



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

EN BANC MINUTE SHEET
OPEN SESSION—July 27, 2021

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following individuals in custody:

C92772	FRANKLIN JOHNSON
B65107	ANTHONY JONES
C15020	ZELMA KING
C10214	RAYMOND LONG
C63418	MELVIN THEGPEN
R00176	PATRICK INOCENCIO

The meeting was called to order by Chairman Findley.

Roll call was taken by Recording Secretary Regina Bosie.

<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	
Ms. Drella Savage	X	
Mr. Donald Shelton	X	
Mr. Ken Tupy	X	
Ms. Eleanor Kaye Wilson	X	
Chairman Craig Findley	X	

12 Members Present, 2 Members Absent

The Board heard and voted upon the cases of Franklin Johnson, Anthony Jones, Zelma King, Raymond Long, Melvin Thegpen, and Patrick Inocencio as detailed in the individual case minutes.

Meeting was adjourned (KT—EC). Leave.



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***EN BANC* MINUTE SHEET**
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Name: **FRANKLIN JOHNSON**

IDOC Number: **C92772**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Franklin Johnson C92772.

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

Recording Secretary: Jason Sweat.

PRESENTATION OF INTERVIEW AND FILE

Franklin Johnson C92772 was interviewed at Dixon Correctional Center on April 14, 2021, where he is currently housed. He is 78 years of age and has been incarcerated 42 years. He is serving 200 years for Rape, 100 years for Deviate Sexual Assault, and 100 years for Burglary and Robbery. Mr. Johnson is 'A' grade and has had only nine tickets in 42 years. He has appeared before the Board, more than 20 times seeking parole.

STATEMENT OF FACTS

On July 6, 1977, at about 1:30 p.m., the victim, a 15-year-old girl, was babysitting in an apartment at 66 Hinman in Evanston, Illinois. The victim and a three-year-old girl were outside the building in a wading pool in the alley. They decided to go inside, and, as they were returning to the apartment, they encountered Mr. Johnson briefly. The victim and the 3-year-old went up to the third floor of the building, entered the apartment, and latched the screen door. After placing the 3-year-old girl in her bedroom, the victim went back into the living room, where she observed Mr. Johnson standing in the living room with a towel in his hand. After telling him her age, Mr. Johnson still forced her to submit to oral sex and then sexually assaulted her.

After the sexual assault, Mr. Johnson tied her feet up with a scarf, rummaged through the kitchen for a while, and then left the apartment through the back door. The victim was able to free herself, lock the back door, and call the police. As Mr. Johnson was leaving the apartment building, a witness observed him cross the alley. This witness and the victim gave a description of Mr. Johnson and his car to the Evanston police.

Eight days later, on July 14, 1977, Mr. Johnson was arrested and charged with sexually assaulting a woman in her home. On that date, the victim returned home from a drug store on her bicycle at around 9:30 a.m. She entered the outer door and was unlocking the security door, when she saw Mr. Johnson entering her building. He followed her into the vestibule, and as she ascended the



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stairs, she glanced back and noticed he was following her. As she opened her apartment door, he forced his way into the apartment and grabbed her. Mr. Johnson then covered her mouth and asked if anyone else was in the apartment. The victim lied and said that her son was there.

She then was able to free herself from Mr. Johnson's grasp and attempted to escape through the back door. However, he caught her and wrapped a kitchen towel around her head. Despite Mr. Johnson's warnings, the victim tried to push the towel up so she could see him. He threatened her with a hammer that he took from the table and told her to stop screaming. However, she continued to push the towel up until she was able to see Mr. Johnson's face. After forcing her to submit to oral sex, he then sexually assaulted her. Afterward, he left, and the victim was able to free herself and call the police. Mr. Johnson was stopped in his car ten minutes later and brought back to the victim's apartment, where she identified him as he stood outside. She again identified him, along with the 15-year-old girl he had attacked the week before, in a line-up late that afternoon. After a jury trial, Mr. Johnson was found guilty of Rape and Deviate Sexual Assault.

In 1999, Mr. Johnson filed a *pro se* petition for a writ of *habeas corpus*, which was denied. In 2000, he appealed, and the Appellate Court affirmed the denial. In 2007, he filed a *pro se* petition for post-judgment relief, contending that he had not known the differences between the old and new sentencing laws, and that, had he known the differences, he would have chosen the new laws. The trial court dismissed the petition and assessed fees and costs for filing a frivolous pleading.

In 2015, Mr. Johnson filed an unopposed motion for post-conviction forensic testing for DNA. He stated that he wanted to determine if he committed the crimes and wanted to know for sure. The DNA test matched Mr. Johnson.

MR. JOHNSON'S STATEMENTS AS TO THE OFFENSES

Mr. Johnson focused on the present during his interview. He had little to say about the crime or what happened or why it happened. He admitted he was not thinking positively and was frustrated with what was happening in his life. He related that he was planning to move to Iowa and become a football coach and complete his education. He did state that he was out of sorts and could not relate or evaluate what he did or why he committed the crime. He focused on his artwork and how he has worked hard to become a better person. He talked a lot about his teaching others to draw and paint, and how he mentors others who are incarcerated.

CRIMINAL HISTORY

1960 – Robbery – 5 years of probation, with 6 months to be served in the Cook County House of Corrections. In March of 1963, he was found to be in violation of that probation and was sentenced to 1–14 years in prison.



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On March 18, 1963, Mr. Johnson was sentenced to 30–60 years for four counts of Armed Robbery and one count of Rape. He was released on March 5, 1974, and was declared a violator on April 13, 1977, resulting from the current offense.

INSTITUTIONAL ADJUSTMENT

Mr. Johnson was 36 years of age at the time of his conviction and sentence. He was sent to Stateville Correctional Center in October of 1979 and then was sent onwards to Graham Correctional Center in December of 1982. During his 3 years at Stateville and 16 years at Graham, he established an admirable disciplinary record, having received no disciplinary reports during that 19-year period. Also, during that span, because of his proficiency in art, he was instrumental in assisting many artistically-inclined individuals in custody with their talents; he was also involved in designing and leading the Arts Program. In 1995, Mr. Johnson received an invitation to “State of the Art ‘93”, a national competition open to artists of merit across the United States, put on by the New England Fine Arts Institute.

His work was shown in the United Kingdom and he received an invitation to study in Italy with Charles H. Cecil of Yale University at the Charles H. Cecil Studios in Florence, Italy. Mr. Johnson’s artwork has also been recognized by the Art Institute of Chicago, the Montgomery County News, and the Louis Joliet Mall in Joliet, Ill. Mr. Johnson’s art has sold for hundreds of dollars, and IDOC has allowed him to sell his artwork at Correctional Centers. All proceeds are used to purchase materials for art projects and to teach other individuals in custody in art classes. The W. Clement and Jessie V. Stone Foundation sponsored a Nationwide Penal Art Show and found Mr. Johnson to be an efficient, helpful, and very involved artist with the art program in IDOC.

Mr. Johnson also saved a prison employee, Ms. Evelyn Kindle, from a violent attack and possible homicide in Stateville. Mr. Johnson has expressed remorse for his crimes and attacks to women. He demonstrated his level of remorse and change in thinking by his intervention and preventing harm to be caused to a female employee of IDOC.

Mr. Johnson participated in a faith-based sexual offender program at Graham. His educational, institutional, and work experience while incarcerated include: work and Bible study, group therapy, Sex Offender Program at Graham Catholic Therapy, Re-entry programs, Lifestyle Redirection, Leisure Time Service including physical education, Advance Art Instructor at Stateville and Graham Correctional Centers, 1985 Town and Country Art Show, 1983 Southern Regional Art Show, and an Associate’s Degree from Northern Illinois University in Art Therapy.

Mr. Johnson was approved for knee replacement surgery in 2017, but the surgery has not been scheduled. He also has osteoarthritis in his left wrist and received a referral for hand surgery that has not been scheduled. He also has cataracts in his right eye that may lead to blindness if not treated. This surgery was also approved, but has not been scheduled. (All of his medical conditions had been approved for treatment, but not have not yet been scheduled, due, at least in part, to the current constraints caused by the pandemic.) All of his



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conditions may jeopardize his career as an artist.

Mr. Johnson is one of six children. He never knew his father, who left the family when Mr. Johnson was 15 years of age. He has three sisters and two brothers. He does not remember their ages, but he knows one sister is deceased.

Mr. Johnson is married and has two children. He and his wife have been married since 1974. His oldest child was a toddler at the time of the crime and arrest. Mr. Johnson's wife was three months pregnant with the second child. Over the years, his relationship with his children has been strained, but he continues to have a strong and good relationship with his wife. She is retired and currently lives in an assisted living facility in the state of Minnesota.

PAROLE PLANS

Mr. Johnson has a network of family, friends, and community members in Minnesota who are willing and able to help him adjust. Mr. Schonberg, Director of Regeneration Center in Alexandria, Minnesota, stated that he is able to provide housing and employment for Mr. Johnson. The Regeneration Center provides residential training homes and has a Prison Fellowship Program that provides mentoring. He would also have access to Opportunity Enterprise, which helps with employment and job training. Opportunity Enterprise offers Life Skills and Vocational training. He would have access to all the programs that the Opportunity Enterprises and Regeneration Center offers. He would also have access to sex offender rehabilitation programs that are located in Minnesota. These programs would aid him in his process of integrating back into society and the community.



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DISCUSSION

Summary of discussion for parole consideration:

The Board noted that, prior to the hearing, the Office of the Attorney General formally requested a 90-day stay of release, if parole were to be granted, in order to have Mr. Johnson evaluated for potential classification and commitment as a Sexually Violent Person.

Ms. Crigler presented the case to the Board for consideration.

Ms. Martinez asked for confirmation that Mr. Johnson never received sex offender counseling at the institution. Ms. Crigler confirmed that.

Mr. Shelton asked about the timing of the *habeus corpus* filing; Mr. Johnson's attorneys noted that it was resolved in the early 2000s. Ms. Crigler noted the existence of a *pro se habeus* petition in 1999, which was denied. Mr. Shelton asked for clarification of the basis of the filing. Mr. Johnson's counsel stated he handled the initial appeal in the 1970s; it was his understanding that the basis of the *habeus* filing was for the purposes of seeking DNA testing. Ms. Crigler stated that the DNA testing was requested in 2015. Mr. Shelton asked if Mr. Johnson was unsure whether he committed the offenses; Ms. Crigler confirmed that he requested testing to prove up whether he committed the offenses. Mr. Johnson's counsel then noted that the filing was made at the behest of family; Ms. Crigler noted that Mr. Johnson is not denying the offenses and simply did not discuss them extensively with her. Mr. Shelton clarified that he was concerned, because the nature of the request (to confirm whether Mr. Johnson committed the offenses, facts that Mr. Johnson would seemingly already be well aware of) was very unusual.

Motion to enter Closed Session to discuss confidential and privileged victim statements and to deliberate regarding the case. (CF—KT). Leave.

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

Law Student Christopher Dallas then spoke to the Board on behalf of Mr. Johnson. Mr. Dallas noted that he has discussed the offense with Mr. Johnson and the doctor; the doctor states that Mr. Johnson is profoundly humiliated, and that's why Mr. Johnson avoids talking about the offenses – to avoid making them seem like things he's proud of. Mr. Dallas stated that Mr. Johnson wishes he could apologize to the victims and their families. Mr. Dallas noted that Mr. Johnson was transferred at one point, due to his having protected a female DOC employee from multiple attackers. Mr. Dallas noted that the doctor specifically tried to push at Mr. Johnson to see how he would react. Doctor Cohen's findings state that Mr. Johnson is a "power-assurance" rapist, rather than a "sadistic" rapist; Mr. Johnson was committing rape to address his own lack of power, rather than to get sexual pleasure from harming another. Mr. Dallas discussed a case, *Maryland v. Unger*, where the recidivism rate was only 3% after a mass release of sex offenders due to a legal issue, arguing that the results of those releases provide evidence that people can "age out" of prison. Mr. Dallas stated that Mr. Johnson



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wishes to assist his physically-ailing wife on the outside, and be a parent to his children. Mr. Johnson has a comprehensive parole plan with support from individuals in Alexandria, Minnesota, who are specialized in dealing with sex offender therapy; Mr. Johnson cannot receive that in DOC at Dixon. Mr. Johnson would also seek to get a degree, and that one year after release on parole Mr. Johnson would be eligible for further studies.

Ms. Crigler noted that Mr. Johnson had 5 votes in favor of release at his July 2020 hearing and stressed that he has had an extraordinary institutional adjustment. Ms. Crigler noted that he is wheelchair-bound and in need of surgeries.

Ms. Crigler noted that the two rapes were absolutely, brutal offenses, but that she believes he has been rehabilitated and recommends parole.

Chairman Findley requested vote details from 2020. Ms. Crigler responded that Mr. Brink presented the case, and that Ms. Harris, Ms. Daniels, Mr. Dunn, and the Chairman also voted in favor of release.

Mr. Shelton asked for further clarification regarding the types of rapists; Mr. Dallas read from the doctor's report to clarify that Mr. Johnson is a "power-assurance" rapist, rather than a "sadistic" one. Mr. Shelton asked whether any treatment had occurred up to now; Ms. Crigler confirmed that Mr. Johnson has not had such treatment yet.

Mr. Bohland asked about the other categories of rapists. Mr. Dallas stated that Dr. Cohen had diagnosed Mr. Johnson as a "power-assurance" rapist after a 5-hour, in-person interview in 2020 (prior to the onset of the COVID pandemic in the U.S.); a subsequent interview occurred in 2021 via Zoom. Mr. Shelton asked whether Dr. Cohen had access to Mr. Johnson's Master File; Mr. Johnson's counsel stated that he believed the doctor had access to it.

Mr. Ruggiero noted that Mr. Johnson committed these rapes while out on bond from another case; there were three rapes in total during that time. Mr. Ruggiero noted that the judge handed down a sentence of 30–60 years. Upon release, Mr. Johnson committed the instant rapes; Mr. Ruggiero noted that the other rapes were not taken to trial, after the judge in the first case gave him a sentence of 100 years. Mr. Ruggiero noted that six years ago, in 2015, Mr. Johnson was actively seeking release based upon a theory that claims Mr. Johnson has maintained his innocence throughout his incarceration.

Ms. Martinez noted again her concerns about him being held in a place that provides no sex offender counseling, and that he has never asked for a transfer; Ms. Daniels asked how it's known that he hasn't asked; Ms. Martinez responded that there is nothing showing he had and that he has had the opportunity to do so for many years.

Chairman Findley asked about how Mr. Johnson's attorney became involved in the case in the 70s; he related that he was hired by Mr. Johnson's wife.



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Mr. Bohland addressed Mr. Johnson's ability to conform with conditions of release and noted that he was previously on release twice—probation and parole, on separate occasions—after which he then committed rapes upon release. Mr. Bohland noted that the rapes escalated in nature after each release. Ms. Crigler noted that Mr. Johnson saved a woman's life. Ms. Martinez noted that it was the art teacher, and that one of Mr. Johnson's primary activities inside was art.

Ms. Crigler stated that she believes Mr. Johnson is rehabilitated, citing to low recidivism for elderly individuals. Mr. Ruggiero questions a low recidivism rate for multiple rapists. Mr. Dallas noted Bureau of Justice data regarding recidivism rates being in the single digits. Mr. Shelton asked whether that data applied to all sex offenders or to multiple rapists like Mr. Johnson. Chairman Findley noted that the statistics are overarching, but are accurate statistics.



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DECISION AND RATIONALE

Motion to grant parole (EC—LD). Motion fails by a vote of 3–9. Members voting in favor of the motion were Ms. Crigler, Ms. Daniels, and Chairman Findley. Mr. Bohland, Mr. Cerda, Ms. Martinez, Mr. Mears, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, and Mrs. Wilson dissented.

After thorough consideration of Mr. Johnson’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. Johnson 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—July 27, 2021

Name: **ANTHONY JONES** IDOC Number: **B65107**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Anthony Jones B65107.

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

Recording Secretary: Jason Sweat.

PRESENTATION OF INTERVIEW AND FILE

Anthony Jones B65107 is currently on A-grade, classified as Medium Security and Moderate Escape Risk, at Dixon Correctional Center, where he has been since January 24, 2018. Mr. Jones was born on March 9, 1972, and he was 49 years old on the date of his interview. Mr. Jones was convicted of Murder and Attempted Robbery in March 1995 and sentenced to Natural Life Without Parole. In December 2020, Mr. Jones's original sentence was commuted to Natural Life with the possibility of parole, with parole release to be effectuated upon receiving a majority vote of the appointed Members of the Prisoner Review Board.

STATEMENT OF FACTS

In September 19, 1995, Mr. Jones and a friend were driving around Chicago drinking and getting high. They stopped at a motel where Mr. Jones was friendly with the front desk clerk. Mr. Jones noticed a motel room door that was ajar. He went inside to see what he could find. Seconds later, Miroslaw Lominicki, another motel employee, came into the room and yelled at Mr. Jones. The two men got into a fight and Mr. Jones stabbed Mr. Lominicki, killing him. Mr. Jones was later arrested.

At a bench trial, Mr. Jones testified in his own defense. On the stand, Mr. Jones admitted that he had stabbed and killed Mr. Lominicki, and Mr. Jones explained that he did so in the midst of a fight that had gotten out of control. The judge found Mr. Jones guilty of Attempted Armed Robbery and First Degree Murder. The judge then found that the Murder of Mr. Lominicki was brutal and heinous and sentenced Mr. Jones to Natural Life, with an additional 30 years for Armed Robbery, the maximum sentence permitted for that offense.



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MR. JONES'S STATEMENTS AS TO THE OFFENSES

In the early morning hours of September 19, 1992, Mr. Jones, who was then 20 years old, and his friend, Christopher Joyner, were driving around the city. The two men had spent the evening drinking and getting high. The night was winding down, when they decided to stop at the Tip-Top Motel in Chicago, a run down, low-budget motel where Mr. Jones occasionally hung out because he was friendly with the desk clerk, Shahab Akter. As Mr. Jones explained in his clemency petition: "The only reason for our 'late night excursion' was the mere fact that we were two bored young men that felt like going out. I was 20 years old, and Chris was 19. It was very common for us to just go out drinking and doing drugs when we got bored. I was young with no direction or purpose."

In the office of the Tip-Top Motel, Mr. Jones had a cup of coffee and chatted with Mr. Akter, as he often did, asking if he knew of anyone who was hiring. Mr. Jones asked Mr. Akter for a cigarette, but Mr. Akter had none. A few minutes later, Mr. Lominicki, who worked as a cleaner at the motel, came into the office, and Mr. Akter asked him for a cigarette on behalf of Mr. Jones, which Mr. Lominicki provided. Mr. Jones, still drunk and high, smoked half the cigarette and put it out, planning to save the rest.

After chatting with Mr. Akter a little longer, Mr. Jones wandered out of the motel's office and began heading back to his car, where his friend Mr. Joyner was waiting, when he noticed an open motel room door.

Mr. Jones explained in his own words what happened next: "...I foolishly figured, I'd go in and grab a book of matches to light my half-smoked cigarette. And to be honest, I probably wanted to see what else was in the room. I was in the room for maybe less than a minute when Mr. Lominicki entered the room and started yelling and screaming at me. I said something stupidly back and the next thing that I knew we were fighting. I was intoxicated and being over-powered, which made me make my next horrible mistake of my life. I reached for my pocket-knife. I tried to flick it open with one hand and lost control of it and it fell from my hand and on to the floor. Mr. Lominicki noticed it when it fell to the floor and we both quickly reached in a panic to pick it up. I grabbed the handle and he was holding on to the blade. His hand got cut when he grabbed the blade and he swung and hit me in the face. The next thing I remember was swinging at him with the knife in my hands."

Mr. Jones takes full responsibility for Mr. Lominicki's death. In his *pro se* clemency petition, he wrote: "This entire incident never should have happened. I was a young insecure stupid person that made a series of horrible decisions that I deeply regret."



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CRIMINAL HISTORY

Mr. Jones had two arrests prior to this his 1995 conviction.

In June 1989, at age 17, Mr. Jones was arrested for Trespass to a Vehicle; those charges were later dropped; in January 1991, at age 19, Mr. Jones was arrested for possession of a gun, for which he was sentenced to probation.

INSTITUTIONAL ADJUSTMENT

At 49 years old, Mr. Jones is asthmatic, has high cholesterol, and has high blood pressure (for which he takes medication). Having maintained a vegan diet for over 20 years until recent increases in commissary costs made a purely vegan diet impossible, Mr. Jones looks forward to being able to improve his health and resume his vegan diet, which is preferred in his religious practice. Additionally, he has four sisters (three in Illinois and one in Georgia), all of whom he maintains regular contact with through phone calls, letters, email, and video visits.

Mr. Jones has been in continuous custody for 26 years, during which time he has accumulated 5 institutional infractions, with all being 300-level infractions. The most recent of these occurred in August of 2018.

During his incarceration, Mr. Jones has demonstrated a commitment to rehabilitation through service and the pursuit of a formal education. While pre-trial at Cook County Jail, Mr. Jones renounced his gang affiliation and, since his sentencing, has earned his GED, an Associate's Degree in Liberal Studies from Lakeland College, an Occupational Construction Certificate, and a Paralegal Certificate. Mr. Jones has worked in the law library, five days a week, for nearly 16 years. He has become a well-respected paralegal, widely known for being knowledgeable, patient and generous with his time. During this time, Mr. Jones was proactively sought after by prison officials and invited to serve as a law clerk to the men housed on the mental health wings: namely, the Special Treatment Unit and the Dixon Psychiatric Unit. In this role, Mr. Jones assists individuals in custody who have serious mental illness diagnoses with their legal concerns two days every week, a role that requires particular skill, patience, and trustworthiness. Mr. Jones is a registered as a "jailhouse lawyer" member of the National Lawyers Guild, an organization that is committed to advancing human rights in the law.

Mr. Jones is a peer health educator, certified by the Illinois Department of Public Health. Mr. Jones worked for years as a peer health educator, doing critically important work educating individuals in custody about transmissible infections, including sexually transmitted infections. The role requires substantial trust from prison officials, as well as trust and respect from fellow individuals in custody. Mr. Jones also served in the respected role of a peer mentor with the Clinical Services Department, which included teaching programs for other individuals in custody, while he was at Pinckneyville from 2010–2017. During this time, Mr. Jones instructed classes in Lifestyle Redirection, Substance Abuse Education, Parenting (Inside-Out Dad Program), TRAC-1, and Parole



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School. Mr. Jones is also a leader in the Hebrew Israelite faith community, and he teaches classes every Wednesday morning.

PAROLE PLANS

Mr. Jones's niece, Lamisha Pointer, who owns a two-unit property in Evanston, Illinois, will house Mr. Jones by providing him with the lower unit; this location has already been approved by the IDOC as a reentry site for Mr. Jones. Mr. Juan Rivera, owner of Legacy Barber College, has submitted an offer of employment letter confirming that he would hire Mr. Jones and admit him to the barber training program. The Legacy Barber College, as described in Mr. Jones's parole petition, both trains and employs formerly incarcerated people. Mr. Rivera, who was exonerated, and Mr. Jones know each other personally from their time incarcerated together. Additionally, Mr. Jones's son, Michael Fields, Mr. Jones's sisters, Rita Pointer and Deidra Jones, and numerous others will also provide financial, logistical, and emotional support. According to IDOC records, Mr. Jones states that in addition to family financial support, he has been able to save approximately \$20K to support himself financially upon his release.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Ruggiero asked for confirmation with regards to the Cook County State's Attorney's Office letter; Ms. Daniels clarified that they sent no Statement of Facts or other comment beyond "no position" on the matter.

Mr. Shelton asked about criminal history; Ms. Daniels replied with the limited history of Mr. Jones.

Mr. Ruggiero asked for clarification regarding why the case was found to be "brutal and heinous" for sentencing purposes.

Mr. Cerda asked how many times the victim was stabbed; Ms. Daniels stated that the file was not as extensive, noting that there was no Statement of Facts.

Mr. Bohland raised the same concern with regards to lack of any details on the case and the inability to make an informed decision.

Mr. Jones's attorney, Rachel White-Domain, noted that the "brutal and heinous" finding was a discretionary finding of the judge. Attorney White-Domain noted that Cook County did not object to the clemency petition and noted a copy of the State's Appellate Brief to address the factual concerns. The allegations of robbery came from the loose change on the floor of the hotel room, and a statement by a witness who claimed that someone (possibly Mr. Jones) made a threat for purposes of robbery; that witness, however, admitted upon cross-examination that everyone was intoxicated, and that he



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couldn't be sure if that was even said. Attorney White-Domain noted the Westlaw citation for the Board at 1995 WL 17164944. Attorney White-Doman also confirmed that there were ten stab wounds and 22 other cuts, per the forensic witness; Mr. Jones's position is that he takes full responsibility for his role.

Chairman Findley asked that Attorney White-Domain provide her argument in favor of parole. Attorney White-Domain noted that much of the detail regarding the offense was supplied by her client, who is remorseful and has been open about his criminal acts. She noted that Mr. Jones has been incarcerated for 29 years. Attorney White-Doman then noted the presence of additional supporters of Mr. Jones who drove to the hearing from Wisconsin; his proposed host would also have been present, but for an unexpectedly early birth of her child. Mr. Jones works full-time as a paralegal in the law library, as well as two days per week of voluntary mental health assistance to infirm offenders. Mr. Jones has earned his GED, graduated with an Associate's Degree, and made the Dean's List; he was also valedictorian of his class. There is a commitment from a professor at Loyola to assist in shepherding Mr. Jones through a Bachelor's Degree. Attorney White-Domain noted that Mr. Jones has assisted many other offenders with their own clemency-based efforts. Mr. Jones spent over \$400 of his own money, to purchase his own typewriter, so that he could assist others in preparing legal filings.

Michael Fields, Mr. Jones's son, then spoke to the Board. Mr. Fields read a letter regarding his father's impact upon him, a copy of which was added to the Board's file. The letter speaks to his father's changed nature, the support he provided to his son, and the constant presence he has been in his son's life, despite the difficulties and distance. Mr. Fields stated that his father never judged his son. Mr. Fields observed that his father is today what everyone should aspire to be – a better version of themselves. Attorney White-Domain asked for clarification about Mr. Jones's involvement with Mr. Fields's teachers; Doris Johnson, Mr. Fields's grandmother, acted as a facilitator of that communication. Mr. Fields noted that his father constantly spoke to him and encouraged him. Mr. Fields noted that his father has been incarcerated for most of his life; Mr. Fields recalled a moment where his father gifted him a dictionary and how much that affected him over many years. Mr. Fields spoke regarding his father's intent to treat Mr. Fields's daughter as a princess; his daughter hoped her father would bring grandpa home.

Mr. Tupy asked if Mr. Ruggiero had found anything in the Appellate Brief; Mr. Ruggiero noted that there were 32 stab wounds from an 11-inch blade. Mr. Ruggiero also noted that Mr. Jones was on top of the victim, stabbing him, and had to be pulled off; he initially resisted being pulled off and kept attacking. Mr. Jones could not explain the reason why the stab wounds were also in the back of the victim.

Ms. Daniels summarized her view of the case and noted that she believes Mr. Jones is remorseful and rehabilitated; she then moved to grant release.



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Mr. Bohland asked about Mr. Jones's recollection of the offense, in order to clarify that his version was that there was a fight, which led to a cut, and then the stabbing occurred during the fight thereafter; that understanding of Mr. Jones's position was confirmed.

DECISION AND RATIONALE

Motion to grant parole (LD—VM). Motion prevails by a vote of 8–4. Members voting in favor of the motion were Mr. Cerda, Ms. Crigler, Ms. Daniels, Ms. Martinez, Mrs. Savage, Mr. Shelton, Mrs. Wilson, and Chairman Findley. Mr. Bohland, Mr. Mears, Mr. Ruggiero, and Mr. Tupy dissented.

After a complete review of Mr. Jones's case, and after giving thoughtful discussion and consideration to all factors, the Board decided and voted to grant parole to Mr. Jones, subject to conditions of parole release as set by the Board and by law. The Board hereby finds that Mr. Jones 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—July 27, 2021

Name: **ZELMA KING**

IDOC Number: **C15020**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Zelma King C15020.

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

Recording Secretary: Jason Sweat

PRESENTATION OF INTERVIEW AND FILE

Zelma King C15020 was interviewed on June 2, 2021, at Dixon Correctional Center. Mr. King is currently serving three concurrent sentences of 100–300 years. Mr. King was initially found guilty by a jury and sentenced to Death. The Illinois Supreme Court affirmed the conviction, but remanded the case for sentencing, as the Death Penalty was found unconstitutional. He was ultimately sentenced to 100–300 years.

STATEMENT OF FACTS

On May 6, 1967, Mr. King, who was 25 years old, had recently moved into a second-floor apartment with his aunt, Bettie Smith, and her children. He brought furniture and a refrigerator with him. Because he was living with his aunt, he did not need some of his furniture, nor the refrigerator. He placed a “for sale” sign in front of the building where he was staying, in an attempt to sell the furniture and refrigerator. The victim, Thomas Higgins, came to the apartment in response to the sign and said that he would like to look at the refrigerator.

Mrs. Smith, who was in the kitchen at the back of the building, saw Mr. King and Mr. Higgins go to the basement and return; she then heard Mr. Higgins leave through the front door and go downstairs. About five minutes later, she heard Mr. King talking to Viola Kendall, owner of the building, at the front door of the apartment. Mr. King was explaining to the Ms. Kendall the difference between his refrigerator and the one that belonged in the apartment. Mrs. Smith testified that she heard Mr. King say, “Don’t,” and then “Don’t point it.” Then she heard two shots and ran out the back door to the nearby home of her sister, who notified the police. Both Mr. Higgins and Mrs. Kendall were found shot through the head on the landing, outside the front door of Mrs. Smith’s apartment.

Vasil Lookanoff lived in a garage next door to Mrs. Kendall’s building. He was standing in the alley behind that building when he heard two shots. He then saw Mr. King come down the back stairs



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and shoot Adelle Young at the back door of her first-floor apartment. Mr. King disappeared immediately following the shootings and was living under an alias when he was arrested in Arizona 10 months later.

Immediately after the shooting, two police officers responded to a call that a woman had been shot. No one answered the front doorbell, and one officer went around the building and up the back stairs to the second-floor apartment, where he found the two bodies. He and his partner also found an empty box for a recently-purchased gun.

MR KING'S STATEMENTS AS TO THE OFFENSES

Per Mr. King's file, he has previously represented as follows:

Mr. King had moved from the South Side of Chicago to live with his aunt. He wanted to sell some furniture and had a "for sale" sign in the yard. Mr. King was on the second floor, when Mr. Higgins came up to the apartment. Because it was a secure building, Mr. King was concerned when Mr. Higgins appeared at his door. Mr. King saw that Mr. Higgins had a gun in his waistband and "was looking around different rooms in his apartment." No transaction occurred and Mr. Higgins left.

A short time later, Mr. King heard pounding on his door. He got his gun, answered the door, and shot Mr. Higgins and Mrs. Kendall in the head. After he shot Mr. Higgins and Mrs. Kendall, Mr. King ran down the back stairs, where he saw another tenant, Mrs. Young, and shot her in the left eye, killing her instantly. He fled and was later found by the FBI 10 months later, living in Arizona under an alias.

Mr. King takes responsibility for his crimes and is remorseful.

INSTITUTIONAL ADJUSTMENT

Mr. King is the eldest of five sons who grew up in Jackson, Mississippi, on his grandmother's farm. He never met or knew his father. He assumed the paternal role, taking care of his younger siblings and helping his mother, stepfather, and grandmother cook, clean, and provide financially to the family household.

Initially Mr. King's institutional adjustment was poor, and he received many tickets; he received approximately 250 disciplinary reports/tickets which include Theft, Sexual Misconduct, Assault, Drugs and Paraphernalia, Insolence, Intimidation or Threats, and many other violations.

He has not received a ticket since 2019, which was a minor ticket for Disobeying a Direct Order, for which he received a verbal reprimand.

Since his incarceration, Mr. King has obtained his GED (1976) and has taken other courses, including Spanish. He has worked as a Machinist, in Furniture, and in Maintenance. His most recent assignment was in the clothing room. He is on A-grade and has been applauded by other individuals



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in custody for his ability to exist peacefully and productively with others. There are 18 letters of support from other individuals in custody, who all indicate that he mentors them and encourages them to take classes and to be productive and not violate rules.

PAROLE PLANS

If released, Mr. King will have housing with his brother, Earl Bracey, a retired attorney and Associate Vice President at Western Illinois University. Mr. King would live with Mr. Bracey in his two-story, three-bedroom home in Macomb, Illinois. Mr. King would have his own room and access to a kitchen and laundry room. He would also have complete access to his brother's library and office, where he can continue reading, listening to lectures, and continuing his learning. Mr. King's brother and nephew have also agreed to help him financially. Mr. King's nephew is a practicing attorney, who will employ him part-time at his office. Mr. King has also been accepted to volunteer at two different placements: a non-profit focused on anti-poverty efforts and the Islamic Center of Macomb.



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EN BANC HISTORY

Mr. King has not previously received any votes in favor of parole. In 2018, the Board specifically identified the need for a more concrete parole plan; Mr. King's legal counsel has helped him address this deficiency.

DISCUSSION

Summary of discussion for parole consideration:

Chairman Findley noted his recollection that Mr. King's brother was easy to talk with, while Mr. King was very difficult. Ms. Wilson noted a similar attitude; he was very reticent to speak to Ms. Wilson without being directly asked questions. Mr. Ruggiero noted that he spoke with Mr. King about his conversion to Islam; Chairman Findley asked Mr. Ruggiero whether Mr. King appeared to be devout; Mr. Ruggiero stated that Mr. King appears to believe himself to be so.

Mr. King's attorneys then spoke to the Board. Mr. King's attorneys described Mr. King's usage of his time to repent and rehabilitate himself. They noted that release would not promote disrespect for law, and that he can comply with reasonable conditions of release. Mr. King has spent more than two-thirds of his life in prison; he is not same man he entered as. Rather, he has become a man of deep faith who prays daily. Mr. King is an avid reader and gardener. Mr. King's attorneys argued that release would not affect institutional discipline, as he is no longer receiving tickets. Mr. King often mentors other inmates, including through the process of gang renunciation. Mr. King has numerous letters of support for grant of release; they describe him as kind, generous, mentoring, and reformed. Mr. King's attorneys noted that the Cook County State's Attorney's Office has taken no position in recent years regarding his release. [Board Note: This is the formal position of the Cook County State's Attorney's Office regarding *all* individuals currently eligible for discretionary parole consideration.] Mr. King's attorneys noted the Illinois Constitution's stated goal of restoring offenders to useful citizenship, arguing that Mr. King has been rehabilitated; they stated that Mr. King's family, attorneys, and community will provide support for his re-entry. Mr. King would live in Macomb with his brother, a retired attorney and former university administrator; Mr. King's nephew, also an attorney, will also assist with support. Mr. King will also have health insurance. Mr. King has a strong faith now; he lives not for himself, but for others. Mr. King's attorneys concluded by assuring the Board that Mr. King will be supported and successful if granted release.

Mr. Ruggiero asked about Mr. King not getting tickets anymore; Mr. Ruggiero noted that there was one mentioned from 2019, and that Mr. King had approximately 34 tickets, including 23 major ones, since 2000.

Mr. Shelton noted that he previously interviewed Mr. King, and that Mr. King's brother regularly had to interrupt Mr. King, because Mr. King was hard to keep on task or because Mr. King couldn't formulate the answers. Mr. Shelton asked whether there were any signs of mental health issues, in light of, those observations. Attorney Pilar Mendez stated that there were no reasons to



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believe there was a mental health issue present, noting the nature of the interview with Ms. Wilson; Attorney Mendez stated that Mr. King was deferential, but responsive, and noted that he has not tried to minimize his past actions. Attorney Mendez further noted that Mr. King admitted to Mr. Ruggiero that Mr. King's mouth sometimes got him in trouble, and that he had acted inappropriately. Mr. Shelton asked Ms. Wilson whether Mr. King appeared to comprehend and recall the offense and whether he understood what happened. Ms. Wilson confirmed that he did. Mr. Ruggiero noted that his interview with Mr. King was fairly animated, and that Mr. King would often go into rants. Ms. Crigler asked whether Mr. King may have dementia setting in; Mr. Shelton stated it seemed accurate to him. Ms. Wilson noted that Mr. King was reserved with her, not ranting. Attorney Mendez stated that he has some physical health issues, which are being treated in the Health Care Unit, but that there was nothing she was aware of relating to mental health treatment or needs.

Chairman Findley asked when the last ticket for assault occurred. Attorney Mendez stated the last assault was many years ago but confirmed that he had numerous tickets for violating orders.

Mr. Bohland stated that the first two murders, while terrible, were less shocking than the third one, in that Mr. King managed to shoot his victims in the head and kill them with a single shot. Mr. Bohland stated his belief that the nature of the shots spoke to the intentionality of the murders; that they weren't just a panicky incident. Speaking to the ticket history, Mr. Bohland noted that there was some change in behavior of late, in terms of the overall history and number of major tickets, the last of which occurred in 2017; the last four years have demonstrated some change, but only after 50 years of seriously poor institutional behavior. Mr. Bohland stated that when looking at compliance with reasonable conditions and institutional discipline, those seem to be serious factors, based upon the actual record of behavior.

Mr. Cerda asked about familial support; Attorney Mendez acknowledged they were not present, but that there was originally an intent to attend by family and a religious mentor to Mr. King. Attorney Mendez noted that that the drive from Macomb is a long one to make; however, she noted that the family were present at the interview at the institution with Ms. Wilson. Chairman Findley noted that Mr. Bracey, Mr. King's brother, is a well-established presence in Macomb, and that he would not offer to house Mr. King if Mr. Bracey didn't think Mr. King would be safe there.

Ms. Crigler noted that she was deeply concerned about Mr. King's ability to adjust to the current reality of the world; she was concerned, in particular; about getting mental health support for Mr. King, in light of, all his issues. Ms. Crigler stated that she would be comfortable voting to parole, with a strong support system in place; Attorney Mendez noted that Mr. Bracey is also qualified to provide mental health support. Attorney Mendez noted that Mr. King is aware of the challenges, but that the whole team (his attorneys, family, etc.) have built the parole plan with a recognition of that.

Mr. Shelton noted that he believed Mr. Bracey to be very well-situated to provide support to Mr. King and confirmed (via Attorney Mendez) that Mr. Bracey would be the host. Mr. Shelton noted that he strongly believed there were mental health issues present with Mr. King, and that the



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behavioral history demonstrated that fairly clearly. Mr. Shelton concluded by noting, however, that Mr. King is old, and that support can be provided for him by Mr. Bracey.

DECISION AND RATIONALE

Motion to grant parole (EW—DShelton). Motion prevails by a vote of 8–4. Members voting in favor of the motion were Mr. Cerda, Ms. Crigler, Ms. Daniels, Ms. Martinez, Mr. Mears, Mr. Shelton, Mrs. Wilson, and Chairman Findley. Mr. Bohland, Mr. Ruggiero, Mrs. Savage, and Mr. Tupy dissented.

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



***EN BANC* MINUTE SHEET
OPEN SESSION—July 27, 2021**

Name: **RAYMOND LONG**IDOC Number: **C10214**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Raymond Long C01214.

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

Recording Secretary: Jason Sweat.

PRESENTATION OF INTERVIEW AND FILE

Raymond Long C01214 is 78 years old and has served 58 years in prison. He was sentenced to 90–100 years in Vermillion County. His projected discharge date is June 20, 2026. Mr. Long was interviewed on May 4, 2021, via WebEx. In attendance in addition to Mr. Long was his counsel, Attorney Mira de Jong.

STATEMENT OF FACTS

On November 27, 1962, Mr. Long shot Randy Burge, 70 years of age, in the back of the head with a shotgun during a robbery in the victim's home in Hoopston. Mr. Burge's body was dragged from the kitchen to the living room, leaving a trail of blood. When the victim's wife, Ava Burge, age 69, came into the home, she was shot with the same shotgun and then with a .22 caliber pistol. She had seen the blood in the kitchen and called Mr. Long "killer." The couple had nine sons and daughters.

Mr. Long left the home with \$2,500 in cash and two guns. Mr. Burge was a gunsmith, and he had opened the door to Mr. Long, whom he knew from prior transactions, because Mr. Long told Mr. Burge that he wanted to trade the shotgun for another, smaller-gauge shotgun. After the murders, Mr. Long threw the guns into a creek, along with a purse that had contained money it. He was arrested about 3 months later and almost immediately confessed.

During the bench trial of the Murders, Mr. Long changed his plea to guilty as to the Murder of Mr. Burge, in exchange for dropping the Murder charge for the death of Mrs. Burge; Mr. King thereby avoided the Death Penalty as a sentence for the offenses



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MR. LONG'S STATEMENTS AS TO THE OFFENSES

Mr. Long was 19 years old at the time of the Murders. He was married and was supporting not only his wife, but her parents and four other children. Mr. Long's father-in-law had been injured and unable to work. Mr. Long had been working cleaning chicken coops, which did not pay enough to support the family. After work, Mr. Long would go hunting to put food on the table.

On the day of the murders, Mr. Long had quit his job (or been fired) and decided to rob Mr. Burge, whom everyone knew kept cash and guns in his home. Mr. Burge turned around toward the back door after letting Mr. Long into the kitchen. Mr. Long thought Mr. Burge had a gun and shot him with the shotgun he was carrying. A derringer that Mr. Burge was known to carry fell out of his pocket while he was lying on the floor. After shooting Mr. Burge, Mr. Long heard a woman's voice at the door telling the dog to be quiet. Mr. Long then shot her.

Mr. Long stated that he thought she would identify him. He said he froze for a time and then tried to move the body. He took \$2,500 and two guns. He then threw away the guns and Mrs. Burge's purse in a creek. He gave the money to his wife, who used it to pay bills. He did not tell his wife the truth about where he got the money. He was arrested about 3 months later and immediately confessed. Mr. Long said he destroyed both families and that he is so sorry it happened.

CRIMINAL HISTORY

Mr. Long had no adult charges before these offenses.

INSTITUTIONAL ADJUSTMENT

During his 58 years of incarceration, Mr. Long has received 25 disciplinary reports. Since 2014, he has received no disciplinary tickets. Mr. Long had two tickets for fighting, with both occurring prior to 1972.

Mr. Long has obtained his GED and several trade certificates. He has gained skills in masonry, landscaping, cement finishing, painting, and as a skilled carpenter. He worked in several positions over the years and had a supervisor in Shawnee who so valued Mr. Long's work over the 16 years they worked together that the supervisor gifted his own wristwatch to Mr. Long. Mr. Long trained other individuals in custody in these same trades.

He received clearance for offsite work for over 20 years. While at Menard, he was authorized to drive an IDOC vehicle and work on his own. His 2016 SPIN Assessment indicates that he stays in his cell during free time to stay away from younger IDOC residents. His counselors over the years have described his institutional adjustment as excellent. He has followed recommendations to complete his GED and take vocational training, which has resulted



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in skills and jobs in masonry, carpentry, painting and other trades. His carpentry skills in particular are very good.

Growing up, Mr. Long had been physically and verbally abused by his father, and his mother repeatedly told him that he was a mistake and should never have been born. Mr. Long's father was very authoritarian and treated Mr. Long even worse when he began stealing from neighbors and family. His parents separated when Mr. Long was 18, after 37 years of marriage.

He was arrested for burglary at age 15 and placed on probation. After 2 years, he dropped out of school and joined the Army. He was discharged in 1962 after being AWOL for 60 days and being undesirable. It was when he got back, having been kicked out of the service, that he got married and shortly thereafter had to move in with his in-laws, because he could not afford rent.

Mr. Long has been diagnosed with diabetes, high cholesterol, hyperthyroidism, hypertension, chronic obstructive pulmonary disease, asthma, and chronic renal failure. He had COVID and was hospitalized in November and December of 2020. He has lost some memory, but he doesn't know if it was from medications or age-related memory loss. It may also be a result of "COVID fog." Mr. Long can't walk very far and uses a wheelchair. He takes 12 medications and uses three different inhalers. He has gotten a shot for pneumonia and was scheduled for an x-ray the day of the interview.

Mr. Long reports that he has been depressed a lot over the years. He was sent to the psychiatric unit at Menard in 1965 for symptoms of reactive depression, which were conflicting with the proper discharge of his responsibilities. The psychiatric report also stated that he had some problems accepting the sentence he received. There were signs of stabilization after receiving medication and special attention in the Psych Division. He was then transferred back to Pontiac. Mr. Long stated that while he was in the Psych Division, he was given medication several times a day. He stopped showing up for his medications because of the effects they had on him. He felt that the medications were given to keep individuals in custody under control. He also showed signs of depression when his parents died. There are presently no indications of mental health problems.

PAROLE PLAN

Mr. Long's lack of a good parole plan has been discussed by this Board in the past. At one point, he had written to 100 different half-way houses but received no commitments. Once his father and others who were helping him died, he had little help in locating a half-way house or other housing.

Mr. Long's new parole plan has been laid out in the petition. With the help of his attorneys, Mr. Long now has housing available to him at the Peoria Rescue Mission. Once there, he will apply for their Men's Excel Renewal Program, which is designed to provide up to three



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years of reentry support. That support includes counseling, life skills development, and job training. The Illinois Prison Project will assist Mr. Long with his applications for Social Security, Insurance, Medicare, SNAP and cash assistance. Additional support is offered from the Safer Foundation, which will assign a case manager to help with his benefits applications and securing identification documents. They will also provide referrals for medical services.

Once his Medicaid and/or Medicare is secured, Mr. Long will be able to access medical services to continue treatment for his various conditions. If he is paroled to Peoria, he will go to the Heartland Community Health Clinic for his primary care, dental care, and prescription management. He will also have access to healthcare through the Veterans' Administration, which has an outpatient clinic in Peoria. In addition to his attorneys who present this petition, Mr. Long also has an attorney from the Veterans Legal Support Center and Clinic who is helping him to upgrade his discharge status and to apply for VA benefits. The VA would be able to provide additional reentry support including employment, substance abuse counseling, mental health therapy, and community support.

Mr. Long made friends with another individual in custody at Shawnee Correction Center named Gary Boyles. The two continued their friendship after Mr. Boyles was released more than a decade ago. Mr. Boyles has made a commitment to support Mr. Long financially and emotionally.

This parole plan is designed to ensure that Mr. Long receives all the assistance he needs to live on the outside and to ensure that he does not recidivate.

OPPOSITION TO PAROLE RELEASE

There has always been opposition to parole from the victims' family, as well as elected officials and the Hoopston Police Chief. In 2017, the Police Chief referred to this crime as the most heinous crime in Vermillion County history. Over the years, family members have appeared in person to voice their opposition. As those family members passed away, the grandchildren continued the opposition.

Additionally, the State's Attorney of Vermillion County has sent a strong letter in opposition stating that the judge spared Mr. Long's life although the prosecutor had requested the Death Penalty. He states further that the family has to relive the horror of these Murders each time this case comes before the Board. Prior State's Attorneys have also written letters in opposition, going back to the 1970s.

EN BANC HISTORY

Mr. Long has been denied parole 29 times. He received 2 votes in favor of release in 1995, but all other decisions have been unanimous, with many 3-year sets over the years.



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DISCUSSION

Summary of discussion for parole consideration:

Ms. Crigler inquired as to Mr. Long's current age; Ms. Martinez confirmed him to be 77 years old.

Mr. Bohland asked whether he was correct in understanding that Mr. Long's claim was that he shot the initial victim out of fear (when Mr. Long thought the victim was pulling a gun) and that the second victim was an unexpected arrival, whom he then shot in the back of the head with a shotgun. Ms. Martinez confirmed that understanding, noting that the victim was known both to carry a Derringer and to keep money in his overalls. Mr. Bohland observed that Mr. Long shot the second victim on the way out again, but with no reason given for the additional shot; Mr. Bohland noted that Mr. Long continues to justify his actions using a story that seems to not be truthful.

Mr. Shelton noted that Mr. Long admits committing burglaries, and that he went to the victim's location because he knew that the victim would sometimes purchase things from Mr. Long. Mr. Shelton noted that Mr. Long knew the victim well, and even knew that the victim was separated from his wife; that was part of why it was a surprise when she showed up.

Ms. Martinez and Ms. Daniels noted that Mr. Long has long openly admitted that the purpose was to rob the victim. Mr. Ruggiero asked if Mr. Long knew the victim would carry a gun; Ms. Martinez confirmed that Mr. Long knew that, but that he thought he could pull off the robbery with a shotgun. Mr. Ruggiero asked if Mr. Long thought he would be able to easily rob a man he knew carried a gun. Ms. Martinez noted that everyone knew that the victim would never turn his back to others; for some reason, he did this time. Ms. Martinez related that Mr. Long thought he would be able to pull off the robbery because he thought the victim wouldn't complain; due to the fact that their relationship was one where the victim would accept stolen property. Ms. Martinez summarized details around the actual gun involved and how it was connected to Mr. Long (in part) by using the victim's sales ledger; that was how Mr. Long was identified – via the identification of a gun used in another robbery.

Randy Burge, the victims' grandson, then spoke to the Board. Mr. Burge stated that the original sentence was 90–150 years as the result of a plea agreement in which Mr. Long was not charged with the grandmother's death. Mr. Burge noted the detailed parole plan, which appeared to be a first for Mr. Long. Mr. Burge noted that Mr. Long will seek Veteran's Administration benefits, and that numerous members of the victims' family are veterans, including the victims' own son. Mr. Burge stated that Mr. Long was dishonorably discharged, and that Mr. Burge has a hard time believing that the VA will provide benefits to someone that was dishonorably discharged. Mr. Burge noted that this offense occurred during his father's 20th year in the Air Force; his father was planning to return home to be with his family – and then his parents were murdered. Mr. Burge noted that the family struggled with holidays a lot, as the offenses



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happened just before Thanksgiving. Mr. Burge reiterated that they have and always will protest release; he stated that although Mr. Long has been in for a long time, Mr. Burge would be happy to see Mr. Long serve half of the sentence he was given – meaning 75 years, in effect. Mr. Burge noted that his grandfather was physically handicapped due to an industrial accident, and that he fixed and repaired guns to provide a living for himself. Mr. Burge concluded by stating that his grandfather was a kind and gentle man, and that kindness is what got him killed. Mr. Burge asked the Board to deny release and to grant a 3-year set.

Doug Burge, a second grandson of the victims, then spoke to the Board. Mr. Burge noted that his father retired from the military in 1963, after the murders. Mr. Burge noted that Mr. Long paints himself well here, but that the family knows all the stories about the victim and Mr. Long; they confirm the details about the victim carrying a gun, etc. The family story is that Mr. Long came to try and sell guns to the victim, but that the victim refused, as it felt “off” somehow, and Mr. Long said he had one more gun to sell; Mr. Long then went back to the car, came back, the victim turned to go into the house, and Mr. Long shot him. Mr. Long then shot the grandmother when she came through the door to see what had happened. Mr. Burge stated that the story about tracing Mr. Long via the gun was new to the family today; they had always understood that Mr. Long, who was reportedly known to be destitute, was spending money freely in town on expensive goods, which led to a police interview where Mr. Long admitted the murders. Mr. Burge stated that they (the family) have and will come to protest every time; they are surprised Mr. Long has a parole plan, as that had not previously been true. Mr. Burge asked how many visitors Mr. Long has been having; Ms. Martinez noted that Mr. Long’s father visited before passing away, in the past. Mr. Burge stated that the heartache is still real and present and never goes away. Mr. Burge noted that their father asked the family to continue to attend and protest against release after his death. Mr. Burge concluded by stating that there are lots of efforts to fight for rehabilitative programs for offenders, but that he wants to know who is fighting for the victims.

Mr. Long’s counsel, Attorney Mira de Jong, then spoke to the Board. Attorney de Jong noted that Mr. Long was a troubled and misguided 19-year-old who made a terrible decision to rob the victim. Attorney de Jong addressed the purpose of Mr. Long’s visit to Mr. Burge; Attorney de Jong noted that the State’s Attorney’s Office and Mr. Long maintain that Mr. Long went there to rob Mr. Burge, but that Mr. Long never intended to kill anyone. After his arrest, Mr. Long immediately confessed; he did not try to negotiate a deal, but instead took responsibility for his crimes. Attorney de Jong noted that Mr. Long entered a guilty plea at court and did not try to seek leniency. The State’s Attorney’s Office requested the Death penalty, but the judge opted against that; the judge also chose not to give an “impossibly long” sentence to meet. Instead, the judge sentenced Mr. Long to 90–150 years, meaning that 45 years was the minimum; Attorney de Jong observed that the 45-year minimum was met in 2008. Attorney de Jong noted that Mr. Long has been in for approximately 60 years, with his out date currently set to occur in 2026, upon finishing the maximum sentence possible. Attorney de Jong noted that Mr. Long has had no violent tickets in the last 20 years; he was involved in one fight, in 1971, in the dining hall. Mr. Long showed no prior propensity for violence before the offenses but did



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consistently commit burglaries. Attorney de Jong argued that Mr. Long made a terrible decision amid a great deal of stress at age 19, while trying to take care of a family of eight. Attorney de Jong stated that Mr. Long has made good usage of his time while incarcerated; he has worked to improve himself by becoming a skilled carpenter with more than 20 years of experience. Mr. Long has also trained countless others in skilled work and has also previously been given unsupervised roles that require huge levels of trust by DOC. Attorney de Jong noted Mr. Long's history of depression, and that his entire immediate family is now deceased. Attorney de Jong confirmed that Mr. Long is eligible for VA healthcare, due to number of years served; he is additionally eligible for housing funding via Featherfist (an organization that assists homeless and formerly incarcerated veterans). Featherfist has confirmed a place for Mr. Long that is wheelchair-accessible and will work with him to find a permanent place. Mr. Long is currently applying for a classification change with the VA; he was not "dishonorably" discharged but instead was "other than honorably" discharged. Attorney de Jong described preparing a parole plan for an elderly inmate with little external support; Mr. Long had viable plans while family and friends were alive, but those fell away when those individuals died; Attorney de Jong stated that the Illinois Prison Project organization is working hard to fill that gap.

Ms. Martinez asked about Mr. Long's parole plan; Attorney de Jong confirmed that the plan is to live in Chicago, but that there is also a bed available in Peoria.

Mr. Mears asked about the "building the prisons" comment; Attorney de Jong confirmed that Mr. Long did carpentry work throughout DOC. Mr. Mears asked about Mr. Long's health status, which Attorney de Jong provided details regarding.

Motion to enter Closed Session to deliberate regarding the case (JM—DSavage). Leave.

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

Ms. Martinez summarized her presentation again, then moved to grant parole, but suggested that any grant of parole would need to include a prohibition on returning to Hoopston, where the offenses occurred. Ms. Martinez noted Mr. Long had spent 58 years in prison, and that his parole plan was strong.

DECISION AND RATIONALE

Motion to grant parole (VM—LD). Motion fails by a vote of 3–9. Members voting in favor of the motion were Ms. Crigler, Ms. Daniels, and Ms. Martinez. Mr. Bohland, Mr. Cerda, Mr. Mears, Mr. Ruggiero, Mrs. Savage, Mr. Shelton, Mr. Tupy, Mrs. Wilson, and Chairman Findley dissented.

After thorough consideration of Mr. Long'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 parole



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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—July 27, 2021

Name: **MELVIN THEGPEN** IDOC Number: **C63418**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Melvin Thegpen C63418.

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

Recording Secretary: Jason Sweat.

PRESENTATION OF INTERVIEW AND FILE

Melvin Thegpen C63418 was born on March 18, 1953; he is a 68 year-old male serving a 50–150 year Cook County sentence for Aggravated Kidnapping, Rape, and Attempt Murder. Mr. Thegpen’s projected parole date is May 4, 2044.

STATEMENT OF FACTS

On December 1, 1975, the victim, a 17-year-old girl, was attending Rich East High School. She stayed after school to attend cheerleading practice. After practice, she walked alone down a school hallway to the parking lot of the school. It was there she encountered 22-year-old Mr. Thegpen. Mr. Thegpen asked her if she had been at girls’ volleyball. She tried to ignore him and continued walking to the parking lot. He then grabbed her arm and placed a gun in her back. He told her he had a gun and she saw in fact he did have a revolver. He then forced her out of the school at gunpoint and forced her into his car.

Mr. Thegpen drove her out to a rural area and sexually assaulted her at gunpoint. After sexually assaulting her, he asked her what her age was. She told him that she was 15 years old. He replied “oh you’re just a baby. I’m so sorry.” Mr. Thegpen then told her that he would take her back to the high school. Instead, Mr. Thegpen drove a short distance and forced her out of the car into a ditch. While she was lying in the ditch, he pointed the pistol at her and fired a total of four times.

The first shot struck the victim in the right side below her ribs and exited out her back. When she screamed, he fired a second time. The second bullet grazed the left side of the victim’s body. She screamed again, and Mr. Thegpen fired a third time, missing her. After the third shot, she pretended to be dead. He began to walk away, but returned and fired a fourth shot at the victim. The fourth shot struck the ground approximately two feet away from the victim where



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she was laying in the ditch. When she believed he had left, she made her way to a farmhouse in Monee, Illinois to get help.

She was taken to St. James Hospital. The victim identified both Mr. Thegpen and his car. He was found guilty by a jury and sentenced. Three years after he was convicted and sentenced, he filed a late notice of appeal which was denied because it was not timely.

MR. THEGPEN'S STATEMENTS AS TO THE OFFENSE

On April 29, 2021, Mr. Thegpen refused to be interviewed, as he has since 2006. During prior interviews with the Board, Mr. Thegpen made delusional statements including that "The judge sees [Mr. Thegpen] every day," that he "has all the keys," that he does not want to get out, that he owns financial institutions all over the country, that he doesn't want to see the Parole Board, and that "My work is here."

CRIMINAL HISTORY

1970 – Criminal Damage to Property.

May 1, 1973 – Mr. Thegpen was arrested for Aggravated Battery and Rape; the allegations involved the abduction of a girl from Bloom High School by knifepoint. According to the Cook County State's Attorney's Opposition Letter of June 28, 2018, "Thegpen was also placed in a lineup on two prior occasions in which female victims conditionally identified him, but failed to make positive identifications because of fear of retribution."

INSTITUTIONAL ADJUSTMENT

During his incarceration, Mr. Thegpen has accumulated 113 disciplinary violations; most are related to failure to submit to medical testing, however. There are a number of tickets for fighting or assaults, but none since May 14, 2011, when he received 1 month of isolated confinement for Fighting

IDOC records indicate that Mr. Thegpen has held no job assignments during his incarceration. He is currently a resident at the Joliet Treatment Center, due to mental health issues.

Mr. Thegpen was born in Jackson, Mississippi, and was raised by his mother, as his parents had divorced. Mr. Thegpen's mother worked at Ford Motor Company in Chicago Heights; his father lived in Chicago. Mr. Thegpen has a son, according to a pre-sentence report from 1976. IDOC records, however, indicate that he has no recent contact from family or friends.



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PAROLE PLANS

Per IDOC records, Mr. Thegpen has provided no plan for the purposes of parole.

OPPOSITION TO PAROLE RELEASE

The Board has received multiple victim statements in opposition over the years. In 2018, at the time of his last parole consideration hearing, it was specifically noted that there was an objection on the basis that Mr. Thegpen's plan was to not only sexually assault the victim, but to kill her after the initial attack.

DISCUSSION

Summary of discussion for parole consideration:

The Board noted that, prior to the hearing, the Office of the Attorney General formally requested a 90-day stay of release, if parole were to be granted, in order to have Mr. Thegpen evaluated for potential classification and commitment as a Sexually Violent Person.

Mr. Ruggiero presented the summary of the case.

The Board determined that no additional discussion was necessary following Mr. Ruggiero's presentation, and Mr. Ruggiero then moved to deny parole.

DECISION AND RATIONALE

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

Motion for a 3-year set (JR—Dshelton). Motion prevails by unanimous vote.

After thorough consideration of Mr. Thegpen'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. Thegpen 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—July 27, 2021

Name: **PATRICK INOCENCIO**

IDOC Number: **R00176**

The Illinois Prisoner Review Board met in open *en banc* session at 3000 South Dirksen Parkway, Springfield, Illinois, on July 27, 2021, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Patrick Inocencio R00176.

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

Recording Secretary: Jason Sweat.

PRESENTATION OF INTERVIEW AND FILE

Patrick Inocencio R00176, age 39, was interviewed for parole consideration on May 28, 2021, via videoconference, with the participation of his counsel.

On or about October 13, 2000, Mr. Inocencio, was convicted of First Degree Murder, for which he received a 20-year term at 100%; he was further convicted of three counts of Aggravated Battery with a Firearm, for which he received 6-year terms each at 85%, pursuant to a negotiated plea. Two of the 6-year terms were to be served consecutively to the 20-year term and consecutive to each other. The third Aggravated Battery term was to be served concurrently with all other terms, for a total sentence of 32 years. He was to be on mandatory supervised release for 3 years. His projected Mandatory Supervised Release date at the time of this review was April 30, 2029.

On October 5, 2020, the Governor JB Pritzker granted a Commutation of Sentence, allowing for Mr. Inocencio to be considered for discretionary parole by the Board. Mr. Inocencio is supported in his request for parole by family members, and his mother, his sister, and a nephew (Mr. Inocencio's proposed parole host) were heard via videoconference on the day of the parole consideration interview.

STATEMENT OF FACTS

The crime occurred on February 13, 1999, thirteen days prior to Mr. Inocencio's 17th birthday, at a Howard Johnson hotel in Aurora, where the six victims—Eric Johnson, Michael Johnson, Rebecca Wilkinson, Maria Rodriguez, Natalia Rodriguez, and Michelle Walker—were occupying a room.



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At approximately 9:55 a.m., Mr. Inocencio entered that room; he was followed later by co-defendants Jesse Martinez and Melissa Sandoval. Mr. Inocencio and Mr. Martinez, who were armed with firearms, opened fired on the victims, killing Eric Johnson and severely injuring Michael Johnson, Ms. Wilkinson, and Natalia Rodriguez.

Each of the surviving victims had lengthy hospitalizations, with two of them suffering gunshot wounds to the head, and one of them suffering a gunshot to the stomach. Michael Johnson, who was the cousin of Eric, the victim who died, was shot in the leg and the face. Natalia Rodriguez suffered a shattered pelvis, collapsed lung, and broken collar bone.

The shooting was gang-related, with Mr. Inocencio holding a position known as a “hood enforcer” for the Latin Kings of Aurora; victim Eric Johnson was a rival member of the Ambrose Street Gang of Aurora.

Mr. Martinez was convicted in December 2000 of Murder, Attempt Murder, Home Invasion, and other felonies. He was sentenced to a total of 76 years.

Ms. Sandoval, age 19, was found not guilty in a bench trial, with the judge citing a previous Illinois Supreme Court ruling that prevented him from finding her guilty.

MR. INOCENCIO’S STATEMENTS AS TO THE OFFENSES

Mr. Inocencio’s counsel has pointed out to the Board that Mr. Inocencio took responsibility for his crime by pleading guilty, and that he risked his life to aid the prosecution in that case (as evidenced by his testifying against Mr. Martinez during his trial).

The Board is also aware, however, that Mr. Inocencio testified in 2011 at Mr. Martinez’s post-conviction petition hearing, at which time he contradicted his previous testimony. In fact, at that time, Mr. Inocencio substituted an individual with the last name Delgado for Mr. Martinez, purporting that Delgado was the actual enforcer for the Latin Kings whom Mr. Inocencio was with at the time of the crime, saying that he (Mr. Inocencio) previously gave investigators erroneous information. The trial court found Mr. Inocencio’s revised testimony to be “incredible, untrustworthy, and unbelievable.” Notably, Mr. Inocencio received special permission from the Department of Corrections on May 19, 2011, to correspond with co-offender Mr. Martinez.

INSTITUTIONAL ADJUSTMENT

Mr. Inocencio’s incarceration started out at Joliet, with transfers to Stateville, Menard, Tamms, Pontiac, and Lawrence Correctional Centers over the years. Currently, he is housed at Pinckneyville Correctional Center. This last transfer was ordered after it was discovered that he was communicating with a female staffer at Lawrence by telephone; this information was volunteered to the Board by the Mr. Inocencio’s counsel during the parole consideration interview; nefarious activity is not presumed, however, with regards to the telephone calls.



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Mr. Inocencio has earned numerous certificates indicating modules of religious study, primarily correspondence courses, from Good News Prison Ministries (2018) and Set Free Prison Ministries (2018). One particular document is labelled “Credentials of Ministry – Ordained October 14, 2009” from the Universal Life Church, Modesto, California. Mr. Inocencio has had relatively few disciplinary referrals, considering the length of time served, but they have primarily been gang-related, with the most recent such report occurring approximately 4 years prior to the current hearing.

Mr. Inocencio has made the Board aware of some of the difficulties in his life, including the divorce of his parents early in his life, exposure to and use of marijuana starting at the age of 7, membership in the Latin Kings by age 12, witnessing multiple killings, and the climax of his career in the gang being when he fired into the “Ambrose room.” He asserts that he intends to have his gang tattoos removed, that he is a practicing Christian, and that he has planned a non-profit organization for the purpose of outreach to kids.

PAROLE PLANS

Mr. Inocencio has submitted a parole plan that he describes as excellent, beginning with an offer of housing from his nephew in Henry County, and including the prospect of employment in the construction business with that nephew. However, the currently proposed host was found to have a troublesome history of arrests—with each resulting in conviction—in Henry and Stark Counties, including nine misdemeanor traffic offenses, with the most recent traffic offense occurring in November of 2020, as well as five misdemeanor criminal offense, with the most recent criminal offense occurring in August of 2017.

DISCUSSION

Summary of discussion for parole consideration:

Chairman Findley requested that Mr. Inocencio’s attorney, Jorge Montes, open the discussion of the case by introducing the family members present on Mr. Inocencio’s behalf and by speaking briefly regarding Mr. Inocencio’s case.

Attorney Montes introduced Mr. Inocencio’s mother and sister, before then providing a brief background of Mr. Inocencio. Attorney Montes asserted that Mr. Inocencio was the product of an abusive family situation, as well as gang involvement, starting at 12 years of age. Mr. Inocencio, however, was noted to be extremely cooperative with authorities, despite the potential for danger to himself as a result, of the cooperation. Attorney Montes further noted that Mr. Inocencio had served 22 years in IDOC but had only received eight disciplinary reports during that time, with most being minor tickets. Mr. Inocencio also plans to have all his prison/gang tattoos removed upon release. Attorney Montes noted that Mr. Inocencio will have an opportunity to live and work in Kewanee with his nephew. Mr. Inocencio has also become a minister and raised funds for St. Jude’s while incarcerated; he created a program for keeping



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young people out of trouble as well. Attorney Montes argued that society needs young people like Mr. Inocencio out there working to combat the societal problems that exist here.

Mr. Inocencio's sister Amanda then spoke on behalf of her brother's request for parole. She plans to move to Kewanee to assist with his transition back to normal life on the outside. Ms. Inocencio spoke about losing their older brother while Mr. Inocencio has been incarcerated; her family wants to help him and support him in any way that they can.

Mr. Shelton then provided a presentation and summary of Mr. Inocencio's file and interview.

Mr. Shelton mentioned that Attorney Montes discussed the lack of consideration of *Miller* factors at the time of Mr. Inocencio's original sentencing. Attorney Montes explained that Mr. Inocencio was a minor at the time of the original offense and sentence, which was not taken into consideration appropriately at the time of that sentencing, particularly as it related to the inability of a youth to fully appreciate the consequences of their own actions.

Mr. Shelton then resumed and concluded the presentation of Mr. Inocencio's case.

Ms. Martinez asked what year the recantation of testimony occurred; Mr. Shelton replied that it was either 2010 or 2011, noting that it occurred during the co-defendant's post-conviction filing. Ms. Crigler asked for clarification of the recantation; Mr. Shelton clarified that Mr. Inocencio did not recant his own involvement but recanted the claim of the other individual's participation. Ms. Crigler asked for the status of that individual; Mr. Shelton noted that the co-defendant is still in prison, but that his current incarceration may possibly relate to subsequent offenses.

Ms. Crigler asked for confirmation of Mr. Inocencio's age; Mr. Shelton confirmed Mr. Inocencio to be 36 years old. Ms. Crigler asked about any details regarding Mr. Inocencio's education; Mr. Shelton noted the religious program certifications; Attorney Montes stated that Mr. Inocencio had also earned a paralegal qualification. Ms. Crigler then asked about Mr. Inocencio's claims; Mr. Shelton noted that the most recent ticket was for an illegal tattoo, and further noted that he has concerns as to whether the tattoo is gang-related; Attorney Montes clarified that the new tattoo was of Mr. Inocencio's mother's name.

Ms. Wilson asked about Mr. Inocencio's parole plans and proposed host site. Mr. Shelton explained that it would be in Kewanee, with Mr. Hoffman, and that Mr. Inocencio's mother, sister, and other family members are planning to relocate nearby.

Ms. Martinez noted that IDOC has a gang renunciation process; Mr. Shelton indicated he has no information regarding whether Mr. Inocencio has engaged in that process. Mr. Shelton noted having read the Master File and not having seen any evidence to that effect.



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Mr. Ruggiero asked whether Mr. Inocencio's projected release date is in 2029; Mr. Shelton confirmed that release will occur in 2029 if the Board were to deny parole.

Mr. Tupy noted that Mr. Inocencio was given the absolute minimum (20 years) for Murder; Mr. Tupy indicated that he wondered why that was the result. Mr. Shelton noted that Mr. Inocencio provided testimony against others; however, the individual that was found guilty was also the same individual that Mr. Inocencio later recanted his testimony regarding.

Mr. Cerda asked Attorney Montes about whether Mr. Inocencio is currently working with any organizations on the outside. Attorney Montes clarified that Mr. Inocencio has been working with a chaplain from Florida, and the organization has already been formed.

Attorney Montes added a final statement that he feels that by issuing the Commutation, the Governor has indicated that he believes Mr. Inocencio to be a good candidate for release.

Chairman Findley asked about the existence of any opposition to release; Mr. Shelton noted that the file record is limited, as the case is very new to the Board, but that the Kane County State's Attorney's Office did file an opposition letter.

Mr. Shelton also noted the traffic and misdemeanor crimes for which Mr. Inocencio's proposed host had been convicted, including recently. Mr. Shelton indicated that he was not comfortable with that proposed host at all.

Mr. Tupy asked about Mr. Inocencio's last disciplinary report; Mr. Shelton stated that it was a minor, non-violent incident.

Mr. Shelton then summarized his feelings on the case and moved to deny release.

DECISION AND RATIONALE

Motion to deny parole (DShelton—JR). Motion prevails by a vote of 7–5. Members voting in favor of the motion were Mr. Bohland, Ms. Crigler, Ms. Martinez, Mr. Mears, Mr. Ruggiero, Mrs. Wilson, and Mr. Shelton. Mr. Cerda, Ms. Daniels, Mrs. Savage, Mr. Tupy, and Chairman Findley dissented.

After thorough consideration of Mr. Inocencio'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 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.”