and is not complaining about how his haters want him to be. Do the right thing; think before you do. Believe in his actions. Use the ounce of sense given. He will call the police and not take matters into his own hands if he encounters conflict. He will follow the law.

He stated his remorse for his lack of humanity when he murdered five people. He takes responsibility and has expressed himself in writing about the pain he caused the victims' families. He desires to do better and would like to demonstrate he can. It starts with acknowledging his wrong and seeking an opportunity to demonstrate to the public his commitment to do right if released.

PAROLE PLANS

Mr. Earl Good has applied for St. Leonard's Place, and they have accepted him there if he is paroled, but they will do a final assessment when he is paroled. This reentry placement is a comprehensive service provider that will meet his needs. He has plenty of support, as demonstrated by the behalf letters included in the packet.

Illinois Department of Corrections did not provide any mental health services during his incarceration period. If granted release, Mr. Earl Good is willing to participate in mental services as deemed appropriate by the Prisoner Review Board. He never failed to participate. He was not offered or needed, according to Mr. Earl Good.

Mr. Earl Good is willing to work if someone gives him an opportunity. He will also seek out



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opportunities. He dreams of opening his own boxing center to mentor youth and redirect their energy into their innate talent.

Mr. Earl Good's extended family is willing to embrace and support his return in many ways, as documented by the letters in the file.

Mr. Earl Good's attorney is willing and able to support his transition as needed. He will connect him to the required assets.

OPPOSITION TO PAROLE RELEASE

Mr. James Gomric, St. Clair County State's Attorney, wrote a letter in opposition of the parole of Mr. Earl Good on February 15, 2023. He stated that his belief is that Mr. Earl Good can still be a danger to the general public.

There is a protest letter from the Cook County State's Attorney from 2019. It stated that Mr. Earl Good has demonstrated an unyielding capacity for violence and complete disregard for human life. In addition, they added the crimes, if tried today, the sentencing laws would hold him more accountable. The mandatory term of natural life imprisonment because he murdered two or more people. The two jurisdictions lean towards natural life in prison based on the sentencing standards of today. They conclude from their protest that granting him grace would deprecate the law, and disrespect it. He promotes a risk to the public and will not conform to parole based on his criminal background.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Joe Dusek, Mr. Earl Good's attorney, stated reference the petition that was sent in, Mr. Good understands that this will be his third chance for parole. No evidence of any mental health issues. Outstanding support network of people willing to help him. If he is granted parole he will be supported financially, physically, and emotionally. Mr. Dusek is going to support him during his parole time. No corrections needed opposing the presentation.

Mr. Benneth Lee, a member of NAEFI (National Alliance for the Empowerment of the Formerly Incarcerated,) this program does services for St. Leonard's and helps the participants with reentry into society. There is a reentry community that will be willing to support him and help him with the support he needs to explore the opportunities to him in society. He would have all of this support available to him to make his transformation from prison to society.

Mr. Heaton questioned the extent to which Mr. Good is able to use his legs. Board members discussed this issue in detail.

Ms. Terrones stated that they spoke about it and his legs are "squiggly", but his pain is manageable.



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Mr. Shelton, Chairman, stated that he trained another person in custody who went on to the Olympics as a boxer. When did the issues with his legs start.

Mr. Joe Dusek stated that based on medical records the issue with his legs started 2 years ago. Physical inability to cause harm on others.

Mr. Terrones stated that the medical records stated that diabetes is an issue for him, and he is insulin dependent.

Mr. Shelton questioned if he is in general population or living in the health care unit.

Mr. Dusek stated that he is living in the health care unit.

Ms. Tison questioned if the leg issues is treatable with surgery.

Mr. Dusek, unsure.

Ms. Terrones ulcers causing issues, but there is no need for surgery. Maintained by medication. He feels that he is capable of doing things if given the opportunity.

Mr. Tupy stated that he does not think St. Leonard's is handicap accessible.

Mr. Joe Dusek stated that there is a small entry way for handicap individuals.

End of discussion.

DECISION AND RATIONALE

Motion to deny parole (CT-RS). Motion prevails by a unanimous vote. Ms. Globokar recused from this vote.

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

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION— August 31, 2023

Individual in custody's Name: James Barksdale *

IDOC Number: C01793

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 31, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for James Barksdale C01793.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

Mr. James Barksdale, C01793, was born on April 9, 1938, and he is 85 years old. He is serving a sentence of 50 – 100 years for a 1971 Rape and Aggravated Kidnapping and a period of 10 – 14 years for Deviate Sexual Assault. He is also serving a sentence of 75 – 150 years for a 1972 Rape and a period of 4 – 14 years for Deviate Sexual Assault. Both sentences were delivered by the Circuit Court of Cook County.

On June 15, 2023, Mr. James Barksdale was interviewed by Board Member, Mr. Jeffrey Grubbs at Illinois River Correctional Center in Canton, Illinois by videoconference. Mr. James Barksdale represented himself without an attorney present and his interview began at 9:00 a.m. and ended at 10:48 a.m.

Mr. James Barksdale was alert, articulate, cooperative and respectful throughout the interview. He did become agitated about his view of his situation and treatment by authorities regarding factual disputes he maintains, including his claim of innocence in both the 1971 and 1972 Rape offense convictions.

Mr. James Barksdale was granted parole by this Board on February 16, 2006, for the 1971 and 1972 sentences he received for the crimes of Rape. Before he could be released from custody, the Illinois Attorney General's Office petitioned to have Mr. James Barksdale declared a Sexually Violent Person. He was committed to an Illinois Department of Human Services facility until his discharge on February 3, 2021, which is when he began his first term of Illinois Department of Corrections Parole/Mandatory Supervised Release. A parole violation resulted in him being returned to custody after two months of parole on April 6, 2021. Though he was declared a violator his parole was ultimately resumed, and his second term of parole began on August 13, 2021. A parole violation resulted in him being returned to custody after nine months of parole on May 10, 2022. His parole was revoked following a revocation hearing held on June 6, 2022.

Mr. James Barksdale was returned to Illinois Department of Corrections where he currently resides at



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Illinois River Correctional Center in Canton, Illinois. His current Projected Discharge Date is June 14, 2047. He would be 109 years old.

STATEMENT OF FACTS

On June 23, 1971, at approximately 4:00 a.m., the female victim in this crime, who was 25, was walking to an apartment on Sheridan Road in Chicago. It was at this time, Mr. James Barksdale approached her in a 1968 black Chevrolet, jumped out of the vehicle, struck her with a gun and dragged her into his car at gunpoint. He forced her to lie on the floor of the car, placed what the victim believed to be a gun to her head and threatened to kill her if she did not cooperate with him. Mr. James Barksdale drove her to a remote, rural area on the southwest side of Chicago. He removed a cord from the trunk of the car which he used to tie her hands behind her back, dragged the victim from the car and threw her onto a sleeping bag he had stretched on the ground. Next, he ripped open the victim's blouse

and removed her bra and pants. He ordered the victim to perform an act of oral copulation upon him before he struck the victim above the right breast and on the side of her head. He threatened to beat the victim further before performing an act of oral copulation on the victim. The victim was allowed to dress and was then returned to the rear seat of the vehicle. Once in the rear seat she was again ordered to remove her clothing which is when Mr. James Barksdale forced the victim to have vaginal and anal intercourse with him. Next, he drove her to an area on the south side of the city and dropped her off in an alley. She immediately reported the rape to two men she saw nearby. The police were called, and the victim was taken to the hospital for treatment. Mr. James Barksdale was later identified by the victim in a lineup on August 3, 1971.

On March 18, 1972, a second female victim in another crime, who was in her early twenties, was in transit from Indiana to Wisconsin via a Greyhound Bus after visiting friends in Indiana. At 3:00 p.m. that day, while she was waiting at the Greyhound Bus Station at 74 West Randolph in Chicago, Mr. James Barksdale approached her and engaged her in conversation. He convinced her to leave the station for a short time, to visit a social service agency, falsely claiming he was a social worker. The victim, after being bothered by him for 15 minutes, finally agreed to walk two blocks with him because she thought this was the only way to "get rid of" him. He told her that after two blocks if she did not want to go any further, she could turn around and come back. She left the station with Mr. James Barksdale, and he walked her to 205 West Lower Wacker Drive where he grabbed her and pulled her into a garbage room. The victim screamed and tried to flee. She fought with Mr. James Barksdale, pulled off his glasses and threw them to the ground. The victim cried and begged to be let go, but instead he hit her and forcibly dragged her into a darkened room where he forced her to perform an act of oral intercourse. When the victim tried to refuse, he hit her on both sides of the head and on the chest, while threatening to kill her. He told her he had two razor blades, but she never saw them. He ordered her to remove her clothes and lie down. When she refused, he again struck her on the head and chest and threatened to kill her if she did not comply. He pushed her down and forced her to submit to sexual intercourse with him. The victim was allowed to put her clothes back on after the rape and she begged him to take her back to the bus station. At the bus station, he let the victim go to the restroom. Once inside, crying, and hysterical, she reported the rape to the washroom attendant, who summoned security. Mr. James Barksdale was stopped by security outside the restroom and taken into custody by



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police.

The victim had bruises about the face and chest as well as scratches on her chest. Both sides of her face were bruised and swollen above the cheekbone level. At the hospital, she was found to be bleeding from the vagina.

Mr. James Barksdale was subsequently arrested, charged, and convicted of the above crimes. He was sentenced on November 6, 1972 for the 1971 rape conviction and on November 7, 1972 for the 1972 rape conviction.

INDIVIDUAL IN CUSTODY'S STATEMENT

Mr. James Barksdale indicated he is healthy, and other than having had a stent inserted several years ago as a part of a cardiac medical procedure, he has no other medical issues and does not require any prescription medication. He did present with symptoms of mild dementia and probable mental illness.

Though he accepts responsibility for and indicates he committed and was sentenced to 25 years in Illinois Department of Corrections for a 1958 rape, Mr. James Barksdale maintains a claim of innocence regarding both the 1971 and 1972 rape convictions which are the subject of this hearing. In regard to the 1971 rape case, he indicated it was simply a case of mistaken identity, referring to his identification in a lineup by the victim. In the 1972 rape case he indicated he was set up by his now ex-father-in-law, who he indicated was 3rd in charge behind then Mayor Richard Daley. His father-in-law did not approve Mr. James Barksdale's relationship with his daughter, so he had him set up and convicted of the rape. He has also indicated in other reports that it was entrapment and that no sex occurred between himself and the 1972 rape victim.

Mr. James Barksdale also indicated the actual perpetrator of these offenses is a person named Cornelius Spears. This is not a new claim, though there is minimal information at best regarding the claim.

Mr. James Barksdale would not acknowledge nor discuss the remaining accusations of rape for which the Cook County State's Attorney's Office indicates he was responsible for committing, but for which he was never charged.

Mr. James Barksdale would often, and throughout the interview, repeat himself regarding his allegation that he was framed for the offenses or simply indicate he didn't remember either purposefully or due to stress related with possible, mild dementia. He would not answer any direct questions related to the crimes for which he has been sentenced nor the violations of the conditions of his parole, which ultimately led to parole revocation.

It is significant to note that Mr. James Barksdale indicates he was granted a motion for DNA testing not available at trial regarding actual innocence in the late 1990's. In my review, it is unclear whether the order was actually granted or whether the motion to grant was withdrawn once it was discovered the evidence which would have been the subject of the DNA testing was discovered to have been destroyed by Chicago PD in 1981. There is also a note in the file from Mr. James Barksdale's attorney which acknowledges the rape kit was never entered into evidence at trial and therefore would not have been



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subject to the impoundment order. What was a part of the evidence that was destroyed which would have been the subject of DNA testing was the victim's clothing in the 1971 rape case.

It is also significant to note all that of Mr. James Barksdale's convictions have been affirmed on appeal. He filed a countless number of collateral attacks on his convictions and parole denials, including state post-conviction petitions, federal habeas corpus petitions, along with civil rights suits against one of his attorneys and one of his trial judges, all of which were denied.

CRIMINAL HISTORY

According to the Cook County State's Attorney's letter from 2005, Mr. James Barksdale was no stranger to the criminal justice system when he committed the 1971 and 1972 rape offenses for which he was sentenced. In fact, while on trial for the 1971 rape, Mr. James Barksdale also had 5 other rape charges pending, four of which occurred in 1971, and the other being the 1972 rape for which he was sentenced. It is significant to note that these rape offenses occurred after he was released on bond and was awaiting trial for the 1971 rape for which he was sentenced.

Mr. Barksdale has previously been convicted of two counts of rape for which he was sentenced to 25 years in Illinois Department of Corrections in 1958. He was paroled in 1965, returned to Illinois Department of Corrections custody six months later after violating his parole and then paroled again in 1967. In August of 1971 he was arrested and charged with abducting and raping five different women, including two Evanston teenagers. The five rape cases, including the 1971 rape involve a total of 16 sex offense related cases. This does not include the 1972 rape he would go on to commit, again while he was out on bond for the 1971 case.

Mr. James Barksdale was approximately 20 years old when he committed the 1958 rapes for which he was sentenced. He was 33 years old at the time of the 1971 rape for which he was sentenced, and he was less than a month away from his 34th birthday at the time of the 1972 rape for which he was sentenced.

INSTITUTIONAL ADJUSTMENT

At the beginning of Mr. James Barksdale's incarceration, he earned his GED in 1963. He paroled in 1965, violated his parole six months later and was returned to Illinois Department of Corrections. While in the community and not in the Navy or incarcerated, he lived with his mother until he was 27 years old.

He paroled again in 1967 and earned an Associate of Arts degree from YMCA College in 1971. Once he was incarcerated for his current sentences, he earned a Bachelor of Arts Degree from Lewis University in 1979 and a Bachelor of General Studies from Northern Illinois University in 1981. In addition, he has completed vocational training in Food Service, Barbering and Paralegal Sciences. He also held many different jobs in the facilities in which he has resided, including a long tenure as the housing unit janitor at Dixon Correctional Center.

During the first 15 years of incarceration, Mr. James Barksdale's disciplinary record was poor. He was



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noted to be a member of the Black Gangster Disciples and was disciplined for an Assault in 1981 and Gang Activity in 1984 when he was found with six pages of Black Gangster Disciple literature. He emphatically denied during his interview that he was ever involved with gangs and described himself instead as a community organizer. He also indicated he was accused of being a Gangster Disciple associate of David Barksdale, which is not true, and that the only thing they have in common is the same last name. He said he does not know and was never affiliated with David Barksdale, nor are they related. It is significant to note that he spoke at length to an Illinois Department of Corrections staff member about his involvement as a Black Panther in a report dated May 9, 2022.

While in Graham Correctional Center, Mr. James Barksdale received a major disciplinary report for a November 7, 1984 incident of Intimidation & Threats, Insolence and Violation of Rules. He was disciplined and received 45 days segregation. This was reported to be an incident where he threatened an inmate and the librarian.

Mr. James Barksdale's disciplinary record improved considerably over the years. During the period of 2001 to 2023 he received seven violations, three of which were minor and four of which were major. He received two major tickets for incidents which occurred on February 11, 2006, and February 15, 2006, the same week of his February 16, 2006, parole hearing in which he was granted parole by the Board. The first ticket was for Trading or Trafficking and the second was for Unauthorized Movement.

Mr. James Barksdale arrived at Illinois River Correctional Center on June 28, 2022, after being returned to custody following the second revocation of his parole. On July 12, 2022, he received a major ticket for Intimidation or Threats after threatening to sue staff in federal court and screaming at a nurse. He has not received any other discipline to date. He scored a moderate risk on his most recent assessment on January 12, 2023. He has not engaged in programming since his most recent period of incarceration.

Mr. James Barksdale indicated he has one son who he has never met who resides in Africa. He has a sister and brother-in-law who live in Chicago who served as his host for a short time during his first term of parole. They have a daughter and a son. He is in regular contact with his sister, according to him.

PAROLE PLANS

Mr. James Barksdale initially indicated he had plans to rent an apartment and support himself. He cited the fact that he has trained as a barber, in food service and that he has veteran's benefits he could access. He did not respond, and it is unclear what veteran's benefits he would qualify for given his short stint in the Navy over 65 years ago. When asked about the cost of rent and the difficulty in locating an apartment which would be in compliance with his sex offender restrictions, he immediately defaulted to indicating he would actually be once again residing with his sister.

He admitted he has not investigated either option and really did not have an answer as how he expected either host site option to be a location that is viable and one which would permit him to be successful. He did, however, indicate he intended to comply with the terms and conditions of his parole, when granted.



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In his January 12, 2023 Illinois Department of Corrections assessment, he mentioned St. Leonard's as an alternative to residing with his sister. He did not mention them, however, during his parole interview when questioned and prompted to consider a more structured and supportive host site. When asked, he did indicate, he would be willing to live at a facility that can provide structure, support and address his mental health needs. He further responded though, that he has no one else to rely upon other than his sister.

When Mr. James Barksdale was asked what statement, he would like to make to the Board as to why he should be granted parole, he stated he has been rehabilitated and there is a youthful society at the Holy Angels Catholic church waiting for him to educate young men, specifically those age 12 -13 years old. He indicated he was remorseful, but he would not elaborate any further. He went on to say that he would do "good" for the rest of his life and that he wanted to raise funds to expand the Dawson Technical Institute, which he claims was his creation when he was a community organizer.

Mr. James Barksdale spoke somewhat grandiosely as he talked about both his goals and his accomplishments during the time period following his discharge from the Navy and during his confinement for the two crimes for which he is sentenced. Consistent with documented assessments by others, he claims to have been associated with a great number of influential figures throughout his life, including claims of being instrumental in the development of not only Dawson Technical Institute, but also a health care center at the Ida B. Wells homes in Chicago. Most significant was a statement that, upon release, he plans to construct a 24-story apartment building in Chicago which would include a penthouse on the 24th floor which would serve as his primary residence. He also plans to build a museum. He indicated his status as a community organizer would be his primary method of accomplishing these goals through fundraising efforts.

OPPOSITION TO PAROLE RELEASE

The Cook County State's Attorney did not file a letter regarding their current stance on Mr. James Barksdale's parole. They had previously issued a letter in opposition every year, beginning by around 1983 and through 2005. The last two letters of opposition were dated August 2, 2005, and November 3, 2005, which were ahead of Mr. James Barksdale's 2005 En Banc parole hearing which was ultimately held on February 16, 2006. Both letters provided a lengthy and detailed Statement of Facts and opposed the granting of parole on the basis they felt Mr. James Barksdale was a danger to society.

Further, the position of the Cook County State's Attorney was that Mr. James Barksdale should have to serve not only the remainder of the sentences for the two convictions for which he is seeking parole, but also for the remaining sentence from his 1958 conviction for which he was on parole when he committed, was convicted, and sentenced for both the 1971 and 1972 rape offenses. Their position is that each sentence should run consecutive to the other.

SEXUALLY VIOLENT PERSON DESIGNATION

Mr. James Barksdale was granted parole by this Board on February 16, 2006, for the 1971 and 1972 sentences he received for the crimes of rape. He was 67 years old, and he had been in custody for 33 years. Before he could be released from custody, the Illinois Attorney General's Office, on March 13,



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2006, petitioned to have Mr. James Barksdale declared a Sexually Violent Person and he was subsequently transferred from the Illinois Department of Corrections and detained by the Illinois Department of Human Services. On August 29, 2006, the Court found probable cause that Mr. James Barksdale was a Sexually Violent Person. After a trial was held on November 17, 2011, he was committed to IDHS for secure care and sexual offense specific treatment. While in the custody of IDHS, Mr. James Barksdale was not documented to have consented to or participated in sex offender treatment. In 2021, due to his advanced age of 82, it was found that Mr. James Barksdale's condition changed such that he no longer met the criteria to be considered a Sexually Violent Person. Specifically, he was found to not be substantially probable of committing future sexual offenses. However, he was found to still be suffering from qualifying mental disorders under the Sexually Violent Persons Act, but while his actuarial risk remained high, additional mitigating factors of age and health have reduced his risk. He was subsequently released from IDHS custody after 14 years following a February 3, 2021, Cook County Circuit Court Discharge Order.

When questioned about his sexual offense treatment or noted refusal of sexual offense treatment during this time period, Mr. James Barksdale indicated he had no recollection of his time in this facility.

FIRST PAROLE RELEASE

Following the Discharge Order, Mr. James Barksdale was released on February 3, 2021, from IDHS Rushville to begin his first term of IDOC Parole/Mandatory Supervised Release where he would reside with his sister in Chicago. Just over two months later, on April 5, 2021, Mr. James Barksdale lost his host site with his sister after he was alleged to have threatened to kill her husband. This resulted in a police response, though a police report was not completed, and no charges were filed. He had also left the host site and failed to return. The next day, on April 6, 2021, he was arrested on an IDOC warrant for alleged violations of the conditions of his parole over a 2-month time period. Diversion was denied as no other viable host site was available. On May 11, 2021, a Final Parole Revocation Hearing was held and resulted in Mr. James Barksdale being declared to be in violation of the conditions of his parole, specifically Rule 3 for failing to report to his parole agent (AWOL), Rule 4 for failing to permit his parole agent to visit his host site, employment or elsewhere and Rule 16 for violation of electronic monitoring, sex offender counseling and outpatient mental health. He was declared to be a violator as of March 3, 2021. The Board subsequently resumed his parole with conditions of Electronic Monitoring and Sex Offender treatment. On August 13, 2021, an approved host site was located, and Mr. James Barksdale was released from Danville Correctional Center to reside at New Beginnings in Chicago.

SECOND PAROLE RELEASE

Mr. James Barksdale began his second term of parole at New Beginnings in Chicago with electronic monitoring and movement restrictions. During this time, he had four script warrants issued for violations associated with electronic monitoring movement violations. He also received three separate referrals and instruction to complete his sex offender registrant requirements with Chicago Police Department. His host reported marijuana use by Mr. James Barksdale and he was threatened with the loss of his host site, by the host, if he did not cease his actions. His parole agent addressed each of the violations as they occurred, but Mr. James Barksdale ultimately lost his host site on May 7, 2022. When an alternative host site could not be located, coupled with the above violations, which occurred over a



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9-month time period of during his second term of parole, Mr. James Barksdale was returned to IDOC custody.

On May 24, 2022, a preliminary hearing found probable cause for Rule 1 (Sex Offender registrant requirements with CPD), Rule 11 (possession/use of marijuana) and Rule 16 (Electronic Monitoring and Sex Offender counseling) violations. A final parole revocation hearing was held on June 6, 2022, and Mr. James Barksdale was found to be in violation of each of the same conditions of his parole listed above. The Board declared him a violator as of August 15, 2021, and revoked his parole.

Mr. James Barksdale adamantly denied in his parole interview and in a recent letter to both this Board and separately to the Governor's office that he has violated any terms or conditions of his parole, though he asserted no claims of mitigating evidence.

Mr. James Barksdale was returned to IDOC where he currently resides at Illinois River Correctional Center in Canton, Illinois.

EN BANC HISTORY

Mr. James Barksdale first became eligible for parole consideration in 1981. He has been presented for parole 25 times prior to today. Mr. James Barksdale had never received a vote in favor of granting parole release prior 1999, when he received one vote. He had 3-year set in the year 2001. He received no votes in 2004 and a motion for a 3-year set failed the same year. In the year 2005, he was denied parole on a 9 – 5 vote of the Board. His 2005 hearing was continued until February 16, 2006, which is when Mr. James Barksdale was granted parole release on a 9 – 5 vote of the Board with special orders to complete sex offender counseling, outpatient mental health, close supervision, and 180 days of electronic monitoring.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Miller questioned that Mr. Barksdale has been released 3 times and he has never completed SO Counseling.

Mr. Grubbs stated that there is no evidence that SO Counseling was completed.

Mr. Tupy questioned if he currently walks with a walker. Also, has dementia issues.

Mr. Grubbs stated that he found that information in his medical records, but this was not revealed in the institutional hearing. There are some early dementia issues.

End of discussion.



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DECISION AND RATIONALE

Motion to deny parole (JGRUBBS-LM). Motion prevails by a unanimous vote.

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

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