



STATE OF ILLINOIS
 JB PRITZKER, GOVERNOR
PRISONER REVIEW BOARD

Donald Shelton, Chair

EN BANC MINUTE SHEET
OPEN SESSION—September 21, 2023

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on September 21, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following individuals in custody:

R47947	HAYWOOD, DONALD
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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	

11 Members Present 1 Members Absent

The Board heard the case of Donald Haywood R47947 as detailed in the individual case minutes.

MINUTES FOR APPROVAL for 08/31/2023: MCOATES-LMILLER

Open Session: LMILLER-RHEATON Closed Session: JGLOBOKAR-RSHOFFNER

Meeting was adjourned by (JGLOBOKAR-RSHOFFNER) Leave.



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Individual in custody's Name: Donald Haywood IDOC Number: R47947

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on September 21, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Donald Haywood R47947.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

PRESENTATION OF INTERVIEW AND FILE

Mr. Donald Haywood was interviewed on August 24, 2023, live on the Web Ex virtual platform from Hill Correctional Center at 9:00 am. Those present for the hearing were the Pro Bono Counsel, Christopher Gehrke, Pamela Rubeo, Gwendolyn Haywood, and Board Member Darryl Marie Goff. Mr. Donald Haywood presented well physically and communicated clearly. He presents with good manners and was eager to share information to meet his release goals. Mr. Donald Haywood's health is stable.

STATEMENT OF FACTS

Following a jury trial, the petitioner was convicted of first-degree murder on an accountability basis and sentenced to 55 years imprisonment. The trial established, in part that the defendant agreed to act as a 'lookout' for his brother [defendant] during the robbery of a cab driver in July 2003. The defendant hid a gun, given to him by his brother, in the waistband of his pants. The two men were then picked up by the victim who drove them to a relative's home. Later, in route to another location, the co-defendant gave the defendant a signal, the defendant handed him the gun, and [co-defendant] instructed the victim to drive to a vacant lot. After [co-defendant] took the victim's valuables, he told the petitioner to shoot the victim. The petitioner refused. Despite the victim's repeated pleas for mercy, the co-defendant took the gun from the Petitioner and fatally shot Ruby Laseck.

CRIMINAL HISTORY

No Criminal history other than this crime.



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INSTITUTIONAL ADJUSTMENT

The majority of tickets are between 2008 and 2017 according to the petition. It emphasizes he only has four tickets for physical violence. These are narrated as having fights with other individuals in prison. One fight was after an individual in custody spit in his face. In 2016, he received a ticket for striking a correctional officer, reportedly, after being harassed by the staff. A few months later he threw water at a staff member who spit in his food, according to him. In 2021, he received a ticket for fighting back, reportedly, after a correctional officer punched him in the back of the head as he was moving back into the cell.

He states the institutional tickets are reacting to the situation of being treated unfairly and hurt. He takes full responsibility for his actions. He states when he was placed in segregation, he took the opportunity to reflect and to work on making better choices. He states he is a better person.

The above tickets were documented in the petition. Mr. Donald Haywood's disciplinary record from Illinois Department of Corrections showed additional tickets. The most recent ticket for him was intimidation and threats on 4/19/2023 and he was found guilty. On 9/1/22 he received a ticket for disobeying a direct order essential to safety. Mr. Donald Haywood and his counsel confirmed the tickets.

Mr. Donald Haywood is no longer gang affiliated. He removed himself from the gang and was placed in protective custody after dropping the Four Corner Hustlers. Once he left the gang, he was placed into protective custody from 2003 to 2005. He has demonstrated initiative and effort to disaffiliate from this negative association and this shows his efforts towards his rehabilitative intention.

STATEMENTS AS TO THE OFFENSE

Mr. Donald Haywood states he did not shoot the victim and refused to shoot the victim. Mr. Donald Haywood's brother signed an affidavit saying that he shot the victim and Mr. Donald Haywood did not.

Mr. Donald Haywood maintains his innocence of planning or murdering the victim, Ms. Ruby Lasecki.

Mr. Donald Haywood did not know the gun his brother used to kill Ms. Ruby Lasecki was the gun he used in the attempt to scare off individuals who were causing unsafe activity in front of his house towards his brother. He states that he took the weapon and shot in the air attempting to disrupt the group that was intending to harm his brother. He said that he had no intention of hurting anyone with the gun, it was only a scare tactic. The police responded and arrested him, and it was discovered that it was the murder weapon used to kill Ms. Ruby Lasecki. He also claims he was tortured into a confession and has a pending torture claim with the Illinois Torture Inquiry.

He continues to express remorse to all regarding his involvement. It pains his heart that Ms. Ruby Lasecki lost her life, and he will live with that knowledge forever. He states that he is sorry and remorseful, he understands that the murder affected his family and the family of the victim.



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PAROLE PLANS

Mr. Donald Haywood's initial plan is to reside with his sister Ms. Gwendolyn Haywood, a United States Army Veteran. She is a full-time student focusing her education on criminal justice. She has a four-year-old son and is eager to have Mr. Donald Haywood develop a close relationship with him as well as become a positive role model for him. She presently lives in Illinois and presents as an eager and informed sibling willing to support Mr. Donald Haywood's transition back into the community.

Ms. Gwendolyn Haywood became extremely emotional and expressed remorse for the victim and the victim's family. She acknowledged the victim and the loss to the family during the interview. She recognized her other brother's murderous behavior and shared that her family worked diligently to keep Mr. Donald Haywood away from his older brother knowing he was a negative influence and could negatively impact Mr. Donald Haywood. It did not go unnoticed to her that Mr. Donald Haywood was the most vulnerable due to his trauma suffered by abuse and neglect and the powerful influence his older brother had on him. His older brother knew how to manipulate Mr. Donald Haywood who was already presented with cognitive challenges and mental health issues. Mr. Donald Haywood craved for a relationship with his brother.

Mr. Donald Haywood's sister will support him financially until he can financially support himself. She will be the mediator with the family members to maintain and sustain the optimal support system. She will also work with the entities that have expressed interest in future housing like IMAN and the other positive role models Mr. Donald Haywood has maintained relationships with while incarcerated.

Ms. Gwendolyn Haywood presents as credible, strong, and willing. She expresses much love for her brother and commits to getting him the support and help he needs. She is committed to his well-being. She lives in a well-established community where she has access to medical and mental health services to address Mr. Donald Haywood's over wellness.

IMAN is a residence also being considered if needed to support housing and supportive services. IMAN sent a letter of acceptance on 9/20/23.

Equip for Equality and other supportive individuals are prepared to support his disabilities and connect other opportunities that will support positive reintegration. Mr. Ruben Bautista believes in him and will commit to supporting him.

Mr. Donald Haywood plans to earn his high school diploma, continue his education, find work, and ultimately obtain a paralegal license. Professor Trenis Jackson from Olive Harvey has offered to support Donald in his educational goals and submitted an affidavit to that effect for his resentencing hearing. Mr. Donald Haywood will receive support from individuals who submitted letters on behalf of his petition as well.



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OPPOSITION TO PAROLE RELEASE

The State's Attorney did not submit a letter of opposition.

There is a letter of opposition from the victim's family.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Christopher Gehrke, Mr. Donald Haywood's attorney, stated that Mr. Donald Haywood's sister is watching via Live Stream, and was not able to attend. Mr. Donald Haywood was a teenager when this happened. This is his only shot at Youthful Parole today. He stated that he was bounced around as a child, his parents physically abused him and did not take care of him. He witnessed his uncle being murdered, and his friend was sitting next to him while being shot in the head. He has also been a victim of sexual assault. He has worked on his rehabilitation, and he has participated in dozens of programs. He does have some health concerns, and he is not receiving the full extent of medical care that he should be. There is an excellent parole plan, his sister is ready to take him in and she is tough woman, and she is willing to be responsible for him. IMAN just approved him into their program yesterday. He has interest in becoming a paralegal. Address recent ticket. It was stated that it was for threats and intimidation, but he was advocating for his health care, and he told them he would contact his attorney. He was a juvenile offender. He did not shoot the victim, his brother did. He has taken advantage of all of the opportunities while in Illinois Department of Corrections, and he has spent over two decades in prison.

Mr. Donald Haywood stated that he hopes and prays that he is given a second chance to go back into society. Prison is not easy for anyone to be in. He stated that he has completed 3 programs while being in Hill Correctional Center.

Ms. Shoffner questioned if his learning disabilities were presented at his trial.

Mr. Heaton questioned what the status of his open post-conviction hearing, and what will happen with the post-conviction hearing if Mr. Donald Haywood would be paroled today. He also questioned Mr. Donald Haywood's name change.

Mr. Christopher Gehrke, stated that the hearing dates are scheduled for his post-conviction hearing. He stated that a post-conviction petition can last for years, and it will still continue if he was paroled today. He stated that Mr. Donald Bates was his name, and that Mr. Donald Haywood thinks that the police confused his brother's last name to be his last name, his brother's last name was Haywood.

The Board discussed Mr. Donald Haywood's ticket from August 2021. It was questioned if Mr. Donald Haywood challenged the ticket that was given to him.



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Mr. Donald Haywood stated that he has a pending grievance for the ticket. He stated that the correctional officer that assaulted him resigned after the issue.

Mr. Christopher Gehrke, stated that Mr. Donald Haywood got punched in the back of the head by a correctional officer. He stated that he had a risk assessment done after that ticket, and his level of security went from MAX to MEDIUM.

Mr. Globokar questioned what support IMAN will provide for Mr. Donald Haywood.

Mr. Christopher Gehrke, stated that IMAN provides programs and housing. IMAN will provide mental health support as well as housing for Mr. Donald Haywood.

Ms. Pamela Rubeo, Mr. Donald Haywood's attorney, stated that they have additional services lined up just in case housing with the family has issues.

Ms. Globokar questioned how Mr. Donald Haywood handles stress while in the facility.

Mr. Donald Haywood stated that his attorneys told him that they will get him help with his mental health treatment. He stated that he also has his Christian brothers to help him.

Ms. Goff questioned how funding will affect him with getting services.

Mr. Christopher Gehrke, stated that IMAN does not charge for their services. There are multiple nonprofit organizations in the area as well.

Ms. Tison questioned which ticket was associated with the correctional officer punching him in the head. She also questioned if he had segregation time 3 separate times in 2021.

Mr. Donald Haywood stated that he did have segregation in 2021, and it was when the correctional officer punched him in the head.

Mr. Christopher Gehrke, stated that he was in segregation multiple times, and it is not good for his mental health. Since that incident in 2021 he has been deemed medium risk.

Mr. Coates stated that reading over the notes about Mr. Donald Haywood's childhood that he did not have any support. But, now he does have that family support that he needs.

Mr. Tupy stated that IMAN representatives have come before the Board previously to present the opportunities that IMAN offers to individuals. IMAN has multiple programs available, and they have individuals that come in and help with each one. He questioned why Judge Gong gave Mr. Donald Haywood a 29-year sentence.

Mr. Christopher Gehrke, stated that his understanding is that 29 years was chosen and when he gets to 29 years served, he will parole.



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Ms. Terrones stated that Mr. Donald Haywood's sister will be the transition for him from prison, but IMAN will be his permanent residence.

End of discussion.

DECISION AND RATIONALE

Motion to grant parole (CT-RS). Motion prevails by a unanimous vote.

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

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