



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

EN BANC MINUTE SHEET
OPEN SESSION—May 30, 2019

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on May 30, 2019 at the 9:00 a.m. session to discuss and deliberate parole eligibility for the following inmates:

C92772	FRANKLIN JOHNSON
C90220	GEORGE PHILLIPS
C63915	LENNOX LAWRENCE
C82429	WAYNE MIKEL

The meeting was called to order by Chairman Findley.

Roll call was taken by Recording Secretary Janet Crane.

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

14 Members Present

The Recording Secretary presented the April 25, 2019, Open Session Minutes for approval.

Motion to approve Open Session Minutes from **April 25, 2019**. (DS—VM). Leave.



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

The Board continued the case of James Brimmer C61247 to the June 2019 docket.

Chairman Findley made a statement to the Board concerning several pieces of correspondence sent to the Members of the Board by LaSalle County State's Attorney Karen Donnelly requesting a rehearing regarding the parole of Henry Hillenbrand. Mr. Hillenbrand, as detailed in the minutes from the April 25, 2019, *en banc* session of the Board, was paroled by unanimous vote. Chairman Findley noted that the administrative rule cited by SA Donnelly was inapplicable to Mr. Hillenbrand's case, and therefore the request for rehearing was deemed legally improper, meaning that no rehearing would occur.

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

Meeting was adjourned (CF—DS). Leave.



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

***EN BANC* MINUTE SHEET**
OPEN SESSION—May 30, 2019

Inmate Name: **FRANKLIN JOHNSON**

IDOC Number: **C92772**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on May 30, 2019, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Franklin Johnson C92772.

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

Recording Secretary: Janet Crane.

PRESENTATION OF INTERVIEW AND FILE

Franklin Johnson C92772 was interviewed at Dixon Correctional Center on April 17, 2019. Present at the hearing were his legal representatives from the Pro Bono Legal Clinic at the John Marshall Law School, Michael Seng, law student Anna Schiefelbein, and Ms. Martinez from the Prisoner Review Board. Mr. Johnson is currently 76 years of age and he is projected for release in November 2076. He was convicted of Rape (50-100 years), Burglary (50-100 years), Robbery (50-100 years), Deviate Sexual Assault (50-100 years), Rape (100-200 years), and Deviate Sexual Assault (50-100 years) to be served concurrently.

STATEMENT OF FACTS

On July 6, 1977, the victim, a 15-year-old girl, was babysitting at an apartment in Evanston, Illinois. She was in the alley in the back with the 3-year-old girl she was babysitting, who was in a small pool. When the two decided to go inside, they encountered Mr. Johnson briefly. The victim took the 3-year-old up to the apartment and latched the screen door behind her. The victim placed the 3-year-old in her bedroom and went to the living room where she found Mr. Johnson standing with a towel in his hand. He ordered her to a bedroom and told her to put the towel on her face. When he asked about the 3-year-old, the victim told him that she was babysitting and was only 15 years old. He asked when the parents would be back, and the victim told him in about 15 to 20 minutes. Mr. Johnson forced her to submit to oral sex and then raped her vaginally. He then tied her up and left the apartment after rummaging through the kitchen. The victim freed herself, locked the back door, and called the police. A witness observed Mr. Johnson leaving the apartment building and gave a description of the offender and his car to the Evanston Police. After Mr. Johnson was arrested in another case, he was positively identified by the victim. A jury found him guilty of Rape and Deviate Sexual Assault. He chose to be sentenced under the law as it existed prior to 1978 and was sentenced in August of 1979 to



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

100-200 years for the Rape and 50-100 years for the Deviate Sexual Assault, to be served concurrently and consecutively to the sentence in the next case. The conviction was confirmed but the sentence was modified to run concurrently with the second sentence.

In the second case, Mr. Johnson was charged with sexually assaulting a woman in her home on July 14, 1977, only eight days after the Rape of the 15-year-old. This victim was on her bicycle returning from a drugstore. She entered the outer door and was unlocking the security door when she saw Mr. Johnson entering the building. He followed her in and she saw him as she glanced back while ascending the stairs. As she opened her apartment door, he forced his way into the apartment. He grabbed her, but she was able to free herself. Mr. Johnson caught her as she attempted to escape through the back door. He wrapped a kitchen towel around her head. He threatened her with a hammer to keep her from screaming and told her he would not hurt her, but that he was going to rape her. She was able to see him when she pushed the towel up. He forced her into a bedroom and told her to undress. She noticed he did not have underwear on when he undressed. He forced her to have oral sex and then vaginally raped her. He tied her up with a rope and tied her ankles with a blouse and then left. She was able to free herself and noticed that \$10 was missing from her purse. She called the police and gave them a description. Mr. Johnson was stopped in his car 10 minutes later and taken to the victim's home, where she identified him as her attacker. Mr. Johnson was found guilty after a jury trial of Rape, Deviate Sexual Assault, Burglary, and Robbery. He chose to be sentenced under the indeterminate sentencing laws and was sentenced to 50-100 years. The conviction was affirmed on appeal in 1981. Mr. Johnson was on parole at the time of the commission of the crimes for which he is currently incarcerated, for offenses detailed in the Criminal History section below.

In 1999, Mr. Johnson filed a *pro se* petition for habeas corpus which the trial court denied. The Appellate Court granted a motion by the public defender for leave to withdraw because there were no arguable bases for relief. 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 if he had, he would have chosen the new sentencing laws. The motion was dismissed because the petition was directly contradicted by his previous allegations in his petition for writ of habeas corpus, and he was assessed \$90 in fees and costs for filing a frivolous petition. The Appellate Court affirmed the assessment of fees in 2009.

In 2015, Mr. Johnson filed a motion for post-conviction testing of DNA. The motion was unopposed. The DNA testing revealed that the evidence that was collected matched Mr. Johnson in both cases.

CRIMINAL HISTORY

Mr. Johnson was convicted for Robbery in January 1960 and sentenced to 5 years of probation, with the first 6 months to be served in the Cook County House of Corrections. In March 1963, he was found to be in violation of that probation and sentenced to 1-14 years in the



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

penitentiary, due to convictions for new offenses. In particular, Mr. Johnson was convicted of Rape and three counts of Robbery against three different victims, for incidents which occurred in January 1963.

In addition, Mr. Johnson was arrested and charged with Rape against two other women in Evanston in 1977. Those cases were dismissed after Mr. Johnson was sentenced on the two cases for which he is currently incarcerated.

MR. JOHNSON'S STATEMENTS AS TO THE OFFENSES

During the interview, Mr. Johnson stated that he takes responsibility for whatever crimes he committed. However, he said he can't live in the past, and has to look to the future. He said he is sorry for the people for whatever took place and the effect on them and their families. When asked specifically about the rape of the 15-year-old, he didn't want to talk about it. He said he committed each of the crimes, but did not want to go through the details. He did say that during the time of the trial, a doctor had asked whether Mr. Johnson blacked out. He said he requested a DNA test to know if he committed the crimes. He wasn't sure what was presented at trial.

INSTITUTIONAL ADJUSTMENT

Mr. Johnson has had an excellent record while incarcerated. He is currently in A grade, minimum security, and is low escape risk. He has had only two major tickets and his last minor ticket was in February 2018 for having an extra pair of glasses.

He has spent his time in religious activities and developing his artistic talents. He is an internationally-acclaimed artist and has sold his artwork while incarcerated. He was transferred from Stateville Correctional Center to Graham Correctional Center in 1982 after having saved an employee in the art studio from being attacked by another offender. Mr. Johnson and another offender took the locked door off its hinges to stop the attack in progress. For his own safety, Mr. Johnson was transferred to Graham Correctional Center, where he taught art. He was transferred to Western Illinois Correctional Center in 1999 and then to Dixon Correctional Center in 2004.

Mr. Johnson says he came from a dysfunctional family and received no guidance from them. He said it affected him more than other children. He said he ran away from home and that he wet the bed in the Audy Home. He found solace in church, where he was an altar boy and sang in the choir. When he went to Stateville Correctional Center, it was a time of rest and a time to grow for him. He noted that art has always been a part of his life.

He said that his wife had mental depression. He had pressure to work and look after his wife and child. He feels that he may have been overwhelmed and that triggered things that happened when he was growing up. He was asked if he had been a part of the Sexual Offender Program at Graham. He said no, but that the chaplain spoke with him about his sex offenses. Mr.



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

Johnson related that he had many sessions with the Roman Catholic chaplain and other chaplains. He also noted that he was teaching art at Graham. He had been sent to Graham by Director Meyers after the incident at Stateville because there was fear of retaliation from the attacker. His petition indicates that he completed a faith-based sexual offender program at Graham. Note that this faith-based program is not the same as the Sexual Offender Program, and, in fact, DOC records do not indicate any special chaplaincy programs focused on sex offenses.

He stated that the blood of Jesus had cleansed him of his sins, and that he is governed by Christian beliefs. He reported that the clergy told him "What you did is not who you are." When he was paroled from Stateville on the first Rape, a psychiatrist reportedly told him that there was no indication of anything wrong with him. Mr. Johnson thought he was healed and said that the judge told him he must have snapped.

Mr. Johnson has been married since 1974 and has two grown children. His wife was pregnant when these crimes occurred. His wife has supported him during his incarceration and is a part of his parole plan. He described his relationship with his children as strained due to time and distance. There was a letter from his daughter attached to the parole petition, but that letter was dated 1996 and talks about his being wrongfully accused. If the family thought that he was innocent, that belief had to have changed once the DNA proved his guilt in 2015.

Mr. Johnson has several medical conditions. He needs knee replacement, which was already approved in June 2017, but has yet to be scheduled. The knee condition is due to advanced osteoarthritis. He also needs to have surgery on his left wrist, which is also due to advanced osteoarthritis. That surgery was also approved in 2017, but has also not been scheduled. Finally, Mr. Johnson needs cataract surgery on his right eye. That surgery was approved in December of 2018. Grievances have been filed on the delays in scheduling surgery, but Mr. Johnson indicates that no response has been received.

PAROLE PLANS

Mr. Johnson has received support in developing release plans from The Regeneration Center in Alexandria, Minnesota, which provides residential training homes. The Director of The Regeneration Center is also operations manager of Opportunity Enterprises, which helps ex-offenders find work and be productive members of society through Life Skills and Vocational Training. Opportunity Enterprises has offered Mr. Johnson a job and suitable housing. After a year, Mr. Johnson would be eligible for free tuition for seniors to attend the University of Minnesota. Alternatively, Mr. Johnson could live in Iowa with his wife on his late in-law's farm. He intends to be active in the church and community, as well as continue in his career in art. He will be with his wife and will try to mend his relationship with his children. In addition to the letter from The Regeneration Center, Mr. Johnson also has support from a niece, his son, and a friend of over 40 years. There is also a letter of support from a friend who knew him from church in the 1970s. He will have the support of a family and church community.



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

The SPIN Assessment shows a high overall Full Assessment Risk and Moderate Full Assessment Protective. The Assessment Specialist did make some statements that should be reviewed. Mr. Johnson told the Specialist that he harbored a lot of anger from the abuse he encountered at home by the men his mother associated with. He also reported that he resents his mother. In the notes on substance abuse, the report notes that Mr. Johnson reports casual alcohol use, but the Specialist noted that it sounded as if his use was more significant than just casual use. Also, significantly, Mr. Johnson reported that he never considered alcohol or marijuana a drug. He reported that he graduated from high school, but the permanent record, according to the Assessment Specialist, indicates that he did not graduate. Mr. Johnson also emphasized twice that, at his current age, he “no longer has the sexual prowess of a young man.” He therefore believes he is not a threat to society. The report notes that while Mr. Johnson appeared to be honest about his criminal history, “[Mr. Johnson] seemed to have little introspection about why he committed these crimes.”

OPPOSITION TO PAROLE RELEASE

The Cook County State’s Attorney, as in the past, vigorously opposes the granting of parole to Mr. Johnson. The protest letter, in addition to the facts which have been presented, also notes that this is the first year that Mr. Johnson has indicated any remorse for his actions, and that he was on parole at the time of the two crimes for which he is serving time now. The State’s Attorney’s Office notes that even after the DNA results were released in 2016, Mr. Johnson told the interviewing Board Member that the crimes “were not what they appear to be.” Throughout the years, victims and their families have also appeared or submitted letters in opposition to Mr. Johnson’s release, fearing that other women would be raped. There is also a letter dated from 2010 from the former prosecutor, who states that Mr. Johnson was “the most cunning criminal he ever prosecuted” in the 10 years that he served in the Cook County State’s Attorney’s Office.

EN BANC HISTORY

Mr. Johnson has never received a vote in favor of parole release from any Member of the Board and has had 3-year sets since 2007.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Johnson’s attorney, Michael Seng, was present and spoke on Mr. Johnson’s behalf. Mr. Seng stated that Mr. Johnson is an artist, who is married with two children. Mr. Seng noted that Mr. Johnson states that he committed the crimes, but didn’t want to talk about it; he has to look forward. Mr. Seng stated that although Mr. Johnson has not attended sex offender counseling, he has attended a faith-based program at Graham. He advised that Mr. Johnson’s



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

parole plan includes the possibilities of a parole site at The Regeneration Center in Alexandria, Minnesota, parole to Iowa to live with his wife, or to parole to the home of a niece, son, or family friend. Mr. Seng also noted that Mr. Johnson's health issues include the need for a knee replacement, surgery to his left wrist, and cataract removal on his right eye. The wrist and eye surgeries have been approved, and Mr. Johnson has filed a grievance on the surgery delays.

Ms. Martinez stated that Mr. Johnson believes the anger shown on the SPIN is from his abuse at home. She noted Mr. Johnson states that he resents his mother and does have a problem with alcohol. Additionally, she commented that Mr. Johnson stated that he graduated high school, but his IDOC file does not support that. Ms. Martinez advised that she does not believe that he is a risk to society, but noted that Mr. Johnson does not have a reason why he committed his crimes.

Ms. Martinez stated that she doesn't believe that Mr. Johnson takes responsibility for his crimes, and the fact that he has not attended sex offender counseling is a concern to her. She feels Mr. Johnson needs help, as he has been convicted of three Rapes and two additional Rape cases were dropped.

Mr. Shelton commented on Mr. Johnson's statement that he does not have the sexual prowess of a younger man, stating that sexual prowess has nothing to do with the crime of Rape.

Mr. Shelton asked about the four Robbery charges that Mr. Johnson was also convicted of. Ms. Martinez said those cases were not addressed.

Mr. Shelton asked if the possibility that Mr. Johnson had blacked out during the commission of his crimes was raised at trial. Ms. Martinez said the issue was not raised at his trial, but that he had been questioned by a doctor about that being a possibility.

Mr. Seng stated that Mr. Johnson has been in IDOC custody for more than 40 years. He noted that Dixon Correctional Center has no sex offender counseling program offered, and he doesn't feel that Mr. Johnson should be penalized for not attending something that is not offered. Mr. Seng stated that Mr. Johnson is at Dixon for art, and that it is good therapy for him. Mr. Seng further noted that Mr. Johnson has a degree in Art Therapy and teaches art classes at Dixon.

Cook County Assistant State's Attorney Sara Whitecotton spoke for the State. She said the issue of blackouts was not presented at Mr. Johnson's trial. ASA Whitecotton argued that Mr. Johnson does not have family support and requested denial of parole with a 3-year set.

Assistant Attorney General Samatha Hodapp appeared on behalf of the Attorney General's Office and requested a 90-day stay of any grant of parole to Mr. Johnson, in order to allow time to have Mr. Johnson evaluated for possible designation as a sexually violent person.



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

Ms. Martinez advised that while Mr. Johnson said he takes responsibility, she just doesn't believe he has. She advised that during other interviews he has been evasive, and he did not want to discuss the details of the crimes. Ms. Martinez additionally noted that she was very concerned that he has not participated in counseling through the Sex Offender Counseling Program. She advised that program would have included, among other things: identification and understanding of the offense cycle; risk factors that increase his potential recidivism; and factors that can reduce risk for reoffending. Ms. Martinez also stated that she doesn't think that a church or chaplain should be relied upon by the State to provide sex offender counseling. She noted that Mr. Johnson did not, while he was at Graham, participate in services under the Sexual Offender Program. Ms. Martinez noted that she did ask for any proof of him having undergone sex offender counseling and did not receive any.

Ms. Martinez further advised that if he committed crimes and really did black out, he needs help to ensure that he doesn't do something else that he can't remember. She stated that Mr. Johnson has been convicted of the Rape of three women, including a 15-year-old, and two other Rape cases were dropped after the present convictions. She commented that if he kept blacking out there should have been some explanation and proof. While she believes that the issue of delays in his medical care should be addressed immediately, she also believes that he is still a risk to the public and should not be paroled.

DECISION AND RATIONALE

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

Motion for a three-year set (DS—AMP). Motion fails by a vote of 7–7. Members voting in favor of the motion were Mr. Brink, Mr. Fisher, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, and Ms. Wilson. Ms. Crigler, Ms. Daniels, Mr. Dunn, Ms. Harris, Mr. James, Ms. Martinez, and Chairman Findley dissented.

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



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

***EN BANC* MINUTE SHEET**
OPEN SESSION—May 30, 2019

Inmate Name: **GEORGE PHILLIPS**

IDOC Number: **C90220**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on May 30, 2019, at the 9:00 a.m. session to discuss and deliberate parole eligibility for George Phillips C90220.

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

Recording Secretary: Janet Crane.

PRESENTATION OF INTERVIEW AND FILE

George Phillips C90220 was interviewed for parole consideration on April 24, 2019, at the Joliet Treatment Center (JTC). He is serving a sentence of 100-200 years for the Murder of James Terrell.

STATEMENT OF FACTS

According to Georgia detectives, Mr. Phillips had borrowed a handgun with the purpose of robbing Mr. Terrell, an oil company executive, at his high-rise Chicago apartment. Mr. Phillips identified himself as someone known to the victim to gain entry to the residence. Once inside, Mr. Phillips began to strike the victim's head with the handgun. As the victim fell unconscious, Mr. Phillips produced a hunting knife and stabbed the victim approximately 20 times, until he "bled like a stuck pig."

CRIMINAL HISTORY

Mr. Phillips's prior criminal history includes probation for Theft in 1969 and two counts of Theft in 1970, 14 days of incarceration in 1971 for Possession of Narcotics Kit, probation for Criminal Trespass in 1972, and a 1973 Burglary arrest in Georgia.

Mr. Phillips's Georgia arrest led to his admission of guilt in the Murder of Mr. Terrell and extradition to Illinois on an outstanding warrant for Possession of Burglary Tools; Mr. Phillips was given an 8-year sentence in the Department of Corrections for the Possession of Burglary Tools conviction and subsequently convicted of the instant Murder offense, for which is he now eligible for parole consideration.



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

MR. PHILLIPS'S STATEMENTS AS TO THE OFFENSE

When asked about the offense, Mr. Phillips admitted "I killed for the money. I know it was wrong." He further noted that "All I can say is I'm sorry, and that I don't know if prison for the rest of my life is enough."

INSTITUTIONAL ADJUSTMENT

Mr. Phillips has been incarcerated since January 22, 1979, and he has been a JTC resident since May 25, 2017. He has participated in a variety of mental health groups and his disciplinary history is unremarkable and non-violent.

Mr. Phillips is A grade and considered to be of moderate risk of recidivism, according to a SPIN assessment administered in 2016.

Mr. Phillips has several crudely-made tattoos. He has tattoos on each his forearms, one of which depict a dagger and the inscription "death before dishonor," to commemorate his brief military service; the other forearm tattoo states the dates of his entry and projected discharge separated by a covered-over word. Mr. Johnson indicated that he had inscribed his name, and later blacked it out because he knows who he is. On his forehead are the numbers 666, which he says were added during the 30 years he was with Satan, but regarding which he also noted that his soul is in his Bible now.

Mr. Phillips speaks rapidly and with detailed and dated references to incidents in his life. He listed from memory the name and completion dates for six mental health groups, four months and 17 days of Army service, and the names of mental health placements dating from the 1950s. He was asked if he knew a Mrs. Wilson at Menard Psych. In response, eh advised he did, and that she was Assistant Warden there in 1979, but left to become Warden at Pinckneyville. This fact was verified.

Mr. Phillips will be 67 years old in November, and he has been in and out of mental health institutions since removal from his home in 1958 at the age of six. He has been diagnosed with Axis 1 schizophrenia and as bipolar. Regarding his mental health, Mr. Phillips stated that lately he has been agitated, cussing, acting out, and not going to classes. He commented, "I'm depressed," and further noted "I'll need meds for the rest of my life, and I need the security of a facility."

PAROLE PLANS

Previously, Mr. Phillips asked to be paroled to the Elgin mental health facility, but today, he would prefer involuntary commitment to the Chester Mental Health Center, where his status



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

would be reviewed annually in court. He hopes that Chester would allow him to go shopping. As to Joliet, he stated "Everybody is here to help me, and they do the best they can."

EN BANC HISTORY

Mr. Phillips has never received a vote from any Board Member in favor of parole.

DISCUSSION

Summary of discussion for parole consideration:

Ms. Crigler commented that she is fearful of Mr. Phillips release. She feels he could harm himself or others.

Mr. Tupy said the victim's family has written many letters of protest.

On the subject of a set for Mr. Phillips, Ms. Crigler advised that she feels as though he enjoys talking to the Board Members each year, and that to deprive him of a yearly hearing would be unkind.

Cook County Assistant State's Attorney Sara Whitecotton reiterated that the victim's family strongly opposes parole for Mr. Phillips.

Chairman Findley stated that Mr. Phillips's placement at JTC is appropriate, and that he appears content to remain there. Chairman Findley noted that to parole Mr. Phillips at this time would deprecate the seriousness of the offense; moreover, Mr. Phillips has no parole plan, no family member to accept him into their home, and is not likely to be able to comply with conditions of parole at this time.

DECISION AND RATIONALE

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

After thorough consideration of Mr. Phillips' case, the Board voted to deny parole. The Board finds Mr. Phillips ill-prepared for release and notes that his criminal history indicates there is a substantial risk that Mr. Phillips would not conform to reasonable conditions of parole release, and that a parole release of Mr. Phillips at this time would deprecate the serious nature of his offense and promote a lack of respect for the law.

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



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

***EN BANC* MINUTE SHEET**
OPEN SESSION—May 30, 2019

Inmate Name: **LENNOX LAWRENCE** IDOC Number: **C63915**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on May 30, 2019, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Lennox Lawrence C63915.

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

Recording Secretary: Janet Crane.

PRESENTATION OF INTERVIEW AND FILE

Lennox Lawrence C63915 was interviewed by Mr. Ruggiero at Dixon Correctional Center on April 17, 2019. According to records with the Illinois Department of Corrections, Mr. Lawrence's date of birth is March 3, 1956, but Mr. Lawrence stated that his date of birth is March 31, 1957. He was convicted of two counts of Murder (100-200 years) and one count of Attempted Murder (50-100 years). There were three co-defendants for these cases, two of which have already been paroled by the Board. The third was found to be not guilty at trial.

STATEMENT OF FACTS

Elijah Baptist (co-defendant to Mr. Lawrence) committed a Murder on July 29, 1974, months before this Murder. The victims of this Murder were witnesses to the Murder committed by Mr. Baptiste. The Murder victims, Henry Carter and Leslie Scott, testified for the People at the preliminary hearing of Mr. Baptist on September 23, 1974. Mr. Baptist's case was scheduled to be tried in July of 1975, and Mr. Carter and Ms. Scott were listed as witnesses to testify on behalf of the People of the State of Illinois.

On the evening of June 13, 1975, the victims, Henry Carter, his brother Leo Carter, and Leslie Scott were returning home. They were approached by Michael Baptist, Elijah's Baptist's brother, Wayne "Red" Lindsay, the cousin of the Baptist brothers, Lennox "Knox" Lawrence, and John Perkins. Mr. Lindsay invited them to a party at his home, located at 600 W. 60th Street, Chicago. This was a ruse to get them alone. All seven people, the three victims and four co-defendants, Mr. Baptist, Mr. Lindsay, Mr. Lawrence, and Mr. Perkins, were present. They partied for forty-five minutes. Mr. Lawrence then asked Mr. Lindsay, Mr. Baptist, and Mr. Perkins if they were ready. At that point, Mr. Lawrence put a gun to Henry Carter's head, while Mr. Lindsay put a gun to Leo Carter's head. Mr. Perkins and Mr. Baptist held onto Leslie Scott.



STATE OF ILLINOIS

JB PRITZKER, GOVERNOR

PRISONER REVIEW BOARD

Craig Findley, Chairman

The victims were walked out of the building. Henry Carter and Leslie Scott were both crying. When the victims were taken to an alley by a nearby factory at gun point, Mr. Lindsay asked, "Who tricked on my cousin?" The victims denied providing any information related to the Murder. Mr. Lindsay told Leo Carter that he liked him, but he had to do this. Mr. Lindsay then put the loaded gun to the bridge of Leo Carter's nose and pulled the trigger, shooting him once between the eyes, at point-blank range. Mr. Lindsay then shot him in the back after he fell to the ground. Mr. Lawrence then executed Henry Carter by shooting him in the head and in the chest. Henry dropped dead next to his brother Leo, who, although shot between the eyes and in his back, survived. Leo heard several more shots as Leslie Scott was shot and killed next. Blinded in one eye for life, he crawled to a relative's home a few blocks away, and the police were called. He identified Mr. Lawrence, Mr. Baptist, and Mr. Lindsay for their roles. The murder weapons were recovered. Consistent with what Henry Carter said, one gun had Mr. Lindsay's fingerprints on it. The bullets recovered from the victims' bodies and the guns were sent to a lab, and the bullets were found to have been fired from the recovered guns.

MR. LAWRENCE'S STATEMENTS AS TO THE OFFENSES

At the time of the offenses, Mr. Lawrence claimed he was home in bed from 9:00 p.m. until 5:00 a.m. when the Murders occurred. He called no other alibi witnesses at his trial.

At his interview for parole consideration, Mr. Lawrence was presented the above information. When asked if he is maintaining his previously asserted version of events, that he was in bed from 9:00 pm until 5:00 am the evening of these Murders, Mr. Lawrence indicated that he was.

Mr. Lawrence expressed remorse for the mother of the Carter boys who were shot. He said, "Sorry for all of it. Being in the wrong place at wrong time." When asked to expound on a similar statement he made in a May 5, 2017 affidavit in which he stated,

"This case arises from a family feud wherein I was deluded into believing I was a friend of one side, until both sides fed me to the sharks to save their own skin; and obviously it was effective, because for too many years all of them have been freed, while I have been chastised to the outskirts of suicide, when the judicial record shows they told lies atop lies to justify lies..."

Mr. Lawrence displayed real difficulty explaining what he meant by this. He did say that everyone knew each other and were friends. He was known as Knox. He was asked why Mr. Carter would say Mr. Lawrence did this, if they were all friends. He said when the police took him to see Mr. Carter in the hospital to be identified, Mr. Carter said that Knox wasn't there. He was advised that this was the first time the Board had ever heard this. He said he told his lawyer back before the trial but could not explain why it wasn't pursued.



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

MR. BAPTIST’S STATEMENTS AS TO THE OFFENSES

In a 2015 letter, Mr. Baptist described how Mr. Lawrence and Mr. Lindsay both were present, had guns pointed at the victims and shot them. Mr. Baptist specifically stated that “We saw Wayne Lindsay and Lennox Lawrence with guns pointed at the victims. I heard Wayne Lindsay ask Leo Carter, “Who told on Eli?” or something like that, and then they started shooting.” This recitation of events was consistent with Leo Carter’s testimony.

In his 2013 interview with PRB Member Mr. Bowers, Mr. Baptist admitted being present during the Murders, and that he observed both Mr. Lawrence and Mr. Lindsay pointing guns and shooting the victims.

MR. LINDSAY’S STATEMENTS AS TO THE OFFENSES

In a 2011 interview with PRB Member Mary Reynolds, Mr. Lindsay said he shot two people, and Mr. Lawrence shot the other person.

During Mr. Lindsay’s past testimony, he additionally stated that Mr. Lawrence was present with him when the Murders occurred.

CRIMINAL HISTORY

January 20, 1975 – Murder – Finding of no probable cause on January 29, 1975. Mr. Lawrence, during the parole consideration interview, stated he accidentally shot his friend at 17 while at a friend’s house. Mr. Lawrence became emotional and stated “Life’s been downhill since then.”

March 31, 1975 – Armed Robbery/ Intimidation – Case dismissed on April 29, 1975. Mr. Lawrence stated that he recalls little about being charged. He recalls the event was about gambling money being snatched up during some game on the street.

March 1, 2017 – Pending immigration warrant out of Jamaica. – Mr. Lawrence was born in Jamaica, and the indication is that the United States will deport Mr. Lawrence if he is released.

INSTUTIONAL ADJUSTMENT

While incarcerated, Mr. Mikel has been housed at the following institutions:

Stateville	– 1976–July 22, 1992	– 16 years
Dixon	– July 22, 1992–September 2, 1992	– 1 month
Stateville	– September 2, 1992–February 11, 1997	– 4 years
Western	– February 11, 1997–July 23, 1997	– 5 months
Big Muddy	– 1997–1998	– 1 year
Hill	– 1998–March 20, 2002	– 4 years



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

Danville	– March 20, 2002–June 8, 2005	– 3 years
Shawnee	– June 8, 2005–July 24, 2013	– 8 years
Dixon	– July 24, 2013–Present	– 6 years

Mr. Lawrence has a solid history of accomplishments while incarcerated. His list of jobs has included janitor, brick layer, electrician, transit man, utility man, tool man, machine operator, and polisher. There is also a special accommodation for him laying bricks for 12-hour days, seven days a week, for four months at Stateville while building a visiting room. Additionally, Mr. Lawrence took six months to complete Bible Study Classes via correspondence.

While Mr. Lawrence has had some major disciplinary issues in his past, during the last 20 years there have been few disciplinary issues. He did have a 2016 Major Inmate Disciplinary Report involving sexual misconduct between him and another inmate. Mr. Lawrence denies this event and denies having any homosexual tendencies. He stated, “they was just wrestling around.”

A full list of all disciplinary issues is available. Some of the more serious disciplinary incidents are as follows:

<u>Date</u>	<u>IDR</u>	<u>Discipline</u>
March 7, 1977	Stealing	Segregation
November 14, 1986	Possession of Contraband (8” knife)	Unknown
November 8, 1994	Possession of Contraband (currency)	12 months B grade
December 27, 1995	Possession of Contraband (Drugs, 34 bags of opiates, a Pager, and \$40 currency)	6 months segregation and C grade
February 12, 1997	Gang Activity Destruction of Material	10 days segregation
June 27, 1997	Rules Violation	10 days segregation
July 6, 1997	Rules Violation	1 month segregation
February 3, 1998	Impairment of Surveillance	1 month C grade
March 9, 2001	Theft	14-day commissary restriction
December 2, 2016	Sexual Misconduct (indicated as involving another fondling Mr. Lawrence’s genitals)	1 month segregation, 2 month commissary, yard, and gym restriction

Mr. Lawrence has had 41 IDRs, including Gang Action and several drug and drug paraphernalia tickets. Mr. Lawrence has had no treatment for drugs.

At his parole consideration interview, Mr. Lawrence appeared neat and well groomed. He was polite, pleasant and appropriate throughout the interview. He corrected his date of birth, stating the Department has always had it wrong, asserting that his real birthday is March 31, 1957, and that he is sixty-two years old now.



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

When reviewing his criminal history, he was asked if he remembered being arrested in 1975 for Murder. He became emotional and started crying, stating that he had accidentally shot his friend while at a friend's house when he was 17. He said the case was dismissed right away in court. While crying, he stated, "Life's been downhill since then." He was referring to the shooting of his friend. He was then questioned about a 1975 Armed Robbery. He had very little recall of this, but stated he believed it was about snatching up some gambling money. He stated he was born in Jamaica along with his parents and most of his seven siblings. While most of them have become United States citizens, he has an immigration warrant if he is released.

He noted that his parents were very close. They were married about 40 years when his father passed in 2002. His mother is 86 and still alive, but is not well. He wants to get out to take care of her. He still gets visits from his sisters and communicates with step-children and sisters. He has met and married two women while incarcerated. He treats their children as his own.

He has done Bible Study Courses and has become deeply religious since the 1990s. When asked if something precipitated that, he said the loss of his unborn twins. He described getting married in Stateville, and how his wife became pregnant. He prays daily and attends services each Sunday. He wanted to be a bricklayer until 2009, when he became deathly ill from a kidney infection which spread to his heart. He was hospitalized for two months and almost died as a result of that illness.

PAROLE PLANS

Mr. Lawrence indicated that his plan used to be to live with his fiancée or his ex-wife in Lockport, Illinois. His plan is now to live with his mother in Chicago, as he wants to take care of her in her last few years of life.

With regards to employment, Mr. Lawrence indicated that he previously wanted to be an electrician. He now plans to work for his brother-in-law, as noted above.

Mr. Lawrence has also had several letters of support over the years from family, his fiancée, friend, and church congregation members.

A review of the SPIN Assessment history for Mr. Lawrence indicates that he was found to have an Overall Low risk in both 2017 and 2019, with a Full Assessment Protective Risk Overall High in 2017 and Low in 2019.



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

OPPOSITION TO PAROLE RELEASE

The Cook County State's Attorney's Office has consistently filed strenuous objections to parole. They emphasize that the victims were State witnesses, and that the premeditated plan to kill these people, who were targeted for cooperation, is particularly important.

Victims have also consistently voiced passionate opposition to parole release, as detailed in numerous victim protest letters held by the Board.

EN BANC HISTORY

Mr. Lawrence has never received a vote from any Board Member in favor of parole release. He previously received 3-year sets in 2003, 2006, 2009, and 2012. He received a 2-year set in 2017.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Ruggiero indicated that he doesn't feel that Mr. Lawrence is truthful. Mr. Ruggiero doesn't feel Mr. Lawrence is a violent man, but that there are parole conditions that Mr. Lawrence would not conform to. Mr. Ruggiero feels that the crime that Mr. Lawrence was convicted of required pre-planning and was not done in the heat of the moment.

Ms. Martinez asked if Mr. Lawrence knows that he has an immigration detainer. Mr. Ruggiero advised that it is not known whether Mr. Lawrence is aware of the detainer.

Mr. Tupy asked whether Mr. Ruggiero felt Mr. Lawrence was a violent man. Mr. Ruggiero stated that he does not feel Mr. Lawrence is violent now. Mr. Tupy also asked if Mr. Lawrence feels remorseful. Mr. Ruggiero said that Mr. Lawrence stated that he feels for the victims' families.

Chairman Findley noted that it was proven that there were two shooters in the crime, and that Mr. Lawrence was one of them.

Cook County Assistant State's Attorney Sara Whitecotton stated the State has an issue with Mr. Lawrence's alibi. The State asks that parole be denied on the basis of the seriousness of the offense.



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

DECISION AND RATIONALE

Motion to deny parole (JR—KT). Motion prevails by a vote of 10–4. Members voting in favor of the motion were Mr. Brink, Ms. Daniels, Mr. Fisher, Mr. James, Ms. Martinez, Mrs. Perkins, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, and Ms. Wilson. Ms. Crigler, Mr. Dunn, Ms. Harris, and Chairman Findley dissented.

Motion for a three-year set (JR—KT). Motion fails by a vote of 7–7. Members voting in favor of the motion were Mr. Brink, Ms. Daniels, Mr. Fisher, Mr. Ruggiero, Mr. Shelton, Mr. Tupy and Ms. Wilson. Ms. Crigler, Mr. Dunn, Ms. Harris, Mr. James, Ms. Martinez, Mrs. Perkins, and Chairman Findley dissented.

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

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



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

***EN BANC* MINUTE SHEET**
OPEN SESSION—May 30, 2019

Inmate Name: **WAYNE MIKEL**

IDOC Number: **C82429**

The Illinois Prisoner Review Board met in open *en banc* session at 319 East Madison Street, Suite A, Springfield, Illinois, on May 30, 2019, at the 9:00 a.m. session to discuss and deliberate parole eligibility for Wayne Mikel C82429.

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

Recording Secretary: Janet Crane.

PRESENTATION OF INTERVIEW AND FILE

Wayne Mikel C82429, was interviewed at East Moline Correctional Center on April 18, 2019. Present at the interview were Mr. Mikel, Mr. Mikel's sister, and Board Member Mr. Ruggiero. Mr. Mikel was born on August 10, 1955 and is 63 years of age. He has been incarcerated for over 41 years for Murder (40-100 years) and two counts of Aggravated Assault (360 days). His projected discharge date is in October 2026.

STATEMENT OF FACTS

On November 19, 1977, Mr. Mikel was the front-seat passenger of a truck being driven by Charles Seaton in Danville, Illinois. They pulled up to a corner, and Mr. Mikel shouted racial insults at a group of African-American men and women standing near a street corner. Mr. Mikel discharged his rifle in the direction of Mr. Patton, missing him. A couple minutes later, Mr. Mikel discharged the rifle three times again, this time at Anvil Nelson. Mr. Nelson was a husband, a father of four, and a respected citizen and businessman in Danville. Mr. Mikel shot and killed Mr. Nelson. There is no known motive for this shooting other than the color of Mr. Nelson's skin.

Within thirty minutes of this Murder, Mr. Mikel was still the front-seat passenger when his co-defendant cut off another male African-American, who was driving his car. Mr. Mikel discharged the rifle at the other driver, Tyrone Grant, missing him, but striking his car. All victims and persons at which Mr. Mikel discharged his weapon were African-American. Additionally, the file reflects that racial insults were yelled by Mr. Mikel towards his victims, when he shot Mr. Nelson. According to his co-defendant, Mr. Seaton, Mr. Mikel stated, "Let's go get us a n*****," or words to that effect, when they were leaving the bar prior to the shootings. Mr. Mikel was drunk and high from smoking cannabis at the time of the shooting.



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

There were several witnesses to Mr. Mikel’s intoxication at the time. Even so, if this case were charged today, this Murder would have been found to have been committed in the course of a Hate Crime, thus making Mr. Mikel eligible for a Natural Life sentence.

This case was appealed and affirmed by the First District Appellate Court in People v. Mikel, 391 N.E.2d 550 (1st Dist. 1979).

MR. MIKEL’S STATEMENTS AS TO THE OFFENSE

Mr. Mikel had a positive attitude throughout the entire interview. When asked about this given his circumstances, he commented that he chooses to look at life as a glass half full. It has been over 41 years since the offense at issue occurred, and Mr. Mikel has been incarcerated ever since. In reviewing the facts of the case, Mr. Mikel does not deny he shot those shots which caused the death of Mr. Nelson. Mr. Mikel’s memory has the events coming in different order, which could be a result of memory issues when dealing with something that occurred forty-one years ago. Mr. Mikel has always stated that the shots he fired were not intended to hit Mr. Nelson. This version of the facts is, as stated above, out of order, and his version remains that he did not intend to shoot Mr. Nelson.

When asked about the racial aspect of this case, Mr. Mikel said he is not a racist now nor has he ever been. He admitted being drunk, getting into an argument, and shooting the gun, but he maintains it was not racially motivated. He reiterated that he gets along with everyone and has not had any problems in the Illinois Department of Corrections. He stated that for the last forty years his community in prison is comprised of mostly black individuals. He stated that he does not have—and never has had—any issue with people because of the color of their skin. He has four “cellies” that are black, and he gets along fine with all of them. He said “You can’t be a racist and hide it for 40 years in here.” He said that when he was in Menard (1978 – 1986), the prison was run by a white gang that called themselves the North-siders. He said he never joined that gang or associated with it, because he’s not like that. He said he has had problems with some inmates that are jerks, but it was because they were jerks, not because of their skin color. He said the prison has latinos, blacks, and whites, but he never really thinks about it. He reported that getting along with people just comes naturally to him.

INSTITUTIONAL ADJUSTMENT

While incarcerated, Mr. Mikel has been housed at the following institutions:

Menard	– 1978–1986	– 8 years
Logan	– 1986–April 20, 1989	– 3 years
Centralia	– April 20, 1989–2018	– 29 years
East Moline	– 2018–Present	– 1 year



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

Mr. Mikel's institutional adjustment can only be described as outstanding. He has achieved much and has continued to better himself throughout his incarceration. He has almost always been assigned a job while incarcerated. His file includes a very long list of jobs he has held, including being assigned and obtaining clearance to work outside the fence while at the furniture shop, while at Logan and Centralia. In addition to his work experiences he has achieved a remarkable number of programmatic and educational achievements, including, between 1978 and 1986: obtaining his GED, earning two on-the-job training certificates (projectionist), completing the IDOC welding program, participating in the Jaycees and the Alcoholics Anonymous program (six months at Menard). He has additionally obtained a Bachelor's degree, three Associate's degrees in Applied Sciences, General Studies, and Arts. Finally, Mr. Mikel has also completed a six-month Drafting program and a Computer program.

Mr. Mikel's disciplinary record is de minimis. According to his file, his last Major Inmate Disciplinary Report was a movement violation in August 2001, which resulted in a verbal reprimand. In the last 20 years, he has had 5 minor IDRs, none of which required more than verbal reprimands, with the last being in 2002. No violence or gang activity is in his record.

At the time of his interview, Mr. Mikel presented himself as a neat, clean, healthy 63-year-old man. He is slight in stature, but appeared healthy. He was cordial, polite, appropriate, and quite pleasant. His sister was also present for the interview. She is approximately 70 years old. She drove to be with her brother. They appear to have a normal healthy loving relationship.

While Mr. Mikel seems resigned to his fate, having never received a vote, he is hopeful that people can see him for who he really is. He comes across as a very meek, mild-mannered, and sincere man. His only hope is to spend time with family during the last portion of his life. He expressed the appropriate amount of remorse and decorum for the situation. He stated that he knows the victim's family is politically connected and powerful, so he does not get his hopes up. He and his sister thanked Mr. Ruggiero for his time at the conclusion of the interview.

CRIMINAL HISTORY

Mr. Mikel was on probation for a 1976 Burglary when this Murder occurred. He only other criminal background is an arrest for misdemeanor offenses of Public Intoxication, Illegal Consumption of Alcohol, and Resisting a Peace Officer.

PAROLE PLANS

Both Mr. Mikel's parents are deceased, however his siblings keep in contact with him. Mr. Mikel's has two sisters, one of whom lives in Illinois, with the other living in Washington. Mr. Mikel also has a brother who resides in Indiana.



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

Mr. Mikel's parole plan is solid. He intends to live with his sister in Fairmount, Illinois. They have kept in close contact and the family has arranged a job working at a Welding and Fabricating Shop in Fairmount for a family friend. He has also received several letters from family in support of his parole release.

Mr. Mikel's sister spoke on his behalf at his interview. She reiterated what she has expressed many times in the past; she feels her brother has paid his debt to society and has done his time. She would like him home for the end of her and his lives. She said she knows her brother, and he is not a racist and never has been one. He gets along with everyone in prison regardless of their skin color. If he gets out, she states that he can use the degrees he has earned, work, and spend time with family. She has no concerns with his drinking. She does not drink, and she stated he will not drink. She is aware he was in A.A. while in prison. She was polite and mild-mannered. She repeated that Mr. Mikel is remorseful and has done well in IDOC.

OPPOSITION TO PAROLE RELEASE

The Vermilion County State's Attorney files protests against parole release each time this case is before the Board. There have been petitions in opposition to release as recently as 2016, with that petition having been signed by 3,127 persons. There have been many letters in protest against release from the family, the public, the police, and community leaders, including the Mayor of Danville and local State Representatives. There are many strong, passionate and moving protests against Mr. Mikel receiving parole.

EN BANC HISTORY

Mr. Mikel has never received a vote from any Board Member in favor of parole release. He received 2-year sets in the following years: 1988 and 2014. He received 3- year sets in the following years: 1996, 1999, 2002, 2005, 2008, 2011, and 2016.

DISCUSSION

Summary of discussion for parole consideration:

Mr. Shelton stated that the co-offender in this case came clean to police and admitted to the crime. Mr. Shelton does feel that it was a racially-motivated crime. He noted that the girl who was with Mr. Mikel the night of the crime said the following morning that Mr. Mikel was afraid that he had shot someone.

Ms. Crigler mentioned the fact that Mr. Mikel has had a fantastic institutional adjustment. She said young men under the influence do terrible, stupid things. She commented that Mr. Mikel has spent 41 plus years in IDOC paying for a stupid thing.



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

Mr. Shelton feels Mr. Mikel was drunk and angry. Mr. Shelton began a discussion which indicated that Mr. Mikel should not parole back to the same community.

Ms. Harris feels that this was a racially-motivated incident. She feels that the prison situation is a forced co-habitation, and that Mr. Mikel should seek counseling.

Mr. Ruggiero stated that Mr. Mikel had recently started attending A.A. again, and that he had not seen any IDOC grievances in Mr. Mikel's file.

Ms. Martinez commented regarding the fact that Mr. Mikel comes across as a likeable person. She noted that you cannot judge people on how they present themselves.

Ms. Daniels asked the question of the Board that if they were to parole Mr. Mikel, what would concern them regarding that decision.

Ms. Crigler noted that a 63-year-old racist can still do some bad things, but the question is whether he will do those bad things. She stated that concern is appropriate.

Mr. Ruggiero noted that Mr. Mikel had no tattoos or other indications that he had joined a gang while incarcerated. Mr. Ruggiero advised that he does not think Mr. Mikel is a violent man. However, Mr. Ruggiero feels parole would deprecate the seriousness of the crime.

It was additionally noted that the victim was a pillar of the community and that the community where the offense occurred remains cognizant of Mr. Mikel's case and many members of that community have voiced opposition to his release.

DECISION AND RATIONALE

Motion to deny parole (JR—PF). Motion fails by a vote of 6–8. Members voting in favor of the motion were Mr. Fisher, Mr. James, Mr. Ruggiero, Mr. Shelton, Mr. Tupy, and Ms. Wilson. Mr. Brink, Ms. Crigler, Ms. Daniels, Mr. Dunn, Ms. Harris, Ms. Martinez, Mrs. Perkins, and Chairman Findley dissented. As a matter of State law, Mr. Mikel is therefore granted parole release, having received votes in favor of his release from a majority of the appointed Board.

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

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