



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

EN BANC MINUTE SHEET
OPEN SESSION—August 25, 2021

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following offenders:

C68880	Aaron Hyche
L01404	Eddie Pitts
N83198	James Nelson
C10244	Thomas Fuller
C71583	Theodore Ross
M54916	Deshaune Porter
A25050	Joseph Barnes
C90220	George Phillips

The meeting was called to order by Chairman Findley.

Roll call was taken by Recording Secretary Kim Morrison and Andrea Hegland.

<u>MEMBER</u>	<u>PRESENT</u>	<u>ABSENT</u>
Mr. Jared Bohland	X	
Mr. Max Cerda	X	
Ms. Edith Crigler	X	
Ms. Lisa Daniels	X	
Mr. Oreal James	X	
Ms. Virginia Martinez	X	
Mr. Jeff Mears	X	
Mrs. Aurthur Mae Perkins	X	
Mr. Joseph Ruggiero	X	
Mrs. Drella Savage	X	
Mr. Donald Shelton	X	
Mr. Ken Tupy	X	
Ms. Eleanor Kaye Wilson	X	
Chairman Craig Findley	X	



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14 Members Present

The Board heard and voted upon the cases of Aaron Hyche, Eddie Pitts, James Nelson, Thomas Fuller, Theodore Ross, Deshaune Porter, Joseph Barnes and George Phillips as detailed in the individual case minutes.

Meeting was adjourned (VM—DShelton). Leave.

***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **AARON HYCHE**

IDOC Number: **C68880**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Aaron Hyche C68880.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

On July 29, 2021 at Dixon Correctional Center Mr. Aaron Hyche along with his attorneys Molly Crane and Carolyn Klarquist were present for the interview. Topics discussed were family history, parole plans, institutional adjustment, criminal history and offenses.

On the above date and time Mr. Hyche, along with his attorneys Molly Crane, Carolyn Klarquist and myself met in a private room in the visiting room area at Dixon CC. Due to the ongoing Covid-19 pandemic myself along with counsel were seated at a table that had clear plexin glass dividers and all wearing proper mask as mandated by IDOC protocol. Mr. Hyche was brought into the room in a wheelchair where he remained throughout the interview.



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After brief introductions Mr. Hyche presented himself in an appropriate manor and spoke very softly with noticeable difficulty with constant drooling underneath his mask and keeping his throat cleared so he could talk where he could be heard and understood. Mrs. Crane began by talking with Mr. Hyche and asking him questions about his past few weeks or so, since she had communicated with him last and how things were going. Mr. Hyche's responses were vague and hard to understand at times, but he remained calm and answered any question asked of him to the best of his ability. I began to communicate with Mr. Hyche asking questions about the work he did before his incarceration and he explained the work he performed at the ACME Resin Company in 1975-76 and that it took some detailed training and skill to do that sort of work and that he did enjoy it. I then asked how his past few days had been and how he thought his treatment in the HCU was and he replied "it is ok", Then I asked Mr. Hyche if it would be ok if I ask him some questions about the day that he and his friend James Taylor were pulled over by trooper Davis in March of 1976 and he politely agreed and began to tell the story, he had difficulty with remembering exactly where he was in telling the details of his story several times but with assistance from his counsel when needed he was able to continue with his account on what happened on that day . One of the main points he said he remembered was how scared and confused he felt when he saw the altercation between trooper Davis and Taylor began and that when he exited the car to go and help his friend things just happened after he seen the trooper put his gun to Taylors head he panicked and fired the gun at Mr. Davis but didn't recall how many times he shot him. When asked about firing the gun at Mr. Honn the bystander who pulled over to assist, he really couldn't recall that very clearly but did not deny the action. Several times during talking about the crime that took place Mr. Hyche was a bit emotional and expressed his remorse concerning the crime and the murder of trooper Davis. The remaining details of that day were hard for him to recall other than they got back in the car and left the scene of the shooting.

STATEMENT OF FACTS

On March 18, 1976, State Trooper Layton Davis stopped an automobile for speeding on an interstate highway. Defendant and James Taylor, the occupants of the car, became involved in an altercation with the trooper, who had been informed by State authorities that an arrest warrant for defendant was outstanding. Herman Honn, a passing motorist, witnessed the altercation, stopped his vehicle, and went to help the trooper. Before he could render any aid, defendant shot the trooper three times. The trooper died of his wounds. At least two shots were fired at Honn as he hurriedly returned to his vehicle and sped away. Honn left the highway at the first available exit and notified the State police of the incident by telephone. A short while after the trooper's death, a second motorist, Anna Mae Feldhake, saw defendant and his companion near a car in a ditch off a county road. The motorist stopped to offer them her assistance. The men forced her into the back of her car and drove off. Defendant and Taylor were arrested following a high-speed chase and an attempt to avoid a roadblock. Taylor's mother testified at defendant's trial that, four days following the trooper's death, defendant telephoned her and stated that he had killed a State trooper.



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MR. AARON HYCHE'S VERSION OF THE OFFENSE

One of the main points he said he remembered was how scared and confused he felt when he saw the altercation between trooper Davis and Taylor began and that when he exited the car to go and help his friend things just happened after he seen the trooper put his gun to Taylors head he panicked and fired the gun at Mr. Davis but didn't recall how many times he shot him. When asked about firing the gun at Mr. Honn the bystander who pulled over to assist, he really couldn't recall that very clearly but did not deny the action. Several times during talking about the crime that took place Mr. Hyche was a bit emotional and expressed his remorse concerning the crime and the murder of trooper Davis. The remaining details of that day were hard for him to recall other than they got back in the car and left the scene of the shooting.

CRIMINAL HISTORY

Mr. Hyche has a history of armed robbery that dates back to 1966.

INISITUTIONAL ADJUSTMENT

Mr. Hyche is on A Grade low escape risk, security and classified as medium security. He also has various achievements during his incarceration. He has held various job placements in the facility such as being a Janitor. He also has reached several educational achievements such as receiving an Associates in Arts Degree at Joliet Junior College in 1985, a paralegal certificate from Roosevelt in 1996 and a bachelor's degree in 1996.

The disciplinary record shows an extensive history of rule violations with major and minor infractions. However, Mr. Hyche has received only one ticket in the last year.

PAROLE PLANS

Aaron will return to his loving and supportive family, and will be able to access all of the medical care he so desperately needs. Mr. Hyche's brother, Larry Hyche, agrees to welcome him into his home and ensure Mr. Hyche receives the medical care he necessitates. Larry owns his home, which is wheelchair accessible. Additionally, his sister, Carol Dean, is willing to welcome Mr. Hyche into her home, and his sister, Charlotte Grady, is willing to do the same—both in Chicago. Also, Mr. Hyche was welcomed into IMAN's Green Re-Entry housing program, as well as Precious Blood Ministry of Reconciliation's (PBMR) housing program. Both provide comprehensive healthcare support and case management.



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OPPOSITION TO PAROLE

Present Protestors

Victim / Witness Coordinator Effingham County SA Office and other community members

Past Protestors

Effingham County State's Attorney
Petitions signed by hundreds of citizens in the past.
Illinois State Police
Fraternal Order of Police
Police Benevolent & Protection Association
Illinois Police Association
Gold Star Families

EN BANC HISTORY

Mr. Hyche received several three-year sets from the Board. He received two votes in 2020.

DISCUSSION

Summary of discussion for parole consideration:

All board members discuss if parole would deprecate the seriousness of the offense and promote disrespect for the law. There is a discussion on the difference between a Medical Furlough and Parole. Mr. Sweat explains differences and IDOC process. Board members discuss the significant criminal history and how Mr. Hyche was on a five day leave when he overpowers the trooper and shoots at bystanders. It is stated that Mr. Hyche's regard for life was zero at the time of the offense and how he treated the victim. Also discussed were the most current disciplinary reports and if Mr. Hyche's health was a contribution to those reports. All members discuss Mr. Hyche's health and being able to die with dignity at home.

Mr. Hyche's counsel stated there is no risk if he is paroled. She stated that he needs care that the facility cannot provide. She stated that at the time of the offense he submitted peacefully, victim did not have any injuries, and was told that he would not harm her. Counsel contends that his health contributed to the most recent tickets. Mr. Hyche's counsel also stated that because of his devout faith that he is remorseful and takes accountability for his actions. Mr. Hyche has mentored over 100 people in 45 years. Mr. Hyche's counsel stated that his life expectancy is 1-year and he is a 70-year-old man in a wheelchair.



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Some members discuss that Mr. Hyche is not the same person that he was. He will not be a free person; he will be trapped in his own body. Members stated that just because his actions were so horrendous, should not mean he does not deserve to die with dignity. Other members discussed that he was not being completely honest about the crime and noted that he cannot be remorseful if he is not completely honest. They discussed that the crime happened during a 5-day furlough and that Mr. Hyche discussed how he was going to dispose of the body in front of the victim. Members also noted that not all of his most recent tickets were due to his health.

Mr. Brian Keebler, Effingham County State's Attorney, along with 3 police officer were there to represent the police and the community. Mr. Keebler stated that the community and police department cannot support parole. Mr. Hyche was on a five-day furlough, killed a trooper, kidnaps another victim, and shoots at another. Mr. Keebler stated that the officer died without dignity. Mr. Keebler also stated that he takes all of the impact statements. The 18-year-old, kidnapped victim still goes in every year to make her statement and the horror is still there. She relives this horror even after 45 years. Mr. Keebler stated that Mr. Hyche still defies the rules and noted the disciplinary tickets. Mr. Keebler stated that Mr. Hyche has no regard for human life, please do not release.

DECISION AND RATIONALE

Motion to deny parole (JM—DShelton). Motion prevails by a vote of 8–6. Members voting in favor of the motion were Mr. Bohland, Mr. Cerda, Mr. James, Mr. Mears, Mr. Ruggiero, Mr. Shelton, Mr. Tupy and Chairman Findley. Ms. Crigler, Ms. Daniels, Ms. Martinez, Mrs. Perkins, Mrs. Savage, and Mrs. Wilson dissented.

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

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **EDDIE PITTS** IDOC Number: **L01404**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Eddie Pitts L01404.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

Mr. Eddie Pitts L01404 was interviewed at Dixon Correctional Center in April of 2021. Present for the interview was Mr. Pitts and his attorneys; Carolyn Klarquist and Miriam Sierig both Pro Bono Counsel on behalf of The John Howard Association. Mr. Pitts projected release date is December 24, 2117, with a maximum release date of December 24, 2120.

Mr. Pitts is currently on A-grade, classified as Low Escape Risk at Dixon Correctional Facility where he has been since August 3, 2011. Date of Birth: July 1, 1952 (69 years-old). Mr. Pitts is serving is currently serving a 150-300 sentence for first-degree murder.

Mr. Pitts overall health is good for a man of 69. Mr. Pitts is housed in the general population since his arrival at Dixon in August of 2011. Mr. Pitts' brother Jesse reports that the inability to receive visitors has been difficult for him, but otherwise he seems to be doing well overall.

STATEMENT OF FACTS

On November 30, 1976, Mr. Pitts fatally stabbed Jerry Keane, an employee of People's Gas Company, who was checking on a possible gas leak at the home where Mr. Pitts was staying. It was determined that Mr. Pitts was able to fully appreciate the criminality of his offence, retained an understanding of the nature and purpose of the criminal proceedings against him, and that he had the ability to cooperate with his counsel. A jury rejected an insanity defense and found Mr. Pitts guilty of first-degree murder for which he was sentenced to 150 to 300 years' imprisonment.



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MR PITTS' STATEMENTS AS TO THE OFFENSE

During our interview Mr. Pitts' had very little to share as it related to the crime that took place. When asked, his only comment was, "my intelligence was sick when I caught this case".

CRIMINAL HISTORY

Mr. Pitts had two arrests prior to this his 1979 conviction. 1) In January 1975 (age 23) for unlawful use of a weapon for which he pled and received 1-year probation; 2) In April 1976 (age 24), for assault; these charges were later dismissed.

INISITUTIONAL ADJUSTMENT

Mr. Pitts life in prison revolves around the things that he cares about: nature, exercise, and trying to understand the law. When allowed, Mr. Pitts likes to be outside in the prison yard. While incarcerated, he has worked as a groundskeeper, dishwasher, and painter. During the last 23 years, Mr. Pitts has received eight major tickets and approximately 15 minor tickets.

Throughout the 44 years of his incarceration, he has had the unwavering support of his large family, who care for him and want to see him return home. In particular, his brother Jesse Pitts in Chicago, his niece Willie Mae Wade in St. Louis, and his nephew Gene Pitts in Mississippi, have provided a strong support system for Mr. Pitts while he has been in prison and they look forward to supporting him if he is granted parole. Mr. Pitts also has many more nephews and nieces who are ready to step in and support Mr. Pitts as well, including a grand-niece who works for the Mississippi Department of Corrections. The family loves Mr. Pitts very much and they would like the Board to know that should he be granted parole they will be there to ensure that he has a successful transition back into society.

PAROLE PLANS

Mr. Pitts has been tentatively accepted for admission at St. Leonard's Ministries in Chicago, Illinois. St. Leonard's Ministries provides interim housing and supportive services for formerly incarcerated men returning to the community from Illinois prisons. Additionally, his brother Jesse lives nearby in Batavia, Illinois and plans to see Mr. Pitts whenever possible.



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DISCUSSION

Summary of discussion for parole consideration:

Mr. Pitts counsel stated that a placement to St. Leonard's was recently denied. He has a nephew in Indiana that he would be able to parole to, this would need to be approved by Corrections and interstate compact. He been incarcerated for 45 years with no violent disciplinary tickets. Mr. Pitts needs placement where he can be assisted. They want a placement that he can be successful. He is very self-aware and not resistant to help. He needs supervision and structure. There was concern that he is not getting the proper medical help at Dixon and that his needs his ability to get proper placement. He is entitled to treatment. Board members were concerned that Mr. Pitts wouldn't be successful on parole without the proper help. He needs a strong parole plan. Members did not want to experiment on how someone will respond in the community. It was felt that he needed a better parole plan that included mental health concerns.

DECISION AND RATIONALE

Motion to deny parole (LD-OJ). Motion prevails by a vote of 11–3. Members voting in favor of the motion Mr. Bohland, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Tupy, and Mrs. Wilson. Mr. Cerda, Mr. Shelton and Chairman Findley dissented.

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

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **JAMES NELSON**

IDOC Number: **N83198**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for James Nelson N83198.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

Mr. James Nelson N83198 is a 71-year-old (DOB 5/26/50) male serving a Life sentence out of Cook County for First Degree Murder. He has been in custody 34 years since December 1986. According to the most recent Offender Overview from the Illinois Department of Corrections Mr. Nelson is classified as A-Grade status, Medium Security and he is not an escape risk. Mr. Nelson's last visit was in 2016 from his sister and brother-in-law. He appears to receive regular financial support from his sisters and daughter.

Mr. Nelson was interviewed on July 8, 2021 via video conference by Board Member Ruggiero. Also present on the video conference was the sister of Mr. Nelson, Gwendolyn Williams. Mr. Nelson was sworn-in at 9:30 AM. After his most recent executive clemency petition the Governor commuted his sentence from life with no parole, to life with a possibility of parole. This was his first interview by the Board.

STATEMENT OF FACTS

Mr. Nelson married Teresa Perry in August of 1984. She had several children prior to this marriage, including Nathaniel, Robert, and Patrice Perry. On December 15, 1986, Teresa Perry lived in an apartment at 6215 S. Wabash in Chicago and had been separated from Mr. Nelson for about three weeks. On Monday, December 15, 1986, at 12:30 p.m., 16-year-old Nathaniel Perry was at his mother's apartment while she was away. He was there with a few friends and his brother Robert.



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Robert Perry, the brother of Nathaniel, left the apartment about 12:45 p.m. to go to the store. He returned 30 minutes later. At about 1 p.m. Mr. Nelson, who still had a key to said apartment, banged on the apartment door. Nathaniel looked out the peephole and announced that the Mr. Nelson, (his Mom's estranged husband) was at the door with a gun and that everyone should hide. The Mr. Nelson entered while armed with a .38 caliber handgun and confronted the victim Nathaniel Perry. Mr. Nelson ordered Nathaniel to "Come out from there," and asked where his car was. Nathaniel replied, "I don't know nothing about your car." Mr. Nelson then accused Nathaniel of stealing the car. Then he told Nathaniel to find out who stole the car. Nathaniel stated that he did not know. Mr. Nelson then said, "I am fixing to blow your brains out." and shot Nathaniel in the face. One of the teenagers ran out of the apartment and called the police.

Mr. Nelson then left the apartment and one of Nathaniel's friends locked the door and watched him through the kitchen window as Mr. Nelson entered apartment 907. Mr. Nelson was "smiling, laughing like it was a joke" when the police took him out of the apartment building. One of Nathan's friends yelled at Mr. Nelson and Mr. Nelson threatened him by saying that if he had caught him, he would be dead too.

When Nathan's brother Robert Perry returned to the apartment from the store, he found Nathaniel shot through the eye and lying on the bedroom floor.

Chicago police sergeant John Kelly testified that he investigated the shooting and saw Nathaniel Perry's body which appeared to have sustained a shot in the eye. Kelly testified that he was informed that Mr. Nelson, who shot the victim, was in apartment 907. When sergeant Kelly went to the apartment, he found Mr. Nelson sitting on a kitchen chair. He saw a pistol under the chair in which he sat. Kelly advised Mr. Nelson of his Miranda rights and Mr. Nelson responded by saying, "Is that sucker still alive, is he dead yet." Kelly further testified that Mr. Nelson said, "I don't want to go through this business for nothing. I did society a favor by killing him and getting him off the block." Kelly also testified that Mr. Nelson appeared to have been drinking.

Officer John Blackman accompanied Kelly to apartment 907 and he testified that he found Mr. Nelson sitting on a kitchen chair. Blackman recovered a five-shot, .38 caliber gun from underneath Mr. Nelson's chair. The gun had four live rounds and one empty chamber. After Mr. Nelson was advised of his rights, Blackman heard Petitioner say, "I know all of that shit; business is business; hell, I done the community a favor by killing him." Officer Charles Cleveland testified that he searched Mr. Nelson in the interview room at the police station. During the search an expended shell case fell from Mr. Nelson's pants, and Mr. Nelson put the casing into his mouth and attempted to swallow it. Officer Cleveland, however, was able to recover the casing from Mr. Nelson's mouth.

At trial, Mr. Nelson testified. He testified that he married Teresa Perry in August 1984, and had disagreements with her son, Nathaniel Perry. Mr. Nelson testified that on December 15,



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1986, he had three or four shots of whiskey and a beer with friends and then went home. He stated that he was not intoxicated. Mr. Nelson denied knocking on the door of the apartment because he lived there and had a key. He testified that his purpose in going to the apartment was to see if Robert Perry went to school that day. Mr. Nelson admitted that he had a gun but maintained that it was in his pocket. Mr. Nelson testified that after entering the apartment, he walked into a bedroom, heard something behind him, pulled out the pistol, turned around, saw a figure and fired over his shoulder. Mr. Nelson stated that he was not looking for Nathaniel Perry and never intended to kill him. Mr. Nelson claimed that he did not recognize the person before shooting his gun, but when he saw who it was, he went to his friend's apartment to call for help. There Mr. Nelson put the gun on the floor and sat down.

Process through the system:

1988 - Bench Trial - Guilty. Life after finding of Exceptionally Brutal and Heinous

1991 - Appellate Court Affirms.

1992 - Appellate Court Affirms Dismissal of Post-Conviction Petition

2000 - 2-1401 Petition filed for relief of Judgement. - Dismissed.

2005 - Inmate files Post-Conviction Petition. The Appellate Court affirmed dismissal.

2006 - Post-Conviction Petition filed and dismissed.

2010 - Pro Se motion for successive post-conviction Petition. Denied.

MR NELSON'S STATEMENTS AS TO THE OFFENSE

Mr. Nelson was asked to clarify his versions of events as his trial testimony conflicted with his post-trial testimony and his versions in subsequent petitions for clemency. His latest version was that he shot over the victim's head in an attempt to scare the victim and accidentally hit the victim. He had stated his trial testimony was false and he was asked why he lied in court. Mr. Nelson stated he lied in court because his attorney told him his true story was not going to work. He said that he went over to the apartment because he lived there. He denied there was any separation. Mr. Nelson said he just was spending time away for a few days prior to returning to the apartment the day of the shooting. He said when he went to the apartment, he was not aware anyone was there.

Mr. Nelson said that the victim was kicked out of the house the week before for being a troublemaker. He said a week before the shooting, the victim and his friends tried to kick the door down to get him, and then went downstairs and stole the car. They had beat him up before that. He denies now that he saw anyone else in the apartment. He was confronted with a statement he made in 1995 while being evaluated for a Psych report. He claimed his stepson and gang bangers were coming at him and he acted in self-defense when he shot the victim. He admitted during the interview in 2021 that he made that statement, but now claims he only saw the victim and just shot over the victim's head just to scare him.



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CRIMINAL HISTORY

1/25/69 - Theft of Services. Conditional Discharge.
2/14/74 - Theft
10/16/75 - Theft
2/21/76 - DUI
5/15/79 - Battery
7/9/79 - Battery
8/15/84 - DWLR

INSTITUTIONAL ADJUSTMENT

Mr. Nelson has been incarcerated in the Illinois Department of Correction since 1988. He spent some time protective custody because he had run-ins with gang culture. He claimed the victim's father was a vice lord, so that gang was after him. He then stated he signed out of protective custody in 2008.

He stated that his work history in the department of corrections include:

Chapel in 1988 for less than a year, then signed into Protective Custody.

While in Pontiac he worked in the X- house for 6 months in 1990 in orientation.

In 1997 he worked in the hospital. In 1998 he worked as a runner, 1999 he worked in the chapel, in clothing house for a couple years to 2002. In 2005 he worked in the law library until 2008. In 2010 he went back to the law library until 2014. He worked on the kitchen floor crew in 2016. He worked in the law library and kitchen until he got COVID in 2020. Then they wanted him back to work but he couldn't take it.

He claims he accomplished the following while incarcerated:

Class called Freedom from Fear in 2020; Lifestyle Redirection in 2017; attended N.A. and A.A., a Paralegal Course, and ongoing Bible Study.

Mr. Nelson supplemented the interview by forwarding the Board college classes he completed in 1994 at MacMurray College.

He was asked to explain some of his disciplinary issues and stated the following:



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In 2003 his cellmate wrote letters that Mr. Nelson was making sexual advances. Mr. Nelson was then moved. He says a Lieutenant saw him moved and didn't believe the Mr. Nelson when he said he had been moved, so the lieutenant wrote him up.

In 2005 he had fights while in protective custody. He claimed a gang member was being aggressive and said Mr. Nelson was a bitch. Mr. Nelson said, "that's not in me and it came to that". He stated he was not a pacifist when he was locked up and not a pacifist when this happened. He claimed the same kind of thing happened in 2010.

Mr. Nelson has had many achievements such as six hours of College in 1994-95 at MacMurray College, Jacksonville, IL. He has been assigned to the Law Library since 1/15/21. He was previously assigned to the Inmate Kitchen from 1/17/19-1/17/20 and from, 12/10/20-1/15/21.

Mr. Nelson has had approximately twenty-two (22) disciplinary tickets during his incarcerated. He has been placed in segregation five (5) separate times. The most recent incident that led to segregation was in 2010 for fighting. His last IDR was on August 15, 2015 for Insolence and abuse of privileges in which he received a verbal reprimand

When asked about his parole plan, he stated he will get social security and live with sister until he gets independent housing. He also wants to do volunteer work at a humane society.

The only memories of his criminal history that he recalls are in 1974 he stole a watch band and in 1979 he was arrested for Battery when his two sisters got into an altercation while one owned a beauty salon and house across the street. He said he broke up the fight and he got arrested.

Mr. Nelson claims he has had a lot of time to reflect, he realizes life is a cherished commodity and has a totally different outlook. He has sons, grandkids and great grandkids. He wants to see and spend time with them. He wants to pass on knowledge onto other people. He looks forward to spending time and helping with his sister. He wants to be a contributing citizen.

PAROLE PLANS

His plan is to live with his sister Gwendolyn Williams and collect social security. His recently filed petition states he has "pending applications at St. Leonard's Ministries and IMAN (Inner-City Muslim Action Network), where he can receive reentry services." Mr. Nelson's sister, Gwendolyn Williams and her husband provide a strong family support system for the petitioner



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OPPOSITION TO PAROLE RELEASE

While the Cook County State's Attorney's Office filed a strong objection in January of 2019 to a commutation of his sentence from Life to the possibility of parole, there has been no objection received to date related to this parole petition from the Cook County State's Attorney's Office.

EN BANC HISTORY

This is Mr. Nelson's first time up for parole as his mandatory Life sentence was recently commuted to give him the possibility of parole. In 2019 Mr. Nelson sought a commutation to 40 years. It was his fourth request as he sought the same in 2005, 2012, and 2016.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Nelson's counsel discussed a 2002 disciplinary ticket. Counsel stated that Mr. Nelson was 35 years old at the time of the offense and does not have a history of domestic violence. He is extremely remorseful and has spent half of his life in custody. It is stated that the offender was intoxicated, had a firearm and wishes he could go back in time. Offender is 71 years old and in very good health. Counsel stated that he is a hard worker, has held many jobs and would like to continue to work if paroled. He has a supportive family and wants to parole to his sisters' house who is retired.

Board members discuss post-conviction stories are all different. Members discuss if Mr. Nelson was intoxicated and that intoxication is not an excuse for violence. Mr. Cerda stated that the road to redemption is being truthful and Mr. Nelson is not being truthful.

DECISION AND RATIONALE

Motion to deny parole (JR—DShelton). Motion prevails by a vote of 13-1. Members voting in favor of the motion were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson. Chairman Findley dissented.



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

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **THOMAS FULLER** IDOC Number: **C10244**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Thomas Fuller C10244.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

Thomas Fuller C10244 was interviewed on July 20, 2021, at Graham Correctional Center by Mr. Tupy of the Prisoner Review Board. Mr. Fuller is 71 years old and appeared to be healthy at the time of the interview. Mr. Fuller was attentive and was fully cooperated during the interview.

STATEMENT OF FACTS

On April 27, 1968, Mr. Fuller shot and killed five people with a .22 caliber pistol. The victims were Louis Cox, Theresa Jean Cox, Mary Catherine Cox, Gary Lee Cox, and Kenneth Cox. The victims were all siblings of Louise Cox, who was the 17-year-old girlfriend of Mr. Fuller. Louis was the twin brother of Louise, and he was the oldest son.

Mr. Fuller pled not guilty and raised the defense of insanity. The court appointed three experts to examine Mr. Fuller, in order to determine whether he was competent to stand trial. Mr. Fuller was found competent to stand trial and was ultimately convicted of five counts of Murder, with one count for each of the five children of the Cox family. On December 10, 1968, Mr. Fuller was sentenced to 70-99 years, with three counts of Murder to be served concurrently and two counts of Murder to be served consecutively, for a total of 140-198 years.

Mr. Fuller appealed his case, which the Appellate Court denied, and the Illinois Supreme Court declined to hear. Mr. Fuller's prior request for Executive Clemency was also denied.



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MR. FULLER'S STATEMENT AS TO THE OFFENSE

Mr. Fuller stated he had a dislike for Louis Cox and the Cox family, because of their opposition to his possible marriage with Louise Cox and because he believed they mistreated her. Mr. Fuller stated that he had been dating Louise Cox. Mr. Fuller further stated that he would go to Louise's home every weekend to visit, take target practice, and get away from his mother, who was very dictatorial to him.

Mr. Fuller stated his father was an optometrist and a veteran. Mr. Fuller related that at the end of the third grade, the family moved to Maine, but his father could not find work, so he moved back to Texas. Mr. Fuller stated his parents legally separated when he was 17 years old, and he stayed with his mother afterwards. Mr. Fuller stated that both of his parents later remarried, and he subsequently had a stepbrother.

Mr. Fuller stated that he kept a journal when he was young, that in the journal he displayed himself to be a person with a lot of anger toward his family, with "pent-up" feelings regarding the Cox family. Mr. Fuller confessed in his journal his plan to dispose of the Cox family, and that he and Louise would go to Canada. Mr. Fuller felt as though the Cox family were not fairly treating Louise. The journal was used in Mr. Fuller's psychological evaluation.

Mr. Fuller stated that shortly before the incident Louise got into an argument with her twin brother Louis and the other children ganged up on Louise, he tried to help but the parents prevented him from helping Louise. He decided to kill Louise siblings and went over to the Cox household under the pretext of target practice. They went behind the barn where he shot Louis (age 16), Gary (age 7) and Kenneth Cox (age 5). He went into the house where he got a glass of water and became concerned the two young girls would find the bodies of their brothers. He then asked Theresa (age 9) and Mary Cox (age 8) to go back behind the barn for more target practice where he then shot the two girls killing them. He then left the house and was arrested a short time later in town.

Mr. Fuller stated that he sincerely regrets his actions.

CRIMINAL HISTORY

Mr. Fuller has no prior criminal history.



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INSTITUTIONAL ADJUSTMENT

In 1968, Mr. Fuller was assigned to Stateville Correctional Center. He was transferred to Menard in 1969 and transferred to Graham in 1980, where he has since remained. In Menard, Mr. Fuller completed a Randolph County Diploma, was in an inmate support group, and belonged to a "lifer" group. Mr. Fuller has been in the "Honor" Dorm. Mr. Fuller also has earned a college degree during his period of incarceration.

Since 2014, Mr. Fuller has been employed as an assistant, with prior work assignments as an inmate commissary worker, clothing worker, laundry worker, and mechanical store worker. Mr. Fuller has not received any major disciplinary tickets and has maintained an A grade status. Mr. Fuller, while at Graham for the last 40 years, has only received two minor disciplinary tickets (contraband). Mr. Fuller has been on A grade status for the past 51 years.

Mr. Fuller works nearly every day and has done so the entire 51 years of his incarceration. Mr. Fuller indicated he is a "loner", who prefers to do his daily assignment and otherwise stay by himself. Mr. Fuller is also an avid reader and runner.

Mr. Fuller was given the SPIN assessment, and the results were that he has an overall Low Risk to re-offend. Additionally, Mr. Fuller was given a comprehensive evaluation as to his mental status. He was last evaluated in August of 2019 at which time he was found to have no mental health diagnoses and to be presently functioning well in IDOC. Mr. Fuller has a positive attitude and stays busy.

PAROLE PLAN

Mr. Fuller states that he has several friends who have offered to hold open rental apartments for Mr. Fuller. He has also indicated that they will help him get work and with Social Security he should have enough to provide for his needs if he was allowed to go on parole.

OPPOSITION TO PAROLE RELEASE

There were strong protests from victim's family and friends.



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DISCUSSION

Summary of discussion for parole consideration:

Mr. Tupy stated the ages of the children who were killed. Mr. Fuller's girlfriend Louise was 16, and the children killed were her twin, Louis (age 16), her sister Theresa (age 9), her sister Mary (age 8), her brother Gary (age 7), and her brother Kenneth (age 5). Mr. Fuller planned to kill the children because they were picking on Louise. Mr. Fuller went target practicing with all three boys when he killed them. He then shot the two girls to prevent them from discovering the bodies of their brothers. Five children's lives were taken unnecessarily. Members comment that while Mr. Fuller expresses remorse, his rationale for killing 5 children, his thought process for killing them, was erratic and shows a distorted thought process. Mr. Fuller's parole plans are vague and not concrete. It is stated that he is relying on friends and has no plans to go to any half-way center or any letters showing acceptance by an organized shelter.

The sister and cousin of the victims were present. They noted that Mr. Fuller kept a journal which stated that he planned to kill the whole family to get his girlfriend to run away with him. Ms. Icenogle (sister of the victims) stated that she was away from the home (due to an accident) or she would have been killed too. Ms. Icenogle stated that Mr. Fuller has never said he was sorry for what he did. Ms. Icenogle and her cousin asked the board for a five-year set. They live out of state as do the other siblings/family. They have to relive this every year and never get any peace. This has affected their entire lives.

DECISION AND RATIONALE

Motion to deny parole (KT—CF). Motion prevails by a unanimous vote

A motion to have a 5-year set was made pursuant to Illinois Compiled Statutes 730 ILCS 5/3-3-5. The board found it was not reasonable to expect parole to be granted before July 2026 and voted to continue his next parole eligibility hearing to that date. The motion was granted. Members in support of the motion were Mr. Bohland, Mr. Cerda, Mr. Mears, Ms. Perkins, Mr. Ruggiero, Ms. Savage, Mr. Shelton, Mr. Tupy and Ms. Wilson. Ms. Crigler, Ms. Daniels, Mr. James and Ms. Martinez opposed.

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



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



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **THEODORE ROSS** IDOC Number: **C71583**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Theodore Ross C71583.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

Mr. Theodore Ross C71583, aged 65, is serving an indeterminate sentence of 50 – 150 years for the crime of murder. He was heard for parole consideration on Wednesday, July 28, 2021, by a member of the Prisoner Review Board via videoconference, with the participation of his legal counsel. In reaching a decision the Board reviewed the facts of the crimes, inmate Ross's institutional adjustment and accomplishments, arguments in support or opposition, and his parole plan.

During the parole eligibility hearing conducted on Wednesday July 28, with the participation of Ross' counsel, he lamented that he didn't know why he did it. Ross added that he has not had any flashbacks while in custody.

STATEMENT OF FACTS

On March 10, 1975, Mr. Theodore Ross was at Margaret Abrams' home in Palos Hills, Illinois, helping her with laundry. Ms. Abrams – the victim in this case, was the mother-in-law of Ross' sister. After leaving the apartment at approximately 3pm Ross returned to find the victim was at her kitchen at the sink. Mr. Ross approached her from behind, picked a knife up from the counter and stabbed the victim in the back. Mr. Ross threw the victim to the ground and began to choke her, pulled the knife out of the victim's back, and began stabbing her in the throat. Mr. Ross also battered the victim over the head with a two by four board.

Mr. Ross washed his hands in the kitchen sink, dragged the victim's body into the bathroom, filled the bathtub with water, placed the victim's fully clothed body into the tub,



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pulled the shower curtain closed, cleaned up the blood from the bathroom floor, and turned off the light. He then went to the kitchen for a second washing.

Next, Mr. Ross tried to straighten up the kitchen furniture, at which time he saw Ms. Abrams' son pulling into the parking lot. Mr. Ross left the television on and closed the drapes. He grabbed his coat and the knife and fled to his apartment. On the way to his apartment, he disposed of the knife in a wooded area. When he arrived home, Mr. Ross changed his clothes, combed his hair; and walked to his girlfriend's home in Worth.

Ms. Abrams' son, who Mr. Ross had seen arriving, discovered his mother's body floating a pool of water in the tub, as well as the peculiarities of the apartment.

Witnesses had seen Mr. Ross come and go from the victim's apartment during the day and were able to give a physical description of him, as well as his clothing. Police officer also knew of Mr. Ross because he had acted as a narcotics informant for the department in the past. They went to his apartment and learned that he was at his girlfriend's apartment, where they found him standing at a washing machine with a bag of wet clothing and a jacket that fit the description given by witnesses.

Initially, after his arrest, Mr. Ross gave police officers conflicting statements. After conferring with his girlfriend and a pastor, Mr. Ross confessed to police officers and gave a very detailed 21-page court-reported confession of the murder to Assistant State's Attorneys. This confession was read to the jury at trial.

There was no dispute at trial as to Ross's commission of the crime. The only issue was his sanity. There was trial testimony from three psychologists. Mr. Ross's girlfriend testified that she felt Ross "*needed help*." Mr. Ross's mother testified that he had needed psychiatric care.

MR. ROSS' STATEMENTS AS TO THE OFFENSE

Mr. Ross spoke highly of the victim as a "dear friend," a "mother figure," and a "wonderful person," as he has spoken of her during prior hearings. He added that he had a far better relationship with her than he did with his own mother. He spoke of his shame for having ruined the lives of other family members by taking her away from them, and of how he will never forgive himself for doing so. Mr. Ross claimed not to know why he did what he did.



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INSTITUTIONAL ADJUSTMENT

During the course of his forty-six (46) years in custody Mr. Ross has accrued thirty-nine (39) discipline referrals within the Department of Corrections - none which were violent - ending 2018. He obtained his General Equivalency Degree, an Associate Degree in Accounting, and then a bachelor's degree in Business Administration. He is not now, nor has he been for a very long time, a management concern for the Department.

PAROLE PLAN

Mr. Ross has proven himself to be a reliable worker while institutionalized, having been the clerk in the commissary at Graham Correctional Center for twenty-one (21) years, in addition to other assignments. He has indicated his intention to work – a plausible goal, should the Board grant parole.

Mr. Ross is now eligible for a Supplemental Security Income benefit of \$783 per month, according to his counsel, in addition to SNAP benefits. He has been accepted into St. Leonard's House in Chicago.

OPPOSITION

There continues to be opposition to a parole release. No one appeared to address the Board in person.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Ross's counsel stated that different parole plans have been explored. Danville refused to submit a parole plan to St. Leonard's House until paroled. They have looked at other housing and another halfway house. He has a friend, Mary, who agreed to be his sponsor. He is 65 years old now and eligible for SSI, Medicare, and link. Mr. Ross feels he would be able to support himself. He is eager to work. He worked in the commissary for 20 years while at Graham. He now works in the clothing department. He has worked steadily while incarcerated. He has done mentoring. He gave a confession and was remorseful from the beginning. They stated that there were not protests this year.

The board discusses Mr. Ross's disciplinary history, which has not been stellar but better than most. Mr. Shelton noted that he is not sure he buys the flash back theory. Mr. Bohland noted that there is a protest from this year. Mr. Tupy stated that during his prior interview, Mr. Ross



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stated that he was close to the victim and had no idea why he killed her. Mr. Ross has no explanation; he was angry but not angry at her. Board members noted that he has no violent disciplinary tickets. They noted his sincere remorse.

DECISION AND RATIONALE

Motion to grant parole (DShelton—LD). Motion prevails by unanimous vote.

After a complete review of Mr. Ross's case, and after giving thoughtful discussion and consideration to all factors, the Board decided and voted to grant parole to Mr. Ross, subject to conditions of parole as set by the Board and by law. The Board hereby finds that Mr. Ross is an appropriate candidate for parole release 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. The Board further notes that, pursuant to Illinois law, victim statements are confidential and privileged."



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **DESHAUNE PORTER** IDOC Number: **M54916**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Deshaune Porter M54916.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

Mr. Deshaune Porter M54916 was interviewed at Taylorville Correctional Center on July 22, 2021. Present for the interview was Mr. Porter, Samantha Porter (his mother), and Vynadrian Kidd (Cousin/Aunt). Mr. Deshaune Porter was born on July 10, 1997 in the State of Florida. His mother Samantha Porter and older siblings moved to Illinois when he was a baby. He has seven siblings, two are older and five are younger than him. He never knew his father but recalls his younger siblings' father being the only male figure in his life for a long period of time. He moved often, having to repeatedly start over after making new friends.

Mr. Porter was charged at the age of 15-years old in 2012 as an adult. He was sentenced in 2013 for Aggravated Criminal Sexual Assault/Victim <9 (10 years CC) and Aggravated Criminal Sexual Assault/Force Victim 9-13 (10 years CS) at 85%. He has been in custody since his arrest on August 3, 2012. He was housed in DOC Illinois Youth Center-Harrisburg until October 2015. Then, he was transferred to Lawrence Correctional, a medium-security center where he remained until his current transfer. He has been housed about 2 months at the Taylorville Correctional Center, a minimum-security adult male facility. His projected MSR date is 8/3/2029 with 3-years to life parole. Mr. Porter has worked as a janitorial porter on deck, in dietary and kitchen, and, also in clinical services while in juvenile incarceration. He is unmarried and has no children.

During the interview, Mr. Deshaune Porter admitted he had begun to experiment with drugs and alcohol but only the one time did he experiment with sex with his cousin and younger sibling. It felt wrong so he confessed to his mother and the authorities, not really understanding how he was going to be betrayed. He stated he knew what he had done was wrong, but he had no idea what would happen to him or the result that did happen. Initially he shut down, didn't eat, and stayed confined in his cell. However, during his incarceration, Mr. Porter had many mentors and



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teachers, who inspired him with the message of learning from his mistake, owning it, and showing society he was not that animal he was often treated like. Mr. Porter was on the straight A, honor roll. He received a Presidential Award from President George W. Bush for his stellar performance.

There were no direct appeals or post-conviction petitions filed in this matter challenging the conduct of the attorney, court, or the validity of the sentence/s at the conclusion of the case. Mr. Porter recalls being told his assigned attorney was going to ask the court to reconsider the lengthy sentences but doesn't believe that ever happened. There are no appeals pending. Mr. Porter filed a Petition for Executive Clemency in January 2019. A Commutation of Sentence to Parole Eligible Receipt was issued by the State of Illinois on October 5, 2020, which is the subject of today's En Banc hearing.

STATEMENT OF FACTS

Taken from the Official Statement of Facts of SA Brendan F. Kelly in a document prepared and filed with the St. Clair County Circuit Clerk on June 17, 2013. The Date of the Offense is listed as 07/11/12. The Narrative of the Case reads: "The Defendant, is sentenced to the Illinois Department of Corrections to a term of 10 years, who was under the age of 17 years of age, committed an act of sexual penetration with a female minor with a date of birth of September 4, 2006, who was under 9 years of age when the act was committed, in that said Defendant placed his penis in the anus of the female minor with a date of birth of September 4, 2006." The Type of Disposition was Plea of Guilty. Co-defendant Mr. DeMarcus Kidd also is housed in the Taylorville facility.

MR. PORTER'S VERSION AS TO THE OFFENSE

Mr. Deshaune Porter stated in his interview with the Board Member that he does not dispute or disagree with the short narrative statement of facts as printed. He adds, however, that upon committing the offense in 2012, he immediately turned himself in to his mother and aunt, who in turn, contacted the authorities. In his statement, Mr. Deshaune Porter said "it was the beginning of August (not July) 2012 at Aunt Vynadrian Kidd's house in east St. Louis, in the house in a new neighborhood, pretty bad environment. While in the house with his younger cousin and little sister and older cousin, (co-Defendant Damarcus Kidd, 17 or 18-years old at the time) whom he'd inquired a lot about sex, etc., they were all in the room playing house. It was at night; we began to cuddle with my younger sibling and my younger cousin. My older cousin and I began to mimic what we had seen... We began to kiss and caress them and we placed our penis in their anus, and mouth, then we finished. And after it all had happened, a time period went by,



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and I felt wrong and guilty; and, I told my mother Samantha Porter the truth about what had happened. She told my aunt and contacted the authorities.”

After an investigation, interviews, and several court hearings, Mr. Porter and a co-defendant were charged with the offense/s noted. Mr. Porter pleaded guilty, and was sentenced on June 12, 2013 by Judge Robert B. Haida to two (2) terms of Criminal Sexual Assault (Class X) one term for his offense and one term for the offense committed by the co-defendant against the other victim.

CRIMINAL HISTORY

Mr. Deshaune Porter never had any encounter with any law enforcement before this offense.

INSTIUTIONAL ADJUSTMENT

Mr. Porter has an excellent record in IDOC. There is no record of any tickets. Mr. Porter has received zero (0), No, Not One Inmate Disciplinary ticket during his custodial confinements, from August 2012, up and through the date of his interview in July 2021.

To the contrary, Mr. Deshaune Porter has excellent engagement with programming. He has gotten into “good trouble” by taking advantage of the positive things available to him during his incarceration. He presented documentation that he received his High School Diploma (June 2013). He received Outstanding Achievement Awards for the Completion of 12 Online Enhanced Education Courses: July 2014: (1) Basic World Area Studies, Europe & Russia, (2) Basic Math 4, (3) Literature; September 2014: (4) Asian Studies; October 2014: (5) Pre-Algebra A, (6) Pre-Algebra B; November 2014: (7) Human Biology & Health, (8) Grammar, (9) English 1A; January 2015: (10) Basic World History A; February 2015: (11) Basic World History B; and March 2015: (12) English 2A. In November 2016, he received a Certificate of Completion for Anger Management; in April 2018, he received a Certificate of Completion for Lifestyle Redirection; and in June 2018, he received a Certificate for Recognition for Participation in Freedom God’s Way.

PAROLE PLAN

Mr. Deshaune Porter has the support of his relatives and many mentors. He has a home to return to in East St. Louis, Illinois with his cousin, whom he calls Aunt Vynadrian Kidd. During her interview on behalf and in support of Mr. Porter, Ms. Kidd stated, “Deshaune was never in any trouble. He is a good kid, even though I know one of the kids involved was my grandchild. But I still know Shaun is a good kid and he was influenced by someone older.” “He



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is not a bad person and he should get a second chance. I will support my nephew, watch out for him, and get him everything he needs to make it.”

Believing Mr. Porter has changed and matured, Ms. Kidd is determined to help him keep straight. She moved back to the city to be near other adult family, including his mom who lives in Section 8 housing. She has a home with 2 bedrooms, one for Mr. Porter. She has transportation and is willing to help him get to his programs and whatever services that the PRB mandates. She and other community leaders who help young people have searched out appropriate employment opportunities for him.

Inspired by his mentors, Mr. Porter wants to teach parents and the youth in society the importance of adult privacy, about pre-mature exposure to toxic things such as pornography or sexual activities, and the negative effects it has on children in their inability to decipher right

from wrong due to observation of their parents’ conduct. He wants to attend mentorship programs and through his positive music give the message to influence the culture about the flaws of too much exposure to sex, drugs, and alcohol. In support of his release, Ms. Porter said he was no problem, he was an excellent child who got good grades in school. He mainly liked to play video games and basketball. She said she wished she had spent more time talking to him and had been in a place where there were not a whole bunch of people living together. Since she is in public housing now, Mr. Porter can live with his aunt.

Mr. Deshaune Porter wants to go to Lakeland College and get his Associates Degree, majoring in Science and/or Music. He is interested in courses in Business Communication, Math, Psychology, and Criminal Justice. He wants to work while attending school and after doing some research on CDL licenses thinks he might like to take the driving test to get his DL and then try to qualify as a Truck driver. He believes given a second chance he can make a positive difference in his own life and the lives of others.

OPPOSITION TO PAROLE RELEASE

At the request of a Board Member, on August 23, 2021, Mr. Daniel E. Lewis, the First Assistant in the St. Clair SAO of James A. Gomric, sent to the PRB a letter in “adamant” opposition against Mr. Deshaune Porter. The SAO “opposes any reduction in the originally imposed sentence as it pertains to the above defendant.” The letter concludes in the 2nd paragraph:

“In short, this defendant committed horrific crimes of a sexual nature against several innocent victims. There is no justification, explanation, or argument that may be proffered by this perpetrator or any other that would support the relief that is sought herein.”



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EN BANC HISTORY

Today marks the first En Banc hearing for Mr. Deshaune Porter.

DISCUSSION

Summary of discussion for parole consideration:

Motion to go to executive session – (DSavage – KT). Leave.
Return from Executive session

It was noted that a representative from the Attorney General's Office was present. Should Mr. Porter be parole, they are requesting a delay/hold for 90 days for a sexual dangerous person evaluation.

It was noted that Mr. Porter's version of the facts does not align with the facts of the crime. Members stated that it wasn't one act, but repeated violent acts. Some members did feel he was remorseful. Members discuss Mr. Porter stating that he was living in a neighborhood, the victims were inquiring about sex and they started kissing and that is how the crime started. Members note that Mr. Porter has no sexual disciplinary tickets. Some members felt that Mr. Porter was immature at the time, had negative influences, and he was sexually insensitive. It is stated Mr. Porter has been incarcerated since he was 14/15 and he has grown a lot in the last decade. Ms. Savage stated that Mr. Porter talked about the damage done to his family and recognized that he will carry a label. Mr. Porter has support from his family, who are also members of the victim's family.

Mr. James noted that this is a hard case for the family. He can relate to having a victim and offender in the same family. This is a hard case for the family to balance, it's about moving forward not just punishment. Mr. Porter's age at the time of the offense should be considered. Members were concerned that Mr. Porter's admittance was less than reality and more his crime was more violent than he admits. He doesn't accept full responsibility and minimized his actions. Mr. Porter's youngest victim is still of minor age. They also noted that he originally had multiple counts and was given a plea deal.



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DECISION AND RATIONALE

Motion to grant parole (DSavage—LD). Motion fails by a vote of 5–9. Members voting in favor of the motion were Ms. Crigler, Ms. Daniels, Mr. James, Mrs. Savage, and Chairman Findley. Mr. Bohland, Mr. Cerda, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy and Mrs. Wilson dissented.

After thorough consideration of Mr. Porter’s case, the Board voted to deny parole. The Board feels that there is a substantial risk that Mr. Porter would not conform to reasonable conditions of parole release, that a grant of parole release would have a substantially adverse effect upon institutional discipline, and that parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **JOSEPH BARNES** IDOC Number: **A25050**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Joseph Barnes A25050.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

Joseph Barnes (AKA Joseph Jones, John Charles, & John Chas) A25050 was interviewed on July 7, 2021, via video conference at Dixon Correctional Center, where he has resided since July 2015. Mr. Barnes is medium Security, A Grade and has an Escape Risk of None. Mr. Barnes was born on April 18, 1952. He was 69 years of age on the date of his interview. Mr. Barnes's original convictions included Murder (Natural Life), Armed Robbery (30 years), with the sentences to run concurrently. This is Mr. Barnes's first parole hearing for this sentence as it was commuted from Natural life to life with the possibility of parole through executive clemency. Mr. Barnes has spent the last 40 years in the Il Dept of Corrections.

Present were, Joseph Doyle (Son), Paulette Jones (Sister) and Oreal James (Board Member)

STATEMENT OF FACTS

On August 2, 1981, while on parole since January 23, 1981, for theft by deception, Joseph Barnes and Maurice Coleman entered Terrill Jackson's house at 6856 S. Calumet armed with guns and encountered the Jackson's brother and forced him upstairs to where Jackson was asleep. They shot the victim six times as he laid in his bed and then tied up the brother and forced him to lay next to his dying brother. The defendant then took jewelry and money from the victim and then ransacked the victim's house. Jacksons niece was then awakened and tied and forced to lay down next to Jackson and Jackson's brother. The offenders then fled, this defendant was arrested in Maryland, extricated back to Chicago, IL and then identified by the witness, victim's brother.



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Mr. Barnes was originally eligible for the death penalty but was sentenced to life without parole for the murder and 30 years for the armed robbery. Direct appeal for both the convictions and sentences were upheld. Mr. Barnes then filed two more post-conviction petitions seeking

Habeas Corpus relief. Both were dismissed. He then appealed the dismissal of his petitions. The court affirmed the dismissal. He then filed a petition for relief of judgment which was denied, which he appealed. The appellate court affirmed the trial court's dismissal.

In 2012, Mr. Barnes petitioned for executive clemency and was denied. In 2020, Mr. Barnes again petitioned for executive clemency and was granted a commutation of natural life to life with the possibility of Parole.

MR. BARNES'S STATEMENTS AS TO THE OFFENSES

Mr. Barnes states that he and Maurice Coleman were sold bad drugs by Mr. Jackson and returned to the home to try to get their money back, as the purpose of these drugs was to sell to others. After an unsuccessful attempt to get their money back, Barnes and Coleman returned to the home of Mr. Jackson. Mr. Barnes does not confirm or deny the State attorney's statement of facts. He simply acknowledges that he was there, and his actions helped cause the death of Mr. Jackson.

Although he did not submit a separate parole petition, his commutation petition mainly focuses on what he sees as a faulty identification process that led to his arrest and conviction.

Mr. Barnes acknowledges the depth of harm caused by his actions and seems sincere at this time in his life, where he was not remorseful or accountable after his conviction.

CRIMINAL HISTORY

From 1970 through 1981, Mr. Barnes had a total of 20 arrests. This included a murder charge in 1978 that was ruled justifiable homicide. During this time period, Mr. Barnes was either incarcerated or on parole.

Mr. Barnes's convictions date back to 1970 and include several thefts, drug and murder charges.



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INSTITUTIONAL ADJUSTMENT

Throughout his 40 years in IDOC, Mr. Barnes has worked to better himself by continuing his education and through maintaining consistent, productive employment. However, since 6/1/2001, he has received 20 tickets, 6 of which were verbal reprimands. He has a total of 9 major tickets (4 of which were verbal reprimands.) His last major ticket was 8/30/2019 for making alcohol.

Mr. Barnes's educational pursuits included obtaining his GED, as well as 17 certificates, including a uniform law clerk which Mr. Barnes has excelled at. Mr. Barnes is an avid reader. He appears to have pursued almost every opportunity to work on his spiritual, educational and work skill sets. Like many other lifers, the opportunities afforded to them are less than to those who have an out date.

Mr. Barnes has always seemed to adjust quite well to institutional life as his file notes reflect from his first time incarcerated back in 1971. He has continually received positive reviews of his institutional adjustment. There are no records or known gang affiliations.

PAROLE PLANS

Mr. Barnes is divorced and has three children, and nine grandchildren.

Mr. Barnes has a solid parole plan which has him moving with his niece, Donella Jones, in Baltimore, Maryland, where his sister also lives. Both have stated that they will provide support. He would like to work as a counselor and/or a data processor.

OPPOSITION TO PAROLE RELEASE

There are no letters opposing Mr. Barnes petition, however, The States attorney did oppose his clemency petition, citing a lack of remorse and his continued violent criminal history between 1970 and 1981.



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EN BANC HISTORY

Mr. Barnes has no previous En Banc history as this his first time before the board due to being granted executive clemency by the governor in the form of reducing his sentence from natural life to life with the possibility of parole.

DECISION AND RATIONALE

Motion to deny parole (OJ—AP). Motion prevails by a unanimous vote of 14–0.

After thorough consideration of Mr. Barnes case, the Board voted to deny parole. The Board feels that there is a substantial risk that Mr. Barnes would not conform to reasonable conditions of parole release, that a grant of parole release would have a substantially adverse effect upon institutional discipline, and that parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

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



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***EN BANC* MINUTE SHEET**
OPEN SESSION—August 25, 2021

Inmate Name: **GEORGE PHILLIPS** IDOC Number: **C90220**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on August 25, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for George Phillips C90220.

Members present were Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Mrs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley.

Recording Secretary: Kim Morrison and Andrea Hegland.

PRESENTATION OF INTERVIEW AND FILE

George Phillips, age 68, was heard for parole consideration on July 8, 2021 by a member of the Prisoner Review Board via videoconference, with the participation of his counsel. Subsequent Board discussion included a review of the criminal case, of the institutional adjustment and transfer history, opposition or support for his release, and of his parole plan.

The parole eligibility hearing of inmate Phillips was conducted on July 28, 2021 with the participation of his legal counsel by videoconference, per the State's protocol in mitigation of the COVID-19 pandemic. Inmate Phillips was cooperative and seemed eager to answer questions. He and his counsel were given the opportunity to respond to a verbatim reading of the previous RATIONALE for parole determination that was generated by this Board last year. Inmate Phillips, after a pause in the reading of each section, agreed that there was no misunderstanding in the Board's understanding of his crime.

STATEMENT OF FACTS

THE FOLLOWING ELEVEN PARAGRAPHS WERE QUOTED FROM THE APPELLATE COURT'S PUBLISHED REVIEW OF THE CONVICTION. RELEVANT DATES ARE EMPHASIZED HEREIN:

On November 23, 1973, Detective Douglas Moss of the Brunswick, Georgia, police department was called to the scene of an unsuccessful burglary attempt and saw defendant lying on the floor, surrounded by paramedics. After defendant received emergency medical care for two



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gunshot wounds he had sustained, Moss advised him of his constitutional rights and placed him under arrest. Defendant was then taken immediately to the local hospital for further treatment. Upon returning to his office, Moss checked defendant's name and description against a national computerized list of outstanding warrants and learned that defendant was wanted in Cook County, Illinois.

On the following day, November 24, 1973, defendant informed hospital personnel that he wanted to speak with Moss. When Moss arrived at the hospital, he informed defendant that burglary and aggravated assault charges had been filed against him. After the detective again advised defendant of his rights and reminded him that he need not volunteer any information, defendant told Moss that he had murdered an attorney named Dean Terrill in Chicago. This conversation was the first indication that defendant was involved in an unsolved murder dating back to May 2, 1972. Although Moss took notes of this first statement by defendant, he testified that he did not transcribe them because defendant might have been on medication and the statement therefore inadmissible at a future trial.

Upon his release from the hospital the next day, defendant was brought to the Brunswick police station, where he was advised of his constitutional rights before he voluntarily signed a waiver form. He then gave a second statement concerning the murder of Dean Terrill. Defendant subsequently spent almost six months in the Georgia State Penitentiary for burglary and aggravated assault before being extradited to stand trial in Illinois. During the various stages of the trip to Chicago, including an airport layover and a three-hour flight during which both defendant and the two accompanying officers consumed some alcoholic beverages, defendant repeatedly brought up the subject of Terrill's murder. After the officers advised defendant of his rights, while on the plane he made a third statement about the murder.

When the three men arrived in Chicago, defendant was taken first to the scene of the murder and then to the Area 6 Homicide office, where he made and signed his fourth statement after being advised of his rights and signing a waiver form. On June 3, 1974, defendant was indicted for the murder of Dean Terrill. He immediately filed a motion for a court-ordered psychiatric examination.

The first examination, which took place on July 25, 1974, was conducted by Dr. E.J. Kelleher, Director of the Psychiatric Institute of Cook County. Defendant was found fit to stand trial. Two weeks later, on August 15, 1974, defendant moved to be examined by another psychiatrist, Dr. Werner Tuteur; although the examination was conducted, no report was filed with the court. Three months later, defendant requested a competency hearing, and a re-examination by Dr. Tuteur was ordered; again, no report was filed.

Defendant then filed a motion to suppress the four statements he had made prior to indictment. Following another psychiatric examination that indicated he was fit for trial, the hearing on the motion to suppress was held in August 1975 and the motion was denied.



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During the next 15 months, defendant was granted four more psychiatric examinations. Although one doctor, Dr. Tuteur, consistently found him unfit to stand trial, a series of doctors from the Psychiatric Institute of Cook County all found defendant to be a "malingerer," a "faker" of symptoms, and quite competent to stand trial despite the toothpicks he habitually put through his nose and ears and the "666" he had tattooed above his nose. At his November 1976 fitness hearing, defendant was found unfit to stand trial and was remanded to the custody of the Department of Mental Health for treatment.

During the ensuing 15 months, defendant requested and was granted four more psychiatric examinations by Institute psychiatrists, all of whom reported him to be competent. As a result, the State requested and was granted a fitness restoration hearing, which was held on February 15, 1978. After hearing psychiatric evidence from several doctors, the jury found defendant competent to stand trial for murder.

When trial commenced on August 28, 1978, the State introduced only two of the four confessions, those given at the Brunswick and Chicago police stations, and used them to establish the circumstances of the confrontation between defendant and Dean Terrill that led to the attorney's death. One version described a short but initially friendly conversation between the two men, while the second version described defendant as masked from the moment Terrill opened the door. Despite the inconsistencies in the narratives of the planning and subterfuge used to get into the attorney's apartment, the descriptions of the actual killing were the same: defendant had borrowed a gun before going to Terrill's apartment, gained entry through a ruse, beat Terrill with the handle of the gun, and then chased him through the apartment, stabbing him with a knife until a severe wound to the throat caused asphyxiation. Defendant then took \$21 from the body, left the apartment, and went home. In both versions, defendant related that he consciously decided not to shoot Terrill because of fear that the noise would lead to his discovery.

In response, the defense presented no witnesses, but instead entered into the record the stipulated testimony of Dr. Tuteur. Both sides waived closing argument, and the trial court found defendant guilty of murder.

At the sentencing hearing, defendant was informed that because the applicable sentencing provisions had been amended between the date of the murder and the date of trial, he had the option of choosing between the two sentencing schemes. After the court explained the differences between the two provisions, defendant consulted with his attorney and chose to be sentenced under the earlier statute. The State argued in aggravation that the murder not only had occurred during a premeditated armed robbery, but also was characterized by wanton violence and cruelty. Defendant had an extensive criminal background, including convictions of aggravated assault, criminal trespass to a vehicle, possession of narcotics, multiple convictions of theft and burglary, and parole violations. In mitigation, the defense reminded the court of the defendant's social background, childhood deprivations, and long-term emotional problems. The trial court, after noting that defendant was a dangerous person lacking rehabilitative potential,



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sentenced defendant to a term of not less than 100 nor more than 200 years in the Illinois Department of Corrections.

MR. PHILLIPS'S STATEMENTS AS TO THE OFFENSE

Mr. Phillips and his counsel were given the opportunity to respond to a verbatim reading of the previous rationale for parole determination that was generated by this Board last year. Mr. Phillips, after a pause in the reading of each section, agreed that there was no misunderstanding in the Board's understanding of his crime.

INSTITUTIONAL ADJUSTMENT

Each of the Board members had the opportunity to review a complete printout of the Institutional Discipline Referrals, commonly referred to as "tickets," with many (not all) of the institutions' investigative notations included. One hundred and two (102) discipline referrals involving one hundred and forty-four (144) specific violations were noted from the record.

PAROLE PLAN

Inmate Phillips has agreed in the past, and continues to agree, that he needs a "secure" (custodial) host site. Counsel for inmate Phillips has attempted to make such an arrangement as might satisfy the concerns of the Board without success at the time of this hearing.

OPPOSITION TO PAROLE RELEASE

There were no persons present in opposition to a parole release and no "new" communications received by the Board to express opposition.

Mr. Phillips was represented by legal counsel before the Board for the first time.



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DECISION AND RATIONALE

Motion to deny parole (DShelton—EC). Motion prevails by a vote of 13–1. Members voting in favor of the motion are Mr. Bohland, Mr. Cerda, Ms. Crigler, Ms. Daniels, Mr. James, Ms. Martinez, Mr. Mears, Prs. Perkins, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, and Mrs. Wilson. Chairman Findley dissented.

After thorough consideration of Mr. Phillips’s case, the Board voted to deny parole. The Board feels that there is a substantial risk that Mr. Phillips would not conform to reasonable conditions of parole release, that a grant of parole release would have a substantially adverse effect upon institutional discipline, and that parole release at this time would deprecate the serious nature of the offenses and promote a lack of respect for the law.

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