



STATE OF ILLINOIS  
 JB PRITZKER, GOVERNOR  
**PRISONER REVIEW BOARD**  
 Craig Findley, Chairman

**EN BANC MINUTE SHEET**  
**OPEN SESSION—April 25, 2019**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019 at the 8:00 a.m. session to discuss and deliberate parole eligibility for the following inmates:

<b>C71009</b>	<b>ROBERT DOMINIQUE</b>
<b>C81714</b>	<b>RUDY BELL</b>
<b>C63914</b>	<b>WAYNE LINDSAY</b>
<b>C15133</b>	<b>CHARLES ROBINSON</b>
<b>L40686</b>	<b>HENRY HILLENBRAND</b>
<b>L02079</b>	<b>DONALD GRANT</b>
<b>C01871</b>	<b>LEON BOLTON</b>

The meeting was called to order by Chairman Findley.

Roll call was taken by Recording Secretary Janet Crane.

<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
Mr. Daniel Brink	X	
Ms. Edith Crigler	X	
Ms. Lisa Daniels	X	
Mr. Salvador Diaz		X
Mr. Donald Wayne Dunn	X	
Mr. Pete Fisher	X	
Ms. Vonetta Harris	X	
Mr. Oreal James	X	
Ms. Virginia Martinez	X	
Mrs. Aurthur Mae Perkins	X	
Mr. Joseph Ruggiero	X	
Mr. Donald Shelton	X	
Mr. Ken Tupy	X	
Ms. Elenor Kaye Wilson	X	
Chairman Craig Findley	X	

14 Members Present



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The Recording Secretary presented the March 28, 2019, Open Session Minutes for approval.

Motion to approve Open Session Minutes from **March 28, 2019**. (DWD—LD). Leave.

The Board heard and voted upon the scheduled cases as detailed in the individual case minutes.

Meeting was adjourned (CF—DS). Leave.



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**EN BANC MINUTE SHEET**  
**OPEN SESSION—April 25, 2019**

Inmate Name: **ROBERT DOMINIQUE**

IDOC Number: **C71009**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Robert Dominique C71009.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

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

On March 12, 2019, Robert Dominique C71009 was interviewed at Dixon Correctional Center. He transferred into Dixon Correctional Center on January 16, 2019. Mr. Dominique is a 73-year-old male. On March 31, 1977, Mr. Dominique was sentenced to 100-200 years for Attempted Murder and 6-18 years for Attempted Deviate Sexual Assault.

**STATEMENT OF FACTS**

On November 13, 1975, at approximately 9:15 p.m., 21-year-old Margaret Cassidy walked out the back door of her apartment at 6313 N. Winthrop in Chicago, on her way to visit a friend a block away. As she walked down the well-lit alleyway behind her apartment, she passed a man (later identified as Mr. Dominique), who had come from a parking area underneath one of the buildings. Ms. Cassidy heard footsteps behind her and then heard a man's voice saying "Hey." Mr. Dominique walked by Ms. Cassidy, then turned and approached her. Mr. Dominique asked, "Hey, what's your name?" and grabbed Ms. Cassidy by the right upper arm. She said she looked in the face of Mr. Dominique and described him as having "wide and open wide" eyes. Mr. Dominique then demanded she perform oral sex upon him, to which she refused. When she refused, Mr. Dominique told her that he was going to kill her. She stepped backward as he grabbed her. Ms. Cassidy screamed, and Mr. Dominique stabbed her with a knife on her left side. After being stabbed the first time, Ms. Cassidy crouched over with her back to Mr. Dominique. Mr. Dominique then stabbed her multiple times in the back until she fell to the ground. Mr. Dominique fled the scene, leaving the victim for dead. Despite being stabbed multiple times, Ms. Cassidy was able to walk to her friend's apartment. Subsequently, an ambulance arrived and



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transported her to Edgewater Hospital. She remained there for three weeks, spending the first week in intensive care. She suffered five stab wounds, and both of her lungs were collapsed.

The same evening, at approximately 9:30 to 10 p.m., plain clothes police officers observed Mr. Dominique drinking on the southbound Howard Street L Train. At the Jackson Street stop, they approached Dominique and advised him it was illegal to drink alcohol on the train. As he was placed under arrest, officers located a six-inch hunting knife in a leather case in the middle back of his belt. Mr. Dominique stated he was a cook and also carried the knife for protection. He was processed and released on bond, as officers were unaware the knife had just been used to attack Ms. Cassidy.

On November 20, 1975, Mr. Dominique was positively identified by Ms. Cassidy as her attacker. Later that evening, Mr. Dominique was arrested at a hotel at 12 West Van Buren in Chicago. At the time of his arrest, officers stated Mr. Dominique was wearing ladies' panties and a lady's nightgown.

On November 21, 1975, Mr. Dominique gave a confession to police, describing the attack on Ms. Cassidy and admitting the knife recovered by officers was the knife he used during the attack. He stated he ran off when he was frightened by an approaching vehicle.

Mr. Dominique elected to be tried by a jury. At trial, he offered evidence of his mental illness, claiming that he lacked the substantial capacity to conform his conduct to the requirements of the law. The defense was rejected by the jury and guilty verdicts were reached on both counts.

While awaiting trial, Mr. Dominique was held in Cook County Jail. On May 5, 1976, Mr. Dominique was under surveillance at the jail, due to intelligence information received by corrections staff. A corrections officer observed Mr. Dominique dressed in a grey business suit heading toward the yard, which was noteworthy because prisoners were not permitted in the tunnel without special authorization. Mr. Dominique was arrested while walking in the tunnel. He later admitted that he attempted to escape from the Cook County Jail because he was not feeling good, was having nightmares, and wanted to see a psychiatrist.

On March 31, 1977, a sentencing hearing was conducted. At that hearing, prosecutors produced proof of other crimes in aggravation against Mr. Dominique. Specifically, three additional female victims testified that they, too, had been attacked in a similar fashion by Mr. Dominique. Those separate attacks occurred on November 6, 8, and 17. Statements made by Mr. Dominique relating to each of those attacks were also introduced. Mr. Dominique was charged in each case, and those cases were pending against him at the time of the sentencing hearing. After Mr. Dominique was sentenced to 100-200 years for the Attempt Murder and 6-18 year for the Attempt Deviate Sexual Assault, prosecutors dismissed the remaining three cases.



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One of these cases involved the attack on a female in the hallway outside her apartment, during which Mr. Dominique struck the victim eight times in the head with a hatchet and five times in the face.

Mr. Dominique appealed his conviction and the appellate court affirmed in 1980. He then filed a petition for post-conviction relief, which the trial court denied in 1994. Mr. Dominique appealed that decision and the appellate court affirmed in 1995. He filed a second petition for post-conviction relief, which was denied by the trial court in 1996. Mr. Dominique again appealed, and the appellate court again affirmed in 1997. He further petitioned the Illinois Supreme Court for leave to appeal, which was denied in 1998. He filed a motion for writ of habeas corpus in the trial court, which was denied in December of 2008.

### CRIMINAL HISTORY

In 1968, Mr. Dominique was convicted of Possession of Dangerous Weapon and received three years of probation in New York. While on probation for that charge, he was arrested for Assault and Attempted Burglary. He was sentenced to ten months in the New York County Jail for those two charges.

After his release from New York County Jail, he moved to Los Angeles, where he was arrested for Felony Burglary. In 1970, Mr. Dominique was arrested in San Diego for Deviate Sexual Lewd Conduct and Disturbing the Peace. He received three months in jail for those two charges. Within two weeks of his release, he was arrested again on a Kidnapping charge, but was later released. The following month, Mr. Dominique was arrested in Phoenix, Arizona, on an unknown charge.

Six months later, Mr. Dominique relocated to Chicago and began to accumulate a string of Rape, Burglary and Assault charges. In 1973, he was convicted of Disorderly Conduct, for which he received one year of supervision. He quickly violated the supervision with a Burglary arrest and was sentenced to 1-3 years of incarceration. On Nov 12, 1974, Mr. Dominique was paroled from Menard Correctional Center. He ended up violating his parole and was returned to the correctional institution. Later, he was released to the Fox Valley Work Release Program. He again violated his parole with a charge of Disorderly Conduct and was once more returned to prison. On October 17, 1975, he was paroled to Chicago. He was under that parole supervision when he assaulted the four women in his current case.

### MR. DOMINIQUE'S STATEMENTS AS TO THE OFFENSES

During the interview with Mr. Dominique, he stated that in 1975 he had injured his back and was on heavy medication, such as morphine injections. He stated he was drinking and abusing medications, which would cause him to black out. He stated the drugs and alcohol made him violent. He advised that he remembers some of the violence, and some he does not. He



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described his actions as starting an argument, advising that he would then he would become violent and then stab the victims. Mr. Dominique stated that he wasn't in a rage when he approached the victims, but became angry when they refused him. He stated, "I was looking for a reason to become angry and hurt someone." Mr. Dominique commented that he was sorry that he had done these things. He also noted that he does not remember all the incidents, but does know that he did do them.

### INSTITUTIONAL ADJUSTMENT

Mr. Dominique is currently considered medium security, with an A grade, and a moderate escape risk. He is currently unassigned due to significant health issues. He has received 19 disciplinary tickets in the last 19 years. The last ticket was in August of 2016 for possession of paraphernalia which tested positive for alcohol.

Mr. Dominique has obtained his GED, and stated he earned a degree in Business Math, English, and Career Counseling through Lakeland College. He also advised that he has obtained a food and sanitation license.

In December 26, 2018, Mr. Dominique attempted suicide with the use of a razor blade he removed from a disposable razor. He stated he tried to cut his jugular vein on the left side of his neck. He said he cut his hand trying to break the plastic off the razor and nearly passed out. He said his cellmate woke up and, due to the light from the tv, he could see Mr. Dominique bleeding. Mr. Dominique was transported to OSF hospital in Peoria by ambulance. He stated that he believes he was saved by a higher power for some reason, because his cellmate usually never woke up during the evening, and Mr. Dominique added that he flat-lined in the ambulance. Although he said he is not a religious person, he believes that to be true. When asked why he attempted suicide, he responded that he could not deal with his health issues anymore.

Mr. Dominique also stated that he had spoken with a psychiatrist after the suicide attempt. He said there is no mental health evaluation, when asked. He stated that he is not crazy and does not hear voices.

Concerning Mr. Dominique's health, he has a laundry list of ailments and has been diagnosed with COPD, asthma, chronic cough, shortness of breath, bronchitis, and high blood pressure. He also has a fractured right rib, according to an x-ray examination from October. He advised that he takes several medications, including a generic version of Symbicort, for treatment of his breathing problems.

Mr. Dominique stated that he has no family, no support, and has had no visitors.



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PAROLE PLANS

Mr. Dominique has no parole plan at this time. He said he will go wherever the Department of Corrections can find an opening for him at an assisted living center. He stated he would have to go out on SSI, and that he would like to get involved in some kind of helping program.

DISCUSSION

Summary of discussion for parole consideration:

Motion to go into Closed Session to discuss victim statements (PF—JR). Leave.

Motion to return to Open session (PF—VM). Leave.

Ms. Crigler asked about Mr. Dominique's institutional adjustment. Mr. Fisher advised that Mr. Dominique has had no violence in prison since 1999.

Mr. Shelton requested to know if Mr. Dominique has ever had a mental health evaluation. Mr. Fisher stated that Mr. Dominique has not had an evaluation, and that a SPIN assessment was not completed beyond the pre-evaluation, as he was deemed low risk. Mr. Fisher also noted that Mr. Dominique has no mental health diagnosis.

Cook County Assistant State's Attorney Sara Whitecotton commented that these crimes committed by Mr. Dominique were very violent attacks and that two of the women almost died. She advised that the State feels that Mr. Dominique is an absolute parole risk.

Assistant Attorney General Samantha Hodapp requested a 90-day stay of any grant of parole to Mr. Dominique, in order to allow time to have Mr. Dominique evaluated for possible designation as a sexually violent person.

Mr. Fisher stated that Mr. Dominique has demonstrated over the years that he is unwilling to conform to laws or rules of any kind. Mr. Fisher noted that his disciplinary record includes making paper clips into needles in 2013, possession of drug paraphernalia, testing positive for alcohol in 2016, and removing the razor blade from a disposable razor to cut his own neck in 2018. Mr. Fisher advised that, if not for the miraculous survival instincts of at least two of his young female victims, there would have been two murders. Mr. Fisher stated that he believes releasing Mr. Dominique at this time would threaten public safety, as well as deprecate the serious nature of these crimes and show disrespect for the law.



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**DECISION AND RATIONALE**

Motion to deny parole (PF—LD). Motion prevails by a vote of 14–0.

Motion for a five-year set (PF—AMP). Motion prevails by a vote of 9–5. Members voting in favor of the Motion were Mr. Brink, Ms. Daniels, Mr. Fisher, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley. Ms. Crigler, Mr. Dunn, Ms. Harris, Mr. James, and Ms. Martinez dissented.

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

The Board further specifically finds, pursuant to its authority under 730 ILCS 5/3-3-5(f), that it is not reasonable to expect parole release to be granted prior to March of 2024, and therefore continues Mr. Dominique’s next parole consideration hearing to that docket.

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





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***EN BANC* MINUTE SHEET**  
**OPEN SESSION—April 25, 2019**

Inmate Name: **RUDY BELL** IDOC Number: **C81714**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Rudy Bell C81714.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

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

Rudy Bell C81714 was admitted to the Department of Corrections on May 19, 1978. He is currently housed at Hill Correctional Center. He is serving a sentence of 100- 200 years for Murder.

**STATEMENT OF FACTS**

In Chicago, on Saturday, April 2, 1977, at approximately 2:30 in the morning, Mr. Bell and three co-offenders, each of whom were armed with firearms, emerged from a car that had approached with its headlights off. The four men fired their weapons at Tyrone Smith, killing him.

At the time of the shooting, Mr. Bell was 25 years old, and he was known to be an enforcer for the El Rukns street gang, according to the record. At various stages of Mr. Bell's incarceration, he has admitted his association with the "Black P-Stone Nation" and/or the "Moorish Americans." Additional file documentation has identified Mr. Bell as a high-ranking officer in the El Rukn organization. The Board is aware that the Black P-Stone Nation sprang from the Blackstone Rangers, and a faction later came to be known as El Rukns.

The record reflects that Mr. Bell and a co-offender, Orville Miller, were identified by an eyewitness, Audrianna Thomas, during the course of the investigation. Ms. Thomas was placed into protective custody prior to, during, and after the trial. Mr. Bell and Mr. Miller were tried together, and neither defendant testified at trial.



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On September 1, 1977, prior to trial, and while Mr. Bell was in custody, Rowena James, the sister of the eyewitness, was killed while driving a car containing her mother, her father, and her two children. She was struck in the face and neck by shotgun projectiles fired from a car containing two men that pulled up alongside her while she and her passengers were stopped at a traffic signal. The shooter, William Doyle, was one of several El Rukns who were subjects of later federal indictments.

The day after Ms. James's murder, officers executed a search warrant at a home and discovered a copy of the Chicago Police Department's Tyrone Smith homicide file in one of the bedrooms, supporting investigators' belief that the Murder of Ms. James was connected to the Murder of Mr. Smith, and that the intended target in the Rowena James Murder was, in fact, Ms. Thomas, the eyewitness from the Tyrone Smith homicide.

Under the Federal RICO Act, Mr. Doyle was convicted of the Murder of Ms. James and Conspiracy to Commit Murder of Ms. Thomas. It was the prosecution's theory that Ms. James was mistaken for her sister, the eyewitness, Ms. Thomas, and that the El Rukns meant to eliminate the witness to Mr. Smith's murder.

Both Mr. Bell and his co-offender were convicted and sentenced for the Murder of Mr. Smith. Mr. Bell was not implicated in or prosecuted for the Murder of Ms. James.

Mr. Bell filed a post-conviction motion alleging that Ms. Thomas's testimony was false, and that she recanted her identifications. Although Ms. Thomas remained in protective custody, members of the El Rukns successfully made contact with her. During a subsequent hearing on Mr. Bell's motion, attended by El Rukn members, Ms. Thomas's daughter testified in Ms. Thomas's absence. One of the El Rukns in attendance, subsequently removed by police, had in his possession a photograph of the daughter giving testimony, as well as the out-of-state phone number of Ms. Thomas.

### CRIMINAL HISTORY

Mr. Bell's arrest record, spanning ages seventeen to twenty-seven, includes seven arrests for Battery or Aggravated Battery; six arrests for Unlawful Use of Weapons; five arrests for Robbery or Armed Robbery; four previous arrests for Murder or Attempted Murder; and two arrests for Intimidation. Lesser charges have included Attempted Burglary, Criminal Damage to Property, Criminal Trespass to State-Supported Land, Disorderly Conduct, and Possession of Cannabis. Mr. Bell was found Not Guilty at trial on two of the previous Murder charges; two of the previous Murder charges were not ultimately prosecuted.



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MR. BELL'S STATEMENT AS TO THE OFFENSE

Mr. Bell has claimed at trial, in his appeal, and to this day that he was in another State during the Mr. Smith's murder. However, the Illinois Department of Corrections record reflects that he has admitted, at least once, in 1978, that he was at the crime scene, but was not involved in the shooting. This conflict of statements by Mr. Bell reflects poorly on his credibility.

INSTITUTIONAL ADJUSTMENT

Mr. Bell's institutional disciplinary history includes sanctions for 41 incidents of Unauthorized Movement within the institutions, with an incident as recent as April of 2016; 34 incidents of Disobeying a Direct Order; four incidents of Intimidation or Threats; and three incidents of Gang Activity, the last of which occurred in May of 2006. Numerous lesser violations are noted in his file, ending in August of 2016.

Additionally, the review of this case raises several issues in addition to the weighty issue of the Murder of Mr. Smith. Mr. Bell is reported to have achieved significant status, and to have played a significant role, within the structure of a prominent street gang. Whether or not the bulk of his institutional infractions are directly related to that roll is uncertain, but not unreasonable to suspect.

Each of four different Correctional Counselors – in 1997, 1998, 1999, and 2002 – made file notations that Mr. Bell "*seems very cooperative with staff.*" This was during a nearly ten-year period between August of 1996 and May of 2006, during which there were no disciplinary referrals.

Mr. Bell received his GED in 1996 or 1997, and he reports having additionally learned skills from the tailor shop at Stateville Correctional Center, as well as having received a Janitorial certificate.

PAROLE PLANS

Mr. Bell, through his counsel, reports multiple parole residency options, including both in-state and out-of-state family placements.

**DISCUSSION**

Summary of discussion for parole consideration:

Mr. Shelton mentioned that in early IDOC records, Mr. Bell denied that the crime was drug related and did admit to being at the scene of the crime. However, during the interview and



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at several times in the past, Mr. Bell has claimed to be out-of-State at the time that the Murder occurred.

Mr. Shelton provided copies of Mr. Bell's arrest history to each member. He advised that Mr. Bell's criminal history showed many arrests, including many for violent offenses, but few actual convictions. Mr. Shelton wondered if the reason for that was that no one wanted to testify against Mr. Bell.

Mr. Shelton also provided a discipline history printout for Mr. Bell to each Member. Mr. Shelton asked them to note the ages at the time of the offenses. Mr. Shelton noted that there were tickets for Gang Activity, but not many for violence. He commented that most of Mr. Bell's tickets were for Unauthorized Movement.

Chairman Findley requested to know how old Mr. Bell currently is. Mr. Shelton stated that Mr. Bell is 67.

Mr. Tupy inquired about any post-conviction actions of Mr. Bell. Mr. Shelton advised that they had all been dismissed.

Mr. Ruggiero requested information about the physical evidence from the case. Mr. Shelton stated that the physical evidence consisted of shell casings found at Mr. Bell's parents' home, which were consistent with those located at the scene of the crime.

Ms. Crigler asked about the victim of the shooting, specifically inquiring whether both women (Ms. Thomas and Ms. James) were witnesses to the crime, or if the Murder of Ms. James was simply a case of mistaken identity.

Cook County Assistant State's Attorney Sara Whitecotton advised that Mr. Bell is a dangerous man. She noted that he is a known gang member and that the State believes that he is at a definite risk to reoffend.

Chairman Findley requested to know if Mr. Bell had filed any kind of claim of torture against law enforcement officers in his case. Mr. Shelton advised that there is no known claim that he is aware of.

Mr. Shelton commented that it was a strange interview. He advised the Board that Mr. Bell was not engaging. Mr. Shelton noted that although Mr. Bell answered questions, he did not volunteer any information. Mr. Shelton did not feel as though he learned anything new. Mr. Shelton stated that all the information came from the petition, as there was not an attorney present at the hearing. Chairman Findley requested to know if the absence of Mr. Bell's attorney was due to having another case. Mr. Shelton advised that there was no other case that he was aware of.



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Mr. Shelton noted that one entire section of Mr. Bell's file is full of grievances. He commented that Mr. Bell is a violent man.

Attorney Candace Gorman spoke on behalf of Mr. Bell. She argued that her client's refusal to accept responsibility for the crime was not a reason to keep him incarcerated for 42 years. She stated that the evidence in Mr. Bell's case was nonexistent and that the only eyewitness the State had was not heard at trial.

Mr. Shelton stated that he believed that there was no compelling reason to disturb the term of sentence imposed by the court. Mr. Shelton noted that there are continued reservations about Mr. Bell's commitment to live a crime-free life and that Mr. Shelton believed that a grant of parole would deprecate the seriousness of the offense and promote disrespect for the law.

### **DECISION AND RATIONALE**

Motion to deny parole (DS—DB). Motion prevails by a vote of 13–1. Members voting in favor of the Motion were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, and Ms. Wilson. Chairman Findley dissented.

After thorough consideration of Mr. Bell's case, the Board voted to deny parole. The Board finds that a release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Bell would not conform to reasonable conditions of parole release, that his release could have an adverse effect upon institutional discipline, and that a parole release of Mr. Bell at this time would deprecate the serious nature of his 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."*



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***EN BANC* MINUTE SHEET**  
**OPEN SESSION— April 25, 2019**

Inmate Name: **WAYNE LINDSAY**

IDOC Number: **C63914**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Wayne Lindsay C63914.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

Mrs. Perkins presented the following summary of the parole consideration interview and review of Mr. Lindsay's file:

A parole consideration interview was conducted with Wayne Lindsay C63914 on March 6, 2019, at Hill Correctional Center. Present for the interview were Mrs. Perkins, Mr. Lindsay, Attorneys Susan Ritacca and Sara Garber, and Mr. Lindsay's sister, Janet Ferguson. Mr. Lindsay is currently 62 years of age and has been incarcerated for 42 years. He is serving a sentence of 100-200 years for two counts of Murder and 50-100 years for one count of Attempted Murder.

**STATEMENT OF FACTS**

Mr. Lindsay and his co-offenders, Michael Baptist and Lennox Lawrence, committed two Murders and Attempted Murder, because two of the victims had testified at a preliminary hearing in which Mr. Baptist's brother was charged with Murder. These victims were shot only because they were witnesses in a court proceeding. Mr. Baptist's brother, Elijah Baptist, had committed the Murder of Sam Blue several months prior, on July 29, 1974. Leslie Scott and Leo Carter were witnesses to that Murder, and on September 23, 1974, both Mr. Carter and Mr. Scott testified at the preliminary hearing regarding the Sam Blue Murder. Elijah Baptist was charged with the Murder of Mr. Blue and trial was set for July 15, 1975. After the trial date had been set, Michael Baptist set out to execute both Mr. Scott and Mr. Carter, in an attempt to prevent them from testifying at the trial of Elijah Baptist.

On June 13, 1975, at approximately 10:30 in the evening, Leo Carter, Henry Carter, and Leslie Scott went to the store across the street from their home. When they returned home, they were confronted by Mr. Lindsay, Mr. M. Baptist, John Perkins and Mr. Lennox. They invited



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Mr. Carter and Mr. Scott to a party at 600 West 60th Street in Chicago. Unbeknownst to Mr. Carter and Mr. Scott, there was no party planned or going on; the invitation was a ruse to get the victims alone. Mr. Scott and Mr. Carter went to the location, along with Mr. Carter's brother Henry Carter. All three victims went to Mr. Lindsay's home, along with Mr. Lindsay and co-offenders Mr. M. Baptist, Mr. Lawrence, and Mr. Perkins. All were let into the unit by Mr. Lindsay, and all walked into the rear bedroom.

Once inside, they sat in a bedroom listening to music and drinking wine. After 45 minutes, Mr. Carter asked Mr. Lindsay where the women were. Mr. Lindsay responded that they were coming. Mr. Baptist, Mr. Lawrence, and Mr. Perkins all left the room together for a few minutes. Mr. Lindsay remained with the victims. A few minutes later, the three co-offenders returned to the room. Mr. Lawrence asked Mr. Lindsay, Mr. Baptist, and Mr. Perkins if they were ready, to which they all nodded in the affirmative. At that point, Mr. Lawrence put a gun to Mr. Carter's head and Mr. Lindsay also put a gun to Mr. Carter's head. Mr. Perkins and Mr. Baptist held onto Mr. Scott.

The victims were ordered out of the room at gunpoint. As the victims were led down the stairs, Mr. Carter tried to push the gun away from his head, and then Mr. Lawrence put his gun on Mr. Carter's head and it looked like he was about to shoot Mr. Carter. Mr. Baptist and Mr. Perkins held Mr. Scott. The victims were walked out of the building to a lot in the rear at gunpoint. When they reached the docks of a nearby beer factory, Mr. Lindsay and the three co-offenders, Mr. Baptist, Mr. Perkins, and Mr. Lawrence, were present, as well as victims Mr. Scott, Mr. H. Carter, and Mr. L. Carter. Mr. Lindsay asked, "Who told on my cousin"? Mr. L. Carter replied he did not know. With that, Mr. Lindsay told Mr. L. Carter that he liked him, but he had to do this. Mr. Lindsay then put the loaded gun to the bridge of Mr. L. Carter's nose and pulled the trigger, shooting him once between the eyes at point blank range. Mr. L. Carter fell to the ground, and Mr. Lindsay shot Mr. L. Carter in the back. Mr. Lawrence then shot Mr. H. Carter in the head and chest, and he fell beside his brother. Mr. Scott was executed next. Mr. L. Carter heard three to four additional gun shots. Mr. Lindsay, along with Mr. Baptist, Mr. Lawrence, and Mr. Perkins, ran up the back stairs of Mr. Lindsay's building.

Mr. L. Carter survived this calculated attack and crawled almost two blocks to his cousin's house at 440 West 60th Place. The police were contacted. The victim was taken to the hospital, where he remained for about three weeks. Mr. L. Carter lost sight in one eye. One bullet was lodged in his brain and another was lodged in his body. Mr. L. Carter was able to identify the offenders.

In addition, the police recovered both of the Murder weapons at the crime scene at 600 West 60th Street in a discarded toilet. One of the weapons had Mr. Lindsay's fingerprint on the trigger. Lab results from the bullets recovered from the deceased victims showed that the bullets came from the two guns recovered in the discarded toilet.



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MR. LINDSAY'S STATEMENTS AS TO THE OFFENSE

Mr. Lindsay admitted his involvement in these horrific crimes, but he is very remorseful. Mr. Lindsay has refused to meet with Board Members in the past, however he was very polite and forthcoming in this interview. Mr. Lindsay does not minimize his involvement in this crime, however as it does not reflect the person he has become, it is painful for him to discuss the Murder. When he began to talk about what happened that night, he began to cry. He is not proud of his gang involvement; in his own words, 'The street gang gave me a false sense of being loved, accepted, pride, and purpose. I really thought I knew it all, only to realize much later in life that I had been manipulated, duped, and misguided... I didn't have a clue. I was merely a tool used by others to further their own self-interests. Instead of protecting our community from trouble, which was one of the alleged objectives set in street gang literature that I had been brainwashed with, we became the very plague that has been ravaging our community for more than half a century. This revelation didn't come to me over night. I am a man now; I can never undo what I've done—you cannot payoff taking another person's life. I was at the start of the gang activity that's out there now. Older people should tell the younger gang members that it is not cool to kill black men.'

INSTITUTIONAL ADJUSTMENT

Mr. Lindsay is A grade, low escape risk. He was 18 years old at the time of his arrest. He has been residing at Hill Correctional Center for the past nine years. Prior to being transferred to Hill Correctional Center, he was at Dixon Correctional Center, Pontiac Correctional Center, Menard Correctional Center, Centralia Correctional Center, and Illinois River Correctional Center. Mr. Lindsay is coming off of a 2-year set. His current projected maximum discharge date is in early 2218. This is approximately his 29th consideration for parole. In the past, Mr. Lindsay has received favorable votes from Ms. Crigler, Ms. Tyler, and Chairman Findley in the past.

Like many young inmates in Mr. Lindsay's position, his institutional adjustment at the onset was poor, and he received many tickets. Mr. Lindsay's institutional adjustment has improved drastically in recent years. In the past eight years, Mr. Lindsay has only received two tickets: one for Refusing Housing, received in 2015, and one for Contraband (extra food in his cell), which he received in 2016.

Mr. Lindsay obtained his GED in prison and then began taking college courses. Mr. Lindsay received his Associate of Arts Degree. He also received college credits from Chicago City-Wide College, Illinois State University, Joliet Junior College, Lincoln College, Southeastern Illinois College, and Roosevelt University. He currently has a total of 185 credits.

Mr. Lindsay has vocational certificates that include Cooking, Welding, and Custodial Maintenance. He has also received his E.M.T certificate and license. He has held the following





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jobs while incarcerated: yard maintenance, custodial maintenance, welder, food handler, cook, baker, and porter (which is his current position).

Over the years, Mr. Lindsay has embraced his artistic talents and began painting. He has created numerous works of art, expressing himself in a positive way. Some of his art was donated (5 pieces) to the "Vino and Van Gogh" for Chicago Volunteer Legal Services annual fundraiser event.

He has also created an educational program called Project Sound Off. The program is a mentorship program that focuses on promoting growth, learning, and self-improvement of the individual. Mr. Lindsay has formed a spiritual connection to Buddhism and is passionate about it. He attends services weekly, where he practices mindful meditation.

### PAROLE PLANS

An improvement on years past, Mr. Lindsay has a strong parole plan. He has been accepted to live at four reentry housing placements, three of which are located in the Chicagoland area: Bridge to Freedom, IMAN, Henry's Sober Living, and St. Leonard's Ministries.

Mr. Lindsay would prefer to parole to Iowa, where he has an apartment with Kim and Otto Maclin, whom he can reside with. Mr. and Mrs. Maclin are co-founders of the Institute for Psychological Science at the University of Iowa in Waterloo. They also offer single room boarding at an extremely low rate for felons or those re-entering society after incarceration. As part of this plan, Mr. Lindsay's sister and her husband will relocate to Iowa if he is placed there. Mr. Lindsay will have many opportunities for employment, such as Jane Addams Resource Corporation, a carwash, and Roosevelt University Life Skills Reentry. Mr. Lindsay has great family support, both emotionally and financially.

### DISCUSSION

Summary of discussion for parole consideration:

Mr. Brink requested to know if there was any documentation of Mr. Lindsay's mentoring of younger offenders. Ms. Perkins stated there was nothing official in the file.

Ms. Martinez commented that she had previously voted against parole for Mr. Lindsay, but now she does not believe that he is a risk to reoffend.

Mr. Fisher noted that he found Mr. Lindsay to be engaging and honest. Mr. Fisher stated that he is bothered by the nature of the shooting, and that he feels that it takes a different type of personality to be able to shoot another person between the eyes. Mr. Fisher commented that he



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was pleased with the positive strides made by Mr. Lindsay. Mr. Fisher asked if Mr. Lindsay's family was from Chicago. Ms. Perkins advised that his family is from Chicago, but they are willing to relocate to Iowa if Mr. Lindsay is granted parole.

Motion to go into Closed Session to discuss victim statements (JR—CF). Leave.

Motion to return to Open Session (CF—PF). Leave.

Mr. Ruggiero stated that he feels as though Mr. Lindsay has had a great institutional adjustment. However, he noted that Mr. Lindsay's offense was against the community and killing a witness leads to fear and distrust and sends a negative message to the community.

Ms. Crigler stated that at the time this crime decimated the community resources, but she noted that it was a 42-year-old Murder and that it was her opinion that it was time to parole Mr. Lindsay.

Mr. Fisher advised that he feels as though this is a crime against the criminal justice system.

Mr. Tupy stated that he feels that this crime was totally premeditated. He noted that under current statutes, Mr. Lindsay would serve Life. He also commented that these victims were killed solely because they were witnesses. Mr. Tupy stated that he cannot support parole, as he feels this would send the wrong message to the community.

Ms. Wilson asked what message the Board is sending when they disregard the changes made by Mr. Lindsay to better himself.

Chairman Findley spoke of the case of Michael Baptist, who was paroled in 2015. Chairman Findley stated that he had read through the entire trial transcript, and, while he was horrified by the crime, decided that enough was enough and voted for Mr. Baptist's release. Mr. Lindsay is a co-defendant of Mr. Baptist and has never shied away from admitting his guilt.

Mr. Lindsay's attorney, Susan Ritacca, spoke on behalf of Mr. Lindsay. Ms. Ritacca stated that Mr. Lindsay is a shining example of redemption. She noted that he is honest and remorseful and is using his art work to raise money for his reentry into society.

Ms. Crigler requested to know if an Interstate Compact had been approved for Mr. Lindsay to go to Iowa. Ms. Ritacca advised that the paperwork has been submitted, but that final approval must wait until parole has been approved and finalized.

Mr. Lindsay's sister told the Board that she would do whatever she could to help her brother.



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Ms. Perkins reiterated that Mr. Lindsay takes full responsibility for his actions and notes that he is not the same person he was 42 years ago. She stated that Mr. Lindsay is 62 years old and has become a deeply thoughtful, gentle, and kind man. She noted that over his 42 years in prison, Mr. Lindsay has vigorously pursued education, cultivated his artistic talents, and found spirituality, self-control, and empathy through the Buddhist religion. She also advised that Mr. Lindsay has held numerous prison jobs, received multiple certificates, and has maintained a solid institutional record in recent years.

**DECISION AND RATIONALE**

Motion to grant parole (AMP—EC). Motion prevails by a vote of 9–5. Members voting in favor of the Motion were: Ms. Crigler, Ms. Daniels, Mr. Dunn, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Ms. Wilson, and Chairman Findley. Mr. Brink, Mr. Fisher, Mr. Ruggiero, Mr. Shelton, and Mr. Tupy dissented.

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

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



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***EN BANC* MINUTE SHEET**  
**OPEN SESSION— April 25, 2019**

Inmate Name: **CHARLES ROBINSON**

IDOC Number: **C15133**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for C15133.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

Ms. Daniels presented the following summary of the parole consideration interview and review of Mr. Robinson's file:

A parole consideration interview was conducted by Ms. Daniels at Dixon Correctional Center on March 12, 2019. Present for the interview were Ms. Daniels and Charles Robinson C15133. Mr. Robinson's projected parole release date is July 30, 2024, and his maximum release date is July 30, 2027. Mr. Robinson is currently 72 years old. Mr. Robinson was originally convicted of Attempted Murder and Aggravated Battery (4 counts) and sentenced to 8-24 years. As a result of six additional convictions during his incarceration, Mr. Robinson has now served 45 years in the Illinois Department of Corrections.

**STATEMENT OF FACTS**

On September 16, 1972, at approximately 2:45 p.m., Mr. Robinson confronted Henry Kelly, who is the victim, as Mr. Kelly was moving from an apartment managed by Mr. Robinson. An argument ensued over non-payment of back rent. When Mr. Kelly refused to make payment, Mr. Robinson produced a gun and shot Mr. Kelly. After Mr. Kelly fell to the ground, Mr. Robinson shot him again four additional times.

**CRIMINAL HISTORY**

Mr. Robinson had a lengthy criminal record prior to the 1972 Attempted Murder charge. On August 4, 1966, Mr. Robinson was arrested for Theft. He was convicted and was sentenced to serve 60 days in the House of Corrections in Chicago.



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On September 30, 1966, he was arrested for Grand Theft. He was convicted of the lesser crime of Criminal Trespassing and was sentenced to 4 months in the House of Corrections.

Arrested on April 21, 1968, for an Aggravated Assault warrant. The case was dismissed.

Arrested on June 3, 1969, for Grand Theft Auto. A bond forfeiture warrant was issued.

Arrested on July 24, 1969 for Battery. He was convicted and was sentenced to 10 days in the House of Corrections.

Arrested on September 10, 1969, for Auto Theft. He pled guilty and received 3 years of probation.

Arrested on May 17, 1970, for Burglary. There was a finding of no probable cause.

Arrested on July 17, 1970, for Unlawful Use of a Weapon. A bond forfeiture warrant was issued.

Arrested on July 30, 1970, for Auto Theft. The case was dismissed.

Arrested on October 12, 1970, for Unlawful Use of a Weapon. A bond forfeiture warrant was issued.

Arrested on July 21, 1971, for No Firearms Registration. The case was dismissed.

Arrested on January 28, 1974, for a Criminal Trespass to Vehicle warrant. He received a \$200 fine.

Arrested on April 1, 1974, after which he was released without filing of charges. No further information is available regarding this arrest.

Arrested on June 29, 1974, for a Theft warrant. No further information is available.

During the course of his incarceration, Mr. Robinson was convicted of six additional offenses, which are detailed below in the section regarding his institutional adjustment.

#### MR. ROBINSON'S STATEMENTS AS TO THE OFFENSE

During the interview, Mr. Robinson was rather subdued for the most part and did a thorough review of his file. However, he did not offer anything more than he has during his previous interviews with other Board Members and past written communications to the Board regarding his version as to the events of the day of the crime. Mr. Robinson maintains that the



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victim, Mr. Kelly, was entirely at fault and stated that “He couldn’t have been hurt that bad since he got up and ran after I shot his ass.” Mr. Robison continues to blame the Cook County State’s Attorney’s Office and the Prisoner Review Board for treating him unfairly by “sabotaging his trial and obstructing justice.”

### INSTITUTIONAL ADJUSTMENT

Mr. Robinson is currently C grade, maximum security and high escape risk. He has never held a job nor attended school during his incarceration. Since his arrival at Dixon Correctional Center on April 11, 2017, he has been housed in the Psychiatric Unit. Mr. Robinson has received four major tickets at Dixon, the most recent of which occurred on January 29, 2019, for Intimidation or Threats to Staff and Insolence, for which he received 1-month C grade and 14 days in segregation.

Since being sentenced for Attempted Murder and Aggravated Battery on April 29, 1975, Mr. Robinson has been convicted of an additional six separate felonies and one misdemeanor while in IDOC custody and has received approximately 170 disciplinary tickets. The majority of Mr. Robinson’s tickets have been major tickets.

In 1977, Mr. Robinson was convicted and sentenced to 1-3 years in IDOC in Livingston County for Aggravated Battery/Great Bodily Harm for the stabbing of Clifton Sheppard in the back with a knife. This incident occurred while Mr. Robinson was incarcerated in Pontiac Correctional Center.

In 1979, Mr. Robinson was convicted of misdemeanor Aggravated Assault and was sentenced to 364 days in Marion County. He was also convicted of Escape of a Felon from a Penal Institution and sentenced to 10 years in IDOC in this same case.

On the same date as the Escape, Mr. Robinson committed Aggravated Battery/Great Bodily Harm. He was convicted and sentenced to 7 years in IDOC for that offense. In that case, Mr. Robinson was at St. Mary’s Hospital, when he pointed a loaded revolver at Correctional Officer Maurice Hogue and pulled the trigger. He was originally charged with Attempt Murder, however Mr. Robinson was found not guilty on that charge.

In 1979, Mr. Robinson was convicted in Randolph County of Aggravated Battery and Armed Violence for hitting Lieutenant Tom Bowles in the arm and shoulder with a 10-inch brass fire hose nozzle, causing injury. Mr. Robinson was sentenced to 14 years in IDOC for that offense.

In 1999, Mr. Robinson was convicted in Randolph County of Aggravated Battery/Great Bodily Harm for throwing hot liquid on Correctional Officer Walter Moreland’s neck, arm, and upper body. Mr. Robinson was sentenced to 5 years in IDOC for that offense.



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In 2000, Mr. Robinson was convicted in Alexander County for Aggravated Battery for throwing feces on Lieutenant Harrold Crippen. Mr. Robinson was sentenced to 2 years in IDOC for that offense.

All of these sentences were ordered to be served consecutively, due to the offenses having been committed while Mr. Robinson was incarcerated.

A SPIN Assessment was last conducted on May 5, 2017. The assessment shows Full Assessment Risk Overall is High.

Records state that on May 22, 1974, Mr. Robinson married Nova Robinson. No children are noted. According to IDOC records, Mr. Robinson has never received any visits from family or friends since entering IDOC custody.

#### PAROLE PLANS

Mr. Robinson wishes, if released, to be placed in a Halfway House. However, contrary to that intent, Mr. Robinson has been turned down due to his violent history and severe mental health issues. During our interview, Mr. Robinson stated that “I would like to get out of here, but things have changed so much I don’t know if I’d be able to make it.”

#### DISCUSSION

Summary of discussion for parole consideration:

Ms. Crigler noted that Mr. Robinson seems like an angry person.

Mr. Tupy requested to know if there were any mental health facilities that Mr. Robinson could parole to. Ms. Daniels advised that that option is of concern, as Mr. Robinson could be released from the facility without supervision by the State.

Cook County Assistant State’s Attorney Sara Whitecotton advised that the State opposes parole for Mr. Robinson. She argued that Mr. Robinson is clearly a dangerous man, given not only his original charges, but also all the charges he picked up while incarcerated on the original case.

Ms. Daniels noted that Mr. Robinson’s last parole hearing was on May 31, 2018. She advised that his case was presented by Ms. Martinez and that the Board voted 12-0 to deny parole on that occasion.



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Ms. Daniels stated that Mr. Robinson's consistent unwillingness to accept responsibility for this or any of the crimes he has committed throughout the past 45 years he has been incarcerated, in addition to his not having a viable parole plan, and his having received a major ticket as recently as January of this year makes Mr. Robinson an inappropriate candidate for parole at this time.

**DECISION AND RATIONALE**

Motion to deny parole (LD—AMP). Motion prevails by a vote of 14–0.

After thorough consideration of Mr. Robinson's case, the Board voted to deny parole. The Board finds that a release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Robinson would not conform to reasonable conditions of parole release, that his release could have an adverse effect upon institutional discipline, and that a parole release of Mr. Robinson at this time would deprecate the serious nature of his 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."*





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***EN BANC* MINUTE SHEET**  
**OPEN SESSION— April 25, 2019**

Inmate Name: **Henry Hillenbrand**                      IDOC Number: **L40686**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Henry Hillenbrand L40686.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

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

Henry Carter Hillenbrand L40686, age 71, was born on March 23, 1947, to Russell Carter and Martha Louise Hillenbrand (both deceased) in Streator, IL. Mr. Hillenbrand, the only son, along with his two sisters, grew up on a farm. During that time, his father, having recently returned from World War II, built a house for the family. Mr. Hillenbrand's father owned a television repair business and hoped that Henry, being the only son, would follow in his footsteps. Mr. Hillenbrand's father started grooming him in the eighth grade and that is also when he met Patricia Pence.

Ms. Pence and Mr. Hillenbrand were very close, and often skipped school together to go fishing or play in the woods. A few years later, when Mr. Hillenbrand was a sophomore in high school, the two became romantically involved. This caused resentment with Mr. Hillenbrand and his father, because Mr. Hillenbrand spent more time with Ms. Pence than he did working and helping to run the family business. Over the next several years, the relationship with Mr. Hillenbrand and Ms. Pence was romantically on-and-off, but the couple continued to live together with his family while in high school, as her family was experiencing financial hardship.

After Mr. Hillenbrand graduated high school, he believed he had found an arrangement that would satisfy both his desire to build a life with Ms. Pence and his father's demands of having an enterprise. This is when Mr. Hillenbrand and Ms. Pence began running a restaurant together, living together in an apartment above the restaurant. This plan worked for a short time, until he and his father became estranged due to the pregnancy and birth of a baby girl in 1969. Things seemed to be working well, but soon after the baby was born, Ms. Pence and Mr.



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Hillenbrand decided to break up. However, Mr. Hillenbrand continued to support Ms. Pence and the baby.

Despite his continued financial support for Ms. Pence and the baby, Mr. Hillenbrand became devastated to find that Ms. Pence began seeing another man. He felt lost and betrayed. Not only did he lose the woman that he loved, but he also had a broken relationship with his father. He became enraged, confused, disoriented, and desperate, due to the fact that the woman he loved was romantically involved with another man. Acting out of jealousy and rage, Mr. Hillenbrand shot both Ms. Pence and the man she was involved with, George Evans, with a .22 caliber rifle on June 29, 1970.

Mr. Hillenbrand was indicted in the Circuit Court of LaSalle County for the June 29, 1970, Murders of Ms. Pence and Mr. Evans. Mr. Hillenbrand filed a motion to withdraw his guilty plea, but it was denied. On October 19, 1970, a judgment of guilty was entered. After his escape and subsequent sentencing, Mr. Hillenbrand elected to be sentenced under the law in effect at the time of the crimes and was sentenced to 50 to 150 years on the first Murder charge and 80 to 240 years for the second Murder charge. The cases were to be served consecutively.

#### STATEMENT OF FACTS

The factual basis, to which the Mr. Hillenbrand stipulated, was read into record at the time he pled guilty. The record shows the following: on June 29, 1970, Mr. Hillenbrand, age 23, parked his car several blocks from the residence of Mr. Evans. Armed with a .22 caliber rifle wrapped in a blanket, he walked several blocks to Mr. Evans' house. He arrived around 7 a.m., entering the home through a window that he kicked out, and found Mr. Evans and Ms. Pence in bed together. Mr. Hillenbrand shot Mr. Evans in the head and then used the rifle as a bludgeon against Ms. Pence with such force that the stock of the rifle broke off.

Mr. Hillenbrand then took Ms. Pence to his car and drove to his house. Mr. Hillenbrand chased Ms. Pence outdoors and shot her. He then pursued the wounded woman through the backyards of several houses and she died on the back porch of a neighbor's residence, after being shot three times. Several neighbors saw the shooting through their windows. After the shootings, Mr. Hillenbrand ran to his father's home and told him what happened. His father called authorities and Mr. Hillenbrand was apprehended after trying to flee from authorities.

Mr. Hillenbrand's father testified that when his son arrived at his home, his son told him that he had killed somebody. Although Mr. Hillenbrand's father believed Mr. Hillenbrand was drunk, his father did not communicate that to the police officers. Raymond Boyles, Jr., a longtime friend of Mr. Hillenbrand, testified that he was intoxicated the night before the Murders. Mr. Boyles stated that when he arrived at the bar, Mr. Hillenbrand had already drunk a dozen beers. Mr. Boyles testified that he drove Mr. Hillenbrand home between 12:30 a.m. and 1 a.m., because he had fallen asleep at the bar. Edward Stroll also testified that when he arrived at



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the bar around 12:30 a.m., Mr. Hillenbrand had his face down on the bar. Mr. Stroll indicated that he followed Mr. Boyles in Mr. Boyles's car when Mr. Boyles gave Mr. Hillenbrand a ride home. Ms. G. Hillenbrand, Mr. Hillenbrand's younger sister, testified that she saw Mr. Hillenbrand on the morning of the Murders around 7:45 a.m. at her parents' home. She was 14 years old, but recalled that her brother was drunk, "very glassy-eyed," smelled strongly of alcohol, was perspiring, and had bloodstains on his shirt. She stated that he paced continuously for about 15 to 20 minutes, and, after her father called the police, Mr. Hillenbrand ran out of the back door.

Mr. Hillenbrand testified that he usually drank very little, but that he drank in excess during the two weeks prior to the Murders. Mr. Hillenbrand testified that before he went to the tavern that night, he already had drunk nearly a bottle of wine and a half-pint of whiskey. He recalled being in the tavern that night before the Murders, but not leaving the tavern. He recalled that he went to his parents' home the morning of the Murders and that his father wanted to know what happened. Mr. Hillenbrand only had a vague idea of anything that happened prior to going out to his parent's home. After running out the back door, Mr. Hillenbrand noticed blood on his shirt and became worried about Ms. Pence, because he was "kind of putting all the pieces together of what happened." He ran to the nearest residence, pounded on the door, and asked to use the phone. He called St. Mary's Hospital to ask about Ms. Pence's condition, but the hospital would not provide any information by phone. He asked the owner of the house to take him to the police station. En route to the police station, the two men were stopped by the police at the intersection.

Detective Donald Haage, a Streator police officer who investigated the Murders, said when he went to the home of Mr. Hillenbrand's father around 7:40 a.m. At 8:30 a.m., the police stopped a vehicle, in which Mr. Hillenbrand was a passenger, at a road block intersection and immediately he was placed in handcuffs. After being mirandized, Mr. Hillenbrand agreed to talk to Det. Haage at the police station. Mr. Hillenbrand told the detective that he did not drive his car to Mr. Evans's home, because he did not want Mr. Evans to hear or see him coming. After Mr. Hillenbrand shot Mr. Evans, he took Ms. Pence out to the car and drove her to his apartment. Mr. Hillenbrand told Det. Haage that after he shot Ms. Pence, he threw the rifle into weeds at the southwest corner of his apartment building. Det. Haage testified that Mr. Hillenbrand was "certainly not intoxicated" at the time of the discussion.

Correctional Officer Thomas Bunn, a correctional officer at LaSalle County Jail at the time that Mr. Hillenbrand was charged with these Murders, testified that he talked to Mr. Hillenbrand at the jail around 9:30 a.m. on the day Mr. Hillenbrand was arrested. According to Mr. Bunn's testimony, he stated Mr. Hillenbrand said he had been drinking, but that he was not drunk. Mr. Bunn stated that Mr. Hillenbrand and Mr. Boyles had gone to the restaurant where Ms. Pence worked part-time about 3 a.m. and saw Betty Bennett there. Ms. Bennett had asked Mr. Hillenbrand where Ms. Pence was, because she had not shown up for work. This information allegedly made Mr. Hillenbrand angry. He drove past Mr. Evan's house and saw Ms. Pence's car



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there. He peeked into a bedroom window and saw what he thought was Ms. Pence's leg and foot protruding out from under the covers of the bed. He then drove back to his apartment, got his rifle, and walked back to Mr. Evans's house, hoping someone would see him with the rifle. Mr. Hillenbrand told Mr. Bunn that he entered Mr. Evans' house through a broken window and went to the bedroom, where he found Mr. Evans and Ms. Pence in bed asleep. Mr. Hillenbrand said he then shot Mr. Evans. Mr. Hillenbrand told Mr. Bunn that Ms. Pence became hysterical and refused to go to his apartment to talk, so he hit her with the rifle on the side of the head, breaking the handle off the rifle. While driving to his apartment with Ms. Pence, she jumped out of the car and he shot her. He shot her again when she tried to run to a nearby house. She got up from the ground, ran around the house, and collapsed on the back porch. Mr. Hillenbrand told Mr. Bunn that he ran to the porch, saw a woman looking out a window, and ran away.

After turning himself in and hiring a lawyer, Mr. Hillenbrand pled guilty to the Murders of Patricia Pence and George Evans. He was sentenced to 50-150 years (Case 70-7-10124) and 80-240 years (Case 70-7-10125) for 2 counts of Murder. Before sentencing in the above cases, Mr. Hillenbrand escaped from the LaSalle County Jail. The Escape resulted in a sentence of 8-10 years for Escape of Felon from Penal Institution and 30-40 years for Aggravating Kidnapping-No Ransom.

The details of the Escape and Kidnapping are as follows: on November 17, 1970, while awaiting sentencing, Mr. Hillenbrand, along with Tim Stanton and Tom Garrett, escaped the LaSalle County Jail, after they had hacksaws smuggled into the facility, which they then used to cut through the bars and escape. As a fugitive, Mr. Hillenbrand committed a Burglary, in which he stole weapons, clothes, and money. During the Escape, the three men stopped a car outside of Utica, Illinois. They held the driver, Michael Lyle, at gunpoint with a .22 caliber rifle and forced him to drive them to Chicago.

While traveling to Chicago, Mr. Lyle testified that he could see Mr. Hillenbrand in the back seat, with a gun pointed at Mr. Lyle's head. Mr. Lyle testified that he was terrified for the 2 ½ to 3-hour drive to Chicago. He also testified that the other two men wanted him killed, but it was Mr. Hillenbrand that did not agree and turned him free in Chicago. While in Chicago, Mr. Hillenbrand soon took on the alias name "Thomas Charles Elliott" and eventually traveled to and settled in Anderson, McDonald County, Missouri. During this time, he worked at a logging business, got married, had two sons, and became an avid member of the church community.

Mr. Hillenbrand remained at large for 13 years before being apprehended on May 2, 1983. His capture was due to a trip to Canada, as he was challenged at the border upon his return to the United States. He was identified from fingerprints sent to Canada by the Federal Bureau of Investigation (FBI) and also tracked by his vehicle registration to Missouri, leading to his arrest by agents of the FBI.



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Prior to his capture at the Canadian border, Mr. Hillenbrand had married and remarried his now ex-wife. Both marriages ended in an amicable divorce. Mr. Hillenbrand and his wife had two sons during this time period. While working as a logger to provide for his family, Mr. Hillenbrand formed close connections with dozens of members of his community, many of whom continued to support him and advocate on his behalf despite learning that he lied about his identity and committed a horrible crime before moving to their town.

Although he changed his name to Thomas Elliott, Mr. Hillenbrand could not escape what he done and was consumed by the guilt and remorse that he killed two people, with one being the love of his life. Mr. Hillenbrand subsequently found Christianity, became exposed to teachings of scripture, and grew in his family life through his community and his church in Anderson, Missouri. According to one of his supporters, it is because of his Christianity that Mr. Hillenbrand would invite strangers to his home, who had visited the church from out-of-town, and offer them meals and clothing if needed.

#### MR. HILLENBRAND'S STATEMENTS AS TO THE OFFENSES

The night before the Murders, Mr. Hillenbrand states he was at a bar drinking with some local friends. After passing out at the bar, his friends took him home and carried him up the stairs. He recalls driving in his car looking for Ms. Pence. He stated that he found her car parked at Mr. Evans's residence. Mr. Hillenbrand advised that he got out of his car, walked to the residence, lifted the window, pushed the screen in, and went to the bedroom to find Mr. Evans and Ms. Pence. Mr. Hillenbrand states the he had an altercation with Mr. Evans while holding the rifle, which was wrapped in a blanket, in his hands. The two began to tussle and Mr. Hillenbrand ended up shooting Mr. Evans in the temple. Mr. Hillenbrand stated that at that time, Ms. Pence jumped in and tried to run, but he struck her over the head with the rifle. He stated that they drove to his house, and Ms. Pence decided to get out of the car and run. That's when he shot her several times, leading to her death. After he shot her, he said that he drove to his dad's home and told his father what happened. Due to the confession, Mr. Hillenbrand advised that his father called the police. Mr. Hillenbrand states that he knew what he did was wrong, and that's why he told his dad what had happened. Mr. Hillenbrand stated that while he was at his father's home, Mr. Hillenbrand stabbed himself, threw the knife in the sink, and fled from his father's home. Mr. Hillenbrand then went to a farmer's house and asked for help. The farmer tried to take him to the hospital, but there were roadblocks everywhere, and that's when he ended up getting arrested. Mr. Hillenbrand explained, regarding the reason for his actions, that "I didn't want to live without Patty."

#### INSTITUTIONAL ADJUSTMENT

Mr. Hillenbrand reported that his relationship with God started while he was living in Anderson, Missouri. Today, he spends a lot of time in Bible Study and has grown a lot as a Christian. He stated that he loves leading people to the Lord. Mr. Hillenbrand classifies himself



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as a “born-again Christian.” He first began seriously attending church in Missouri and his faith deepened while in prison. His favorite verses from the Bible, from which he draws inspiration are Jeremiah 29:11, Matthew 25:36, and John 3:16.

The Mayor of Jane, Missouri, wrote a letter stating that because of who Mr. Hillenbrand has now become, she would love to welcome him back into her community. In the 36 years he has been incarcerated, he has only received a total of three tickets, all of which were minor. His last ticket was in 1987.

Mr. Hillenbrand is currently on A grade. He exists peacefully amongst the other inmates. In 2010, a former inmate stated that Mr. Hillenbrand “is a bright, shining testimony of Christ’s love, who inspires other inmates not to lose their faith.”

Mr. Hillenbrand is a very open and presentable senior who loves to talk. He was very polite and considerate of the Board’s time while conducting the hearing. Mr. Hillenbrand can also be described as persuasive and cunning. There is a disparity in his version of the crimes committed and the evidence and testimonies presented in trial. However, he has worked continuously since 1987 in the Broom Shop, with an excellent institutional adjustment. According to the SPIN Assessment completed by IDOC staff, he is overall low risk to reoffend.

When Mr. Hillenbrand was first admitted to prison, he took advantage of programs to learn how to repair refrigerators and even helped instruct a class in refrigerator repair using the skills he learned while repairing televisions growing up with his father. He also completed training courses in HVAC and earned several certificates in Accounting, which helped him in his jobs, when working at Menard Correctional Center in the Print, Tobacco, and Broom Shops. He has learned how to run the presses and also how to make unique and thoughtful hand-made greeting cards, which made him renowned throughout Menard for many years.

After the Print Shop closed, Mr. Hillenbrand worked in the Tobacco shop for seven years until it closed, and he now works in the Broom Shop, a position which he has held for the past 22 years. One of Mr. Hillenbrand’s longtime supervisors at the shops in IDOC, Maynard Hudson, Sr., remarked shortly after his retirement in 2010 that Mr. Hillenbrand had accepted “what he had done and was trying hard to accomplish things in life.” Mr. Hudson also said that Mr. Hillenbrand “is an honest person, and he thinks on how he can make everyone’s day a little better and happier.” Mr. Hudson also stated that of all of all the residents that worked for him, Mr. Hillenbrand should be the one for the State to give a chance to go out into the world and make a life for himself. Mr. Hudson advised that he will be praying to God to give Mr. Hillenbrand another chance. Mr. Hudson spent nearly 40 years in law enforcement, including 26 years working in Corrections.

Mr. Hillenbrand has had the opportunity to help and advise younger inmates. He has helped them become productive and compliant during their prison sentences. Mr. Hillenbrand



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has also made a powerful impact on his cellmate, 41- year old Shane Heuck. Mr. Hillenbrand counseled Mr. Heuck and gave him food from the commissary, with no expectation of being paid back. Mr. Hillenbrand teaches Mr. Heuck to keep the faith and give hope a second chance.

Mr. Hillenbrand is privileged to have had a strong family support while incarcerated. He has maintained contact with his sisters, his brother-in-law, and his sons. They visit him regularly and would gladly welcome him into their homes. They were present at his parole hearings and advised that they will continue to support him. His son also attends the interviews and visits Mr. Hillenbrand as often as possible. In fact, his son would like for Mr. Hillenbrand to live with him. His son often gets emotional when he is present at the parole hearings, as he states that he has never met the Henry Hillenbrand who committed these offenses. His son only knows the alias identity, which in his opinion was a loving father to him and his brother. He says he has forgiven his father for the person that he was and would like nothing more than for his father to continue to seek God's forgiveness and build a solid relationship with his grandchildren. Mr. Hillenbrand's son also advised that he has a job waiting for his father upon his release.

In terms of his health, Mr. Hillenbrand suffers from Dupuytren's contracture, which is an autoimmune disease that targets the hands, feet, and internal organs.

### PAROLE PLANS

Mr. Hillenbrand has several acceptable choices for places to live on parole: his son's home, his sister's home, and Bridge to Freedom in Chicago. Bridge to Freedom is a very successful Halfway House and re-entry program that is an all-inclusive, faith-based residential re-entry program, which provides mentoring, job readiness, life skills training, and Christian discipline. This environment would be a perfect fit for Mr. Hillenbrand.

In terms of familial support, Mr. Hillenbrand would be successful on parole, despite spending over three decades in prison. His sisters, his brother-in-law, his son, and his nephew have all confirmed that they will commit themselves to providing whatever resources he needs.

### DISCUSSION

Summary of discussion for parole consideration:

Motion to go to Closed Session to discuss victim statements (VM—KT). Leave.

Motion to return to Open Session (VH—PF). Leave.

Mr. Dunn commented that Mr. Hillenbrand is a model prisoner, and that Mr. Dunn believed that Mr. Hillenbrand would be successful if he is paroled. Mr. Dunn further noted that there is no question that this was a horrible crime.



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Ms. Crigler requested to know Mr. Hillenbrand's MSR date. Ms. Harris advised that he is set to parole out in 2096.

Mr. Fisher stated that he is bothered by the fact that Mr. Hillenbrand avoided prison for 13 years. He noted that the fact that Mr. Hillenbrand never turned himself in is of major concern. Mr. Dunn reminded the Board that during the 13 years that Mr. Hillenbrand was AWOL, he did not commit any other crimes.

Alexander Stein, attorney for Mr. Hillenbrand, spoke on his behalf. He noted that Mr. Hillenbrand has had no major tickets and only three minor tickets during his entire incarceration. Mr. Stein also stated that Mr. Hillenbrand has the support of both his family and his community. Mr. Stein also added that Mr. Hillenbrand has applied for Interstate Compact, but that it cannot be approved until after parole has been granted by the Board.

Mr. Hillenbrand's sister spoke on his behalf as well. She stated that he has the support of his family and that they will always support him.

Ms. Harris advised that it is her opinion that Mr. Hillenbrand has taken advantage of the opportunities to rehabilitate him. She commented that she believes that, with the strong network of support through family and peers, Mr. Hillenbrand would not pose a risk to public safety should he be granted an opportunity to reconnect with society. She noted that, during the interview, Mr. Hillenbrand was very transparent about the crimes he committed and oftentimes shed tears as a result of his remorse. Ms. Harris stated that, as Mr. Hillenbrand reflected on the case, he said, "Two good people lost their lives. If I could go back, Patty and Mr. Evans would be alive today. I would have a relationship with my daughter. I know that I cannot change what happened, but I can only find comfort in knowing that I have asked God for forgiveness, restored my faith, and try to help people in any way that I can. I have apologized to the Pence family, the Evans family, and even my family." Ms. Harris advised that Board that it is her opinion that Mr. Hillenbrand would be an excellent candidate for parole

### **DECISION AND RATIONALE**

Motion to grant parole (VH—DWD). Motion prevails by a vote of 14–0.

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

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





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***EN BANC* MINUTE SHEET**  
**OPEN SESSION— April 25, 2019**

Inmate Name: **DONALD GRANT** IDOC Number: **L02079**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Donald Grant L02079.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

Ms. Martinez presented the following summary of the parole consideration interview and review of Mr. Grant's file:

A parole consideration interview was conducted at Dixon Correctional Center with Donald Grant L02079 on March 12, 2019. Present at the interview were Ms. Martinez, Mr. Grant and Carolyn Klarquist, attorney for Mr. Grant. Mr. Grant is currently serving 60-180 years for Murder and 20-60 years for Armed Robbery. His date of birth is June 12, 1954, and he is currently 64 years of age.

**STATEMENT OF FACTS**

On May 24, 1976, security guard Robert Jackson was shot and killed during the Robbery of a grocery store where he was employed. Earlier, the victim, Mr. Jackson, had accused Mr. Grant of shoplifting, which led to a verbal altercation. Mr. Grant was removed from the store as a result of the altercation. Mr. Grant returned to the store the next day, being driven by co-defendant Martin Ray Williams. Upon entering the store, Mr. Grant put a .22 caliber handgun to Mr. Jackson's head and fired one round. Mr. Grant then fled the scene, taking the victim's revolver with him. The victim was a retired Peoria County Sheriff and was in his security guard uniform at the time of the Murder.

Mr. Grant remained free until his arrest and conviction in 1981. The first trial led to a mistrial, when the jury failed to reach a unanimous verdict. On the retrial in 1982, he was convicted and sentenced to 60-180 years for Murder and 20 to 60 years for Armed Robbery. His codefendant was tried separately and convicted under the accountability theory. Mr. Grant's co-defendant was released in 1995.



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MR. GRANT'S STATEMENTS AS TO THE OFFENSE

Mr. Grant takes full responsibility for the crime. He states that he was in the store and there was some meat on the side. The security guard came by and asked, "Why are you trying to steal meat?" There was a confrontation, and the security guard put his hand on his gun. Mr. Grant stated that he felt disrespected. The next day, he was talking to his co-defendant, who was drinking, about what had happened. Mr. Grant said that he wanted to go back to the store and clarify to the security guard that he was not stealing. Mr. Grant said that he went into the store with a gun that he had gotten from someone else and started talking about what had happened. He advised that he had intended to disarm the security guard, so that Mr. Grant could talk to the guard. Mr. Grant further stated that when he placed the handgun to the guard's head, that's when it went off. Mr. Grant explained that it was accidental, but said "I did this and am ashamed about what I did." He noted that everything changed after the shooting, and he stopped his criminal behavior. He apologized to the Jackson family and seeks their forgiveness.

CRIMINAL HISTORY

Prior to his conviction in this case, Mr. Grant was convicted of Burglary and Armed Robbery in 1976 in Illinois. He was also convicted of Armed Robbery in federal court, which also occurred in 1976. Mr. Grant served 4 years in Wisconsin and was paroled in 1980.

There was an additional Obstructing a Peace Officer charge, which Mr. Grant says occurred because a friend was being arrested and beaten by police. Mr. Grant stated that he only told police they didn't have to hit his friend.

INSTITUTIONAL ADJUSTMENT

At the time of the crime, Mr. Grant was 21 years of age. He had dropped out of high school, but had joined the Marines. He married before leaving for the Marines, and his wife gave birth to a daughter. He was stationed in Okinawa and then on the USS Cleveland. While he was overseas, his wife gave birth to their son, who was born with hydrocephalous (water on the brain). Mr. Grant was given an honorable discharge in 1974 to help care for his son. However, Mr. Grant had suffered a knee injury during basic training that continues to affect him today. He indicated that he lost his job due to this injury, and that he started committing burglaries and robberies after that occurred. He stated that he was unemployed and under the stress of trying to provide for his family. He says he was making bad decisions due to his immaturity. He was divorced in 1984.

Mr. Grant has an excellent institutional adjustment. He is in A Grade, Level 3 minimum security, at Dixon Correctional Center. He has earned an Associate of Arts Degree and an Associate of Applied Science Degree. He has also earned certificates in Business Management, Construction Occupations, and Photographic/Graphic Arts. He has served as a Violence



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Prevention Peer Facilitator from 2008 to 2016 and has completed Lifestyle Redirection and Anger Management.

Mr. Grant has received only four major and eight minor tickets since 2002, none of which involved violence. One of the major tickets was in 2017, for taking two pieces of chicken and 18 slices of bread.

Mr. Grant currently is assigned as an Administration Specialist in the Print Shop. His counselor noted that Mr. Grant is always be willing to assist staff, regardless of the duty, stating that “[Mr. Grant] has always remained active with work assignments and bettering himself by getting an education, completing programs, volunteering, and learning skills to become a productive citizen. He is respected by both staff and inmates and displays himself as a model inmate.” On the SPIN assessment, Mr. Grant scored very low on the overall risk assessment.

With regards to his current health, as mentioned above, Mr. Grant injured his knee during basic training and continues to have problems with that knee. He is hoping to have knee replacement through the Veteran’s Administration (VA) when he is released. Otherwise, he is in good health, except for cataracts.

#### PAROLE PLAN

Mr. Grant has been approved to reside at St. Leonard’s House. He plans to get his knee surgery through the VA and will pursue work in the construction industry upon his release. He plans to stay at St. Leonard’s for 12 months and then move to St. Andrew Court Apartments, which is affiliated with St. Leonard’s. While at St. Leonard’s, he would participate in classes that include life skills, addiction treatment and counseling, employment readiness, anger management and financial planning.

He has already prepared a resume in anticipation of becoming a productive citizen and would also access services of Veteran’s Employment at the Illinois Department of Employment Security. Additionally, he would receive support from his sister and other family members, with whom he has kept in contact over the years. Communication has been made through calls and letters, as he did not want to expose them to the prison environment, because he was the one who put himself in prison. As previously noted, Mr. Grant is divorced and has 5 children.

#### OPPOSITION TO PAROLE RELEASE

There continues to be, as there has been in the past, strong opposition to releasing Mr. Grant on parole. Letters from family members of the victim have been received every time this case comes up for consideration.



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EN BANC HISTORY

At the time of Mr. Grant's hearing in 2018, there were six votes in favor of granting parole release. Previously, Mr. Grant received two votes in 2017, one vote in 2016, three votes in 2014, and four votes in 2009.

DISCUSSION

Summary of discussion for parole consideration:

Motion to go into Closed Session to discuss victim statements (VM—PF). Leave.

Motion to return to Open Session (VM—CF). Leave.

Ms. Crigler commented that Mr. Grant is a pleasant person and further noted that all he wants is to be a good father. She advised that he has done everything in his power that he can to change his life.

Mr. Brink noted that Mr. Grant has a strong institutional adjustment, which includes mentoring other inmates.

Mr. Fisher advised the Board that he cannot support shooting a police officer, and the fact that Mr. Grant put the gun up against a security guard's head additionally concerned Mr. Fisher.

Mr. Shelton stated that he felt as though Mr. Grant's account of the incident was a ridiculous story, as Mr. Grant stated that he had armed himself simply to return to the store and have a conversation with the victim.

Mr. Fisher requested to know if Mr. Grant was ever charged with shoplifting. Ms. Martinez stated that there were no shoplifting charges noted in his file.

Mr. James commented that he could not support parole for an individual who would shoot a police officer.

Chairman Findley spoke to the advantages to having people of different perspective on the Board.

The Peoria County State's Attorney's Office filed a letter in opposition to any grant of parole release to Mr. Grant.

Ms. Martinez stated that she found Mr. Grant to be remorseful and truly sorry for what he had done. She commented that he is ashamed of what he did and has done everything he can to



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change his life. Ms. Martinez noted that he has served over 37 years in prison and has done everything he can to prepare himself for a law-abiding life. She also advised that he has a very solid parole plan and is very low risk for reoffending.

**DECISION AND RATIONALE**

Motion to grant parole (VM—AMP). Motion prevails by a vote of 11–3. Members voting in favor of the motion were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Ms. Harris, Mr. James, Ms. Martinez, Ms. Perkins, Mr. Shelton, Ms. Wilson and Chairman Findley. Mr. Fisher, Mr. Ruggiero, and Mr. Tupy dissented.

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

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



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***EN BANC* MINUTE SHEET**  
**OPEN SESSION— April 25, 2019**

Inmate Name: **LEON BOLTON**

IDOC Number: **C01871**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on April 25, 2019, at the 8:00 a.m. session to discuss and deliberate parole eligibility for Leon Bolton C01871.

Members present were Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Mr. Fisher, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, Ms. Wilson, and Chairman Findley.

Recording Secretary: Janet Crane.

**PRESENTATION OF INTERVIEW AND FILE**

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

A parole consideration interview was conducted with Leon Bolton C01871 at Western Correctional Center. Mr. Bolton's sister also appeared at the interview on his behalf. Mr. Bolton is a 66-year-old male with a date of birth of October 30, 1952. He was sentenced to 90-150 years for Murder. He appealed his case and was granted a retrial. During the retrial, he was again convicted and once again sentenced to 90-150 years in the Illinois Department of Corrections. His discharge date is April 20, 2039. It should also be noted that in 1996 he was also convicted of Bringing Cannabis into a Penal Institution, for which he received an additional sentence of 2 years in IDOC.

**STATEMENT OF FACTS**

On December 15, 1970, Mr. Bolton, along with Charles Marshall, Leo Collins, Tommy Watkins, and a juvenile went to the home of Bernice Vanzant. All the members of the group knew Mrs. Vanzant and also knew that her husband was deployed overseas in the military, serving in Vietnam. The young men entered the home and talked with Mrs. Vanzant. Her children were in the other room. The men then dragged her into an adjoining bedroom and raped her. They then gagged and blindfolded Mrs. Vanzant, dragged her across a field into a wooded area near her home, and shot her six times. She was shot five times with a .38 caliber handgun and once with a .22 caliber rifle. She was shot twice in the head, twice in the back, and twice in the hips. The men then left her body in the woods and went back to her home, where they stole food stamps from her purse, which they cashed the following day. Mrs. Vanzant's body was found by her family on December 20, 1970.



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On December 16, 1970, Mr. Bolton, along with his colleagues, robbed a bread truck driver. After robbing him, the men beat the truck driver and then shot him in the head. The truck driver survived the attack. The police found that the bullet from the truck driver was fired from the same gun that shot Mrs. Vanzant. This finding was also used by the police to establish the identities of these men. Witnesses from the attack on the truck driver also identified the perpetrators.

#### INSTITUTIONAL ADJUSTMENT

Mr. Bolton was 18 at the time of the Murder of Mrs. Vanzant. He is currently a medium escape risk and is in A grade status, which he has been in since June 3, 2013. Mr. Bolton has had no disciplinary tickets since 2013.

IDOC records Mr. Bolton as a member of the Gangster Disciples. Mr. Bolton states that he is no longer in a gang, but that IDOC refuses to acknowledge that change in membership.

Mr. Bolton has worked several jobs during his incarceration and has completed two years of college. He has strong support from his family, with at least 585 visits during his incarceration.

With regards to his health, Mr. Bolton's overall health is good, although he suffers from diabetes, hypertension, and nephropathy.

Mr. Bolton's SPIN assessment risk is High with High protective factors. Mr. Bolton does not remember the assessment and disagrees with its conclusions.

#### PAROLE PLANS

Mr. Bolton's parole plans are to live with his nephew in Chicago. He has strong support letters from his family. His sister says he has grown up, and she noted that his father died when he was ten, and that Mr. Bolton did not have his father's support while growing up. She also noted that Mr. Bolton was remorseful.

#### OPPOSITION TO PAROLE RELEASE

There are numerous past letters of protest from the Kankakee County State's Attorney's Office, which has consistently requested that Mr. Bolton be denied parole.

#### EN BANC HISTORY

Mr. Bolton has never received a vote in favor of granting parole release parole from any Member of the Board.



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**DISCUSSION**

Summary of discussion for parole consideration:

Mr. Tupy noted that Mr. Bolton stated that he dropped his gang membership as of 2000, although that fact has not been noted in IDOC records.

Assistant Attorney General Samantha Hodapp requested a 90-day stay of any grant of parole to Mr. Bolton, in order to allow time to have Mr. Bolton evaluated for possible designation as a sexually violent person.

Mr. Tupy also stated that Mr. Bolton feels as though his anger issues were a result of his father leaving his family. Mr. Tupy noted that Mr. Bolton does feel remorseful for his actions and does admit to having the weapon. Mr. Tupy further commented that Mr. Bolton spoke eloquently and has shown lots of improvement over his time in prison. Mr. Tupy concluded, however, by stating that he was unable to support the parole of Mr. Bolton at this time, due to the nature of his crime.

**DECISION AND RATIONALE**

Motion to deny parole (KT—DS). Motion prevails by a vote of 14—0. Leave.

After thorough consideration of Mr. Bolton's case, the Board voted to deny parole. The Board finds that a release at this time would not be in the interest of public safety, as there is a substantial risk that Mr. Bolton would not conform to reasonable conditions of parole release, and that a parole release of Mr. Bolton at this time would deprecate the serious nature of his offense 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."*