



STATE OF ILLINOIS
 JB PRITZKER, GOVERNOR
PRISONER REVIEW BOARD

Donald Shelton, Chair

EN BANC MINUTE SHEET
OPEN SESSION— March 30, 2023

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following individuals in custody:

C57883	BAKER, JAMES
C68712	LETT, MICHAEL
C81522	BOWEN, EVERETT
C15189	MORGAN, FRANK *
C66263	SPICER, EDWARD *
C61247	BRIMMER, JAMES *
C56165	LOTT, DAVID

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	
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	
Mr. Ken Tupy	X	

10 Members Present

The Board heard the cases of James Baker C57883, Michael Lett C68712, Everett Bowen C81522, Frank Morgan C15189, Edward Spicer C66263, James Brimmer C61247, and David Lott C56165 as detailed in the individual case minutes.

Meeting was adjourned (DS-LM.) Leave.



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***EN BANC* MINUTE SHEET
OPEN SESSION— March 30, 2023**

Individual in custody's Name: **JAMES BRIMMER *** IDOC Number: **C61247**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for James Brimmer C61247.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

Mr. James Brimmer appeared for his parole interview on January 16, 2023. He was interviewed by PRB Member Rodger Heaton via Web Ex video conference. Mr. James Brimmer was cooperative, alert, engaged, articulate and respectful. He reported that he has small cell lung cancer, which is in remission, an abdominal aneurysm that creates some stomach problems, asthma, and ordinary aches and pains associated with older age. Mr. James Brimmer is 67 years old as of March 15, 2023.

Mr. James Brimmer was convicted of murder, attempted murder, and rape, and sentenced to serve 100-200 years concurrently for each of the three crimes. He has been in custody since January 3, 1975, and has a projected MSR date of November 19, 2027, and a PDD of November 19, 2030. He was convicted following a bench trial, and has pursued several appeals, none of which were successful. He has served more than forty-eight years in custody at this point.

STATEMENT OF FACT

On Monday November 25, 1974 (the Monday before Thanksgiving), Chicago police officers received a call of "girl shot" at 2132 West Crystal Street on the second floor. When they arrived, the officers saw an injured 16-yr old girl in the first-floor lobby screaming, "They killed my mother!" The officers proceeded to the second-floor apartment and saw that it had been ransacked. The dead body of her mother, 35-yr old Ms. Joyce Britt, was in a seated position resting against a bunk bed and dresser. Ms. Joyce Britt was dressed in a white nurse's uniform; however, she was wearing no undergarments. The officers observed several gunshot wounds to her head and body. She was transported to St. Mary's Hospital, where she was pronounced dead upon arrival. The victim's daughter was also transported to that hospital for treatment of five gunshot wounds.

She stated that she had traveled to Oak Park (a near west side suburb) to pick up her mother's paycheck



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earlier that morning. When she returned home at approximately 1:30 p.m., she knocked on her apartment door and co-offender Mr. Ricardo Norals, eventually opened the door. She had known Mr. Ricardo Norals for about 1 ½ years and referred to him as “Carl.” When she entered, she observed that the apartment appeared “all messed up.” At this point, her mother Ms. Joyce Britt came running out of the bedroom. She was naked and being pursued by Mr. James Brimmer, known to her as “James” and a third offender. Mr. James Brimmer was brandishing a pistol. The third offender made her remove her coat and forced her into a bedroom. There, she struggled with the third offender, while he began beating and choking her. She finally relented after her mother admonished her to “do as they say.”

She stated that Mr. James Brimmer was in the bedroom as the third offender pushed her down on the bed and raped her. She did not remember how long he sexually assaulted her, but stated that when the 3rd offender was done, Mr. James Brimmer then raped her for about 10 minutes. When Mr. James Brimmer came into the bedroom, he had a gun which he gave to the 3rd offender before raping her. Then, Mr. Ricardo Norals entered, and handed his gun to Mr. James Brimmer, and Mr. Ricardo Norals then raped her.

After being raped by all 3 men, she was allowed to go to the bathroom. There, she noticed that her face was severely injured from the beating that the men had given her. She splashed water on her face and returned to the living room, where she saw her mother and the 3 offenders. Her mother was now dressed in her white work uniform. Her mother was crying and bleeding from her head. When she sat down next to her mother, Mr. Ricardo Norals asked the two women if they had any money. Informing him that she had a check in her purse, she gave the check to Mr. James Brimmer, telling him that was all the money she had. Mr. Ricardo Norals then ordered the mother to go into a bedroom with him. She did, and the daughter remained in the living room with Mr. James Brimmer and the 3rd offender.

Mr. James Brimmer put a gun to her head and said “Pow!” She responded by saying, “go ahead and shoot me; shoot me. Please don’t hurt my mother.” At this point, she heard several gunshots coming from the bedroom where Mr. Ricardo Norals had taken her mother. Mr. Ricardo Norals summoned Mr. James Brimmer into that bedroom, and the 3rd offender remained with the daughter holding her at gunpoint. Then, she heard another gunshot. Mr. Ricardo Norals and Mr. James Brimmer returned to the living room. She slid off the chair she was sitting in, onto the floor, and Mr. Ricardo Norals instructed the 3rd offender to “Get her man; get her.” The 3rd man then attempted to put a pillow alongside her head. She struggled with him and was shot 2x in the legs. Mr. Ricardo Norals then stated, “get her again, man; get her again.” She was then shot in the neck. She slumped to the floor and pretended she was dead. The 3 men fled. She remained on the floor for about five minutes, and then looked into the bedroom and saw her dead mother. She began screaming and ran to a neighbor who called the police.

At the hospital, they discovered she had been shot in the right rear of her neck, with an exit wound at the left rear of her neck. She had two gunshot wounds to her right inner thigh, one gunshot wound to her left inner thigh and a graze wound to her pubic area. The mother, Ms. Joyce Britt, had a GSW above her left eye exiting above her left ear; a GSW to her right chest with the bullet lodged there; 3 GSWs to her right torso, all bullets still lodged in her body. Ms. Joyce Britt’s cause of death was bullet wounds to her head, chest, aorta, spinal cord, spleen, abdomen, liver, stomach, and intestines.



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In the home, police recovered a semen-saturated towel from the reclining chair in the living room, another blood-stained towel from just outside the bedroom where the daughter was raped.

She was able to inform the police of the names of Mr. James Brimmer and Mr. Ricardo Norals, and the area where they were known to hang out. She identified them both in photographs. Mr. Ricardo Norals was arrested the next day, Tuesday November 6th, 1974, at his home. Mr. James Brimmer was arrested about 5 weeks later on January 3rd, 1975. He had been arrested in an unrelated case on January 2nd, 1975 and charged with battery. He gave a false name at the time of that arrest (Mr. Holis Hall – his grandfather’s name). But fingerprint comparisons revealed that he was in fact Mr. James Brimmer and that an arrest warrant for murder was outstanding from the rape/murder incident.

STATEMENTS AS TO THE OFFENSE

In the interview, Mr. James Brimmer reported that he could never commit crimes likes those committed against Ms. Joyce Britt and her daughter, because he has a mother, grandmother, and daughter, all of whom he cares for, and could not imagine someone doing something like this to them. However, Mr. James Brimmer had made several other statements through the years since the offense that are not consistent.

Upon being admitted into Illinois Department of Correction in January of 1975, Mr. James Brimmer denied any guilt in the instant offense, claiming that the instant offense revolved around a home invasion which occurred on the north side of Chicago in which apparently one of the victims was murdered and another raped; Mr. James Brimmer indicated that at the time of the instant offense he was at a nearby “party” and that he was arrested near the instant offense as he was leaving the above mentioned “party.”

Mr. James Brimmer told a psychiatrist on May 4th, 1976 that he knew the girl he supposedly tried to kill, that she was known as “sweet stuff” and that she had a reputation of being a whore. He said he had told the judge that he knew the girl, but that he didn’t “do it.”

In his 2007 parole interview, Mr. James Brimmer reportedly stated that he was at the crime scene and wished he could have done something to stop it.

In 2010, 2019 and 2023, Mr. James Brimmer stated that he was not at the scene at all.

In 2013 Mr. James Brimmer reported that he was not the one who killed Ms. Joyce Britt and should not have received the same sentence as Mr. Ricardo Norals.

Mr. James Brimmer told Mr. Shelton on June 26, 2019, that he was arrested in another case for “Aggravated Battery,” which turned out to be true, and that this arrest somehow involved him in the current murder. Mr. James Brimmer told Mr. Shelton: “They knew my brother.” What he did not tell Mr. Shelton was that he used an alias name, *HOLIS HALL*, at the time of that arrest, and that a fingerprint check resulted in his correct identification as James Brimmer, and that a warrant for him with the charge of murder was outstanding – he is having been identified by the surviving victim.



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INSTITUTIONAL ADJUSTMENT

Mr. James Brimmer had an extensive history of infractions within IDOC over his 48 years of custody. Specifically, he has 358 institutional infractions, extending to at least February 25, 2020 that are documented. Of that number, 82 of the infractions are for Disobeying a Direct Order, including an October 3, 2018 offense.

Mr. James Brimmer committed staff assaults in 1980 and 1993 and has been placed in segregation 31 times. Mr. James Brimmer's possession of a homemade shank in 2009, at the age of 52, this resulted in a disciplinary transfer from Hill Correctional Center in Galesburg, Illinois which was medium security to Pontiac Correctional Center which is maximum security. Eight years after that transfer, at the age of 60, he received 6 months in segregation for assaulting another individual in custody, by striking the individual in custody in the head and face with a squeegee.

He was classified as high, maximum security and moderate escape risk as recently as February 19, 2021 but is currently classified as minimum security/no escape risk.

He is currently in Protective Custody Group 2 status; holds a job in the individual in custody's kitchen and has since June 24, 2020.

Mr. James Brimmer's most recent IDR was on February 25, 2020 for assault, for throwing medical cups of water that struck a nurse. Mr. James Brimmer explained that he was given some medicine, and he was unsure of what it was. The nurse told him to take it, and he refused, and threw the water with the medicine in it over the gallery. The nurse was angry about that, so reported that he threw it on the nurse. Mr. James Brimmer stated that a correctional officer in the area questioned the nurse's report, because the nurse did not appear to be wet.

When asked about the extensive IDR history, Mr. James Brimmer explained that he has been housed with some very dangerous individuals in custody, including Mr. Larry Hoover, Mr. Jeff Fort and Mr. Gino Cologne, and that violence is sometimes required to survive.

CRIMINAL HISTORY

Mr. James Brimmer had no other criminal history beyond the offenses of conviction and the arrest for battery described above.

PAROLE PLANS

Mr. James Brimmer is willing to live with his son, Mr. Zachary Bass, if released on parole. His son, Zachary Bass, testified that he owns a home and that Mr. James Brimmer could live with him and his wife there. He has a separate room in the home for his father. Zachary and his brother James have a towing business, in which Mr. James Brimmer could work assisting with work on the truck and repairs. Mr. James Brimmer son, James, also has a role in his church that would allow him to give Mr. James Brimmer work as a janitor at the church if he was interested. Finally, Zachary is aware of a security



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company through the Bobby Wright Center that hires felons for security-related work, and that his father could do that as well. Both sons testified on behalf of Mr. James Brimmer, regarding their willingness to provide housing, job, and medical support to their father.

EN BANC HISTORY

Mr. James Brimmer has been denied parole on 23 prior occasions and has never received a vote from a PRB member in support of him being released on parole. He has had 8 multi-year sets on parole review between 2002 and 2021.

OPPOSITION TO PAROLE RELEASE

The Cook County State's Attorney no longer has a position on whether Mr. James Brimmer should be released on parole. There were multiple protests of his release on parole by victim-related individuals.

DISCUSSION

The board discussed James Brimmer's outdate.

DECISION AND RATIONALE

Motion to deny parole (RH-LM). Motion prevails by a unanimous 10-0 vote.

Motion for a 3-year set (RH-JB). Motion prevails by a unanimous 10-0 vote.

After thorough consideration of Mr. James Brimmer'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 Brimmer 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— March 30, 2023

Individual in custody's Name: **LETT, MICHAEL**

IDOC Number: **C68712**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Michael Lett C68712.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

Mr. Michael Lett C68712 was interviewed on January 5, 2023, via video conference at Dixon Correctional Center by Board Member Mr. Tupy. Mr. Michael Lett is medium security, A Grade and has an Escape Risk of none. He was 67 years of age on the date of his interview. Mr. Michael Lett's original convictions included Murder (100-199 years), Concealing Homicide (3-10 years), Aggravated Kidnapping (100-199 years), Indecent Liberties with a child (50-100 years), Armed Robbery (5-25 years), and Theft (1-10 years) with the sentences to run concurrently. Mr. Michel Lett has spent the last 47 years in the Illinois Department of Corrections.

Mr. Michael Lett appeared to be in good health. Some health challenges have led to him not having a job assignment since the Fall of 2021.

Mr. Michael Lett was very forthcoming and open in his discussion. At 68, he realizes that the abuses he had as a child have played an impact in his actions as an adult. He further states he does not focus his anger on others now as he did in the past for abuse, he faced in his childhood.

He definitely learned how he must respond in order to be released from prison. In this regard, he spoke about receiving his GED, a Drafting Certificate, some sex offender programing, and drug programing. He states that he has been through 5 different sex offender programs.

STATEMENT OF FACT

Mr. Michael Lett had a troubled youth. From the previous interviews he suffered from different traumas from an unstable and abusive home life. He was convicted of two rapes while he was under the age of 18. He raped and murdered Ms. Cathy Jo Harris in 1976 when he was 21 years old.

Mr. Michael Lett was convicted of each of the crimes stated above on July 15, 1976. Each of these crimes stem from a series of decisions 6 days after he escaped from Norman Beatty Memorial



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Hospital where he was to be confined for observation and treatment for two previous rapes and sexually deviant behavior. After fleeing the hospital in Indiana, he traveled to Newton, IL where he abducted, raped, and murdered Ms. Cathy Jo Harris. After the murder, he dumped her body in the nearby woods. He proceeded to travel to Florida in a car he took before he came upon finding Cathy.

STATEMENTS AS TO THE OFFENSE

Mr. Michael Lett states that he does not remember the crimes due to being on multiple drugs and a high consumption of alcohol and does not recall much about the day he murdered Ms. Cathy Jo Harris.

INSTITUTIONAL ADJUSTMENT

Throughout his 45 years in Illinois Department of Corrections, Mr. Michael Lett has maintained a work assignment, although he is not currently working due to physical limitations. He has not received any tickets since 2015. Mr. Michael Lett's health is good.

Mr. Michael Lett has been to multiple facilities while incarcerated in the Illinois Department of Corrections. His movement is as follows, Menard Correctional Center in 1976, Danville Correctional Center in 1988, Galesburg Correctional Center in 1993, Pontiac Correctional Center in 1996, Logan Correctional Center in 2003, Mt. Sterling Correctional Center in 2004, Pinckneyville Correctional Center in 2007, Graham Correctional Center in 2011, and Dixon Correctional Center in 2019.

CRIMINAL HISTORY

From 1971 through 1976, Mr. Michael Lett had a total of 3 arrests that led to 8 convictions.

The following are Mr. Michael Lett's convictions:

1971	Juvenile Delinquent Rape
1971	Rape
1976	Agg Kidnapping
1976	Murder
1976	Concealment of homicidal death
1976	Indecent Liberties with child
1976	Armed Robbery
1976	Theft

Mr. Michael Lett was adjudicated as a Criminal Sexual Deviant under Indiana law when he was sent to Norman Beatty Hospital.

PAROLE PLANS

If paroled, Mr. Michael Lett would have to live in a halfway house as he has no one living to assist him at this time. Mr. Michael Lett would like to work outdoors, if possible, in the field of



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landscaping. He feels with proper health care, he will be mobile enough to do light to moderate physical work.

Mr. Michael Lett stated he would like the Board Members to know that he is a changed man. He used to deny what he did; however, he does now completely own what happened and he can take responsibility for his life in all areas. He would like to work and provide for his own living and maintain his own apartment one day.

EN BANC HISTORY

Mr. Michael Lett was last up for parole in 2019 where he received 0 votes in his favor. Before that he was up for parole in 2016, where he also did not receive any votes in his favor. This has been the outcome of every parole hearing for Mr. Michael Lett before 2016 as well. Furthermore, he has most always received a 3-year set.

OPPOSITION TO PAROLE RELEASE

There is a letter from the Jasper County State's Attorney protesting Mr. Michael Lett's release.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Terrones and Mr. Tupy discussed if Mr. Michael Lett received any Sex Offender or Mental Health programming or treatment. Mr. Michael Lett attended programming for Sex Offenders at Menard Correctional Center, and Western Correctional Center.

Mr. Bohland stated that they need documentation to see how the Sex Offender treatment went.

The Board Members discussed the age of Mr. Michael Lett's first offenses, which was 20 years old.

Mr. Tupy stated that Mr. Michael Lett started being interested in younger girls when he was 12 years old. A mental health evaluation would not be enough, he needs a specialist for Sex Offenders. Mr. Tupy stated that Mr. Michael Lett has been in 5 different Sex Offender programs.

Ms. Globokar questioned if Mr. Michael Lett has attorney representation.

Mr. Tupy stated that attorney assistance would be good for Mr. Michael Lett, so that they could assist in finding him further placement outside of Illinois Department of Corrections.

Ms. Terrones stated that the facility needs to have documentation of the support that they are giving Mr. Michael Lett.

Members discussed Mr. Michael Lett being a pedophile. They discussed that Mr. Michael Lett has not been around young women and that is a problem. They state that Mr. Michael Lett needs



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to get counseling and that he needs help.

DECISION AND RATIONALE

Motion to deny parole (KT-JB). Motion prevails by a unanimous 10-0 vote.

After thorough consideration of Mr. Michael Lett'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. Michael Lett 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."

***EN BANC* MINUTE SHEET
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Individual in custody's Name: **SPICER, EDWARD *** IDOC Number: **C66263**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Edward Spicer C66263.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

Mr. Edward Spicer, C66263, was interviewed live via Webex virtual platform from Pinckneyville Correctional Center on February 8th, 2023 at 9:00 a.m by Board Member Mr. Bohland. Mr. Edward Spicer represented himself without any legal counsel or support. Mr. Edward Spicer was dressed in a button up uniform shirt and in healthy appearance. Mr. Edward Spicer was very respectful and polite despite not wanting to do the interview. Mr. Edward Spicer appeared to be in good health despite using a wheelchair. It was noted that Mr. Edward Spicer moved himself while seated in the wheelchair by using his feet.

In opening statement prior to the interview beginning, Mr. Edward Spicer stated that "nothing has changed." He stated that if the Prisoner Review Board isn't going to grant him parole, then stop coming to see him. He asked that we stop getting his hopes up. I explained to Mr. Edward Spicer that these interviews are held as he maintains the right to be heard for En Banc, and that it is his choice as to whether or not he would like to be interviewed. Before any further discussion was had, Mr. Edward Spicer made it clear that he didn't wish to be interviewed and wanted to be done.

STATEMENT OF FACT

While on parole for 1972 Rape and Armed Robbery convictions, the Petitioner committed the following offenses for which he was convicted of new crimes and also had his parole revoked as a violator:

On November 10th, 1975 in Chicago, a Schlitz delivery man entered a tavern making a delivery at the time of an apparent robbery by the Petitioner, Mr. Edward Spicer, and a co-offender. The delivery man was forced at gunpoint to a room in the rear of the tavern along with the taverns co-owners as well as a caretaker. Petitioner ordered all 4 victims to lie face down across the beds at which time the Petitioner shot all four victims. The co-owners were pronounced dead on arrival as a result of gunshot wounds to the head. The other two victims were treated for gunshot wounds to the head and shoulder.

On November 15th, Petitioner and a co-offender committed armed robbery and murder at a Leading Food Store in East St. Louis. When the owners of the business arrived in the morning, the co-offenders



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entered the business with them. A third offender waited nearby in a getaway vehicle. After robbing the business, the offenders shot and killed both owners. One died instantly from two shots to the back of the head. The other was shot in the temple and survived long enough to plead for help and crawl to a telephone that began to ring but died before he could speak into the phone. The caller was a neighbor who called after seeing suspicious activity.

Police Officer Bruce Moore was shot in the neck upon arriving at the store, seriously wounding him. Officer Moore was dispatched to the store because the store had an audio surveillance system which was monitored and recorded. When the monitoring station heard the owners begging for their lives, they called the police. A passing motorist witnessed Officer Moore with his gun drawn and heard gun shots. He was able to report the license plate of the getaway vehicle which tracked back to the 3rd offender. Petitioner and primary co-offender escaped when police arrived, but the 3rd offender was arrested.

On December 10th, 1975 the Petitioner was extradited from Grand Rapids, Michigan following arrest locally, and interviews by two ASAs from Cook County which led to a confession. He was originally charged with two counts of murder, attempted murder, and armed robbery in Cook County, but took a plea deal to murder with a sentence of 25 to 45 years to run concurrent to the 410-to-830-year total sentence for the East St. Louis murders. Again, it should be noted that Petitioner was on parole at the time of these crimes for his 1972 rape and armed robbery convictions which involved his father's common law wife.

Petitioner was additionally implicated in a previous murder occurring as a result of a home invasion from October 7, 1975. Petitioner's primary co-offender's latent fingerprints were recovered from a window which was used to gain entry during the home invasion with a glass cutter.

STATEMENT AS TO THE OFFENSE

Prior to end the interview, Mr. Edward Spicer did address his position in regard to the holding offenses. Mr. Edward Spicer maintains both his absolute guilt in regard to the murders in Chicago, while at the same time maintaining his absolute innocence in regard to the murders in St. Clair County. This couldn't be discussed further due to the Petitioner's lack of interest in holding an interview at all. Board Member Bohland intended to question the Petitioner about why he was in East St. Louis at the time of those murders if he was claiming innocence, and also why the Petitioner fled to Michigan from East St. Louis if he was innocent. It is additionally problematic in my opinion that the Petitioner is claiming innocence for the East St. Louis murders despite taking a plea deal for the Chicago murders for a single conviction of murder, dropping the second murder as well as the armed robbery and attempted murder charges, and for a 25-to-45-year sentence that was to run concurrent to his 410-to-830-year sentence for the East St. Louis murders.

The 2016 SPIN assessment states that Mr. Edward Spicer acknowledges the murders he committed but still denies the rape of his father's girlfriend as they just made up the rape to avoid trouble.

2021 En Banc interview states that the Petitioner openly admits to the crimes in Chicago; however, he argues that the East St. Louis murders were gang related. He stated that although he was in town, he



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was not present or part of that crime.

CRIMINAL HISTORY

Mr. Edward Spicer had adult arrests starting in 1967 with arrests for multiple rapes and a robbery. In 1968, Mr. Edward Spicer plead guilty to a new rape conviction with a 4–8-year sentence, as well as being convicted of Deviate Sexual Assault & Contributing to Sexual Delinquency with a 1-year county jail sentence to run concurrent to the rape conviction. He was released to parole in 1972, and that same year violated parole with new Rape and Armed Robbery convictions with sentences of 4 years 4 months and 1 day for both plus 5 years parole. Mr. Edward Spicer was paroled in 1975 to 5 years of parole. In 1975, Mr. Edward Spicer was arrested for Gambling prior to his holding convictions. Two months and 19 days after being released on parole, Mr. Edward Spicer committed the Chicago murders. The 2022 Offender Overview clarifies that the offender has a history of 10 rape charges, 5 of which received convictions, and a charge of unlawful flight to avoid prosecution in 1975.

INSTITUTIONAL ADJUSTMENT

As for family and social history, Mr. Edward Spicer is not married, has no children, and both parents are deceased per the 2022 Offender Overview. The 2019 Offender Overview mentions communicating with his four sisters and three brothers by mail and phone, and that those siblings provide financial assistance. Mr. Edward Spicer has not had a visit since 2007.

Regarding mental and physical health, 2021 En Banc notes suggest Mr. Edward Spicer is in good health outside of using a wheelchair for long distance mobility, which aligns with what Board Member Bohland witnessed during the short interview.

Mr. Edward Spicer has historically made no effort to engage in services during incarceration.

Mr. Edward Spicer has 5 minor and 1 major tickets from 2001 to present including a 2010 fighting ticket, 2015 contraband ticket for altered electrical cord, and most recently tickets for failure to report both in 2021. There are over two pages of tickets on pre-2000 forms including: '76 pressuring others for sexual activity; '89 sexual misconduct, bribery/extortion, and intimidation/threats which resulted in seg and a transfer to maximum security; and '98 aiding and abetting to a sexual assault which resulted in seg and a transfer to maximum security.

Mr. Edward Spicer has historically not made any effort to pursue education while incarcerated. Per 2016 SPIN assessment, Mr. Edward Spicer recognized the need for employment but states he has no skills and is not in the best of health. He has held jobs in the past in dental, commissary, candy/ice cream shack, LCS attendant, and laundry.

Mr. Edward Spicer transferred from Statesville to Hill in 2005, then transferred to Lawrence in 2010 due to fighting. Petitioner transferred to Pinckneyville in 2021 after facilities restructuring within IDOC.

PAROLE PLANS

319 E. MADISON STREET, SUITE A / SPRINGFIELD, ILLINOIS 62701 / (217) 782-7273 Fax: (217) 524-0012
Web Page: www.Illinois.gov/prb



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Mr. Edward Spicer's previous parole plan was to live with his sisters in Chicago, although without a proper interview or documentation of support, this is all speculative at this point.

Mr. Edward Spicer has been designated as a sexual predator since 1997 and poses potential roadblocks to parole plans.

OPPOSITION TO PAROLE RELEASE

In 2021, St. Clair County opposed in the "strongest possible terms due to the depravity of his conduct in these cases as well as his serious criminal history before these charges."

In 2020, Cook County opposed with a 7-page opposition letter with several arguments regarding deprecation, adverse effects on institutional discipline, a history of violent murder and rape while violating parole, and a history as a declared gang leader.

EN BANC HISTORY

The year of first consideration for parole was in 1984. Mr. Edward Spicer has been up for consideration 23 times prior to this En Banc hearing. He received a two-year set in 2021. He received three-year sets in 1988, 1999, 2002, 2005, 2008, 2011, 2014, and 2017. Mr. Edward Spicer has never received a vote in favor of granting parole until the previous vote of 11 to 1 to deny in 2021 when he received his first.

DISCUSSION

Summary of discussion for parole consideration:

The Board Members discussed that Mr. Edward Spicer's co-defendant was granted parole in December of 1985.



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DECISION AND RATIONALE

Motion to deny parole (JB-LM). Motion prevails by a unanimous 10-0 vote.

Motion for a 5-year set (JB-LM). Motion prevails by a unanimous 10-0 vote.

After thorough consideration of Mr. Edward Spicer'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. Edward Spicer 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— March 30, 2023**

Individual in custody's Name: **JAMES BAKER**

IDOC Number: **C57883**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for James Baker C57883.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

Mr. James Baker appeared for his parole interview on February 14, 2023. He was interviewed by PRB Member Rodger Heaton via Web Ex video conference. Mr. James Baker was alert, engaged, articulate and respectful. Mr. James Baker is 72 years old. Mr. James Baker was convicted of murder/intent to kill/injure and sentenced to serve 30 years to life in prison. He has been in custody since 1975. He pleaded guilty and did not appeal his conviction or sentence. He has served more than 48 years in custody at this point.

STATEMENT OF FACT

On Saturday, September 27, 1975, Mr. James Baker and his brother-in-law, Mr. Thomas Hummel were visiting Mr. Thomas Hummel's parents on their farm three miles north of Marshall, IL, in Clark County. At that time, both Mr. James Baker and Mr. Thomas Hummel were residents of Terre Haute, IN. Mr. James Baker and Mr. Thomas Hummel armed themselves with a single shot 12-gauge shotgun and a .22 rifle, respectively, and proceeded to an adjoining farm, where Mr. Thomas Hummel shot a 600-pound calf, which they proceeded to butcher. While they were going back to the farmhouse of Mr. Thomas Hummel's parents with some of the beef from the calf, they were approached by, Mr. Everett Livvix, who was a 70-year-old farmer neighbor. Mr. Thomas Hummel ran to the nearby woods and hid. Mr. James Baker shot the 70-year-old man in the side, then reloaded and shot him again, in the head, with the 12-gauge shotgun. Mr. James Baker then reportedly dragged the body to the nearby woods and robbed the body of \$101.

Mr. Thomas Hummel and Baker took the guns, hatchet and knife and put them in Hummel's car and returned to Terre Haute, IN. Then they dumped those items into the Wabash River. Police divers were later told that they had done so, and searched that location of the river, and found only the shotgun.

Mr. Livvix's disappearance was reported by the family on Saturday night, and he was found the next



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morning by Mr. Livvix's daughter. Police went to interview Mr. Thomas Hummel at his place of work, and he admitted shooting the calf, then asked for an attorney, and once the attorney was present, he admitted the details of the occurrence.

Mr. James Baker, who worked at the same place, was then also interviewed and he gave his account, which included a claim that Mr. Livvix had fired a pistol at him 3 times, before he returned fire and killed him. Police later determined that Mr. Livvix did not own a pistol, and no pistol was found.

STATEMENT AS TO THE OFFENSE

Mr. James Baker initially declined to discuss the facts of the case. He explained that discussing them in prior parole interviews led to several days of mental anguish for him and were not helpful to his mental health. However, during the interview he did explain that Mr. Thomas Hummel's wife (who was Mr. James Baker's sister) had asked Mr. James Baker to take responsibility for the murder so that she would not lose both of them to incarceration. Mr. Thomas Hummel received a sentence of 1-7 years for his role in stealing and killing the calf.

CRIMINAL HISTORY

Mr. James Baker had no other adult criminal history.

INSTITUTIONAL ADJUSTMENT

Mr. James Baker had no IDRs within IDOC from 2004 to the present. He reported that he had earned his GED and completed all of IDOC's welding training. He reported that he had held positions in IDOC as a Cook, janitor, painter, electrician, welder, and locksmith. However, he has not held an IDOC job since 2004. While he was at Centralia CC, he had work assignments that included going outside the prison walls and using an IDOC tractor to move large trash receptacles. He reported that he was given this position of trust by a warden who was a former CO at Menard, who knew Mr. James Baker and trusted him.

PAROLE PLANS

Mr. James Baker requested that he simply serve his parole period in custody, and then be released without any obligation to comply with any further conditions. He reported that following release from parole, he plans to go live with his brother in the Tampa, FL area.

OPPOSITION TO PAROLE RELEASE

There were victim-related protests to Mr. James Baker's release. The Clark County State's Attorney's Office wrote a letter opposing Mr. James Baker's release, dated November 2021. There were several letters of opposition to Mr. James Baker's release between 1991 and 2009, by a then-State Senator, William Peterson.

EN BANC HISTORY

Mr. James Baker was first eligible for parole consideration in 1983. He had been denied parole on 30 prior occasions. He had received a few votes in support of his release in 2009, 2010, and 2022. There were multi-year sets between parole hearings in 2011, 2014, and 2019.



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DISCUSSION

Summary of discussion for parole consideration:

Mr. Tupy stated that Mr. James Baker was in town shopping and an officer came into the store. Mr. James Baker approached the officer and asked him if he was there for him regarding the shooting. Mr. James Baker did not mention the cow or taking the blame for a family member.

The Board Members discussed that Mr. James Baker wanted to spend his parole time incarcerated and leave without parole to live with his brother in Florida. However, it was discussed with Mr. Baker that since his parole would be for life, if he was granted parole, it would be for life.

DECISION AND RATIONALE

Motion to grant parole (RH-RS). Motion prevails by a 7-3 vote. Members voting in favor of this motion were Mr. Bohland, Ms. Globokar, Mr. Heaton, Chairman Shelton, Ms. Shoffner, Ms. Terrones, Mr. Tupy. Mr. Coates, Mr. Grubbs, and Ms. Miller dissented.

After a complete review of Mr. James Baker's case, and after giving thoughtful discussion and consideration to all factors, the Board decided and voted to grant parole to Mr. James Baker, subject to conditions of parole release as set by the Board and by law. The Board hereby finds that Mr. James Baker 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."



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***EN BANC* MINUTE SHEET
OPEN SESSION— March 30, 2023**

Individual in custody's Name: **EVERETT BOWEN** IDOC Number: **C81522**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Everett Bowen C81522.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

On February 22, 2023, Mr. Everett Bowen, C81522, was interviewed by Board Member, Matthew Coates via Webex at East Moline Correctional Center. Mr. Everett Bowen represented himself without an attorney present and his interview began at 9:04am and ended at 10:03am.

Mr. Everett Bowen was put together with a blue buttoned up shirt and blue pants and prepared for the interview. Mr. Everett Bowen's demeanor could be best described as polite, yet bitter at certain points in our conversation regarding his innocence and disputed facts of the case. Mr. Everett Bowen was polite in his attitude and communicated clearly without issue for the duration of our interview. Mr. Everett Bowen answered every question I presented and was a productive communicator.

Mr. Everett Bowen is currently 80 years old and has been incarcerated for 44 years. Mr. Everett Bowen has been at East Moline Correctional Center since September of 2018. He is a minimum-security offender, has no escape risk and has been a level "A" grade since August 10th, 2008.

Mr. Everett Bowen was convicted of 3 counts of Murder and 1 count of Arson and sentenced on May 3rd, 1978 to serve 100-150 years for the murders and 100-150 years for the Arson, which was later reduced to 1-20 years.

STATEMENT OF FACT

On May 15th, 1977, Mrs. Evelyn Bowen, went to a lawyer and filed for divorce from Mr. Everett Bowen. At that time, Mrs. Bowen was still residing with her husband. She told him on this date that she wanted a divorce. Everett replied, that if she divorced him, he would kill her. From May 15, 1977 to June 1977, Everett made numerous threats to Evelyn Bowen.

On May 29th, 1977, Everett tried to drag Mrs. Bowen to bed. Mrs. Bowen was able to hit him with a



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book and free herself. Mr. Everett Bowen threatened her stating, “If you divorce me, I’ll kill you.”

On May 31st, 1977, Mrs. Bowen and Mr. Everett Bowen argued over insurance papers. Mr. Everett Bowen began kicking a cedar chest and cursing her. Mrs. Bowen screamed at Mr. Everett Bowen, and he backed off.

On June 1st, 1977, Mrs. Bowen moved the cedar chest as well as other belongings to a friend’s house. Mr. Everett Bowen returned home and placed a heavy chain around Mrs. Bowen’s neck and yelled, “Where’s my stuff” as he attempted to strangle her. One of their daughters began screaming and Mr. Everett Bowen then released Mrs. Bowen. Mrs. Bowen and the children moved out of the house with her brother, William Booth. Mr. Everett Bowen continued to make numerous threats to Mrs. Bowen, as well as her sister in-law, Marianne Booth.

On June 25th, 1977, Mrs. Bowen and Mrs. Booth noticed that the youngest child, Mark, was missing. They drove to Mr. Everett Bowen’s house, and he told them that Mark was not there. After calling the police, Mrs. Bowen returned to Mr. Everett Bowen’s house and Mr. Everett Bowen and Mark came out of the house. After Mr. Everett Bowen threatened Mrs. Bowen, Mark got into the car with his mother. Mr. Everett Bowen pounded his fist on the car window as they drove away. While investigating this incident, an officer was informed by Mrs. Bowen and Mrs. Booth that Mr. Everett Bowen called and stated he was going to kill them and the kids by burning them out. As Mrs. Bowen and Mrs. Booth drove away, the officer heard Mr. Everett Bowen state, “I will get her, and the God damn kids too.”

On June 27th, 1977, Mr. Everett Bowen called Mrs. Bowen and stated, “I’m through. I’ve had enough. If you or the kids try to contact me in any way, I’ll have you killed.”

On July 1st, 1977, Mrs. Bowen appeared before Judge Buckley and obtained a temporary restraining order, precluding Mr. Everett Bowen from seeing the children that weekend. At about 5:30pm, Mr. Everett Bowen went over to the house and kicked in the door. He then left and went home. He talked to Ms. Becky Gillard, a family friend, and told her that “if he couldn’t have the kids, that she wouldn’t get the little sons of bitches either, and that he would just burn them up.”

On July 2nd, 1977, after an all-night drinking spree, Mr. Everett Bowen went to the Booth house where Mrs. Bowen and her four children were staying. The Booth family, which included 4 children were not home at this time, due to being on a family trip to Wisconsin. Mr. Everett Bowen set the house on fire by lighting the bedroom curtains at 4:00am. At 4:30am, Mrs. Bowen woke up and smelled smoke. She got up and saw the house on fire and ran to try to get the children out of the house, but was blocked by the stairway, which was on fire. Her son, Robert Bowen, age 11, fell down the stairwell and was able to escape the house with his mother. When Mrs. Bowen was outside, she heard her three children who remained trapped upstairs screaming, “Mommy, please help me.” The fire department arrived and removed the bodies of 5-year-old Mark Bowen, 8-year-old Julie Bowen, and 13-year-old Sherry Bowen, all of whom died of smoke inhalation. Their bodies were found in an upstairs bedroom.

On July 2nd, 1977, Mr. Everett Bowen was brought into the police station and gave an alibi, which the police later cracked. On July 3rd, 1977, Mr. Everett Bowen failed a polygraph examination. At 1:30pm, Police Chief Gehrke told Mr. Everett Bowen that now is the time for him to make peace with himself,



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his children, and his God. At that time, Mr. Everett Bowen started to cry and stated, "I can't stand it any longer, I started the fire." A.S.A Mark Tobias took a court reported statement in which Mr. Everett Bowen admitted starting the fire. He was then placed under arrest. Later that same day, A.S.A. Colin Simpson read to Mr. Everett Bowen the part of his confession where he admitted to starting the fire. Mr. Everett Bowen told A.S.A. Simpson that he had confessed, "Because it's true, I did it."

Mr. Everett Bowen was found guilty by a jury. Mr. Everett Bowen chose to be sentenced under the old code. He was sentenced on May 3rd, 1978.

STATEMENT AS TO THE OFFENSE

In his interview, Mr. Everett Bowen maintains his innocence.

Mr. Everett Bowen explains that his wife left and wanted out of the marriage. He explained they didn't have issues in their marriage, up until she wanted out. She eventually left to go stay at her brother's house and took the kids with her. He stated he went out drinking that night and wasn't that drunk. He explained he had just a few beers and a couple shots.

Mr. Everett Bowen stated that night after drinking, he went to Evelyn's brothers house because he wanted to see the kids. He stated he went to the house around midnight. When he got there, he looked through the window and didn't see them, so then he turned around and left. Mr. Everett Bowen stated he did not return back to the house until 10am the next morning, and a neighbor came up to him and told him his kids were dead.

I then asked Mr. Everett Bowen about the lighter. Mr. Everett Bowen stated he doesn't believe he started the fire. He stated while looking through the window, he moved the curtains back to see and used the lighter as a light to see if he could see his kids.

I asked if he felt he could have started the fire by accident. He explained possibly, but no because he didn't see anything like that when he left the window.

He explained the next morning he was torn and hurt. During the trial, the police didn't know where the fire started, and when he said he used a lighter to see, they said he started it. But the window they say it started, is not the same window that I was looking through. He stated he only looked through one window that night.

When I asked him, does he hold himself accountable to what happened, and does he feel responsible for what happened? He said, "No. Not to a point anyway." He doesn't understand how she got her son out and did not get his 3 kids out. He stated he feels his former wife is responsible.

I asked him does he feel like he played a role in what happened? He stated he doesn't feel he did, because he did not see a fire when he left the window. He stated, "If I caused the fire, it was an accident, but I don't think I did it."

He explained at the police station they questioned him for 2 days. He told them he would take a lie



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detector test. According to his lawyer at the time, he passed the test, but at trial they said he didn't.

During the trial, he stated his wife told several lies. She even caused her kid to lie.

When I asked Mr. Everett Bowen did him and his wife have any domestic violence prior to the offense? He explained, we argued, but that was it. He stated the time when he kicked the door in a day or so before the fire, that was true, but he had gotten some beans from their garden and was dropping them off, and kicked the door open, threw the beans in and he left.

When Mr. Everett Bowen was asked about the threats, he made to her in divorcing him, he said that was all lies. When the time the officer was present, he stated the officer lied. "He is a lying SOB. I never said those words." He said he went by to see his baby, and spent time with his kid, gave him a haircut, and when he dropped his kid off, his wife called the police.

When asked about being at the police station and signing a written confession, he said they told him to sign it and initial it, he claims he did not know what he was signing, nor was it explained to him. He stated he has forgotten about much if it due to being 40 years ago.

CRIMINAL HISTORY

Mr. Everett Bowen has previous history of violence toward Mrs. Bowen. He was convicted of an assault and battery of Mrs. Bowen in Pikesville, Maryland in 1973 and was ordered to pay a \$40 fine. He also has an arrest for Battery in Cook County from June 17th, 1977, that was later dismissed.

INSTITUTIONAL ADJUSTMENT

Mr. Everett Bowen had been found guilty of just 5 disciplinary tickets throughout his entirety of his incarceration, all are major level offenses. 3 of the 5 disciplinary tickets were for contraband in 2000, 2001 and 2006. His 4th ticket for insolence in the form of profanity in 2008 and the 5th ticket was for contraband in 2014 where he had a hot pot with IDOC number scratched out.

The only visits Mr. Everett Bowen has ever received are from his legal counsel.

Mr. Everett Bowen is in fair health and presented some health issues at our interview.

Mr. Everett Bowen has not requested participation in any educational, clinical, vocational, or self-improvement programming. He hasn't expressed any interest in acquiring an institutional job assignment since transferring to East Moline C.C. from Illinois River CC in September 2018. Has not been allowed to participate in programs. Has only been allowed to get a job. Also, he has not wanted to participate in any education or vocational.

Mr. Everett Bowen did share with me 3 documents during the interview of 3 programs he was on a waitlist for. A letter dated June 22nd, 2022 stated had been placed on Inside Out 12-week class waiting list. He shared another letter dated March 6, 2020, of him being on a waitlist for Substance Abuse class. Mr. Everett Bowen also shared he Put in for Anger Management on August 14, 2022 but has not



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heard anything back.

Mr. Everett Bowen is minimum security offender, has no escape risk, and has been a “A” grade since August 10, 2008. Bowen is currently unassigned, but has previously worked in the Law Library, the Dietary Department at Illinois River Correctional Center in 2012 and Maintenance at Logan Correctional Center in 2012.

Mr. Everett Bowen statement when asked, if he doesn’t get paroled, would he change anything or do anything to better his chances for next time. He stated, “I don’t get my hopes up. If it happens it happens, if it doesn’t, it doesn’t. I would do nothing different”

When asked what his Statement to the Board would be, he stated, “I’m not going to say anything, because I can’t get my hopes up. I’m better off just letting that go.”

PAROLE PLANS

Mr. Everett Bowen would like to live with his brother Mr. Paul Bowen, in Maryland. Which is where Mr. Everett Bowen and his siblings lived growing up. He would also like to work any type of job that is suitable to his age and health condition.

OPPOSITION TO PAROLE RELEASE

Cook County State’s Attorney provided a lengthy and detailed Statement of Facts and does not take a position as to whether parole should be granted or denied.

Several letters of protest from victim related individuals.

EN BANC HISTORY

Mr. Everett Bowen first became eligible for parole consideration in 1986. He has been presented for parole 23 times prior to today. Mr. Everett Bowen has never received a vote in favor of granting parole release. He received a total of 4 3-year sets starting in 2003, again in 2006, 2009, 2012. He received a 5-year set in 2015.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Shoffner stated that Mr. Everett Bowen’s surviving son was 10 years old when the incident occurred and at 44 years old, he committed suicide.

There was no further discussion from the Board.



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DECISION AND RATIONALE

Motion to deny parole (MC-RS). Motion prevails by a unanimous 10-0 vote.

Motion for a 3-year set (MC-LM). Motion prevails by a unanimous 10-0 vote.

After thorough consideration of Mr. Everett Bowen'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. Everett Bowen 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— March 30, 2023

Individual in custody's Name: **FRANK MORGAN *** IDOC Number: **C15189**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Frank Morgan C15189.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

On December 7, 2022, Mr. Frank Morgan was interviewed by Board Members LeAnn Miller & Julie Globokar via Webex at Menard Correctional Center. The interview began at 9:02am and ended at 9:53am.

Mr. Frank Morgan is 70 years old and has been incarcerated for 51 years.

Mr. Frank Morgan stated that he has a brother and a younger sister. His last visit was April 24, 2015 and it was from his brother, Lawrence Morgan. Mr. Frank Morgan also has a son, and he did visit him at Stateville Correctional Center.

As soon as the interview began, Mr. Frank Morgan wanted to take control and talk about a conspiracy regarding him being locked up. He stated, "this doesn't have anything to do with me being in prison for 50 years." "My co-defendant got out in 2009." He stated, "The Warden is using my Graphic Arts behind my back. He is having staff steal my work. They have stolen over 200 of my cards and are using them." "I have a portfolio and I had over 500 cards and they have stolen so many." He stated, "They are keeping me here to benefit from my artwork. They have robbed me of my artwork." "Menard has taken 178.00 off my books without any permission and I can't get it back." "I ain't got an anger problem." Mr. Frank Morgan stated that the facility took money from him to go on a writ to his mother's funeral. He stated, "They are keeping me in prison and broke and they are violating all of my constitutional rights and mail rights." "As soon as I get enough money, I am gonna file a lawsuit on the Warden, Governor Rauner, Governor Pritzker and Edith Crigler." He stated, "On Feb. 24, 2022, Edith Crigler made false statements about me." "They were pure fabrication and if you read the record, you will see."

"I was paroled and then got 3 years at 50." "The paperwork wasn't acknowledged." "They stated that it was a mistake. We aren't gonna let him out. We are gonna use his stuff." Mr. Frank Morgan stated that someone came into his cell and stole these papers from the Parole Board. He also stated, "The Attorney

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General made inaccurate statements about me stating that I had done 25 rapes & burglaries. I didn't admit to that or do that."

Mr. Frank Morgan stated, "In 2011, my rights were violated when my disciplinary record was sent to the Parole Board. They have access to read my file but can't look at my disciplinary record. Governor Bruce Rauner pulled papers and got papers dismissed that said I was paroled in 2015."

Mr. Frank Morgan stated that he hasn't received his stimulus money owed to him. I am only 1 of a few that didn't get my \$3200.00. He said, "It's because I am gonna file a suit against Gov. Rauner and Gov. Pritzker because they are keeping me in prison."

Mr. Frank Morgan stated that he should be out because his co-defendant is out and has an internet business. He stated that they used to talk but haven't talked in a minute and he used to send me money and communicate with me.

It should be noted that Mr. Frank Morgan became more agitated and aggressive throughout the interview as he feels that he is being wronged by the Prisoner Review Board, Illinois Department of Corrections, and the State of Illinois politicians.

This is Mr. Frank Morgan's 24th En Banc hearing, and he has had a unanimous denial vote for parole at all En Banc hearings. He has also received several 2- and 3-year sets from the PRB.

STATEMENT OF FACT

On April 11, 1970, Mr. Frank Morgan, and Mr. Walter McCalvin broke into the apartment of Michael Kroll. When Mr. Kroll (a Captain in the US Army Reserve) returned home from a drill in his uniform at 6:30pm, he was confronted by the Defendants who were armed with pistols. They told Mr. Kroll they would kill him. They held him at gunpoint with continued threats of death. They cut his neck with a knife and took all his money from his clothing and the premises. Mr. Kroll was forced at gunpoint to enter the bathroom where he was forced to strip to the nude and was then forced to get into the bathtub which had been filled with water by the defendants. Mr. Kroll was struck in the face and again threatened him with death. The Defendants took all the currency, both domestic and foreign, as well as a radio and TV and fled even trying to steal the victim's car. Proceeding a few blocks north to the Country Club Hotel at 6930 S. Shore Drive, in Chicago, the second robbery occurred. The two entered the hotel by climbing through the second-floor window. They began going to different rooms to commit burglaries. The apartments they entered were all vacant with little of value to take. Ultimately, their search brought them to an apartment which was occupied by the manager of the Hotel and his family. They jimmied the lock on the door to the apartment and entered with guns. Inside, they confronted Susan Hamilton who was there alone with her children. They threatened Mrs. Hamilton at gunpoint and proceeded to ransack the apartment looking for articles of value. Mrs. Hamilton was taken to the bedroom occupied by her two children, where both Mr. Frank Morgan and the co-offender raped her. Mr. Don Hamilton was a collector of rifles and shotguns. The co-offender found Mr. Hamilton's rifles and 12-gauge shotgun; loaded them and waited for Mr. Hamilton to return. When Mr. Hamilton arrived at the apartment, Mr. Frank Morgan and co-offender Walter McCalvin threatened him. Mr. Hamilton was struck across the face and forced to turn over his wallet. For more than 45



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minutes, the Hamilton family was terrorized. Later, Walter McCalvin took Mr. Hamilton down to the lobby to get more money but could not get into the safe. Soon a hotel desk clerk, James Lee, was robbed of \$20.00. Dr. Itze, a foreign speaking doctor, was hit across the face with the shotgun fracturing bones in his face and knocking out his teeth and was also robbed of his money. Two other hotel guests, Gilbert Law, and Thomas Baker entered the lobby and were threatened to turn over their wallets. All the victims were forced into the Bamboo Lounge; instructed to place their money on the bar and lie on the floor. One patron, Hobart Scott, surprised at the robbery, hesitated in complying with Mr. Frank Morgan and his co-offender's demands. Mr. Frank Morgan for no apparent reason, shot him in the chest. Mr. Scott lie bleeding to death on the floor, while they continued to rob all the victims and fled the scene.

Four days later, Mr. Frank Morgan and his co-offender Mr. McCalvin were arrested. The surviving victims identified both Mr. Frank Morgan and his co-offender in a line-up. Prints found in the Hamilton apartment and at the Bamboo Room Lounge matched Mr. Frank Morgan and his co-offender. After admitting to these crimes to Chicago Police and Asst. State's Attorneys in a court reported statement, they also admitted to twenty-five prior burglaries, and sexual assaults of women on the South Side of Chicago. Mr. Frank Morgan proceeded to two different jury trials: one for the armed robberies; burglary; rape and murder that occurred at the Country Club Hotel, and one for the Armed Robbery of Mr. Kroll. During this trial of the armed robbery of Mr. Kroll, Mr. Frank Morgan made verbal outburst and in general acted with utter contempt for the court. He and his co-offender threw items at the judge and the jury and had to be subdued. Mr. Frank Morgan also tried to flee the courtroom with his co-offender and had to be physically restrained by court bailiffs. When the trial resumed, Mr. Frank Morgan and the co-offender were chained together because they indicated that they would not comply with the court's order and behave in a proper manner. They also made threats on the personal safety of the State's Attorney who prosecuted the case. On September 22, 1971, Mr. Frank Morgan, and the co-offender Walter McCalvin, were taken back to Cook County Jail where they fought with guards and again had to be physically restrained. During the fight with jail personnel, Mr. Frank Morgan and his co-offender broke glass and windows and hit several jail officers. As a result, awaiting trial, both Mr. Frank Morgan and his co-offender were kept in isolation to prevent further outbreaks.

The first jury found Mr. Frank Morgan guilty of murder, armed robberies, and the burglary at the Country Club Hotel, but not guilty of the rape of Susan Hamilton. (According to the transcript on April 17, 1970, Mr. Frank Morgan's recorded statement given to Asst. State's Attorney, Joseph Dinatale, Detective Jerry Springer, Homicide Sex Unit and Detective Richard O'Connell, Homicide Sex Unit, he explained vividly the charge of rape in question on the night of April 11, 1970. He stated and was clarified by the Asst. State's Attorney and Homicide Detectives that Mrs. Hamilton asked the gentlemen repeatedly if they wanted her to go into the bedroom. Their response initially was to remain in the living room and keep quiet, but in Mr. Frank Morgan's words that she continued to ask the offenders if they wanted her in the bedroom until finally, they said yes, and proceeded to have intercourse with her several times.) The jury did not recommend the death sentence. On March 18, 1971, Judge Phillip Romiti sentenced Mr. Frank Morgan to 100 to 199 years for murder of Hobart Scott, 15 to 30 years for the armed robberies of Mr. and Mrs. Hamilton, 5 to 15 years for the burglary that occurred at the apartment of Mr. and Mrs. Hamilton and 20 to 60 years for the four additional armed robberies in the hotel: all sentences to run concurrently. The second jury found Mr. Frank Morgan guilty of armed robbery of Mr. Kroll. On September 20, 1971, Judge Richard J. Fitzgerald



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sentenced him to 10 to 20 years for the armed robbery and imposed the sentences to run consecutively.

Mr. Frank Morgan appealed his conviction and sentences. The Supreme Court of Illinois affirmed and remanded the decision to the appellate court. On January 10, 1974, Judge Romiti resentenced Morgan to the same terms apart from the two- armed robbery counts regarding Mr. and Mrs. Hamilton. The sentence remained a maximum of 100-199 years in the Illinois Department of Corrections. Morgan appealed this conviction and sentence. The Illinois Supreme Court affirmed the conviction and remanded the case with directions to enter an order that the sentence in this instant case run concurrently to his previous sentence. Mr. Frank Morgan and his co-defendant argued that their sentences were improper because they were punished for exercising their right to a jury trial. The Appellate Court found that in sentencing the defendants, the trial court properly considered the seriousness of the crime, defendants' failure to show remorse, defendant's prior convictions and defendants' general moral character.

Mr. Frank Morgan was on probation for Armed Robbery when he committed these crimes.

Additionally, on July 9, 1983, while serving this sentence at Pontiac Correctional Center, Mr. Frank Morgan struck a Correctional Officer, Paul Balzak, breaking his nose. He was charged with aggravated battery under Case No: 83-CF-154. He pled guilty in Livingston County to aggravated battery and was sentenced to 3 years in the Illinois Department of Corrections. The sentence was consecutive to Case No's: 70-1185 and 70-1186.

MR. FRANK MORGAN'S STATEMENT TO THE OFFENSE:

Mr. Frank Morgan stated that he did not want to talk about his offense. He was asked several times if he wanted to give a statement to his offense and he stated, "No." He did later state, "I was 17 years old. This was an accidental killing. Who is you to know what I did and what frame of mind I was in."

CRIMINAL HISTORY

Mr. Frank Morgan stated he stated that he began drinking at age 9-10 years old and smoked marijuana.

In April of 1970, Mr. Frank Morgan was charged with Armed Robbery, Burglary, and Aggravated Battery/Great Bodily Harm.

In October of 1969, Mr. Frank Morgan was charged with Armed Robbery.

INSTITUTIONAL ADJUSTMENT:

Mr. Frank Morgan stated that he doesn't participate in any activities at the institution. He stated that once he asked the Reverend a question and they won't let me go back to church.

Mr. Frank Morgan's institutional adjustment has been very poor. He has had 338 Individual Disciplinary Reports from 1971 through August 2021. Mr. Frank Morgan's behavior has consistently



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been poor for several years. His last IDR was August 31, 2021 and it was for an Attempted Assault on staff.

Mr. Frank Morgan stated that all 19 sexual misconduct tickets have been fabricated to keep me in here. He stated, “the Parole Board is designing tickets to keep me in.”

Mr. Frank Morgan stated when he was at Stateville Correctional Center and Pontiac Correctional Center, the institution had female staff write him up in order to look like he had mental and anger issues. He stated that it was all made up to make him look bad and keep him in prison.

PAROLE PLANS

Mr. Frank Morgan stated that he was going to go to Chicago and would go to a halfway house, but it would not be St. Leonard’s because he stated, “I am not Catholic, and I don’t believe like that.” He also stated that he would be opening an Art Studio and move on. “I will start a graphic arts company for designing stationary & envelopes.”

HEALTH:

Mr. Frank Morgan stated that he is basically in good health. A mental health evaluation was conducted in 2015 at the request of the Prisoner Review Board due to his demonstration of some possible paranoia regarding his artwork being stolen. Mr. Frank Morgan at the time was reportedly in segregation. It was noted Mr. Frank Morgan did not have a desire to participate in the mental health services and the Licensed Certified Social Worker suggested he would not likely follow up with treatment in a community setting if paroled. Mr. Frank Morgan was described as properly alert and oriented, but irritable and overly hostile during the interview. It was documented that he demonstrated some “suspicious thinking.” He was reported to have occasionally been seen by Mental Health staff. He was also seen by a mental health professional at his own request in 2014 but at the time only identified concerns regarding trust fund issues, commissary issues and other non-mental health related issues. A past assessment in 1987 indicated that he requested to see a psychiatrist or physician.

A SPIN assessment was conducted in 2017 and found Mr. Frank Morgan to be an overall high risk, ranking as moderate risk on both static and dynamic factors with an overall score of moderate for protective factors. The assessment found concerning his history of violent and sexual offenses and tendency to justify his behaviors, but also notes some prosocial activities. He was found to lack some adaptive skills and exhibit some difficulty expressing needs and feelings though “there are more strengths (than problems) in his adaptive skills.”

OPPOSITION TO PAROLE RELEASE

There have been opposition letters from the Cook County State’s Attorney from 1980-2021. The letters state that Mr. Frank Morgan and his co-defendant “made oral admissions to detectives to twenty-five prior burglaries, armed robberies and sexual assaults of women on the South Side of Chicago.”

EDUCATION:

Mr. Frank Morgan doesn’t have a high school diploma or GED. He has taken correspondence classes

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from Armstrong College.

STATEMENT TO THE BOARD:

Mr. Frank Morgan stated, "I deserve the same opportunities as others. I have spent over half of a century locked up. Is it reasonable to keep me locked up? I am a productive graphic designer."

DISCUSSION

Summary of discussion for parole consideration:

Ms. Globokar stated that during his interview, when provided with the opportunity to elaborate on concerns regarding violations of his rights, Mr. Morgan's hostility increased."

There was no further discussion from the Board.

DECISION AND RATIONALE

Motion to deny parole (LM-JB). Motion prevails by a 9-0 vote. Mr. Heaton was recused from this vote.

Motion for a 5-year set (LM-JB). Motion prevails by a 9-0 vote. Mr. Heaton was recused from this vote.

After thorough consideration of Mr. Frank Morgan'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. Frank Morgan 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— March 30, 2023

Individual in Custody's Name: **DAVID LOTT ***

IDOC Number: **C56165**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on March 30, 2023, at the 9:00 a.m. session to discuss and deliberate parole eligibility for David Lott C56165.

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

Recording Secretary: Alexandria Bryan.

PRESENTATION OF INTERVIEW AND FILE

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

Mr. David L Lott, age 72, is serving a sentence of 150 to 300 years for Murder. His parole eligibility was considered for the 15th time following his interview on January 24, 2023 by two members of the Prisoner Review Board, Mr. Shelton and Mr. Grubbs via audio-videoconference. He was not represented by counsel. That hearing included a review of the criminal case and Mr. David Lott's reflections on his prosecution, as well as inquiry into family support and parole plans.

STATEMENT OF FACT

Mr. David Lott has been in continuous custody since July 31, 1975, which was one year after he and a co-offender committed two murders during the course of a robbery on July 28, 1974. On that date Mr. David Lott and co-offender Mr. Willie Cotton followed two patrons out of an East Saint Louis liquor store. After the victims got into their car to leave Mr. David Lott and his co-offender, as observed by several witnesses, got into the car from the passenger side. Shortly thereafter both victims were killed by gunshots.

Mr. David Lott's arrest occurred one day after the arrest of his co-offender, who made admissions to an investigator with the Illinois State Police. Confronted with the confession of his co-offender, Mr. David Lott also made admissions to the investigator. The murder weapon, a pistol was recovered during the investigation and found to be a forensic match to a slug recovered from the body of one of the victims. Mr. David Lott was reported by a trial witness to have admitted shooting one of the victims because he was "old;" and shooting the other victim because that victim begged for his life.

Mr. David Lott and his co-offender committed two other armed robberies less than 24 hours prior to the robbery and murders. Earlier in the day they robbed a cab driver of his billfold and money changer, after which, the co-offender shot at the victim; and then they robbed a man who was in his vehicle on the parking lot of a night club. During the latter event the co-offender struck the victim about the face with the butt of a gun, knocking two of the victim's teeth out. Mr. David Lott then shot at the victim as



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the co-offender drove the two of them away in the victim's car.

Mr. David Lott and his co-offender both were convicted of the murders, with indeterminate sentencing occurring on November 26, 1975.

Mr. David Lott was one of three offenders later charged and convicted of the 1980 Aggravated Battery of a correctional officer at the Pontiac Correctional Center, while in custody there, receiving an additional 4-year sentence.

STATEMENTS AS TO THE OFFENSE

During his 2023 hearing before Board members, Mr. David Lott minimized the seriousness of the murders, stating that he was well acquainted with the victims, who were pimps and drug dealers. He made repeated references to the fact that the judge and members of the jury were white, attributing his conviction to that factor rather than to physical evidence, to his confession, to his co-offender's transcribed confession, and prior armed robberies. He stated that he should not have been convicted because the shooting was self-defense.

INSTITUTIONAL ADJUSTMENT

A color-coded printout of all institutional discipline referrals was provided to each of the members at En Banc from which the members could reach their own conclusions. Two-hundred sixty-nine discipline referrals were recorded, including numerous violent or disruptive behaviors documented during Mr. David Lott's 30s, 40s, 50s, and extending to a fight at the age of 62. No additional such referrals are recorded past the year 2013, possibly consistent with Mr. David Lott's advancing vision problems.

HEALTH

Illinois Department of Corrections records reflect that some accommodations and rule exceptions have been made to address his disabilities.

PAROLE PLANS

Mr. David Lott has no parole plan. Multiple attempts by a Board Member to make phone contact with a named brother have been unsuccessful.

OPPOSITION TO PAROLE RELEASE

The Board has consistently received documentary correspondence from office of the St. Clair County State's Attorney, opposing a parole release. The most recent of those correspondences was November 15, 2021. There has been no other such opposition recorded to his file or received. There are no documents in support of parole in the file.

DISCUSSION

Summary of discussion for parole consideration:

No discussion.



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DECISION AND RATIONALE

Motion to deny parole (DS-LM). Motion prevails by a unanimous 10-0 vote.

After thorough consideration of Mr. David Lott'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. David Lott 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."